

**National Assembly for Wales**  
Children and Young People Committee

Further review of developments in the  
provision of advocacy services to children  
and young people in Wales: plain English  
summary and recommendations

September 2010



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## Children and Young People Committee

We are a group of five people who work as Assembly Members in the National Assembly for Wales in Cardiff. People in Wales have voted for us to do this and it's our job to make sure that the people who make decisions about things like how to spend money (called the Welsh Government) are doing a good job. Our group is called the Children and Young People Committee.

### Committee membership



Helen Mary Jones (Chair)



Angela Burns



Eleanor Burnham



Sandy Mewies



Joyce Watson

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# Glossary of terms

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- Chair:** the Chair of the Committee is the member who the Committee has elected to speak for them. He or she cannot make decisions for other members or tell the Committee what to do.
- Advocate:** a person who will speak on behalf of someone else to tell that person's views.
- Advocacy services:** a service that children and young people can use to get an advocate.
- Local authority:** a local council, led by a group of councillors, who have been elected to make decisions on how to spend money in the local area.
- Local government:** this is how we refer to all the local authorities as a group.
- In care:** when a child or young person is given somewhere new to live by the local authority because they can't stay at home, the child or young person might be 'in care'.
- Care and Social Services Inspectorate Wales:** an organisation that encourages better social care and early years and social services in Wales.
- Estyn:** an organisation that encourages better education and training in Wales.
- Health Inspectorate Wales:** an organisation that encourages better healthcare in Wales.

- **Statutory Guidance:** advice that explains how to do something in a way that follows the law.
- **Welsh Government:** creates and carries out policy and is held to account by the National Assembly for Wales. It is led by ministers who are also Assembly Members.

## Message from the Chair

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Advocacy is really important to children and young people. It can sometimes be really hard for children and young people to speak up and tell people in authority what their ideas, thoughts and needs are. Some children and young people can ask their mums, dads or teachers for help in getting their point across, but other children might need help from someone else to get their voice heard.

That's why we need the Welsh Government and local authorities to offer advocacy services to children and young people in Wales. If children and young people do not have anyone to help them speak up, then they may end up not being able to have any control over things that affect them in their lives, like where they live and who they live with.

But advocates do more than just speak on a child or young person's behalf. They also help that person to learn to speak for themselves so that in the future they are more confident.

In the next few years, the Welsh Government will have less money to spend than before, but we hope that it will see how important advocacy services are

to children and young people and provide the best possible service they can.

**Helen Mary Jones AM**  
**Chair of the Children and Young People**  
**Committee**

## **The Committee's Recommendations**

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The Committee's recommendations to the Welsh Government are listed below, in the order that they appear in this report. Please refer to the relevant pages of the report to see a summary of the supporting evidence and conclusions:

**The Committee recommends that the Welsh Government gives clear instructions about advocacy services that the law says local governments must follow.** (page 10)

**The Committee recommends that the Welsh Government thinks again about a national commissioning model instead of the regional commissioning model. However, the Welsh Government should not stop trying to make the regional model work while it thinks about the other way of buying advocacy services.** (page 12)

**The Committee recommends that the Welsh Government makes sure that children and young people are asked about how good and how independent the advocacy services are.** (page 13)

**The Committee recommends that the Welsh Government should make sure that local authorities know who, by law, should have an advocate if they want one. (page 13)**

**The Committee recommends that local authorities who have children and young people in their care tell those children and young people that they can have an advocate if they would like one. (page 14)**

**The Committee recommends that the Welsh Government should be clear about which children and young people must be offered advocacy services by law, to make sure that children and young people all over Wales get the same sort of service. (page 15)**

**The Committee recommends that even though advocacy services for the most vulnerable children and young people are the most important, the Welsh Government should still try to provide advocacy services for all children and young people in Wales. (page 15)**

**The Committee recommends that the Welsh Government tells local authorities that spot**

**purchasing is not acceptable and should only be used in very unusual situations.**

**(page 16)**

**When thinking about whether a national commissioning model would be better than a regional one, the Welsh Government should also think about whether the national commissioning model would stop the need for spot purchasing.**

**(page 17)**

**The Committee recommends that the Welsh Government should think about how it can support self-advocacy and peer-advocacy so that children and young people learn the skills that will help them later in life.**

**(page 17)**

**The Committee recommends that inspections recognise that the relationship that advocates have with children and young people is very important in developing self-advocacy and peer-advocacy. Inspectors should ask children and young people about their views and experiences of advocacy services. Inspections should be led by the Care and Social Services Inspectorate Wales, who should work with Estyn and the Health Inspectorate Wales.**

**(page 18)**

**The Committee recommends that the Welsh Government finds out what sort of advocacy services are available to children and young people in all areas of Wales. The Committee thinks that the National Independent Advocacy Board should do this work.**

(page 19)

**The Committee recommends that the Welsh Government makes it clear what the National Independent Advocacy Board will do and be responsible for, and what the Welsh Government's advocacy unit will do and be responsible for.**

(page 19)

# 1. Introduction and Background

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The Children and Young People Committee first thought about advocacy services in Wales in November 2007. We thought about the way the services worked and suggested things that the Welsh Government could do to make the services better.

The Welsh Government agreed with lots of our suggestions, which we called recommendations, and agreed to change the way they provided the service.

In May 2009, we checked what the Welsh Government had done to improve advocacy services. We found then that there were more things that they could be doing to make the services better so we made some more recommendations.

In June and July 2010, we spoke to the Welsh Government again to see if advocacy services were much better. We also spoke to lots of other people who knew about or used advocacy services in Wales and asked them if they thought the services were better now. We would like to thank all the people who wrote to us or talked to us about advocacy services.

## 2. Key Issues

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### **Progress in implementing the Welsh Government's advocacy model**

In March 2008, the Welsh Government said they were going to change the way they provided advocacy services. The new service was going to be available to all children and young people, not just those in care.

We found out that there had not been many changes made to the service yet. A charity called Children in Wales told us that they thought the new service should have been ready 'a lot quicker.'

The Committee felt that the changes might have been slow because the Welsh Government has not yet advised local authorities on how they should provide advocacy services using the new model.

**The Committee recommends that the Welsh Government gives clear advice about delivering advocacy services using the new model. This advice should be given as statutory guidance.**

## **The Welsh Government's regional commissioning model**

One of the suggestions the Committee made to the Welsh Government was that advocacy services should be bought by a national independent unit who made sure they were available to local people. Specialist advocacy services, for example for people who were asylum seekers and did not speak Welsh or English, should also be bought by the national unit.

The Committee felt that it was better to buy services in this way than to ask local government to buy the services. This is because advocates would sometimes need to speak up against the local government. If the advocates were being paid by the local government it could be difficult for the children and young people to believe that the advocates really were on their side.

The Welsh Government agreed that the advocates should be independent of local governments, but did not agree that a national commissioning unit was the best way to buy services. Instead, they felt that local authorities should work together in groups to buy in advocacy services. This was called the regional commissioning model.

The regional commissioning model was difficult for some local authorities to set up. Some had provided different services to others in the past so they found it hard to work out what they could provide as a group.

Some of the people who were trying to buy advocacy services in the new way were worried that they could not provide such good services as before if they had to buy them in the new way.

The Committee was worried that some children and young people might get worse advocacy services than before if the regional commissioning model did not work.

**The Committee recommends that the Welsh Government thinks again about a national commissioning model instead of the regional commissioning model. However, the Welsh Government should not stop trying to make the regional model work while it thinks about the other way of buying advocacy services.**

### **Independence for advocacy providers**

The Committee is worried that children and young people will not trust advocacy services that are not independent. Because of the way services are bought at the moment, children and young people might feel that some advocates will not help them complain about local authorities in case they lose their jobs.

It is important that children and young people trust their advocates so the Committee would like local governments

to ask children and young people if they are happy with the services they are getting.

**The Committee recommends that the Welsh Government makes sure that children and young people are asked about how good, and how independent the advocacy services are.**

### **Advocacy services for vulnerable children**

The Welsh Government says that local authorities have to provide advocacy services for vulnerable children.

Vulnerable children include looked after children, children in need and those leaving care.

But, the Committee has been told that some people are confused about who should have to get the services. Because of this, children in one area might be told they can't have an advocate but they would get one if they lived somewhere else.

The Committee does not think that this is fair and wants every looked after or adopted child to have an advocate if they want one.

**The Committee recommends that the Welsh Government should make sure that local authorities know who should have an advocate if they want one.**

**The Committee recommends that local authorities who have children and young people in their care tell those children and young people that they can have an advocate if they would like one.**

### **Financial pressures and their impact for universal advocacy**

Because there is less money available to the Welsh Government and Local Authorities at the moment, they have less money to spend on the services they provide. Some people told the Committee that they were worried that this would mean that less children and young people would be able to have advocates.

Some of the most vulnerable children and young people will still get advocacy services because the law says they have to, but the Committee is worried that others will be told that they can't have an advocate.

Some people told the Committee that making sure that all children and young people had an advocate if they wanted one did not have to cost much. The Children's Commissioner for Wales told the Committee that 'a teacher, a police officer or anyone could be an advocate'.

The Committee had suggested to the Welsh Government in March 2008 that some people who already worked with children and young people could be trained to be

advocates too. The Welsh Government agreed with the suggestion and 22 people are now being trained to be advocates. But the Welsh Government is not sure that there will be enough money in the future to train more people.

**The Committee recommends that the Welsh Government should be clear about which children and young people must be offered advocacy services, to make sure that children and young people all over Wales get the same sort of service.**

**The Committee recommends that even though advocacy services for the most vulnerable children and young people are the most important, the Welsh Government should still try to provide advocacy services for all children and young people in Wales.**

### **Spot purchasing**

Spot purchasing happens when local authorities pay for an advocate to work with a child or young person for a short period of time. It is not a good thing because it means that the child or young person does not have the chance to get to know their advocate and cannot get in touch with them in the future if they need to.

Spot purchasing is done because there is no suitable advocacy service available when a child or young person

needs it. Some people told the Committee that it costs less money to spot purchase, and although that might be important when the Welsh Government and local authorities do not have as much money as before, it is not a good service for the children and young people who need an advocate.

Good advocates will work with children and young people to help them become confident to speak up for themselves in the future. This is called self-advocacy. Some of the children and young people will then go on to help other children and young people to speak out. This is called peer-advocacy. One of the reasons that spot purchasing is not good for children and young people is that advocates who are provided in this way cannot help children and young people to become self-advocates or peer-advocates.

The Committee thinks that advocacy services should only be spot purchased in very unusual situations, where the usual advocacy service cannot cope. An example would be an asylum seeking child who needs an advocate who speaks a different language.

**The Committee recommends that the Welsh Government tells local authorities that spot purchasing is not acceptable and should only be used in very unusual situations.**

**When thinking about whether a national commissioning model would be better than a regional one, the Welsh Government should also think about whether the national commissioning model would stop the need for spot purchasing.**

**The Committee recommends that the Welsh Government should think about how it can support self-advocacy and peer-advocacy so that children and young people learn the skills that will help them later in life.**

### **Inspection and regulation**

Inspection and regulation are important because they help to make sure that services are working well.

The Welsh Government has agreed that advocacy services should be regulated and inspected, but is not sure who should be in charge of the regulation and inspections. The Children's Commissioner for Wales and local authorities told the Committee that inspections should take place 'as part of social care and education' inspections that already take place. Local authorities said that as lots of inspections already take place, it would make sense for advocacy services to be included in them.

Carol Floris, from Voices from Care, told the Committee that it is important for inspectors to remember that advocates should be able to develop relationships with

children and young people to help them learn self-advocacy and peer-advocacy skills.

**The Committee recommends that inspections recognise that the relationship that advocates have with children and young people is very important in developing self-advocacy and peer-advocacy. Inspectors should ask children and young people about their views and experiences of advocacy services. Inspections should be led by the Care and Social Services Inspectorate Wales, who should work with Estyn and the Health Inspectorate Wales.**

**The National Advocacy Service and advice line – Meic**

The National Advocacy Service and advice line for children and young people was started in May 2010 by the Welsh Government. The service is called ‘Meic’ and is open seven days a week, 24 hours a day. Children and young people can telephone, text or use instant messaging to get advice and ask for an advocate to be provided.

Some witnesses were worried that because the Welsh Government does not know what types of advocacy services are available in all areas of Wales, Meic would not be able to give the same sort of service to all children and young people in Wales.

**The Committee recommends that the Welsh Government finds out what sort of advocacy services are available to children and young people in all areas of Wales. The Committee thinks that the National Independent Advocacy Board should do this work.**

### **The National Independent Advocacy Board**

Some people who spoke to the Committee were not sure what the National Independent Advocacy Board would do and be responsible for, and what the Welsh Government's advocacy unit would do and be responsible for.

The National Board should make sure that children and young people across Wales get a similar service, but Voices from Care told the Committee that it would be difficult to do that with the regional commissioning model.

**The Committee recommends that the Welsh Government makes it clear what the National Independent Advocacy Board will do and be responsible for, and what the Welsh Government's advocacy unit will do and be responsible for.**

## Witnesses

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The following witnesses provided oral evidence to the Committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed in full at

<http://www.assemblywales.org/bus-home/bus-committees.htm>

29 June 2010

### **Welsh Government:**

Huw Lewis AM, Deputy Minister for Children

Elin Gwynedd, Head of Advocacy Unit

Suzanne Chisholm, Head of Rights and

Entitlements Branch

### **Children's Commissioner for Wales:**

Keith Towler, Children's Commissioner

### **Children in Wales:**

Roger Bishop, Trustee of Children in Wales

Sean O'Neill, Policy Director

13 June 2010

### **Voices from Care:**

Debbie Jones, Chief Executive Officer

Carol Floris, Advice and Support Manager

**Association of Children and Young People's Partnership  
Support Officers:**

Phil Diamond, Chairman of the National  
Association of Partnership Support Officers

Helen Gregson-Holmes, Manager of the Conwy  
Children and Young People's Partnership Team