

# Children and Young People Committee

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## Children and Young People's Advocacy in Wales

### 1. Purpose

- 1.1 This paper has been prepared to provide an update to the Members of the Children and Young People's Committee on the progress of the Assembly Government in implementing the *Model for Delivering Advocacy for Children and Young People in Wales*.

### 2. Introduction

- 2.1 In 2005, the Assembly commissioned research into the provision of children's advocacy services across health, education and social care. The subsequent report "A Study of Advocacy Services for Children and Young People in Wales" drew some worrying conclusions about the patchy nature of advocacy delivery, the need to provide a greater degree of independence for advocates and in particular stressed the need for improved access with greater integration across key service areas through a one-stop-shop.
- 2.2 In March 2007, the Welsh Assembly Government developed and launched a consultation on a *New Service Model for Delivering Advocacy Services for Children and Young People*. This consultation presented a model for delivering advocacy services, based on a principle of regional commissioning through Children and Young People's Partnerships. The consultation was sent out widely to Children and Young People's Partnerships, local commissioners in health, social care and education settings, providers of children's advocacy services, Complaints Officers, Practitioners, Children's Rights Officers and Organisations, Community Health Councils, School Governing Bodies and the Children's Commissioner for Wales. Responses to the consultation indicated a wide range of views on the best means to deliver commission and enhance advocacy services.
- 2.3 In March 2008 the Children and Young People's Committee members agreed to scrutinise the report. In conducting their inquiry, the Committee took evidence from a range of witnesses, including the Deputy Minister for Social Services, representative bodies and organisations and directly from young people. The committee published a report – *Advocacy Services for Children and Young People in Wales (March 2008)* - which set out a series of recommendations. These recommendations were then considered by the Welsh Assembly Government, who welcomed the Children and young People's Committee's involvement and adopted the majority of the recommendations in a document called – *Welsh Assembly Government's Written Response to the Children and Young People's Committee's Report on Children and Young People's Advocacy (May 2008)*. This document sets the direction for the Welsh Assembly Governments policy on delivering a *Model for Delivering Advocacy to Children and Young People in Wales*.

### 3. **Overview of the Model for Delivering Advocacy Services for Children and Young People in Wales.**

3.1 The Model for Delivering Advocacy Services seeks to significantly enhance the delivery of independent, high quality accessible advocacy services for Children and Young People in Wales. It will benefit a significant number of children and young people and represent a major step forward in delivering the commitment to the United Nations Convention on the Rights of the Child by ensuring that we hear and act on what children and young people tell us. It also supports the Welsh Assembly Government's 7 core aims for all children and young people, 10 Entitlements for young people 11-25yrs, and the key actions in the National Service Framework for Children, Young People and Maternity Services.

3.2 The Model supports the common goal of the Welsh Assembly Government, the Children and Young People's Committee and those who responded to the original consultation in 2007: to ensure that advocacy services are independent, effective and will carry the trust and confidence of children and young people.

3.3 The underlying principles of the Model are.

- Advocacy services to be more accessible to all children and young people, but especially those most vulnerable
- Advocacy providers to be independent from the organisations commissioning the service
- Make sure issues raised by children and young people are taken seriously
- Make sure issues raised by children and young people are dealt with quickly and effectively
- Advocacy to be seen as contributing towards participation and accessing rights and entitlements
- Advocacy to be promoted by raising awareness and understanding amongst children, young people and adults
- The process and outcomes of advocacy to be clear.
- Needs to be consistency and equity of high quality services across Wales.

3.4 The key areas of work are:

- Establishment of an Advocacy Development and Performance Unit (ADPU) within the Assembly Government – DCELLS.
- Establishment of a National Independent Advocacy Board (of non executive members, including children and young people).
- Establishment of a national advocacy and advice service to be available to all children and young people by 2009/10. This service will be commissioned by the APDU.
- Integration of specialist advocacy services for vulnerable Children and Young People in specified circumstances.
- Commissioning of a nationally recognised training programme and qualification for advocates which will be underpinned by National Occupational Standards.

#### 4. Update on Key areas of work:

- 4.1 The **Advocacy Development and Performance Unit** is now established within the Department for Children Education Life Long Learning and Skills. Its key functions are to promote advocacy, consider models for developing and commissioning all- Wales Advocacy and Advice Services, establish a National Independent Advocacy Board and report on advocacy standards and outcomes across Wales while monitoring overall arrangements for advocacy. Currently the unit is working on a guide for all relevant parties on the *Model for Delivering Advocacy for Children and Young People in Wales*. Despite earlier difficulties in recruiting and turnover in staff, the unit has been fully staffed since January 2009. The unit is based in St. Asaph and will move to the new Welsh Assembly Government office in Llandudno Junction in 2010.
- 4.2 The Advocacy Performance and Development Unit is currently in the process of establishing a **National Independent Advocacy Board** which will consist of 3 adult board members, 4 children and young people and a Chair person. A representative from the Children's Commissioner's office will also have observer status once the board is established. The adult Board members are being recruited through the public appointments process following national press advertisements. Children and young people have been involved in the recruitment process and on the selection panel for adult board members. The children and young people were recruited through a separate recruitment campaign utilising links with relevant children and young people's networks.
- 4.3 The Board will be advisory in its capacity and will advise Welsh Ministers on how best to deliver the model for delivery of Advocacy Services. The Board will also advise Welsh Ministers on the commissioning arrangements for advocacy at national and local level and publish an opinion on arrangements made by Children and Young People Partnership members to commission and secure the provision of advocacy services at local and/ or regional level. The full Board will be in place by the beginning of May 2009 and will meet for the first time in June 2009.
- 4.4 **Universal advocacy** - The Advocacy Development and Performance Unit has undertaken a survey of children and young people's needs and preferences in the ways in which they would prefer to have advocacy services delivered. This information is being analysed to ensure that the options put forward to the Board to take forward the provision of advocacy services are those which will be most effective. In extending advocacy to be available to all Children and Young people in Wales there will be a need to support local arrangements and share good practice. There is also a need to complement national resources and secure strong links with current help & support services such as Childline, NSPCC helpline, the CLIC project (National Information & Advice Project for Young People aged 11- 25). The Advocacy Development and Performance Unit is analysing the need, opinions and options in preparation for the Board's consideration at its June meeting. The Board's decisions will be crucial in

creating the specification for an innovative and effective advocacy service which meets the needs of children and young people in Wales in the 21<sup>st</sup> century.

- 4.5 Many professionals who currently work with children and young people could and should be advocates, but there is often a lack of understanding about the role of an advocate. This is as true amongst adults as it is amongst children and young people. A communication strategy is in preparation to raise awareness and promote and clarify advocacy and advocates' roles. This will need to be done on a national and local level. The ADPU has developed a visual model to help clarify the various types of advocacy and what advocates do – see annex 1. The model sets out in an easily accessible form a summary of the role of an advocate, and identifies four ways in which advocacy can be delivered. The developing communication strategy will continue this work. The Board will also advise on the development of communications.
- 4.6 ***Specialist Integrated Advocacy Service*** – The new *Model for Delivering Advocacy Services* sets out a requirement that services that currently commission advocacy services for vulnerable children and young people in specified circumstances will come together jointly to plan and commission an integrated advocacy service. This will be facilitated by the Children and Young People's Partnerships, who are encouraged to work regionally in accordance with 'Making the Connections' and 'Beyond Boundaries'. The integrated service will provide a single point of contact which will make it easier to navigate by vulnerable children, young people and those referring them, and easier to monitor for consistency of quality and effectiveness. The guide for the new model has been developed and will be available shortly to support effective implementation.
- 4.7 It is anticipated that the requirements will be reinforced through legislation and complementary regulations in 2010. The introduction of the statutory procedures has been delayed by the reorganisation of the NHS. Regulations will be introduced as soon as legal advice allows duties to be placed on the successor bodies to the current LHBs. The ADPU will work with various departments within the Welsh Assembly Government and Children and Young People's Partnerships over the transition period to ensure the necessary preparations are in place and provide statutory guidance and complementary tools to assist in effective joint commissioning, pooling budgets, planning and procuring integrated advocacy services.
- 4.8 There are a number of changes that impact on the development of the integrated advocacy service:
- The reorganisation of the NHS and the subsequent establishment of seven new Local Health Boards, and the intention to strengthen the role of Community Health Councils (CHC) in Wales as the voice of the patient. Community Health Councils in Wales already provide an advocacy service to anyone wishing to make a complaint. As part of other changes being proposed to the role of CHCs, they will continue to provide a complaints advocacy services for adults wishing to complain about an NHS service. Arrangements for children and young people's advocacy will need to be made via the new Model for Delivering Advocacy through the Children and Young

People's Partnerships. The intention is to issue Directions to Local Health Board to require them to make these arrangements.

- Within education, the proposed Education (Wales) Measure will extend to children and young people SEN appeal and Disability Discrimination claim rights to the Special Educational Needs Tribunal for Wales. This is a ground-breaking extension of rights. At present, only those classed as parents can appeal to the tribunal. The Measure proposes a duty be placed on Local Authorities to make arrangements for children and young people (or their "Case Friends", that is people bring appeals/claim on their behalf) to be able to access Specialist Independent Advocacy to support them through, or represent them during, the process. It is intended that, prior to full roll-out, a pilot and evaluation phase will commence in autumn 2010, by which point the Advocacy Model will be well-established. Minimum standards will be developed prior to and further refined during the pilot stage.

- 4.9 ***Development of specialist children's advocacy training and qualification*** - A nationally recognised training programme and qualification for advocates, underpinned by National Occupational Standards, is currently being developed, jointly funded by the National CAHMS Support Service (NCSS) and a project plan is in place. This will further ensure the quality, consistency and credibility of advocates, specifically independent professional advocates who may support vulnerable children and young people.

## 5. **Conclusion**

- 5.1 The Welsh Assembly Government is committed to implement and deliver the new *Model for the Delivery of Advocacy to Children and Young People*, and we believe that the actions within the Model will significantly support children and young people to have their opinions and voices heard in decisions that affect their lives.

## Annex 1 - ADVOCACY MODEL

There are many different ways of providing advocacy, and many people who can be advocates. However, there is a difference between Informal Advocacy, Formal Advocacy and Independent/Professional Advocacy. The following diagram shows these differences;

### An Advocate....

- Supports you to make sure you have your say
- Listens to you
- Gives you confidence
- Gives you information
- Gives you Practical help
- Negotiates on your behalf

### Formal Advocacy

Some children and young people, or groups of children and young people, prefer to ask for help to access their Rights and Entitlement through professionals who work with children and young people. These are usually people who are paid to help and advocate on behalf of children and young people i.e. youth workers, teachers, school nurses, play workers, care workers etc. They help you get information, find out about services, make decisions, find where to get more help if you need it, and make sure you have a say in decisions that affect you.

### Peer Advocacy

Sometimes children and young people would prefer to go to other children and young people for help and support to have something stopped, started or changed. Some children and young people are more confident than others and they would feel comfortable in putting your opinion over to others. In some cases, children and young people have received training on being a peer advocate and are part of a scheme or a project

### Informal advocacy.

Most children and young people get support to access their Rights and Entitlements from parents, carers, family members, friends, neighbours, friends' parents and so on. They help you to get your point across, help you say how you feel and make decisions. They are unpaid advocates.

### Independent/Professional advocacy

When children and young people feel that they are unable or stopped from accessing their Rights and Entitlements, they can access independent/professional advocacy. This usually involves paid trained people who are qualified to help you have your voice heard in any decision that affect you. They may deal with specific issues because you're not happy with the current situation and feel that you are not being listened to. They would come with you to meetings and make sure you understood what was happening at all times, and that your opinion was considered. They do not offer advice, but help you express your view regardless of their opinion.

### ADVOCACY MAY INCLUDE

Explaining	Information Giving	Navigating	Listening	Supporting	Detangling	Representing	Empowering	Advising	Negotiating
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