



Llywodraeth Cymru
Welsh Government

Independent Professional Advocacy

National Standards and Outcomes Framework for Children and Young People in Wales

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Introduction

Advocacy is about: speaking up for children and young people, empowering children and young people to make sure their rights are respected and their views, wishes and feelings are heard at all times, representing the views, wishes and feelings of children and young people to decision-makers, and helping them to navigate the system.

Effective advocacy is crucial if we are to safeguard children and young people and protect them from abuse and poor practice. Advocacy is about speaking up for children and young people and was a central issue of the Waterhouse report.
National Standards for the Provision of Children's Advocacy Services 2003

Children and young people have a right to be heard in matters affecting their futures, as enshrined within the [United Nations Convention on the Rights of the Child \(UNCRC\)](#). Wales has adopted the UNCRC as a basis for taking forward children's rights and under the [Rights of Children and Young Person's \(Wales\) Measure 2011](#) Welsh Ministers have a duty to pay due regard to the UNCRC in all of their functions.

The [Social Services and Well-being \(Wales\) Act 2014](#) requires any persons to have due regard to the United Nations Convention on the Rights of the Child. Detail on exercising this duty has been provided in the Code of Practice in relation to Part 2 of the Act.

In addition the Act requires any persons exercising functions under the Act to have regard to the importance of providing appropriate support to enable the individual to participate in decisions which affect him or her to the extent which is appropriate in the circumstances.

A local authority's duty to provide advocacy services (or assistance by way of representation) in relation to its social services functions comes under section 26A of the Children Act 1989.

[Children Act 1989 \(Sections 17 & 26A\)](#) – requires local authorities to provide advocacy for representation or complaints by a child in relation to services received either as a **looked after child** or a **child in need**. A “**looked after**” child is a child who is either in the care of a local authority or is provided with accommodation under a local authority's functions under part 3 of the Children Act 1989.

Restated under Sections 171-178 of the Social Services and Well-being (Wales) Act 2014.

[Social Services and Well-being \(Wales\) Act 2014 \(Section 174\)](#) requires local authorities to provide advocacy for representation or complaints by a child in relation to services received either as a **looked after child** or a **child needing care and support**. A “**looked after**” child is a child who is either in the care of a local authority or is provided with accommodation under a local authority's functions under part 6 of the Social Services and Well-being (Wales) Act 2014.

The National Outcomes Framework for social services sets out wellbeing outcomes for people who need care and support and carers who need support, this includes advocacy. The framework states people must speak for themselves and contribute to the decisions affecting their lives, or have someone who can do it for them. The achievement of this must be measured.

It is vital commissioners of advocacy service and advocacy service providers can measure the quality as well as the quantity of their work and be assured they are making a positive difference to children and young people's lives. This document sets out an underpinning standards and outcomes framework in relation to advocacy.

Background

During the summer of 2014, Ministers met and strategically reviewed the evidence provided through a number of reports alongside the evaluation of MEIC and the early messages coming from CSSIW's inspection of care planning and safeguarding arrangements across all local authorities in Wales. Ministers invited local government to bring forward a model for securing a national approach to statutory independent professional advocacy for looked after children, children in need and other specified individuals. A Senior Leadership Group, which included the Children's Commissioner, was convened to oversee the development of the National Approach.

A Task and Finish Group was established, chaired by ADSS Cymru and included representatives from the Children's Commissioner for Wales, Welsh Government and other identified partners. It was tasked with developing the key components to a National Approach which should be aligned to a Standards and Outcomes Framework and exploring the recommendation of the 'active offer' from the Children's Commissioners' report 'Missing Voices: Right to be Heard'.

The National Approach model was to be delivered through lead authorities within the then Social Services Regional Improvement Collaboratives. The Welsh Government provided the resource of a seconded post, to undertake the role of the project manager.

The group identified and developed the following key components;

- National Standards and Outcomes Framework including an approach to the 'active offer' of advocacy identified in 'Missing Voices' and a mapping of the National Standards and Outcomes Framework to the Well-being Statement that underpins the Act.
- National Approach - Regional Service Specification (Providing consistent specifications for commissioning of services.)
- National Approach - Regional Performance Reporting Template delivering the evidence and statistics identified within the National Standards and Outcomes Framework for service quality and performance monitoring purposes.
- A Range and Level Assessment mechanism (Service Capacity) which when applied to the eligible population locally and regionally assists with gauging service capacity requirements and associated costs.

ADSS Cymru and WLGA produced an implementation plan to progress the national approach which was agreed by all local authorities in Wales.

Statement of Intent

The Welsh Government is committed to taking forward its commitments within the implementation plan relating to the National Standards and Outcomes Framework. However, this needs to be done in alignment with the development of regulated Independent Professional Advocacy services under the Regulation and Inspection of Social Care (Wales) Act 2016. This work, both in updating the Part 10 Code of Practice (Advocacy) under the Social Services and Well-being (Wales) Act 2014;

and in regulations to be made under the Regulation and Inspection of Social Care (Wales) Act 2016.

As a result we intend to establish a technical group to advise on:

- a) Updating the Part 10 Code of Practice on Advocacy to take account of the National Approach to Advocacy for Children. This will require the inclusion of the Standards and Outcomes Framework; and
- b) Defining Independent Professional Advocacy and setting the standards for the regulated services under the Regulation and Inspection of Social Care (Wales) Act 2016. This work will ensure there is sufficient alignment with standards under the National Standards and Outcomes Framework to avoid duplication and clarity for local authorities and providers. The regulated services will also apply to children and adults.

We intend to complete work with the technical group by the autumn and lay the revised code on Part 10 in the winter when we have developed the position under the Regulation and Inspection of Social Care (Wales) Act 2016.

Purpose

This document identifies the outcomes children and young people can expect in relation to children and young people's advocacy. It sets out a framework by which advocacy service providers and those commissioning them can be sure those standards are being achieved, enabling them to evidence they are making a positive difference to children and young people's lives.

The Standards and Outcomes Framework (the Framework) builds on the foundations of, and is cross-referenced to, the original National Standards for the provision of Children's Advocacy Services (2003) which it replaces. It should be read alongside [A guide to handling complaints and representations by local authority social services \(August 2014\)](#).

The Standards (2003)	
1	Advocacy is led by the views and wishes of children and young people.
2	Advocacy champions the rights and needs of children and young people.
3	All Advocacy Services have clear policies to promote equality issues and monitor services to ensure that no young person is discriminated against due to age, gender, race, culture, religion, language, disability, sexual orientation or nationality.
4	Advocacy is well-publicised, accessible and easy to use.
5	Advocacy Services are responsive and provide help and advice quickly when contacted.
6	Advocacy works exclusively for children and young people.
7	The Advocacy Service operates to a high level of confidentiality and ensures that children, young people and other agencies are aware of its confidentiality policies.
8	Advocacy listens to the views and ideas of children and young people in order

	to improve the service provided.
9	The Advocacy Service has an effective and easy to use complaints procedure.
10	Advocacy is well managed and gives value for money.

These standards have been consolidated into standards and outcomes statements for which there is then more detailed information on how commissioners and advocacy providers can evidence/ measure how they are meeting them. They are linked to and underpin the overarching Wellbeing Statement ([Appendix A](#)) and will demonstrate how local authorities evidence how children and young people will be supported to achieve their well-being outcomes by accessing advocacy i.e. 'Securing rights and entitlements', 'Protection from abuse and neglect'.

Advocacy outcome statements	
1	Children and young people find good quality advocacy easily available and accessible.
2	Children and young people have their privacy and confidences respected and their wellbeing safeguarded and protected.
3	Children and young people are valued for their diversity, treated with respect and all forms of discrimination against them are challenged.
4	Children and young people are empowered and their rights, wishes and feelings are championed.
5	Children and young people participate in the design, planning, delivery, monitoring and evaluation of advocacy services.

This document also provides children and young people with care and support needs who access advocacy services, with information regarding what they are entitled to, and how they can be involved with developing and evaluating the services.

A young person friendly version of the Framework has been produced for consultation.

National Approach Service Specification and Reporting Template

Advocacy commissioners

Commissioners should satisfy themselves that Providers can meet the requirements of the contract detailed in the Service Specification and delivered against this Framework.

Commissioners should also satisfy themselves that the advocacy provider has the necessary processes in place to satisfy the reporting of evidence and measures set out within the Performance Reporting Template.

Commissioners should undertake quarterly meetings for monitoring of service quality as stipulated in the Service Specification. They should also ensure the production of an annual report.

Advocacy providers

Advocacy providers should ensure they have processes in place to capture the necessary evidence and measures for quarterly service quality monitoring reporting against the Framework using the Performance Reporting Template.

Advocacy Providers should provide reports for quarterly meetings for monitoring of service quality as stipulated in the Service Specification. They should also produce an annual report.

A working knowledge of the Framework, the Service Specification and the Reporting Template should form a part of the induction process for all advocates providing a firm foundation on which to develop and deliver a high quality advocacy service.

Confidentiality

Confidentiality is a vital part of the relationship, based on trust and respect, between a child or young person seeking help and an advocate charged with providing help. Advocates need to ensure confidentiality in a way which demonstrates to children and young people that the service being offered is separate and distinct from social services or any other commissioning body.

By ensuring confidentiality advocacy services can encourage children and young people to have the confidence and courage to share information and to take necessary action to solve their problems. In this way, advocacy services can enhance the effectiveness of statutory child protection services, providing a crucial lifeline for children and young people who might otherwise never seek adult help.

[\(Advocacy Outcome Statement 2\)](#)

Confidentiality Policy

The advocacy service operates to a high level of confidentiality and ensures that children, young people and other agencies are aware of its confidentiality policies. The advocacy service has a clear confidentiality policy grounded in the concept of significant harm. As well as children and young people who use the service, this includes the service's staff, its funders, children's services within local authorities, other local agencies and professionals, schools and, where appropriate, children and young people's parents or carers.

The confidentiality policy is explained to children and young people before they discuss the reasons why they have approached the service. They are given a summary of the policy in child and young person-friendly language. Children and young people are assured that their privacy is respected at all times and that nothing will be disclosed outside of the service without their agreement, unless it is necessary to prevent significant harm to them or to someone else, or if disclosure is required by a court order. They are also assured that they will be told if information is to be, or has been, passed on.

Where the service believes it necessary to pass information on to statutory agencies and the child or young person does not give consent to this, the advocate informs him or her of the reasons for taking this action. The reasons are recorded in writing. Guidance about sharing information to protect children if there are concerns that they may be at risk of significant harm is set out in statutory guidance under Part 7 of the Social Services and Well-being (Wales) Act 2014.

Advocacy outcome Statement 1 – Children and young people find good quality independent advocacy easily available and accessible			
Standards		Evidence/Measure	
		Commissioners	Providers
a) Advocacy services are responsive and provide information, advice and assistance without delay when contacted.	Children and young people find independent advocacy available when they need it.	<p>Commissioners can evidence the service has the capacity to respond to contacts without delay.</p> <p>Service capacity is based on a Population Needs Assessment in line with commissioners’ duties under the Act (S14) which they can evidence is able to fulfil the entitlements of the population.</p>	<p>Advocacy providers can evidence:</p> <ul style="list-style-type: none"> responding to contacts without delay. being able to meet demand for the service.
b) Advocacy services are well publicised and provide a variety of contact methods.	Children and young people find independent advocacy easily accessible.	<p>Commissioners can evidence requirements for publicising advocacy are specified within the Service Specification and arrangements are reviewed at quality monitoring meetings.</p> <p>Commissioners can evidence all children and young people receive an ‘active offer’ of advocacy on becoming looked after and at other identified points during their care (Appendix B).</p> <p>Commissioners actively encourage all sources of information, advice</p>	<p>Advocacy providers can evidence a suitable range of publicity material in a variety of formats – with an agreed dissemination plan.</p> <p>Advocacy providers include:</p> <ul style="list-style-type: none"> referral activity data resulting from ‘active offers’ in their reports. data on sources of referrals/contacts in their reports. <p>Advocacy providers actively encourage all agencies, teams and adults who are in a position to do so:</p> <ul style="list-style-type: none"> to inform children and young

		<p>and assistance (IAA) as well as other agencies, teams and adults who are in a position to inform children and young people about advocacy:</p> <ul style="list-style-type: none"> • to do so; • to encourage them to use it, and • facilitate their first contact. <ul style="list-style-type: none"> • Commissioners actively encourage those who are in a position to advise children and young people to attend the awareness raising sessions provided by the advocacy service as part of the Service Specification. <p>(See Advocacy Outcome statement 4i)</p>	<p>people about advocacy;</p> <ul style="list-style-type: none"> • encourage them to use it, and • facilitate their first contact. <p>Advocacy providers facilitate awareness raising sessions for those in a position to advise children and young people introducing them to formal / informal advocacy practice linked to National Occupational Standards.¹</p>
<p>c) Advocacy services are delivered in places and at times which make them accessible to all children and young people.</p>	<p>Children and young people find independent advocacy available and accessible.</p>	<p>Commissioners can evidence they receive details of the range of venues used for meetings with children and young people in quality</p>	<p>Advocacy providers can evidence:</p> <ul style="list-style-type: none"> • accessible venues are used when meeting with children and young

¹ [SCDHSC0367 - Support individuals to access independent representation and advocacy](#)

		monitoring reports – along with evidence of disability access, risk and hazard assessments undertaken etc.	people. <ul style="list-style-type: none"> appropriate risk and hazard assessments are undertaken.
d) Advocacy services have a bilingual answer-phone service which operates when the service is not staffed, which explains how to get immediate help with contact details as well as a timescale for responding to any referral related messages recorded.	Children and young people are able to access support outside of service hours and receive a response to any messages they leave within the specified timescale.	Commissioners can evidence the requirement to provide an answer phone service is a part of the Service Specification and details of its usage is reported in quality monitoring reports.	Advocacy providers can evidence the usage of the answer phone service and response times are reported in quality monitoring reports.
e) Advocacy services have a clearly documented advocacy Action Plan agreed with the child or young person. It includes time-lined actions and agreed appointments for updates.	Children and young people understand how the independent advocacy service would help them and agree their advocacy Action Plan.	Commissioners review anonymised advocacy Action Plans as part of their service quality monitoring activity.	Advocacy providers can evidence Action Plans agreed between the advocate and the child or young person.
f) Advocacy services' staff have clear and detailed job descriptions linked to National Occupational Standards² and receive appropriate training³ and supervision.	Children and young people receive a service from advocates and managers who understand the purpose of the service, their boundaries and lines of accountability and are trained to a	Commissioners can evidence: <ul style="list-style-type: none"> clear job descriptions, training and support arrangements and identified policies are stipulated in the Service Specification and 	Advocacy providers can evidence having clear job descriptions, training and support arrangements and have the identified policies in place.

² [SCDLSS434 Act as an independent advocate](#)

[The National Occupational Standards for Management and Leadership](#) (or equivalent)

³ Training includes – Advocacy, Child Protection, UNCRC and Children’s Rights, (OCN Level 3 or equivalent) - Specialist training modules include – School Exclusions, Non Instructed Advocacy, Working with disabled children and young people – Augmented communication skills etc.

	high standard to undertake their roles effectively.	are reviewed annually. <ul style="list-style-type: none"> • within the Service Specification advocates are expected to attain the Level 3 C&G Qualification within an agreed timescale. 	Advocates are facilitated to attain the Level 3 C&G Qualification in Independent Professional Advocacy ⁴ .
g) Advocacy services routinely gather and monitor data on the work of the service for quality monitoring purposes and also utilise feedback from children and young people for service development and improvement.	Children and young people receive a service which; <ul style="list-style-type: none"> • is monitored for quality • enables and encourages them to give feedback • can be used for service improvements. 	Commissioners can evidence: <ul style="list-style-type: none"> • regular quality monitoring meetings which cover a range of service data including: response times, 'active offer' activity, publicity and awareness material, venues used, examples of advocacy Action Plans, staff training, staff supervision and all feedback from children and young people suggesting service improvements. • the sharing of these reports and examples of provider engagement with Lead Members, Corporate Parenting Panels and Scrutiny Committees and other accountability mechanisms in order to scrutinise the reports. 	Advocacy providers can: <ul style="list-style-type: none"> • provide evidence of reports submitted for quality monitoring and examples of service improvements which reflect feedback from children and young people. • provide evidence of engagement with Elected Members, Corporate Parenting Panels and Scrutiny Committees. and other accountability mechanisms in order to scrutinise the reports

⁴ [C&G Diploma-Certificate in Independent Professional Advocacy](#)

Advocacy outcomes statement 2 – Children and young people have their privacy and confidences respected and their wellbeing safeguarded and protected

Standards		Evidence/Measure	
		Commissioners	Providers
a) Advocacy services work to a high level of confidentiality and respect children and young people’s privacy. It operates in line with national protection procedures and consistent with Safeguarding Board procedures. This information is shared with and its meaning explained to children and young people before advocacy commences.	Children and young people are confident their privacy and confidentiality will be respected and have an understanding of the advocacy services’ confidentiality policy and the conditions under which a disclosure must be made.	Commissioners can evidence the advocacy services’ confidentiality policy is shared amongst its staff, carers, parents, guardians, foster parents, children and young people and other agencies.	Advocacy providers can evidence the services’ confidentiality policy is understood by its staff and explained to carers, parents, foster parents, children and young people and other agencies.
b) Advocacy services have a robust child protection policy and referral process in line with national protection procedures.	Children and young people are safeguarded in line with national protection procedures.	Commissioners can evidence having an agreed referral protocol and process in place for when advocacy services need to make a child protection disclosure.	Advocacy providers can evidence the services’ child protection policy and referral procedures are fully understood by its staff and are implemented effectively.
c) Advocacy services, when needing to make a referral after a disclosure, will explain the situation to the child or young person, seek their consent and attempt to maintain the advocacy relationship.	Children and young people are reminded of the confidentiality policy, informed a referral is deemed necessary, their consent sought and advocacy support maintained wherever possible.	Commissioners have an agreed referral protocol in place for when advocacy services need to make a child protection disclosure (2b) which supports the continued advocacy relationship where it is safe and appropriate to do so.	Advocacy providers can evidence the services’ confidentiality policy and the reasons for disclosure are explained and shared with children and young people and advocacy support continues wherever possible.
d) Advocacy services have a clear, child friendly complaints policy and procedure explained to	Children and young people understand how they can make a representation or complaint	Commissioners can evidence the requirement for a clear, child friendly complaints policy is	Advocacy providers can evidence the services’ complaints policy is clear and child friendly – complaints,

<p>them with clearly defined time limits.</p>	<p>concerning the advocacy service.</p>	<p>stipulated within the Service Specification with a requirement to report on any complaints received and their outcomes in the quality monitoring reports.</p>	<p>representations or compliments along with any outcomes are reported to commissioners.</p>
<p>e) Advocacy services provide details about other opportunities for information, advice and assistance and/or support about how to complain about the advocacy service including the local authority and the Children’s Commissioner for Wales.</p>	<p>Children and young people are made aware of alternative ways to make a representation and/or complaint concerning the advocacy service.</p>	<p>Commissioners can evidence, through quality monitoring reports, incidents when children and young people have received information, advice and assistance from alternative sources regarding a concern and/or complaint about the advocacy service.</p>	<p>Advocacy providers can evidence children and young people are aware of alternative support to make a representation and/or complaint concerning the advocacy service.</p> <p>All concerns and complaints about the advocacy service are included in quality monitoring reports as are examples of compliments received.</p>

Advocacy outcomes statement 3 – Children and young people are valued for their diversity, treated with respect and all forms of discrimination against them are challenged

Standards		Evidence/Measure	
		Commissioners	Providers
<p>a) Advocacy services ensure no child or young person suffers discrimination either within their service or elsewhere.</p>	<p>Children and young people are aware of and can access advocacy services without fear of discrimination.</p>	<p>Commissioners can evidence the requirement for a robust anti discrimination policy is stipulated within the Service Specification.</p>	<p>Advocacy providers can evidence that their service’s anti discrimination policy is promoted, shared, understood and practised by its staff.</p>
<p>b) Advocacy services ensure children and young people are aware of their rights under the law,⁵ and under equality and diversity policies held by the agencies from which they are receiving services.</p>	<p>Children and young people receive support from advocacy services to secure their rights or to challenge discrimination.</p>	<p>Commissioners can evidence how they respond to challenges of discrimination from the advocacy services on behalf of a child or young person.</p>	<p>Advocacy providers can evidence discrimination has/would be challenged if/when encountered.</p>
<p>c) Advocacy services are delivered in a way which respects the cultural, religious and linguistic needs of the child or young person.</p>	<p>Children and young people can access advocacy services which respect their cultural and religious needs and are delivered in the language of their choice.</p>	<p>Commissioners can evidence:</p> <ul style="list-style-type: none"> • the requirement for a stated approach to respecting the cultural, religious and linguistic needs of a child or young person is stipulated as part of the Service Specification • the need for services/arrangements to be put in place to support the child or young person’s right to receive 	<p>Advocacy providers can evidence:</p> <ul style="list-style-type: none"> • the services’ equality and diversity policy is promoted, shared, understood and practised by its staff. • access to interpreters • the steps taken to secure a varied staff profile including language skills⁶.

⁵ Advocates inform children of their rights under the [Social Services and Well-being \(Wales\) Act 2014](#) and the [UNCRC](#).

⁶ [Welsh Language \(Wales\) Measure 2011](#)

		services in the language of their choice is stipulated within the Service Specification.	
d) Advocacy services take steps to reach out to and promote access to underrepresented groups.	Children and young people from marginalised groups are informed about advocacy services and are encouraged to access support.	Commissioners can evidence the requirement for a stated outreach strategy for engaging underrepresented groups is stipulated within Service Specification with an annual review scheduled.	Advocacy providers can evidence outreach strategies, costs allocated and review dates.
e) Advocacy services are responsive to the communication needs of individual disabled children and young people.⁷	Disabled children and young people with communication needs can access the service and receive the support of an advocate.	Commissioners can evidence the requirements for the necessary skill sets for working with disabled children with communication needs are stipulated within Service Specification with an annual staffing review scheduled.	Advocacy providers can evidence use of augmented communication approaches from skilled advocates when needed.

⁷ Where communication is severely limited or not able to be established the service may need to employ a 'Non-Instructed' approach to advocacy .- [Appendix C](#)

Advocacy outcomes statement 4 – Children and young people are empowered and their rights, wishes and feelings are championed			
Standards		Evidence/Measure	
		Commissioners	Providers
a) Advocacy services work openly with and exclusively for children and young people, are led by their views and wishes and champion their rights.	Children and young people accessing advocacy services are empowered, have their views and wishes heard and their rights respected.	Commissioners can evidence they have received and responded to the views and wishes of children and young people as well as to representations about their rights.	Advocacy providers can evidence working exclusively for children and young people, championing their rights and being led by their wishes and feelings.
b) Advocacy services are funded and managed in a way which clarifies their independence from the commissioners.	Children and young people are confident advocacy services operate independently from commissioners.	Commissioners can evidence the independent status of the advocacy service is stipulated in the Service Specification with agreed processes for resolving potential conflicts.	Advocacy providers can evidence how they convey their independent status to children and young people and other professionals.
c) Advocacy services provide children and young people with information about their rights; other sources of Information, Advice and Assistance, help them explore their options and possible outcomes of any chosen course of action.	Children and young people accessing advocacy services are informed about their rights and supported in exploring their options and possible outcomes of any course of action.	Commissioners can evidence they have received informed and considered representations from children and young people.	Advocacy providers can evidence providing children and young people with information about their rights and helping them to explore options and possible outcomes of an agreed course of action.
d) Advocacy services provide support to children and young people wishing to make a representation or complaint. ⁸	Children and young people wishing to make a representation or complaint are aware of their rights and are able to access advocacy	Commissioners can evidence they have informed children and young people wishing or intending to make a representation or complaint about	Advocacy providers can evidence providing support to children and young people wishing or intending to make a representation or complaint.

⁸ [Social Services and Well-being \(Wales\) Act 2014](#) (Sections 171-178); [Providing Effective Advocacy 2004](#).and [A guide to handling complaints and representations by local authority social services 2014](#)

	services.	their right to advocacy and how to access it.	
e) Advocacy services refer children and young people for legal and specialist advice when appropriate. They maintain a list of sources which provide a good service.	Children and young people accessing advocacy services are empowered and supported to seek specialist or legal advice.	Commissioners can evidence through their quality monitoring reports the number of children and young people supported to access specialist or legal advice.	Advocacy providers can evidence through their quality monitoring reports the number of children and young people supported to access specialist or legal advice.
f) Advocacy services ensure children and young people accessing the service understand how to request a change of advocate.	Children and young people accessing advocacy services are empowered and able to exercise their right to change an advocate.	Commissioners can evidence through their monitoring reports the option to change an advocate is given to the children and young people and produce examples of when the choice has been exercised.	Advocacy providers can evidence through their quality monitoring reports the option to change an advocate is explained to the children and young people and produce examples of uptake.
g) Advocacy services enable children and young people to determine how to contribute – on their own, through their advocate or jointly with their advocate.	Children and young people accessing advocacy services are supported in their choice of how to contribute.	Commissioners can evidence they have received representations from children and young people speaking on their own, through their advocate or jointly with their advocate.	Advocacy providers can evidence supporting children and young people to contribute on their own, through their advocate or jointly with an advocate.
h) Advocacy services support children and young people in preparing to present their views directly to decision makers – supporting their communication or assertiveness skills or preparing presentations.	Children and young people are supported, prepared and are more confident when presenting their views directly to decision makers.	Commissioners can evidence examples [case studies] of when they have received representations from children and young people which reflect the preparation and support provided by the advocacy service.	Advocacy providers can evidence examples [case studies] of when children and young people have been supported in preparing to present their views to decision makers.
i) Advocacy services champion	Children and young people accessing	Commissioners can evidence	Advocacy providers can evidence

<p>children's rights in their work with other professionals and adults working with children and young people.</p>	<p>advocacy services are aware their rights are championed with other professionals and adults working with children and young people.</p>	<p>examples of facilitating the advocacy service to provide presentations about children's rights to various professional fora and other adults working with children and young people as stipulated within the Service Specification.</p>	<p>championing children's rights in their work with other professionals and adults working with children and young people.</p>
<p>j) Advocacy services keep detailed case records of work undertaken which includes the advocacy action plan, activity, issues, outcomes and feedback which the children and young people agree with and are able to access.</p>	<p>Children and young people accessing advocacy services are empowered and are reassured advocacy services work exclusively for them.</p>	<p>Commissioners can evidence they receive anonymised case studies as part of their regular quality monitoring reports.</p>	<p>Advocacy providers can evidence detailed case recording which includes the advocacy action plan, activity, issues, outcomes and feedback.</p>
<p>k) Advocacy services identify key themes and issues raised by children and young people and present the case for service change (systemic advocacy).</p>	<p>Children and young people accessing advocacy services are empowered and able to affect the way the services they receive are delivered.</p>	<p>Commissioners can evidence they receive evidence to inform learning and improvement as part of their regular quality monitoring reports</p>	<p>Advocacy providers can evidence common themes and issues which are presented to local commissioners which can inform learning and improvement of provision/delivery.</p>

Advocacy outcomes statement 5 – Children and young people participate in the design, planning, delivery, monitoring and evaluation of advocacy services			
Standards		Evidence/Measure	
		Commissioners	Providers
a) Advocacy services promote and facilitate the involvement and engagement of children and young people to enable them to express their views about the service.	Children and young people are empowered to express their views about the advocacy service they receive.	Commissioners can evidence they request and receive an annual feedback survey from service users in addition to individual case closure/ outcome satisfaction responses that inform quarterly monitoring meetings.	Advocacy providers can evidence results of annual feedback survey from service users as well as case closure/outcome satisfaction responses.
b) Advocacy services enable children and young people to participate in the design, planning, delivery and evaluation of the service as well as in the recruitment of staff.	Children and young people are empowered and involved in service evaluation, development and improvement.	Commissioners can evidence arrangements for participation activity specified within the Service Specification.	Advocacy providers can evidence participation within the service. Practice complies with National Participation Standards ⁹
c) Advocacy services, when securing help from children and young people to improve the service will take steps to ensure a representative balance of views from among those using the service.	Children and young people from a representative cross section of service users are involved in service evaluation, development and improvement.	Commissioners can evidence the requirement to take steps to achieve equitable and representative participation is specified within the Service Specification.	Advocacy providers can evidence the steps taken to achieve equitable and representative participation in its service development plans in line with the National Participation Standards.

⁹ [National Children and Young People’s Participation Standards for Wales.](#)

Appendix A

Well-being statement and independent professional advocacy			
What well-being means	What children and young people expect	What we will measure	National Standards and Outcomes Framework mapped against Wellbeing statement
<p>Securing rights and entitlements.</p> <p>Also for adults: Control over day-to-day life.</p>	<ul style="list-style-type: none"> – I know and understand what care, support and opportunities are available and use these to help me achieve my well-being. – I can access the right information, when I need it, in the way I want it and use this to manage and improve my wellbeing. – I am treated with dignity and respect and treat others the same. – My voice is heard and listened to. – My individual circumstances are considered. – I speak for myself and contribute to the decisions that affect my life, or have someone who can do it for me. 	<ul style="list-style-type: none"> – the right information is available at the right time. – satisfaction with care and support received. – satisfaction with the people who give care and support. – they feel their rights are respected. – they feel in control of their daily life and are listened to. – they feel they have been involved in making decisions that affect them. – use of advocacy (availability in Welsh). 	<p>(1) Children and young people find good quality advocacy easily available and accessible.</p> <p>(4) Children and young people are empowered and their rights, wishes and feelings are championed.</p>
<p>Physical and mental health and emotional well-being</p> <p>Also for children and young people; physical, intellectual, emotional,</p>	<ul style="list-style-type: none"> – I am healthy and active and do things to keep myself healthy. – I am happy and do the things that make me happy. 	<ul style="list-style-type: none"> – they feel healthy physically and mentally. – they are living a healthy life style. 	<p>(2) Children and young people have their privacy and confidences respected and their wellbeing safeguarded and protected.</p>

social and behavioural development	<ul style="list-style-type: none"> – I get the right care and support, as early as possible. 	<ul style="list-style-type: none"> – their development. – their mental and emotional health. 	(4) Children and young people are empowered and their rights, wishes and feelings are championed.
Protection from abuse and neglect	<ul style="list-style-type: none"> – I am safe and protected from abuse and neglect. – I am supported to protect the people who matter to me from abuse and neglect. – I am informed about how to make my concerns known. 	<ul style="list-style-type: none"> – how much abuse and neglect takes place. – they say they feel safe. – their involvement in crime and anti-social behaviour. 	<p>(2) Children and young people have their privacy and confidences respected and their wellbeing safeguarded and protected.</p> <p>(4) Children and young people are empowered and their rights, wishes and feelings are championed.</p>
Education, training and recreation	<ul style="list-style-type: none"> – I can learn and develop to my full potential. – I can do things that matter to me. 	<ul style="list-style-type: none"> – whether they are supported to remain at school. 	<p>(3) Children and young people are valued for their diversity, treated with respect and all forms of discrimination against them are challenged.</p> <p>(4) Children and young people are empowered and their rights, wishes and feelings are championed.</p>
Domestic, family and personal relationships	<ul style="list-style-type: none"> – I belong. – I contribute to and enjoy safe and healthy relationships. 	<ul style="list-style-type: none"> – satisfaction with personal relationships. – satisfaction with ‘family’ life. – satisfaction with ‘home’ life. 	<p>(2) Children and young people have their privacy and confidences respected and their wellbeing safeguarded and protected.</p> <p>(3) Children and young people are valued for their diversity, treated with respect and all forms of discrimination against them are challenged.</p>
Contribution made to society	<ul style="list-style-type: none"> – I engage and make a contribution to my community. – I feel valued in society. 	<ul style="list-style-type: none"> – participation in society. – opportunities to participate in society. 	<p>(3) Children and young people are valued for their diversity, treated with respect and all forms of discrimination against them are challenged.</p> <p>(5) Children and young people</p>

			participate in the design, planning, delivery, monitoring and evaluation of advocacy services.
Social and economic wellbeing	<ul style="list-style-type: none"> – I contribute towards my social life and can be with the people I choose. – I do not live in poverty. – I get the help I need to grow up and be independent. – I get care and support through the Welsh language if I need it. 	<ul style="list-style-type: none"> – satisfaction with social life. – poverty. – young people feel supported into adult life. 	<p>(1) Children and young people find good quality advocacy easily available and accessible.</p> <p>(2) Children and young people have their privacy and confidences respected and their wellbeing safeguarded and protected.</p>
Suitability of living accommodation	<ul style="list-style-type: none"> – I live in a home which best supports me to achieve my well-being. 	<ul style="list-style-type: none"> – whether housing meets people's needs. 	<p>(1) Children and young people find good quality advocacy easily available and accessible.</p> <p>(4) Children and young people are empowered and their rights, wishes and feelings are championed.</p>

An active offer for:

a) Looked After Children (LAC) (Part 6 of the [Social Services and Well-being \(Wales\) Act 2014](#))

Children and young people¹⁰ will upon entering the 'Looked after Children' (LAC) system be referred and facilitated by their social worker to have an introductory meeting¹¹ with their local independent professional advocacy service in advance of their first LAC review meeting. The appointment including the response to the active offer of advocacy will be recorded in their care and support plan by the young person's allocated social worker. The Independent Reviewing Officer (IRO) will confirm and record this active offer was completed by the first LAC review and whether or not the offer of advocacy was taken up, recording the reason for not accepting the offer where possible.

b) Child at Risk (Part 7 of the [Social Services and Well-being \(Wales\) Act 2014](#) and [Section 47 of the Children Act 2008](#))

Children and young people who are assessed as needing care and support requiring intervention of a safeguarding nature (Child Protection) will have an introductory meeting with their local independent professional advocacy service scheduled within their care and support plan when they are entered onto the Child Protection Register. The meeting will be facilitated by the young person's allocated social worker. The Independent Reviewing Officer (IRO)/Chair will confirm and record this active offer was completed at the next review meeting and whether or not the offer of advocacy was taken up, recording the reason for not accepting the offer where possible.

c) Care and Support (Parts 3 and 4 of the [Social Services and Well-being \(Wales\) Act 2014](#))

Children and young people who have been assessed as needing care and support but not requiring intervention of a safeguarding nature (Child Protection), will be informed of, and actively offered access to the local independent professional advocacy service as part of the assessment process¹². The offer and their response will be recorded on their file along with the reason for not accepting the offer where possible.

Children and young people will be reminded of how the local independent professional advocacy service can support them to have their voices heard, either by their social worker or the IRO/chair at key points in their managed care

[The Social Services and Well-being Act 2014 definition of a child in Part 1 \(3\) – states \[“child” means a person who is aged under 18\]. However, it is recognised that very young children in the 0 – 5 years old category need to be dealt with on a case by case basis, dependent on the individual child, the issue/s being dealt with and the availability/suitability of other forms of advocacy support i.e. Formal/Practitioner advocacy or Informal/Family advocacy.](#)

¹¹ [The introductory meeting will be a face-to-face meeting between the child or young person and the advocacy service where advocacy is explained and the offer of advocacy support is accepted or declined by the child or young person.](#)

¹² [National Independent Advocacy Standards and Outcomes Framework 2014 1\(b\) - Commissioners actively encourage all agencies, teams and adults who are in a position to inform children and young people about advocacy to do so, to encourage them to use it and facilitate their first contact.](#)

such as **review meetings, planned placement moves**, when plans being developed to become '**Care Leavers**' or by the advocacy service through their normal awareness raising activities.

An Active Offer

Local Authorities to make an active offer of advocacy toward a child or young person at the earliest possible time following entry to the statutory childcare system. This offer should take place through a face-to-face meeting between the child or young person and an independent professional advocate so that service users are fully informed of their rights and entitlements and are provided with information, advice and assistance on the role of independent advocacy. The active offer should remain ongoing throughout a child or young person's time in care, and monitored through their statutory reviews by the Independent Reviewing Officer.

Recommendation 3 - Missing Voices – Right to be Heard

Active Offer Guidance

What is an 'Active Offer'?

An 'Active Offer' is a sharing of information about the statutory right and entitlement of a child or young person in particular circumstances to access support from an Independent Professional Advocacy Service.

The information shared includes an explanation about the role of Independent Professional Advocacy, what it can and cannot do, how it operates based on their wishes and feelings, its independence and how it works solely for the child/young person, its confidentiality policy and significant harm – it explains the statutory right of children and young people to be supported to express their views, wishes and feelings as well as their right to make a representation or complaint.

Information is also shared about wider circles of support available to them including Formal/Practitioner Advocacy (i.e. teacher, social worker, health professional), Informal Advocacy (a family member or carer) and Peer Advocacy as well as information and contact details for the MEIC Helpline and the Children's Commissioner's Office.

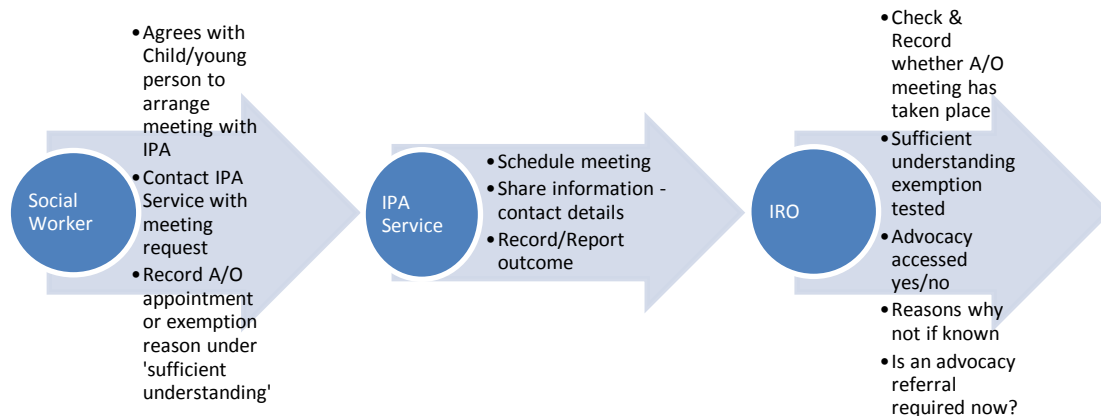
When does an active offer meeting take place?

An active offer meeting is arranged when a child or young person enters the Child Protection arena or becomes Looked After. The meeting will be arranged as soon as possible by the child/young person's social worker **in agreement** with the child or young person.

The Social Services and Well-being Act 2014 definition of a child in Part 1 (3) – states ["child" means a person who is aged under 18]. However, it is

recognised that very young children in the 0 – 5 years old category need to be dealt with on a case by case basis, dependent on the individual child, the issue/s being dealt with and the availability/suitability of other forms of advocacy support i.e. Formal/Practitioner advocacy or Informal/Family advocacy.

National Approach – Service Specification



The active offer meeting

Upon receipt of the meeting request the advocacy service will allocate the appointment to an advocate. The advocate will meet with the child/young person to share information which will include:

Independent Professional Advocacy support

- the role of Independent Professional Advocacy (IPA), what it can and cannot do, how it operates, its independence, its confidentiality policy – the right for children and young people to be supported to express their views, wishes and feelings and their right to make a representation or complaint.
- LAC and/or Child Protection processes including what happens in a LAC Review Meetings / Child Protection Conference and the role of different professionals in those meetings as well as their right to IPA support at those meetings.

Information on wider circles of support

- other support available including Formal/Practitioner Advocacy (i.e. teacher, social worker, health professional), Informal Advocacy (a family member or carer), Peer Advocacy as well as information and contact details for the MEIC Helpline and the Children's Commissioner's Office.

Advocacy Support

The child/young person **may decide** that they wish to request IPA support as a result of the meeting;

- If they indicate that they wish to receive support from the IPA service it will be treated as a 'self-referral' but source of referral noted as an active offer. The advocate will, with the young person's agreement, briefly revisit what IPA advocacy can/cannot do, its independence, how it operates, its confidentiality policy and agree consent for opening an advocacy case file for the child/young person.
- The child/young person **may choose** to take some time to reflect upon the information they have received before making a decision on whether they wish to access advocacy support. They will be informed that they can contact the advocacy service directly at any time or ask someone else like their Carer, Social Worker or IRO to get in touch with the service on their behalf.
- However, the child/young person **may feel** that they do not need advocacy support at that particular point in time and they too will be informed that they can contact the advocacy service directly at any time or ask someone else like their Carer, Social Worker or IRO to get in touch with the service on their behalf.

In each case the advocate will ensure that information literature and contact details for the IPA Service is shared with the child or young person.

If the child/young person indicates to the advocate that they wish to receive advocacy support from someone in a formal/professional/informal role the child/young person will be supported to inform the social worker/IRO.

Ongoing

Children and young people will be reminded of how the IPA service can support them by their Social Worker or the IRO at key points in their managed care such as at review meetings, planned placement moves or when plans are being developed for them to become Care Leavers. They will also be reminded through the scheduled awareness raising activity of the IPA service.

Recording/Reporting

The advocate will record whether or not the offer of any advocacy was taken up, whether it was a case of requiring time to think or a 'not at the moment' decision, for reporting in the quarterly Project Monitoring Report.

Outcomes

Children and young people are fully informed of their statutory rights and entitlements and the advocacy support options available to them.

Children and young people make an informed decision whether or not they wish to have any advocacy support and from whom.

Outcomes/Actions are recorded, reported and monitored in the quarterly Project Monitoring Report.

Appendix C

Summary of Approaches to Non Instructed Advocacy

The four currently recognised approaches to non instructed advocacy are briefly set out below. It is acknowledged that an integrated approach is most effective in delivering non instructed advocacy.

Rights based Approach

With this approach, the role of the advocate is to ensure, using a variety of means, that the basic human rights of service users are promoted, defended and where necessary used to take affirmative action on behalf of the service user. Where the advocate believes that the injustice being done to the service user may be illegal, they should seek appropriate legal representation for the person.

Person-Centred Approach

In spending time with the service user, and maybe others who the client knows and trusts, the advocate builds up a picture of their lifestyle, preferences and needs. The advocate can independently represent the person's views 'as if they were the advocate's own' (O'Brien 1981). In doing so the advocate is raising the profile of the service user's unique perspectives, and as such is promoting a person-centred approach to service delivery and decision making.

The Watching Brief Approach

This approach centres around 8 quality of life domains which are used as the basis for a series of questions that the advocate can put to the decision maker or service provider on behalf of the service user. Watching Brief provides a framework for questioning and challenging the decision maker or service provider in a non-confrontational way and encourages service providers to put the service user at the centre of the decision making process. Using the Watching Brief model advocates have to ensure that a number of issues are clear: [*The Watching Brief model was developed, and has been extensively used by ASIST advocacy services in Staffordshire.*](#)

Witness-Observer Approach

The advocate, in observing the way in which a client lives their life may see or hear things that are unacceptable or which pose a threat to the person's well being. They may also pick up on the service user's preferences and pleasures, which can in turn be used to enhance positive relationships. This approach does not require the advocate to make judgements or assumptions, merely to report on the facts of his or her observations and bring them to the attention of service providers and decision makers.