



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.

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## 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 when exercising any of their functions.

The [Social Services and Well-being \(Wales\) Act 2014](#) (the Act) requires any persons exercising functions under that Act to have due regard to the UNCRC. Further detail on exercising this duty has been provided in the Code of Practice in relation to Part 2 (General Functions) 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 individuals, including looked after children, to participate in decisions which affect them to the extent which is appropriate in the circumstances.

The approach Welsh Government have taken and consulted widely upon through the development and implementation of the Act is to embed advocacy within the Act with a dedicated Code of Practice on advocacy under Part 10. This is supplemented by highlighting the importance of advocacy in **all** relevant codes of practice issued under the Act which has been done in alignment with the development of regulations placing requirements on providers of advocacy services, under the Regulation and Inspection of the Social Care Act 2016 (RISCA) which came into force 2 April 2018.

Under Part 10 of the 2014 Act **local authorities** have a duty to make arrangements for the provision of assistance to looked after children, former looked after children, and children who have needs for care and support. This assistance must include assistance by way of representation. This essentially replicated and replaced the duty within section 26A of the Children Act 1989, which has been repealed and replaced under section 174 of the 2014 Act.

Section 174 of the [Social Services and Well-being \(Wales\) Act 2014](#) requires local authorities to establish a procedure for considering representations including complaints made 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.

Section 176 of that Act, requires that a local authority must establish a procedure for considering representations (including complaints) made by persons to whom subsection (2) applies about the discharge of its functions under Parts 3 to 7 in relation to those persons.

Under section 178 of that Act, a local authority must also make arrangements for the provision of assistance to children to make or who intend to make representations under section 174.

This National Standards and Outcomes Framework sets out wellbeing outcomes for people who need care and support and carers who need support, this includes advocacy. The Framework states people must have the opportunity to 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 services 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 the lives of children and young people. This National Standards and Outcomes Framework for Children and Young People in Wales therefore sets out the underpinning standards and outcomes in relation to advocacy.

## **Background**

The development of this National Standards and Outcomes Framework must be set in the context of the work of the Assembly’s Children and Young People Committee and the Children’s Commissioner report *Missing Voices – a review of independent professional advocacy services for looked after children and young people, care leavers and children in need in Wales* in March 2012.

Welsh Ministers subsequently 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 (National Approach). 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 the Association of Directors for Social Services Cymru (ADSS), and including 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 Commissioner's report 'Missing Voices: Right to be Heard'.

*'Local Authorities have to make an active offer of advocacy toward a child or young person at the earliest possible time following entry into 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**

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 for the role of the Project Manager.

The group identified and developed the following key components;

- Framework - including an approach to the 'active offer' of advocacy identified in 'Missing Voices' and a mapping of the 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 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 Welsh Local Government Association produced an Implementation Plan to progress the National Approach which was agreed by all local authorities in Wales. It was implemented from the summer of 2107.

### **Implementation of the National Approach**

The implementation of the National Approach is now aligned to the Improving Outcomes for Children Ministerial Advisory Group (MAG). A Task & Finish Group has been established to monitor, drive implementation, and review the effectiveness of the National Approach to Advocacy for Children and Young People.

A Technical Group has been established to advise on updating the Part 10 Code of Practice (Advocacy). It will take account of the National Approach to Advocacy for Children.

Welsh Government intends to complete this work to update the Code on Part 10 during 2019. The revised Code will be laid before the Assembly and when approved formally issued. The Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 came into force 29 April 2019.

## **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 against 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 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 \(August 2014\)](#)

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 ([See Appendix A](#)) and will demonstrate how local authorities evidence the way in which children and young people will be supported to achieve their well-being outcomes by accessing advocacy, and what well-being means, e.g. 'Securing rights and entitlements', 'Protection from abuse and neglect'.

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.

## **National Approach Service Specification and Reporting Template**

### **Advocacy commissioners**

Commissioners should satisfy themselves that advocacy providers can meet the requirements of the contract detailed in the Service Specification and deliver 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 National 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 National 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 National 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 explaining 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 safeguarding services, providing a crucial lifeline for children and young people who might otherwise never seek adult help. (See [Advocacy Outcome Statement 2](#)).

## **Confidentiality Policy**

The advocacy service ensures that children, young people and other agencies are aware of its confidentiality policy and that the service operates within that policy.

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 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's necessary to pass information on to statutory agencies without the consent of the child or young person, 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 2014 Act<sup>1</sup>.

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<sup>1</sup> <https://gov.wales/information-sharing-safeguard-children-guidance>

**Advocacy Outcome Statement 1 – Children and young people find good quality independent advocacy easily available and accessible**

<b>Standards</b>		<b>Evidence/Measure</b>	
		<b>Commissioners</b>	<b>Providers</b>
<b>a) Advocacy services are responsive and provide information, advice and assistance without delay when contacted.</b>	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 Assessment in line with commissioners’ duties under the 2014 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"> <li>• responding to contacts without delay.</li> <li>• being able to meet demand for the service.</li> </ul>
<b>b) Advocacy services are well publicised and provide a variety of contact methods.</b>	Children and young people find independent advocacy easily accessible.	<p>Commissioners can evidence that 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, are subject to enquires leading to child protection conference and at other</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 in their reports:</p> <ul style="list-style-type: none"> <li>• referral activity data resulting from ‘active offers’.</li> <li>• data on sources of referrals/contacts.</li> </ul> <p>Advocacy providers actively encourage all agencies, teams and adults who are in a position to do so:</p>

		<p>identified points during their care (See Appendix B).</p> <p>Commissioners actively encourage all sources of information, advice 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"> <li>• to do so;</li> <li>• to encourage them to use it, and</li> </ul> <p>facilitate their first contact.</p> <p>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> <p><b>(See Advocacy Outcome statement 4i)</b></p>	<ul style="list-style-type: none"> <li>• to inform children and young people about advocacy;</li> <li>• encourage them to use it, and</li> <li>• facilitate their first contact.</li> </ul> <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.</p>
<p><b>c) Advocacy services are delivered in places and at times which make them accessible to all eligible children and young people.</b></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 monitoring reports – along with evidence of disability access, risk and hazard assessments undertaken etc.</p>	<p>Advocacy providers can evidence:</p> <ul style="list-style-type: none"> <li>• accessible venues are used when meeting with children and young people.</li> <li>• appropriate risk and hazard assessments are undertaken.</li> </ul>

<p><b>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.</b></p>	<p>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.</p>	<p>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.</p>	<p>Advocacy providers can evidence the usage of the answer phone service and response times are reported in quality monitoring reports.</p>
<p><b>e) Advocacy services have a clearly documented advocacy plan agreed with the child or young person</b></p>	<p>Children and young people understand how the independent advocacy service would help them and agree their advocacy plan.</p>	<p>Commissioners review anonymised advocacy plan as part of their service quality monitoring activity.</p>	<p>Advocacy providers can evidence advocacy plan agreed between the advocate and the child or young person.</p>
<p><b>f) Advocacy services' staff have clear and detailed job descriptions and receive appropriate training and supervision.</b></p>	<p>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 high standard to undertake their roles effectively.</p>	<p>Commissioners can evidence:</p> <ul style="list-style-type: none"> <li>• clear job descriptions, training and support arrangements and identified policies are stipulated in the Service Specification which are reviewed annually.</li> <li>• within the Service Specification advocates are expected to attain the Level 3 C&amp;G Qualification or the appropriate qualification as required by Social Care Wales (SCW) within an agreed timescale.</li> </ul>	<p>Advocacy providers can evidence having clear job descriptions, training and support arrangements and have the identified policies in place.</p> <p>Advocates are facilitated to attain qualifications as recommended/required in Social Care Wales' <a href="#">Qualification Framework</a></p> <p>Services are registered and managers are appropriately qualified and registered in accordance with RISCA 2016 as stated in Social Care Wales <a href="#">Qualification Framework</a></p>

<p><b>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.</b></p>	<p>Children and young people receive a service which:</p> <ul style="list-style-type: none"> <li>• is monitored for quality</li> <li>• enables and encourages them to give feedback</li> <li>• generates information which can be used for service improvements.</li> </ul>	<p>Commissioners can evidence:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>	<p>Advocacy providers can:</p> <ul style="list-style-type: none"> <li>• provide evidence of reports submitted for quality monitoring and examples of service improvements which reflect feedback from children and young people.</li> <li>• provide evidence of engagement with Elected Members, Corporate Parenting Panels and Scrutiny Committees and other accountability mechanisms in order to scrutinise the reports.</li> </ul>
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**Advocacy outcomes statement 2 – Children and young people have their privacy and confidences respected and their well-being safeguarded and protected**

<b>Standards</b>		<b>Evidence/Measure</b>	
		<b>Commissioners</b>	<b>Providers</b>
<b>a) Advocacy services work to a high level of confidentiality and respect children and young people’s privacy. It operates in line with Wales Safeguarding Procedures and consistent with Safeguarding Board procedures. This information is shared with and its meaning explained to children and young people before advocacy commences.</b>	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, guardians, foster parents, children and young people and other agencies.
<b>b) Advocacy services have a robust child safeguarding policy and referral process in line with Wales Safeguarding Procedures which are fully understood by staff.</b>	Children and young people are safeguarded in line with Wales Safeguarding 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’ safeguarding policy and referral procedures are fully understood by its staff and are implemented effectively.
<b>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.</b>	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.

<p><b>d) Advocacy services have a clear, child friendly complaints policy and procedure explained to them with clearly defined time limits.</b></p>	<p>Children and young people understand how they can make a representation or complaint concerning the advocacy service.</p>	<p>Commissioners can evidence the requirement for a clear, child friendly complaints policy is stipulated within the Service Specification with a requirement to report on any complaints received and their outcomes in the quality monitoring reports.</p>	<p>Advocacy providers can evidence the services' complaints policy is clear and child friendly – complaints, representations or compliments along with any outcomes are reported to commissioners.</p>
<p><b>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.</b></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, instances 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 the availability 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**

<b>Standards</b>		<b>Evidence/Measure</b>	
		<b>Commissioners</b>	<b>Providers</b>
<b>a) Advocacy services ensure no child or young person suffers discrimination within their service.</b>	Children and young people are aware of and can access advocacy services without fear of discrimination.	Commissioners can evidence the requirement for a robust anti-discrimination policy is stipulated within the Service Specification.	Advocacy providers can evidence that their service’s anti-discrimination policy is promoted, shared, understood and practised by its staff.
<b>b) Advocacy services ensure children and young people are aware of their rights under the law,<sup>2</sup> and under equality and diversity policies held by the agencies from which they are receiving services.</b>	Children and young people receive support from advocacy services to secure their rights or to challenge discrimination.	Commissioners can evidence that the Service Specification stipulates that independent professional advocacy will challenge discrimination or assist children and young people to challenge discrimination.	Advocacy providers can evidence discrimination has/would be challenged if/when encountered.
<b>c) Advocacy services are delivered in a way which respects the cultural, religious and linguistic needs of the child or young person.</b>	Children and young people can access advocacy services which respect their cultural and religious needs and are delivered in the language of their choice or via an interpreter service.	Commissioners can evidence: <ul style="list-style-type: none"> <li>• 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.</li> <li>• the need for services/arrangements to be put</li> </ul>	Advocacy providers can evidence: <ul style="list-style-type: none"> <li>• the services’ equality and diversity policy is promoted, shared, understood and practised by its staff.</li> <li>• access to interpreters.</li> <li>• the steps taken to secure a varied staff profile including language skills<sup>3</sup>.</li> </ul>

<sup>2</sup> Advocates inform children of their rights under the [Social Services and Well-being \(Wales\) Act 2014](#), the [UNCRC and the Equality Act 2010](#).

<sup>3</sup> [Welsh Language \(Wales\) Measure 2011](#)

		in place to support the child or young person's right to receive services in the language of their choice is stipulated within the Service Specification.	
<b>d) Advocacy services take steps to reach out to and promote access to underrepresented groups.</b>	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.
<b>e) Advocacy services are responsive to the communication needs of individual disabled children and young people. (See Appendix C)</b>	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.

**Advocacy outcomes statement 4 – Children and young people are empowered to take the lead in relation to advocacy services and their rights, wishes and feelings are championed**

<b>Standards</b>		<b>Evidence/Measure</b>	
		<b>Commissioners</b>	<b>Providers</b>
a) <b>Advocacy services work openly with and exclusively for children and young people, are led by their views and wishes and champion their rights.</b>	Children and young people accessing advocacy services are empowered, have their views and wishes heard and their rights respected.	Commissioners can evidence receipt of and responses 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) <b>Advocacy services are funded and managed in a way which clarifies their independence from the commissioners.</b>	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) <b>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.</b>	Children and young people accessing advocacy services are informed about their rights, other sources of Information, Advice and Assistance and are 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 other sources of Information Advice and Assistance and helping them to explore options and possible outcomes of an agreed course of action.
d) <b>Advocacy services provide support to children and young people wishing to make a representation or complaint.</b> <sup>4</sup>	Children and young people wishing to make a representation or complaint are aware of their rights	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.

<sup>4</sup> [Social Services and Well-being \(Wales\) Act 2014](#) (Sections 171-178); and [A guide to handling complaints and representations by local authority social services \(August 2014\)](#)

	and are able to access advocacy services.	their right to advocacy and how to access it.	
e) <b>Advocacy services signpost children and young people to specialist or legal advice when appropriate. They maintain a list of sources which provide a service.</b>	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) <b>Advocacy services ensure children and young people accessing the service understand how to request a change of advocate.</b>	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) <b>Advocacy services enable children and young people to determine how to contribute – on their own, through their advocate or jointly with their advocate.</b>	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) <b>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.</b>	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.

<p>i) <b>Advocacy services champion children’s rights in their work with other professionals and adults working with children and young people.</b></p>	<p>Children and young people accessing advocacy services are aware their rights are championed with other professionals and adults working with children and young people.</p>	<p>Commissioners can evidence 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>Advocacy providers can evidence championing children’s rights in their work with other professionals and adults working with children and young people.</p>
<p>j) <b>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.</b></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) <b>Advocacy services identify key themes and issues raised by children and young people and present the case for service change (systemic advocacy).</b></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**

<b>Standards</b>		<b>Evidence/Measure</b>	
		<b>Commissioners</b>	<b>Providers</b>
<p><b>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.</b></p>	<p>Children and young people are empowered to express their views about the advocacy service they receive.</p>	<p>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.</p>	<p>Advocacy providers can evidence results of annual feedback survey from service users as well as case closure/outcome satisfaction responses.</p>
<p><b>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.</b></p>	<p>Children and young people are empowered and involved in service evaluation, development and improvement.</p>	<p>Commissioners can evidence arrangements for participation activity specified within the Service Specification.</p>	<p>Advocacy providers can evidence participation within the service. Practice complies with National Participation Standards.<sup>5</sup></p>
<p><b>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 those using the service.</b></p>	<p>Children and young people from a representative cross section of service users are involved in service evaluation, development and improvement.</p>	<p>Commissioners can evidence the requirement to take steps to achieve equitable and representative participation as specified within the Service Specification.</p>	<p>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.</p>

<sup>5</sup> [Children & Young People's National Participation Standards](#)

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

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

			<b>(5)</b> Children and young people participate in the design, planning, delivery, monitoring and evaluation of advocacy services.
Social and economic well-being.	<ul style="list-style-type: none"> <li>– I contribute towards my social life and can be with the people I choose.</li> <li>– I do not live in poverty.</li> <li>– I get the help I need to grow up and be independent.</li> <li>– I get care and support through the Welsh language if I need it.</li> </ul>	<ul style="list-style-type: none"> <li>– satisfaction with social life.</li> <li>– poverty.</li> <li>– young people feel supported into adult life.</li> </ul>	<p><b>(1)</b> Children and young people find good quality advocacy easily available and accessible.</p> <p><b>(2)</b> 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"> <li>– I live in a home which best supports me to achieve my well-being.</li> </ul>	<ul style="list-style-type: none"> <li>– whether housing meets people’s needs.</li> </ul>	<p><b>(1)</b> Children and young people find good quality advocacy easily available and accessible.</p> <p><b>(4)</b> Children and young people are empowered and their rights, wishes and feelings are championed.</p>

## Appendix B

### The Active Offer

#### What is an Active Offer?

An 'active offer' is the sharing of information about the statutory right and entitlement of a child or young person in certain circumstances to have access to an independent professional advocacy service.

Children and young people are entitled to an active offer of advocacy from a statutory Independent Professional Advocate (IPA) when they become looked after or become subject of child protection enquiries leading to an Initial Child Protection Conference.

The information shared includes an explanation about the role of the independent professional advocacy service, what it can and cannot do, how it operates based on a child or young person's views, wishes and feelings, its independence and how it works solely for the child/young person. The information that is shared also explains the service policies on confidentiality, safeguarding and 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 networks of support available to a child or young person 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 for Wales Office.

#### An active offer for:

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

Upon entering the Looked after Children system, children and young people<sup>6</sup> will be referred and facilitated by their social worker to have an active offer meeting with their local independent professional advocacy service. This should happen in advance of their first review meeting. The appointment including their 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 that this active offer was completed by the first review and whether or not the offer

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<sup>6</sup>The [Social Services and Well-being Act 2014](#) definition of a child in Part 1 (section 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.

of advocacy was taken up, including 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 1989](#) )**

Children and young people who are the subject of child protection enquiries leading to a child protection conference will be referred and facilitated by their social worker to have an active offer meeting with their local independent professional advocacy service prior to the initial child protection conference.

The Chair/ Independent Reviewing Officer (IRO) will confirm and record at the conference that this active offer was completed and will also record whether or not the offer of advocacy was taken up, including the reason for not accepting the offer where possible.

In addition:-

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

Children and young people who are being or have been assessed for care and support but who do not require an intervention of a safeguarding nature (Child Protection), will be informed of, and offered, access to the local independent professional advocacy service as part of the assessment process. The offer will be made by their allocated social worker and their response will be recorded along with any reason for not accepting the offer where possible.

**The Active Offer process**

The 'active offer' is made directly to the child or young person by an IPA.

**The allocated social worker will:-**

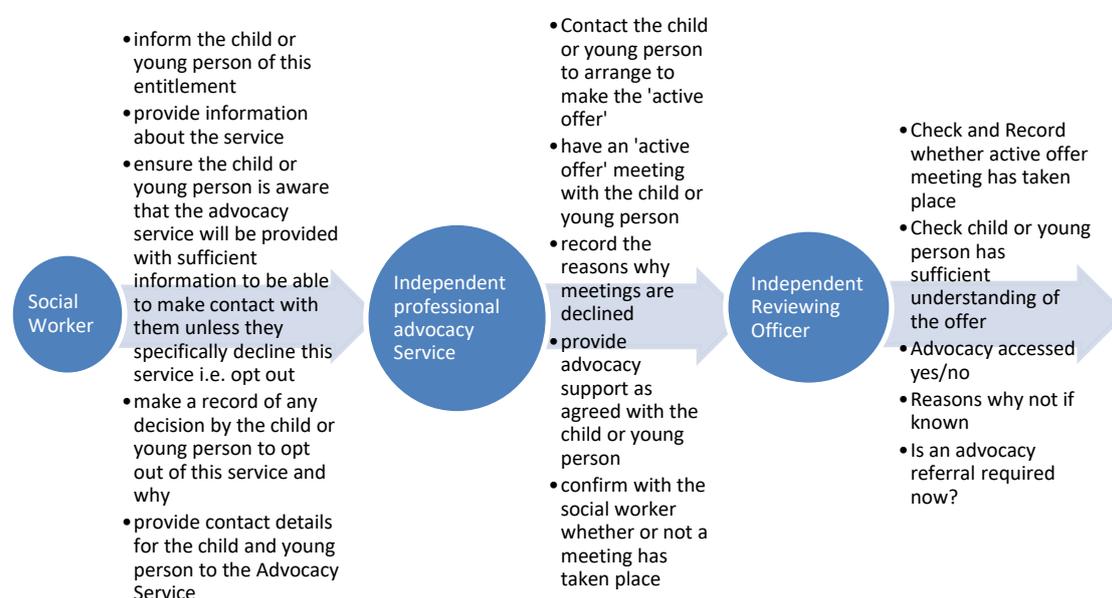
- inform the child or young person of this entitlement
- provide information about the service
- ensure the child or young person is aware that the advocacy service will be provided with sufficient information to be able to make contact with them unless they specifically decline this service i.e. opts out
- make a record of any decision by the child or young person to opt out of this service and why
- provide contact details for the child and young person to the advocacy service

Opting out does not mean that the child or young person is no longer entitled to an advocate. If the child or young person decides at a later stage that they wish to access advocacy, the social worker will provide the advocacy service with their details to allow them to arrange an introductory meeting with the child or young person.

## The advocacy service will:-

- contact the child or young person to arrange to make the 'active offer'
- have an 'active offer' meeting with the child or young person
- record the reasons why meetings are declined
- record the outcome of the active offer meeting
- provide advocacy support as agreed with the child or young person
- confirm with the social worker whether or not a meeting has taken place

## An illustration of the Active Offer process



## Advocacy provision

The child/young person **may or may not decide** that they wish to request IPA support as a result of the active offer meeting:-

- If a child/young person indicates that they wish to receive support from the independent professional advocacy service it will be treated as a 'self-referral' but source of referral noted as an active offer. The IPA will, with the young person's agreement, briefly revisit what independent professional advocacy can/cannot do, its independence, how it operates, its confidentiality and safeguarding policies and obtain 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 consider** that they do not need advocacy support at that particular point in time and may opt out; 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 IPA will ensure that information literature and contact details for the independent professional advocacy service is shared with the child or young person.

As outlined previously, information on wider networks of support should be provided.

If the child/young person indicates to the IPA that they wish to receive advocacy support from someone in a formal/professional/informal role but not from the independent advocacy service the child/young person will be supported to inform the social worker/IRO.

### **Future access to advocacy**

Children and young people will be reminded of how the local independent professional advocacy service can assist them to have their voices heard, either by their social worker or the IRO/chair at key points in their managed care such as review meetings, planned placement moves, when plans are being developed for a young person to become a 'Care Leaver' or by the advocacy service through their normal awareness raising activities.

### **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.

Children and young people's need for advocacy is met and they are assisted to represent their views, wishes and feelings.

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

### Summary of Approaches to non-instructed Advocacy<sup>7</sup>

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 may be 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.<sup>8</sup>

#### **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

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<sup>7</sup> <https://www.ascymru.org.uk/application/files/6515/0461/6014/summary-of-approaches-to-non-instructed-advocacy.pdf>

<sup>8</sup> <http://asist.co.uk/watching-brief>

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.