

Fosterline Wales Factsheet: Advocacy – a Welsh national approach to children’s statutory advocacy

The National Approach to Statutory Advocacy for children and young people in Wales was introduced as working practice as of July 2017. The national approach model will ensure that children who are looked after or leaving care or who are in receipt of Care and Support (including Child Protection) will have a greater say in their care and support planning and have their rights upheld under the United Nations Conventions on the Rights of the Child. The national Approach aims to standardise advocacy, its criteria, and provision across Wales. Any Child or Young Person who has a social worker can now have access to an advocate.

This factsheet defines what advocacy is and an **active offer**, where all children and young people are made aware of **advocacy** services and how they could access an **advocate** at the point at which they entered the statutory care system.

Introduction

The national approach to advocacy for children and young people in Wales was introduced as working practice as of July 2017.

The national approach model encourages Children’s Services staff to ensure all children and young people who became looked after from July 2017, or become part of child protection procedures, are receiving an advocacy service, confirmed in their Care and Support Plan

What is advocacy?

Advocacy is promoting views wishes and feelings, to ensure they are taken into account and acted upon during the decision-making process that affect a child's life. Advocacy is enshrined in the United Nations Convention on the Rights of the Child UNCRC. www.childreninwales.org.uk/policy/un-convention/

Advocacy is:

- child or young person led
- confidential (unless there are child protection concerns)
- represents the voice of the child rather than working from a best interest perspective.

Why is advocacy important?

Children and young people say they have:

- a better understanding of their rights and entitlements and how to get help
- an opportunity to express their wishes and feelings, and to be part of the

- discussion that influences their care plan
- a better understanding of what is happening to them. They understand their Care and Support Plan and how to influence decisions or changes to their plan
- feel more confident and able to express their feelings, and better engage with the people who care for them
- through advocacy, they have been able to make changes in their lives – advocacy can help them stabilise placements, contact arrangements, education etc
- someone to tell, if they do not feel safe.

Advocacy in Wales is supported by guidance from Welsh Government:

National Standards for the Provision of Children’s Advocacy Services 2003

www.wales.nhs.uk/sites3/Documents/441/Advocacy%20Standards-e.pdf

These advocacy standards provide a framework to plan, develop and review advocacy practice at all levels. They set out the core principles that children and young people can expect from professionals providing advocacy services. Services should meet the standards and new services developed in line with them.

Social Services and Well-being Act 2014. Code of Practice 10-Advocacy, 2015.

gweddill.gov.wales/docs/dhss/publications/151218part10en.pdf

This code sets out the requirements for local authorities

- a) to ensure that access to advocacy services and support is available to enable individuals to engage and participate when local authorities are exercising statutory duties in relation to them and
- b) to arrange an independent professional advocate to facilitate the involvement of individuals in certain circumstances

Statutory Guidance for providers of regulated advocacy services, April 2019

gov.wales/sites/default/files/publications/2019-04/guidance-for-providers-and-responsible-individuals-of-regulated-advocacy-services.pdf

The guidance sets out how providers of regulated advocacy services may comply with the requirements under the Regulation and Inspection of Social Care (Wales) Act 2016. In addition, the regulation is to ensure that individuals:

- can feel confident that service providers will prepare an advocacy plan to meet the individual’s advocacy needs.
- are provided with information about the service
- are provided with an advocacy service which enables them to achieve their best possible well-being outcomes
- that service providers have in place the mechanisms to safeguard individuals to whom they provide advocacy.
- ensure that individuals are supported by appropriate numbers of staff who have the required knowledge, competence, skills and qualifications
- ensure that advocacy services are provided in a location and environment with facilities suitable for the operation of the service
- ensure that individuals are protected by a service that works proactively to secure their advocacy and protect their rights

Independent Professional Advocacy-National Standards and Outcomes Framework for Children and Young People in Wales August 2019

gov.wales/sites/default/files/publications/2019-08/national-standards-and-outcomes-framework-for-children-and-young-people-in-wales.pdf

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. 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.

What is the 'active offer'?

The Active Offer is a new element to statutory advocacy provision. It will involve a designated meeting between a child or young person and an advocate.

The eligibility criteria:

- A child or young person entering the care system
- A child or young person who is entering the Child Protection arena and has been placed onto the Child Protection register
- If the young person has given consent for the meeting to take place

Process:

- The young person's social worker explains advocacy to them, and asks if they would like a meeting with an advocate for more information
- The young person consents – the social worker refers to advocacy
- The advocate then completes the 'Active Offer Meeting'

Active offer meeting will include the following:

- Explanation of Children's rights – UNCRC and Article 12
- Explanation of advocacy and the different types of advocacy (not just IPA)
- Information about the local Independent Professional Advocacy Service
- Information about the Children's Commissioner
- Information about the Meic Helpline meiccymru.org/
- Information about the right to complain
- An explanation that the advocate will record that this meeting has taken place, the outcome of the meeting (advocacy wanted/not/who/how) and that this detail will be reported back to the Local Authority

The active offer process

- Stage 1 – Active offer
(Social Worker to explain in brief the advocacy service and offer a face-to-face meeting with advocacy provider – social worker to record offer and outcome).

- Stage 2 – Referral to advocacy provider
(If the child/young person has agreed to meet with the advocacy provider, the social worker should make an active offer referral to the commissioned service.)
- Stage 3 – Active offer meeting
(On receipt of the referral the advocacy provider will contact the child/young person and agree a meeting date, time and venue. The advocacy provider will, with the consent of child/young person, inform referrer of arrangements). Once the meeting has taken place it is deemed the following outcomes will be reached. Children and young people should be reminded of advocacy services throughout the time they are receiving support from Children's Services departments.

Advocacy providers in Wales

Local authorities are expected to publicise their arrangements for advocacy services in their area and to provide information about children's rights to every child or young person they look after.

Welsh Government supports two independent children's rights organisations, to provide Independent Statutory Advocacy Provision.

1. TGP Cymru (Tros Gynnal Plant) provides advocacy services to:
tgpcymru.org.uk/
2. NYAS Cymru (National Youth Advocacy Service) provides advocacy services to:
nyas.net/nyas-cymru/

Resources

MEIC

This is the helpline service for children and young people up to the age of 25 in Wales. It covers information, advice and advocacy.

meiccymru.org/

The Children's Commissioner Wales

The Children's Commissioner for Wales is an independent children's rights institution that safeguards and promotes the rights and welfare of children and young people.

childcomwales.org.uk/

Children's Legal Centre

Know your rights and understand your choices

childrenslegalcentre.wales/

Social Care Wales

Advocacy Services

socialcare.wales/qualification-framework/job-roles/advocacy-services

How The Fostering Network can help

The Fostering Network offers advice, information and support. Our expertise and knowledge are always up to date and available through our vital member helplines, publications, training and consultancy.

Advice

Fosterline Wales

Call us on 0800 316 7664 from 9.30am - 12.30pm Monday to Friday.

If you call outside this time, please leave a message and someone will call you back as soon as possible.

You can email us at:

fosterlinewales@fostering.net

Support and resources

Our website is an essential source of information, while our online community brings together foster carers for peer support and advice. You can login to share your experience and get advice from other foster carers. Our online community is a safe and secure area to discuss foster care matters.

thefosteringnetwork.org.uk

Training and consultancy

Wherever you are in your fostering career, as a foster carer, social worker or manager, The Fostering Network has a range of training designed to meet your development needs.

For more information contact our Learning and Development Manager, Sarah Mobedji at sarah.mobedji@fostering.net.

About The Fostering Network

The Fostering Network is the UK's leading fostering charity, bringing together everyone who is involved in the lives of fostered children to make foster care the very best it can be.

Contact

To find out more about our work in Wales, please contact:

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