



Llywodraeth Cymru
Welsh Government

WELSH GOVERNMENT RESPONSE TO THE CHILDREN'S COMMISSIONER FOR WALES' REPORT – “MISSING VOICES”



February 2013

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In April 2011 the Children's Commissioner for Wales announced his intention to review independent and professional advocacy services for looked after children and young people, care leavers and children in need. The review aimed to ascertain whether, and to what extent, arrangements for independent professional advocacy services made by Welsh Ministers and all local authorities in Wales, are safeguarding and promoting the rights and welfare of these children and young people. *Missing Voices* - the Commissioner's report following his review was published on 22 March 2012.

The report set out 29 key recommendations of which 11 were directed to the Welsh Government. The remaining 18 were directed to local authorities.

The Welsh Government response to the recommendations in Missing Voices included:

We as a Government responded to the Children's Commissioner's report on the 22 June 2012. We set out our intended actions against each recommendation for Government. Below is a summary of the main actions that we committed to taking forward and an update on what has been done so far:-

- 1. We will write to local authorities to clarify their duty in relation to advocacy, clarify what is expected in relation to current statutory requirements, highlight the extant guidance and highlight the principles of the commissioning model for advocacy that the Welsh Government promotes.**

Update

A letter was issued by the Director for Social Services in December 2012 to all local authorities' Directors of Social Services to remind them about their statutory responsibilities in relation to independent advocacy services for Looked After Children/Young People, care leavers and children in need. The letter also reminded them of the statutory guidance and requested that local authorities provide information on what they do to satisfy the statutory requirements in the regulations with regard to advocacy services.

All local authorities have now provided this information and we will be analysing this and sharing it with CSSIW.

The Deputy Minister for Children and Social Services has also written to all elected members reminding them of their duty as corporate parents and highlighting the guidance that is available to them to ensure that they understand their role and their responsibilities. At the same time she wrote to the chief executive of the Welsh Local Government Association (WLGA) asking him to provide information as to what action the WLGA has taken to ensure that all elected members recognise and understand the critical importance that we attach to the safeguarding agenda, which of course includes advocacy.

2. We will work with CSSIW to put in place a framework of outcome measures, self-evaluation and inspection in relation to the quality of advocacy to ensure that advocacy is consistent and effective.

Update

Work is continuing on the development of the National Outcomes Framework for Social Services. This Framework will provide a structure to describe and measure the well-being of people in Wales who need care and support by using a number of outcome statements which focus on the individual. These outcomes statements are the key areas where social services can make a difference to people's lives.

One of the outcome statements will be 'securing rights and entitlements'. Within this, we are considering how the provision of advocacy for children and young people receiving social services impacts on their well-being based on input from our National Outcomes Steering & Engagement Group, and the advocacy policy leads.

The consultation on the approach to a national outcomes framework has very recently come to an end.

In parallel, we are working with key stakeholders to develop the citizen centred statements and the measures. The Children's Commissioner is a member of the Steering & Engagement Group

To ensure high quality advocacy services for children and young people we are, jointly with CSSIW, launching a draft "Advocacy Standards and Outcomes Framework" for consultation. This is based on the National Advocacy Standards and sets out what we believe to be a good advocacy service. We will expect this Framework to support advocacy providers to evidence a good standard of service, and for commissioners to consider this when monitoring the advocacy provision for their children and young people.

Looking ahead, this year CSSIW will be undertaking a national review of advocacy services for children and young people. The advocacy conference will provide an opportunity to inform the scope and focus of this review. CSSIW will also examine the provision of advocacy services for children and young people subject to family court proceedings as part of their next inspection of CAFCASS CYMRU. Their findings will be important in informing Government about the current provision of and quality of advocacy services and the shape of the future inspection framework we need to encourage improvement and support best practice in providing high quality advocacy services.

3. We will create an independent expert group on Advocacy that will replace the National Independent Advocacy Board (NIAB). The new group will have a broad representation of advocacy providers, commissioners as well as experts who will have

experience of commissioning, providing or studying/researching advocacy. They will provide Ministers with expert advice on the provision, development and implementation of advocacy provision.

Update

NIAB met for the last time on 14th December. To mark the end of the Board they have produced a Legacy Report that will be published on the 28th February 2013. This report outlines the Boards achievement and also sets out what members believe to be the priorities for going forward.

Recruitment is taking place currently for the new Ministerial Expert Group on Advocacy. Various interested groups have been approached to nominate representatives and interviews have taken place and an independent chair appointed. The Group will meet for the first time in March 2013 and the Deputy Minister for Children and Social Services will issue a remit letter stating areas of work where she will want advice and recommendations. NIAB's legacy report will inform the Minister's thinking in relation to the areas she wants to address in the short term.

The Chair will meet regularly with the Deputy Minister to introduce and discuss the recommendations and advice.

4. We will establish a Young Expert Group to sit alongside the new Expert Group to ensure the voice of advocacy users are heard when Ministers are provided with advice and recommendations.

Update

The Voices from Care's National Reference Group will take on this role and will also meet for the first time in March. The same agenda will be discussed by both Expert Groups and the findings of both will be taken into account when providing the Deputy Minister with advice and recommendations.

The Deputy Minister will meet with the Young Expert Group as soon possible to discuss these arrangements.

5. We will hold an annual conference on advocacy to bring together key stakeholders to examine progress, share best practice and identify developments

Update

The first and inaugural annual conference on advocacy takes place on 28 February 2013 in Aberystwyth. The workshops will explore Commissioning, The Voice of the Child, Evaluation of Advocacy Services and Sharing of Good Practice. The findings of this conference will feed into an Advocacy Policy Statement that will be

published by the end of April 2013. This Policy Statement will set out our priorities for advocacy, the actions we intend to undertake to secure improvements in advocacy and our reporting procedure for delivering our commitments.

6. We will work with others to promote ‘advocacy’ as a term as well as a process. There are a number of proposals that will take this forward.

Update

We have developed an e-learning package on the UNCRC for professionals - this includes information on advocacy and sets it within the concept of children’s rights.

We have updated the professionals’ page on the MEIC website to promote advocacy and to share information of where advocacy can be accessed nationally and locally.

A strapline has been agreed that we are now using when promoting advocacy. It was suggested by a young NIAB member. It is “Advocacy - Someone on your Side”. We will be encouraging all stakeholders to use this strapline to promote advocacy.

We have developed an e-flyer that can be used locally to promote advocacy. This was suggested by professionals within social services who recommended national branding of advocacy, but something that could be tailored to include local information. This e-flyer will be made available to all stakeholders to amend as they see fit. It can also, of course, be printed and given as a hard copy.

7. We will seek regular information from commissioners, providers and other stakeholders in relation to advocacy provision, good practice and outcomes for children and young people against the advocacy standards and outcomes framework.

Update

Local authorities have already provided the Welsh Government with a copy of their responses to Missing Voices, as well as provide further information on what they are doing to satisfy the statutory requirements in the regulations with regard to advocacy services.

The advocacy conference will provide us with further insight into how we as a Government can support local organisations and services to deliver high quality, independent, accessible and effective advocacy. It will also give us an insight into the barriers that currently prevent this and what can be done to address these.

The Expert Groups will also be a way of finding out what is happening on the ground and will provide the Welsh Government with advice and recommendations.

To reflect the broader view of advocacy within the context of rights there is an Advocacy Network within Welsh Government that bring together colleagues who have a role to play in taking forward Advocacy, such as colleagues who lead on child protection / safeguarding, health, education, CAFCASS, CSSIW, older people and asylum seekers and refugees. This network takes a strategic view of advocacy and ensures that there is an understanding of the importance of advocacy across Welsh Government as well as ensuring cross-portfolio links and opportunities to work together.

8. We will build on the recommendation to consider placing a requirement on residential settings for children and young people to have arrangements in place for independent professional advocacy into the work programme to deliver Sustainable Social Services.

Update

This will be done within the project for delivering integrated services for children which includes the placement stability work-stream. We are committed to ensuring that our most vulnerable children and young people are supported and in April 2011 *The Visits to Children in Long-term Residential Care Regulations* came into force which strengthened local authorities' duties to ensure that the welfare of children is safeguarded and promoted when they are placed in residential care for consecutive periods of three months or more. These regulations require the local authority to visit these vulnerable children and to offer a tailored package of services to meet the child's needs.

Within the National Minimum Standards for Children's Homes there are standards regarding *Support to individual children* with the "Outcome: Children receive the individual support they need when they need it".

Workshops with stakeholders will be held to discuss the requirements and ingredients that should be within the scope of the new regulation and inspection framework for social care.

This will inform the development of the white paper which will be introduced during the lifetime of the current Assembly to address the regulation and inspection of the social care workforce and social care services in Wales.

While advocacy has recently been subject to review and criticism by the Children's Commissioner for Wales and we recognise there is still work to be done, we must also remember that there is much innovative and ground-breaking work being taken forward in Wales.

Safeguarding children and young people is central to all we do and the Welsh Government has demonstrated its commitment to the sustained development

of and increased access to advocacy for all children and young people especially those most vulnerable.

Good advocacy can have a profound effect on the lives of children and young people and we will continue to do all we can to ensure provision and continue with the positive achievements to date.