

National Assembly for Wales
Children and Young People Committee

Scrutiny of developments in the provision
of advocacy services to children and young
people in Wales

May 2009



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Background

1. The Children and Young People Committee's report on 'Advocacy Services for Children and Young People in Wales' was launched in March 2008. Our report was made on the basis of evidence taken from a wide range of witnesses, including young people with experience of using advocacy services. The report made twelve recommendations to the Welsh Assembly Government.
2. In their written response to our report, the Welsh government stated that it agreed with nine of our recommendations and 'agreed in part' or 'agreed in principle' with the remaining three.¹
3. We expressed disappointment that the first recommendation of the report- the establishment of a centrally funded national advocacy unit with responsibility for commissioning independent advocacy services in local areas- was only agreed to in part. In relation to this recommendation, the Welsh government stated that:

"The Welsh Assembly Government does not support the recommendation that the Unit should commission local/regionally-based services. These are currently provided by local authorities and their partners in fulfilling their statutory functions (Children Act 1989 and National Health Service (Wales) Act 2006) in the provision of advocacy for representations or complaints. The Assembly Government will take forward re-configuration of local services so that specialist integrated advocacy services will in future be planned and commissioned by the local authority Children and Young People's Partnerships."²

4. On 31 March 2009, we scrutinised the Minister for Children, Education, Lifelong Learning and Skills on the implementation of the recommendations of the Committee's report on 'Advocacy Services for Children and Young People in Wales.'

¹ Welsh Assembly Government's Written Response to the Children and Young People Committee's Report on Children and Young People's Advocacy, http://www.assemblywales.org/welsh_assembly_government_s_written_response_to_report_on_children_and_young_people_s_advocacy_e.pdf

² Ibid, pages 2-3.

Issues raised with Minister for Children, Education, Lifelong Learning and Skills

5. The Minister welcomed Elin Gwynedd to the Committee, as the new head of the Advocacy Development and Performance Unit, to the Committee.

6. In scrutinising the Minister, we sought clarification and further information on the following issues:

- a) What monitoring processes would be used to determine whether looked-after children and other vulnerable children considered the new service framework for advocacy services, put in place by the Welsh government-to be independent.
- b) What evaluation criteria were built into the new service framework to review its effectiveness.
- c) How much money had been allocated to implementing the new service framework and from which budgetary expenditure line.
- d) Whether the Advocacy Development and Performance Unit had sufficient staffing capacity and seniority to effectively deliver its responsibilities.
- e) How the independence of the Advocacy Development and Performance Unit would be guaranteed.
- f) Whether active commissioners of current service providers would be eligible for appointment to the National Independent Advocacy Board.
- g) Whether the National Independent Advocacy Board would report independently to the National Assembly for Wales.
- h) What support would be provided to children and young people on the National Independent Advocacy Board, and whether they would have the opportunity to discuss issues, as a small group, prior to the meetings of the whole Board.
- i) Whether the National Advocacy and Advice Service would be delivered in 2009/10.
- j) Whether the National Advocacy and Advice Service would be free to text, or call from mobile phones.
- k) How the Welsh government would help children and young people to understand how and where to access advocacy help.
- l) Whether children and young people would normally have choices about the identity of their advocate.
- m) The size and budgetary expenditure line source of a one-off grant previously committed to by the Welsh government, for the establishment of consortiums of Children and Young People Partnerships to jointly develop and commission integrated advocacy services.
- n) What assessment had been made of the skills and capacity of Children and Young People Partnerships to undertake effective commissioning of advocacy services.
- o) Whether local or regional commissioning would take place on at least a three-year basis to increase advocacy services' stability and continuity.

Reporting arrangements of the National Independent Advocacy Board

7. In evidence to the Committee, the Minister for Children, Education, Lifelong Learning and Skills emphasised the role of the National Independent Advocacy Board in monitoring the independence of advocacy services and the independence of the Advocacy Development and Performance Unit. The Minister commented that “children and young people on the Board and the wider advisory group are critical to the independence and the monitoring.”³
8. We asked whether the Board would report to the National Assembly for Wales. The Minister indicated that “it would be good for the board to be able to report to the Assembly via the Minister,”⁴ and that she wanted to consider this suggestion very carefully.
9. We welcome the Minister’s interest in enabling the Board to report to the National Assembly for Wales and informally introducing the Board to Committee Members.
10. However, given that the Minister emphasised the Board’s role in holding herself and the Welsh government’s own Advocacy Development and Performance Unit to account, along with monitoring advocacy services more widely, we are concerned that the Board should not be limited to reporting to the National Assembly for Wales “via the Minister.” We are concerned that if the Board only reports “via the Minister,” then this may be perceived as compromising its own independence and capacity to hold the Welsh government itself to account.
11. We consider that there should be opportunity for the Board to report to the National Assembly for Wales independently, rather than through the Welsh government.

³ Record of Proceedings, 31 March 2009, [Children and Young People Committee](#), page 15

⁴ Ibid, p.17

Support for young people on the National Independent Advocacy Board

12. In evidence to the Committee, Elin Gwynedd, Head of the Welsh government's Advocacy Development and Performance Unit, stated that young people on the National Independent Advocacy Board had been asked to indicate any particular support they wanted, such as a parent, guardian or carer to accompany them, particular foods, or specific needs for accessing venues.
13. We asked whether the young people on the board would have the opportunity to meet separately to the adults, prior to the meetings. Helen Mary Jones AM, our Committee Chair, commented that "young people will often have a different perspective that they want to develop and bring together, and it can be easier for them to do that together, rather than as individuals."⁵
14. We welcome the Minister's assertion that young people on the board will have the opportunity to influence and determine arrangements for their participation in meetings, and agree that young people on the Board should have control over the manner of their participation.
15. However, we consider that young people on the Board should be directly asked, at an early stage, whether they wish to have the opportunity to meet separately to adults on the Board, prior to the Board's meetings. This will ensure that young people on the Board are aware of this option, and also give them authority to determine whether to utilise it or not.

⁵ Ibid, p.17

Funding for establishment of Consortiums of Children and Young People Partnerships

16. In its original response to the Children and Young People Committee's report on "Advocacy Services for Children and Young People in Wales," the Welsh government stated that:

"the Assembly Government will encourage consortia CYP Partnerships to jointly develop and commission integrated advocacy services and will make available a one off grant towards the establishment of consortia arrangements."⁶

17. However, when asked about the size and budget source of the one-off grant towards the establishment of consortia arrangements, Elizabeth Williams, Head of Children and Young People's Strategy, stated that:

"Unfortunately, it came from the social services budget, and it was last year. The timescale for that has run out, and neither we nor our partners were in a position to get to the point at which we could use that money."⁷

18. In subsequent correspondence, the Minister confirmed that:

"No money was drawn down. The money was only available for one financial year and was not accessed due to delays in the Government's final plans as a result of the NHS reforms where the positions of LHB and CHC was unknown"⁸

19. We are very concerned and disappointed that no money was drawn from this grant to support consortiums of Children and Young People Partnerships commissioning integrated advocacy services.

20. We consider that the Welsh government should clarify what funding will now be utilised - specific grants or previously existing funding- to enable the establishment of consortiums of Children and Young People Partnerships, for jointly developing and commissioning integrated advocacy services.

⁶ Welsh Assembly Government's Written Response to the Children and Young People Committee's Report on Children and Young People's Advocacy, http://www.assemblywales.org/welsh_assembly_government_s_written_response_to_report_on_children_and_young_people_s_advocacy_e.pdf, page 4.

⁷ Ibid, p.20

⁸ Additional Evidence from the Minister for Children, Education, Lifelong Learning and Skills, http://www.assemblywales.org/letter_from_jane_hutt_ac-am_minister_for_children_education_lifelong_learning_and_skills.pdf

Funding for a free advocacy telephone and text service

21. In our March 2008 Report to the Welsh government, we recommended that it involve children and young people in “developing a free advocacy phone and text service for children and young people.”⁹

22. When asked whether the advocacy phone and text service would be free to call, particularly from mobile phones, Ms Gwynedd stated that:

“We will be exploring that, but that is certainly how we want to do it. We have not found out that information yet, but we will. We are committed to looking at that.”¹⁰

23. We look forward to the Welsh government finding this information. In the event that a free telephone and text service is determined to require greater financial resource than that currently allocated to the Advocacy Development and Performance Unit¹¹, we consider that appropriate additional funding should be provided to the Unit, to meet this cost. Helen Mary Jones AM, Committee Chair, commented that, “it has to be free of charge; otherwise, the young people who need it the most will not be able to access it.”¹²

Provision for easily changing a professional advocate

24. In our original inquiry, we heard strong evidence from young people that they wanted to be able to make decisions about the identity of their advocate. For example, one young person said: “I wasn’t given a choice, and if I had, I definitely wouldn’t have chosen her.”¹³

25. We asked the Minister whether, if a young person was unhappy with a professional advocate, they would be able to change them, without having to go through any long or complicated process of explaining why they were unhappy. We welcomed the Minister’s assertion that she “would take that back as a key point, to ensure that it is part of the commissioning guidance.”¹⁴

9 Children and Young People Committee, Advocacy Services for Children and Young People in Wales (March 2008), <http://www.assemblywales.org/cr-ld6982-e.pdf>, p.21

10 RoP, 31 March 2009, Children and Young People Committee, p. 18.

11 Additional Evidence from the Minister for Children, Education, Lifelong Learning and Skills indicated that the Advocacy Development and Performance Unit had an allocated budget for 2009-10 of £800 000, and an allocated budget for 2010-2011 of £850 000 (http://www.assemblywales.org/letter_from_jane_hutt_ac-am_minister_for_children_education_lifelong_learning_and_skills.pdf)

12 RoP, 31 March 2009, Children and Young People Committee, p.19

13 Children and Young People Committee, Advocacy Services for Children and Young People in Wales (March 2008), <http://www.assemblywales.org/cr-ld6982-e.pdf>, p.21

14 RoP, 31 March 2009, Children and Young People Committee, p. 20.

Recommendations

Recommendation 1: Members of the National Independent Advocacy Board should have the opportunity to report to the National Assembly for Wales, on an independent basis of the Welsh Assembly Government.

Recommendation 2: Children and Young People Members of the National Independent Advocacy Board should be directly asked whether they wish to have the opportunity to meet separately to adults on the Board, prior to its meetings.

Recommendation 3: The Welsh Assembly Government should clarify what funding will be utilised to enable the establishment of consortiums of Children and Young People Partnerships, for jointly developing and commissioning integrated advocacy services.

Recommendation 4:

4.1. The Welsh Assembly Government should determine the cost of establishing a telephone and text advocacy and advice service, which is free to call from mobile phones.

4.2. Following this determination, the Welsh Assembly Government should ensure that the Advocacy Development and Performance Unit has sufficient funding to establish this service.

Recommendation 5: The Welsh Assembly Government must set out, in its commissioning guidance for Children and Young People Partnerships, clear direction that children and young people should be able to change a professional advocate representing them, without having to explain why they are unhappy and want to change.