



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE: Statement on Advocacy for Looked after Children, Care Leavers and Children in Need.**

**DATE: 24 January 2014**

**BY: Jeff Cuthbert AM, Minister for Communities and Tackling Poverty and Gwenda Thomas AM, Deputy Minister for Social Services**

The last year has seen significant attention focussed on inquiries and investigations into cases of historic child abuse. These serve as a stark reminder of the importance of being constantly vigilant in protecting the most vulnerable members of our society. A common theme in these cases was that children simply were not listened to, or not believed. We cannot change the past, but we have to learn from it.

It has been over 10 years since the inquiry into child abuse in North Wales was conducted by Sir Ronald Waterhouse. His report has since shaped the significance that we place on advocacy as a way of helping safeguard our children and ensuring that the events of the past never happen again.

We cannot emphasise enough the importance that should be placed on advocacy to ensure we listen to our children and young people when they say that things are not right, when they want help, when they want to be heard, when key decisions are being made that affect them, and when they need someone on their side.

There are statutory requirements for local authorities to provide independent advocacy services for looked after children and young people, care leavers and children in need. The provision of advocacy services must be absolutely central to the arrangements that local authorities operate to promote the well-being of children. Alongside that, local authorities must also assure themselves that the quality of the advocacy services provided is sufficient to ensure the effectiveness of safeguarding arrangements and that these vulnerable children and young people are able to access the services they deserve.

We are aware of some excellent practice across Wales. However, we are concerned that in some cases there seems to be confusion around what is expected of local authorities in relation to advocacy for these specific groups of children and young people. To ensure clarity, the Deputy Minister for Social Services has written to local authorities setting out what is expected of them in respect of arrangements for the provision and delivery of independent professional advocacy services.

The review of independent professional advocacy services for eligible children and young people within social care by the Children's Commissioner for Wales found that access, knowledge and understanding of advocacy were patchy and inconsistent across Wales. He was also critical of the commissioning arrangements for advocacy in this sector.

Our response to the Commissioner's review, setting out our intended actions against each recommendation for the Welsh Government, was published in June 2012. We subsequently published an [update on progress](#) in February 2013 along with a [Statement](#) to ensure Members were kept informed.

A major commitment on our part was the establishment of a Ministerial Expert Group on Advocacy and a Young Person's Expert Group on Advocacy to consider the issues raised by the Commissioner and to provide us with advice and recommendations on a way forward.

We have remitted the Expert Groups to provide recommendations on:

- Commissioning and provision of advocacy services
- Inspection and regulation of advocates/advocacy services
- Training for independent professional advocates
- The commissioning of advocacy across sectors i.e. social care, health and education
- Raising awareness and understanding of advocacy on a national and local level
- The provision of advocacy to special groups of children and young people, such as very young children, children with learning, physical and mental disabilities
- The provision of advocacy to children and young people from elsewhere in the UK but looked after in Wales, and those from Wales looked after elsewhere.

We meet regularly with Dr Mike Shooter, Chair of the Expert Group, to discuss the progress of the work which is being undertaken. The commitment to working together to provide us with potential solutions to the issues outlined above is both evident and reassuring. The Expert Groups have recently provided us with a report and recommendations on commissioning and provision of advocacy services for looked after children and young people, care leavers and children in need in Wales. We will update Members on our response to those recommendations in due course.

It is important that we await the findings of the Expert Groups and consider any recommendations that are made before issuing any further guidance. In

the meantime, we expect local authorities to work to the extant legislation and guidance.

To satisfy us that this is the case, we have commissioned work that will include the scrutiny and analysis of information that local authorities have provided against the extant guidance, a cost-benefit analysis and a trawl of good practice that can be shared. The Expert Groups will use the findings of this work to inform their advice and recommendations.

The Children's Commissioner will also be evaluating progress of Welsh Government and local authorities against our respective recommendations from his review and we will await his findings with interest.

In addition, we are pleased to inform you that CSSIW will be undertaking a national inspection in respect of safeguarding and care planning of Looked After Children and Care Leavers, who exhibit "Vulnerable or Risky Behaviour" early in 2014. The national inspection will consider whether local authorities are promoting a rights based approach to practice and whether the voice of the child, which is central to good care planning, is heard and listened to and where appropriate support including advocacy services is available.

Advocacy for vulnerable groups is high on both our agendas and we will continue to provide leadership, direction and support to local authorities. We have heard the representations and considered the evidence submitted by many about the important role of advocacy and the need for it to be available in wider circumstances than is currently the case.

During the summer of 2013, the Deputy Minister for Social Services issued a [written statement](#) outlining her intention to bring forward government amendments to the Social Services and Well-being (Wales) to further extend provision for statutory advocacy. These amendments reinforced the importance that the Welsh Government places on ensuring that those who are in most need and who experience difficult times are supported in making decisions and have a strong voice and real control.

The Health and Social Care Committee did not feel able to support these amendments during its scrutiny of the Bill at stage 2. The Deputy Minister has been able to bring forward another amendment at stage 3 on this important issue, which was published on 15 January and we hope that this important provision will be part of the Bill when it receives Royal Assent. The published amendment can be found at:

<http://www.senedd.assemblywales.org/documents/s23140/Notice%20of%20Amendments%2015%20January%202014.pdf>

We are working with the Children's Commissioner for Wales, the Older People's Commissioner for Wales and the Ministerial Expert Groups on advocacy to ensure that they have a role in shaping future policy in this area so there is consistency in the principles of provision.

We will continue to update Members to ensure there is clarity and transparency on progress.