

Briefing on Advocacy for Population Assessment Lead Officers

Introduction

This briefing aims to assist Population Assessment Lead Officers with assessing availability of, and gaps for, advocacy in the context of the requirements placed on local authorities by the Part 10 Code of Practice (Advocacy) (“the Code”) under the Social Services and Well-being (Wales) Act 2014 (“the Act”).

It is intended as an additional resource alongside those provided in the Strategic Considerations section of the Help Guide in the Social Care Wales / SSIA Population Assessment Toolkit. The briefing provides some basic information about the role of advocacy and the legal requirements that have been placed on local authorities.

Key recommendation

Population Assessments should consider all of the forms of advocacy described in Chapter 8 of the Part 10 Code of Practice (Advocacy) under the Social Services and Well-being (Wales) Act 2014.



The Code

The Code establishes that advocacy has a key role in supporting vulnerable people to fully participate in social services processes, giving them voice, choice and control, and ensuring that their rights are upheld.

In contrast to the role of other professionals in social care and health, who are required by law to act in individuals' best interests, advocacy focuses primarily on supporting individuals to express and have taken into account their views, wishes and feelings when decisions are being made that affect them, regardless of the views of others.

There are various types of advocacy that people can access at different times, ranging from when they receive early intervention or preventative services through to supporting people with high level needs or in crisis intervention. This spectrum of advocacy is shown in Annex A. The different types of advocacy are described in Chapter 8 of the Code.

Independent professional advocacy under the Act

The Code describes independent professional advocacy which is specific to supporting individuals in relation to their care and/or support needs.

This “involves a professional, trained advocate working in a one-to-one partnership with an individual to ensure that their views are accurately conveyed and their rights upheld. This might be for a single issue or multiple issues”.

The role of the Independent Professional Advocate (IPA) is described in Annex 1 of the Code. Note that non-statutory independent professional advocacy may be used to support people with a wide range of other issues outside social care.



The requirements for advocacy

Paragraph 7 of the Code places two requirements on local authorities, to:

“ a) 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 IPA to facilitate the involvement of individuals in certain circumstances.

The “**certain circumstances**” in which arrangements must be made for provision of an IPA are established in paragraph 47 of the Code:

“ Local authorities **must** arrange for the provision of an Independent Professional Advocate when a person can only overcome the barrier(s) to **participate fully in the assessment, care and support planning, review and safeguarding processes** with assistance from an appropriate individual, but there is no appropriate individual available.

A chart outlining the decision making process for determining need for independent professional advocacy under the Act is appended (Annex B).



Other considerations

The references to advocacy in the Population Assessment Toolkit are appended in Annex C.

The Framework and Toolkit for Commissioning Independent Professional Advocacy for Adults under the Social Services and Well-being (Wales) Act 2014 Act can be accessed at: <http://bit.ly/GTAPdocs>.

The Toolkit includes a ‘Maturity Matrix’ which is designed to assist commissioners with self-assessment of progress in developing the advocacy commissioning function. The Matrix is built around four concepts including “A commissioning function based on a sound analysis of community needs and assets”. The first two outcome descriptors are:

A.1 We collect and analyse information to understand current and future demand for advocacy under the Act and other relevant legislation.

A.2 We have a systematic process of involving relevant citizens who use, or may use, these services, in collecting and analysing this information.

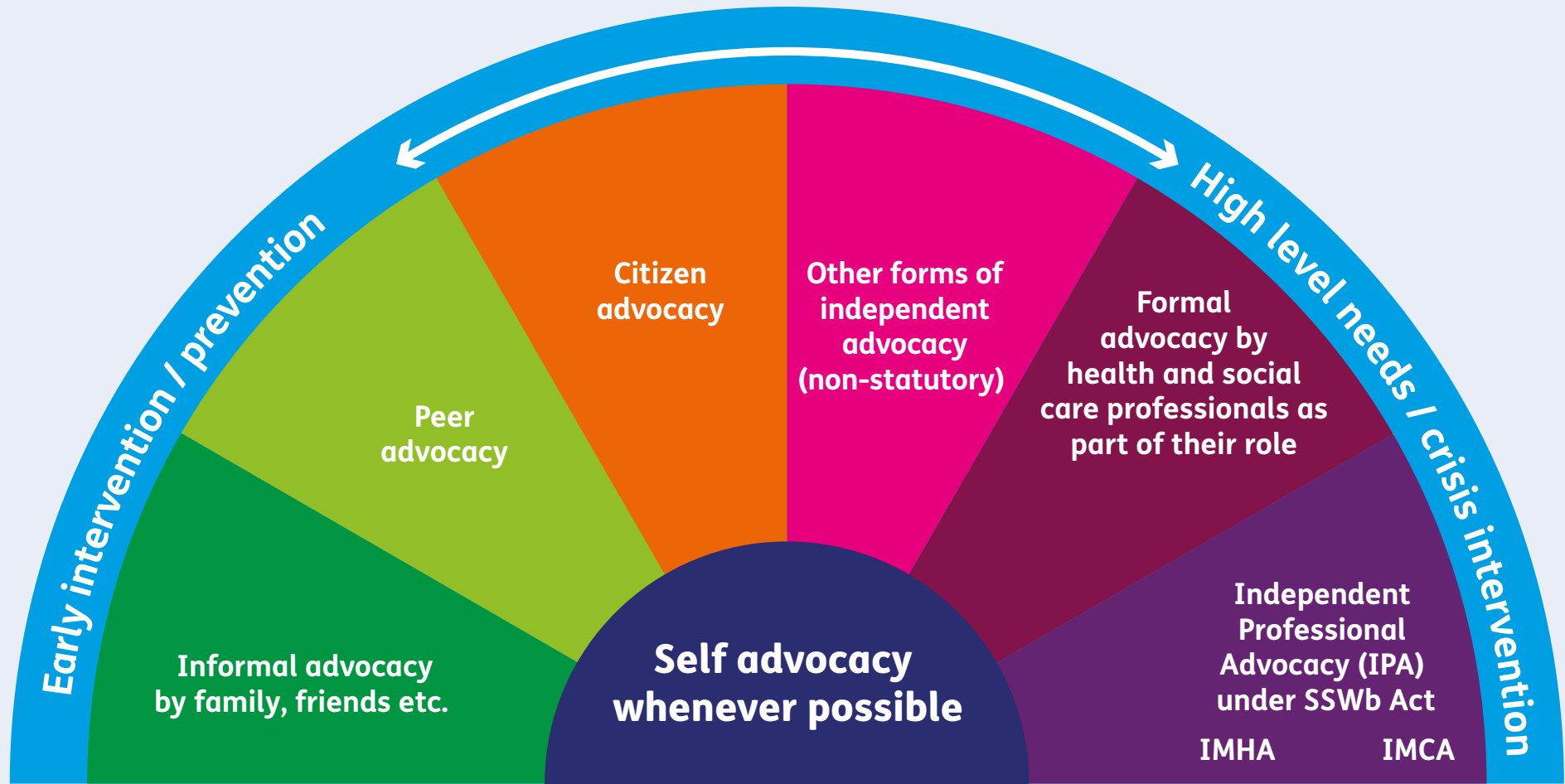
The characteristics of good commissioning under these headings include:

- Data analysis including questions generated by relevant citizens in use.

Extending this to Population Assessment, lead officers may find it helpful to engage with Citizen Panels and other relevant citizen groups with knowledge of advocacy and local services.

Engaging with the regional advocacy provider networks which have been established across Wales may also help ensure that Population Assessment reports include all relevant information.

Annex A: Spectrum of advocacy



advocacy

The Golden Thread Programme

Enabling views, wishes and feelings

Advocacy Services

As described in the Social Services and Well-being (Wales) Act (2014) Part 10 Code of Practice (Advocacy)

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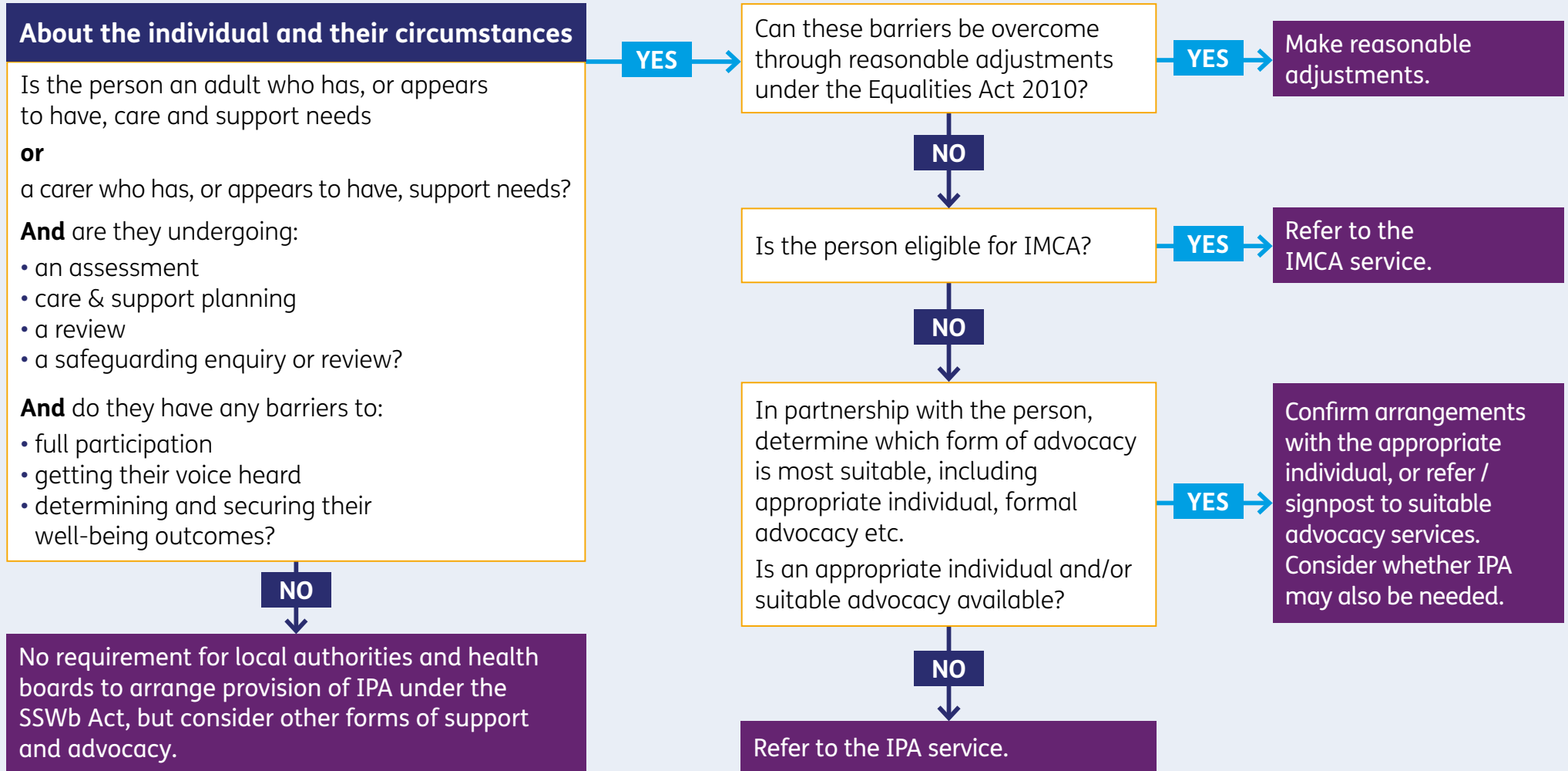
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Creating an age friendly Wales

Annex B: Decision making flow chart



Decision making process for determining need for independent professional advocacy for adults under the Social Services and Well-being (Wales) Act 2014



Annex C: References to advocacy in the Population Assessment Toolkit

p14 (Social Enterprises, Prevention)

In Section 2 your report must:

- Set out the assessment of preventative services, including advocacy services

p21 (Legislation and Strategies)

Ensure a response to the advocacy requirements for all individuals.

p38 (Engagement with Service Providers)

Who do you need to speak to?

You will need to speak to any independent service providers as part of this exercise. A suggested list would include:

- Independent advocacy services

p72 (Engagement)

Where an individual is not able to express their views, wishes or feelings, you must ensure the individual is supported to do so.

A link to the Social Services and Well-being (Wales) Act 2014 Part 10 Code of Practice (Advocacy), which sets out people's rights and entitlements to advocacy support, can be found here: <https://gov.wales/advocacy-services-code-practice>

p72 (Level 1 – Primary prevention)

This is likely to be targeted at individuals who are relatively healthy and active and prevent the necessity for people to consider accessing care and support. Examples include:

- Advocacy

p81 (Reports)

In Section 2 your report must:

- Set out the assessment of preventative services, including advocacy services.

https://socialcare.wales/cms_assets/hub-downloads/Population_Assessment_Toolkit.pdf

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