



Children and Learning Directorate

Participation team

Advocacy procedures and practice guidance

Camden's Children and Learning Directorate uses relational practice as the foundation for all our work. Our integrative relational practice framework is based on our values, and is designed to help achieve the Directorate's purpose: to work with children, families and communities to make a positive, lasting difference to their futures, so they have the best start in life.

We recognise the impact of structural inequalities on the lives of the children and families we work with and as a service we will embrace inclusive, anti-discriminatory and anti-racist practice based on our values and our mission to champion social justice.

Our practice framework centres on honest and compassionate relationships with those we serve and with each other. It is an expectation that all Directorate policies and procedures are implemented in line with our practice framework, and that any actions within policies and procedures reflect its ethics, values and practice expectations.

1 Introduction and purpose

- Children's Safeguarding and Family Help (CSFH) recognises the importance of the participation of children and parents in decision-making, and an important way of ensuring participation is by providing advocates to help them speak up and have their views taken into account.
- This practice guidance provides information for practitioners on the role of advocates who can speak for families when they need someone to help them get their voice heard. It also sets out the procedures for accessing advocacy and the principles and standards of practice for those undertaking the advocacy role.
- CLA social workers should also refer to the Advocacy for looked after children policy.

[Advocacy and Independent Visitors](#)

2 What is advocacy

Advocacy is about speaking on someone's behalf or supporting them to speak directly to those in power in order to make a case and influence decisions that will affect them. A key outcome for advocacy is to overcome power imbalances, safeguard individual rights and achieve social justice.

The role of an advocate is twofold:

- to empower and enable service users to participate in decision making so that their rights are respected and their views are heard and taken into account
- to help service users to navigate complex systems and explore choices and options.

3 Why families need advocates

- People may need advocates because they face barriers that affect their ability to act effectively on their own behalf, for example physical or mental health issues, learning difficulties, or social/cultural reasons, and these barriers have led to an imbalance of power.
- For families working with CSFH, advocates can help address the power imbalance that is at the heart of social care services. If families are not able to speak up and get their views heard they may feel locked out of the process and this can lead to non-

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engagement, making it harder for social workers to work in partnership with them to implement the child's plan.

- Advocacy supports Relational Practice as it enables families to take part in the decision-making process and gives them some control over their lives.
- Practitioners may suggest use of an advocate where it is thought to be appropriate but the decision on whether or not to use an advocate lies with the service user. Children should be allowed make their own decision where it is thought they are competent to make this decision but where it is in conflict with the wishes of parents, social workers should act in the child's best interests.

4 Who can be an advocate

- A number of people and professionals can act as an advocate for children and parents but it is important that the context is taken into account when considering who may be the right person to take on this role.
- Advocates can be **informal** (for example a family member or friend) who can accompany a parent to meetings to offer support so they feel able to speak up.
- Advocates can also be a social worker or other social care practitioner or a member of the child or family's professional network but CSFH staff need to be aware that their role as a social care practitioner and an employee of the council and their duties under the Children Act 1989 may mean there is a potential conflict of interest if they were to act as an advocate for the child or the family in some circumstances, for example:
 - in statutory meetings such as case conferences and CLA reviews where the practitioner is representing the council
 - where there is a difference of opinion between the child and CSFH as to what course of action represents their best interests
 - where the child wishes to make a complaint about CSFH.
- For these situations, there is also provision for **formal** independent advocacy in order to support children and parents in statutory meetings or processes.
- For children, formal advocacy is available from Action for Children's London Advocacy project. Allocated social workers are responsible for completing the referral form. [London Advocacy Service | Action For Children](#)

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- Family Group Conference co-ordinators and Parent Advocates can provide formal advocacy for parents unless the parent has substantial and significant issues such as mental health or learning difficulties where a specialist advocate is needed.
- In these cases, parents will be referred to a suitable advocacy resource. The Participation team holds information on and can signpost workers to suitable advocacy resources provided by external advocacy agencies.

5 Working with advocates

When working with advocates, practitioners should:

- be aware of the statutory duty to offer advocacy to children in certain circumstances (see section 6)
- explain to children and parents what advocacy is and why it would be beneficial to them
- ensure advocates carry out their role in line with the principles set out in this policy
- share all relevant information with the advocate that the service user would need to make informed choices; there should be few if any circumstances where social workers would share information with an advocate that was not already known to the service user.

6 Advocacy for children

Why advocacy is important

Children's views can often go unheard and their needs and rights unmet unless they have an adult on whom they can depend to advocate on their behalf. Generally, this role is carried out by their parents, but this may not be possible or desirable where there is social care involvement.

Advocacy for children is important because:

- It provides a method for enabling their voices to be heard which is crucial for safeguarding their welfare, particularly where children live away from home.
- Being listened to makes children feel that they are valued and that their views are important.

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- Having an advocate can help children build their self-confidence and empowers them to become active participants who can find solutions to problems, thus building their resilience.
- Children report that having an advocate involved changes the balance of power and ensures their views are heard, leading to better outcomes and real positive change.
- Advocates can help children negotiate their way around the system and help them build good relationships with the professionals involved in their lives thus leading to positive co-operation.
- Children who are subject to child protection plans are especially vulnerable to not having their voices heard as the process often focusses on parents. The complexity of the system can also be confusing.

Statutory right to advocacy

Practitioners need to be aware that, because of their circumstances, needs or vulnerabilities, some children have a statutory right to advocacy in specific circumstances and to facilitate statutory processes. These are:

- 16 and 17 year olds who are homeless
- 16 and 17 year olds who lack mental capacity
- care leavers
- children and young people in custody
- children and young people who are detained under the Mental Health Act
- children and young people in receipt of social care services (including child protection) who wish to make a representation (including a complaint)
- children and young people living in children's homes
- children in receipt of health services who wish to make a complaint,
- children who may continue to need care and support in adulthood
- children with special educational needs and disabilities
- looked after children and young people who go missing
- looked after children whose care and progress are being reviewed
- young carers.

Practitioners as advocates

Practitioners will be the main advocate for children with whom they work as their role is to ensure children's welfare is safeguarded and promoted by making sure:

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- their wishes and feelings are ascertained
- they are able to take part in assessments and meetings as far as their age and understanding allows this
- their rights are upheld
- they are in receipt of universal and targeted services to which they are entitled
- depending on their age and understanding, they are provided with relevant information about their rights and what actions will be taken by CSFH in respect of their welfare.

Where appropriate, practitioners should make arrangements for children and parents to have an independent advocate with the right knowledge and experience to help them make representations and get their voice heard. Particular attention should be paid to the advocacy needs of children living out of borough, with local advocates engaged to help children access local services if necessary.

The role of Independent Reviewing Officers (IROs)

IROs working with looked after children have a different status to social workers and this is reflected in their wider advocacy role as set out in the IRO handbook, with the main duty being:

“to ensure that the care plan for the child fully reflects the child’s current needs and that the actions set out in the plan are consistent with the local authority’s legal responsibilities towards the child”.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/337568/iro_statutory_guidance_iros_and_las_march_2010_tagged.pdf

This independence means that IROs are able to advocate on behalf of the child in respect of the council’s decisions on service provision, intervention and long-term plans for the child’s care, ensuring that all plans and services are in the child’s best interests and that the child’s views have been taken into account.

Independent advocates

- In some circumstances, children may need to have an independent advocate and this may be provided for in legislation, for example for looked after children and homeless young people.
- Children should be able to access a specialist independent advocate from Action for Children when needed, especially where:

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- they wish to make a complaint about the service they receive from Camden
 - they do not agree with their plan and wish to challenge it in a review meeting
 - they need specialist help from an advocate in order to communicate or participate due to a disability.
- Practitioners are responsible for helping children to access an advocate from Action for Children in these circumstances.

6 Advocacy for parents

The role of an advocate is to empower, support, and guide parents through the experience of attending statutory social care meetings. Advocates should facilitate constructive engagement, improve parental understanding, and enable parents to effectively participate in the child protection process.

Advocacy can help explain social care processes to parents and support them to participate in key decision-making processes; this can improve parental engagement and co-operation with services, leading to better outcomes for children.

The following can act as advocates for parents.

Practitioners as advocates

Practitioners can advocate informally for parents where appropriate in order to support them in the parenting role. In this context, social workers are likely to advocate on behalf of parents with other agencies in order to ensure families are receiving services and benefits they need/are entitled to. However practitioners should be mindful of the limitations of the advocacy role where this may constitute a conflict of interest.

Family and friends advocates

Parents may request that a family member or friend attend meetings in order to offer informal support to the parent, and this may be encouraged where appropriate. However, the chair of the meeting can exclude a family member if it is thought their presence may disrupt the meeting.

Adult social care workers and other key workers from adult services

- Parents in receipt of adult services such as the CLDS or mental health services may be accompanied by their social worker or key worker. Although this worker may be able to offer informal support to the parent to help them attend or overcome a

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specific barrier, such as communications, their ability to act as an advocate will be limited because of their role in the same way as for children's practitioners.

- If a worker has been invited to a meeting to give their professional opinion and will be involved in the decision-making process, for example where a child protection conference decides on whether the child should be subject to a plan, it would not be possible for them to act as an advocate in the full sense of challenging decisions. Their advocacy role would need to be limited to supporting the parent take part in the meeting and if any further advocacy is needed, it is recommended that the parent seeks an independent advocate.

Formal advocacy for parents

- Formal advocacy for parents is delivered by:
 - Family Group conference co-ordinators
 - Peer Parent Advocates who are a group of parents with experience of social care involvement.
- Both groups are trained to offer parent advocacy and are independent of CSFH so are therefore able provide formal advocacy services for parents where practitioners are unable to because of a conflict of interest.
- The purpose of the advocacy role is to support parents to engage with the planning and review process so that:
 - they are able to understand the process and what happens
 - they are able to fully understand the concerns held and the views of the child's professional network
 - they can get their views heard
 - they can take part in discussions and decision making.
- Although they can support the parent to take part, advocates will not be involved in decision-making processes.
- Where parents are unable to participate due to specific barriers or issues such as mental health or learning disability, Camden's formal advocates will not be able to provide support and the Participation team will refer the parent to a suitable specialist advocacy resource.

Procedures for accessing independent advocacy services for parents

- Practitioners are responsible for Identifying when parents would benefit from the appointment of an independent advocate to attend meetings and should complete the request form on MOSAIC giving information on the case, parent's preferences regarding advocates and any potential risks associated with the parent that advocates may need to know about.
- It should be noted that advocates cannot attend PLO meetings; in these circumstances the parent's solicitor will be their advocate.
- The Participation team will allocate a suitable advocate from the Family Group Conference co-ordinators or Peer Parent advocate where applicable or can advise where a specialist advocate is needed due to the parent's presenting issues.
- Once an advocate has been appointed, practitioners should meet with them to discuss the case including any barriers to participation faced by the parent and any risks the parent may pose to the advocate and how these will be mitigated, for example limiting meetings with parents to council offices. Practitioners are responsible for carrying out risk assessments.
- Arrangements should be made for the advocate to meet with the parent to discuss the issues, go through any relevant documents that are available and go through any areas that need clarifying.
- The advocate attends the meeting with the parent, meeting with them before the meeting to ensure they are prepared and to support them throughout the meeting.
- Advocates should not attend in place of the parent; the parent must be present in the meeting.
- Advocates should meet with parents following the meeting to de-brief and ensure parents understand what was discussed and what actions have been agreed.
- ***At that point the advocate's role will end and they should have no further contact with parents.***

Training and support for advocates

- Advocates offering formal advocacy will be able to access relevant social work training to support them in their role including training on lone working and health and safety.
- The Participation Development Officer will offer monthly appointments with advocates to provide an opportunity to check in and to support their welfare.
- Advocates will also receive clinically guided supervision from the Tavistock clinic.

8 Practice guidance for advocates

This section has been written for CSFH workers, Family Group Conference co-ordinators and Parent Support Advocates who take on an advocacy role. Advocates working for independent organisations will have their own rules and standards.

Steps for advocacy are:

- engagement and building relationship with service users
- collaboration - gaining insight into the service user's perspective and what changes they want to bring about
- clarification of purpose - what does the service user aim to achieve or what message do they wish to send
- gathering information and evidence and preparing for advocacy
- empowering the service user to support them to self-advocate where possible and help them to become involved as far as they are able.

Remit of formal advocates

- Advocates may support parents attending formal meetings including:
 - Child in need meetings
 - Child protection conferences
 - Looked after children reviews
 - Core group meetings
 - Network meetings
 - Child exploitation response meetings.
- Advocates should not attend meetings in place of the parent.

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- Advocates must not attend Public Law Outline (PLO) meetings or court hearings as the parent's solicitor will advocate for them in these circumstances. Nor should they provide legal advice or try to interpret legal documents as they are not legal representatives.
- Where advocates are attending Child Exploitation Response meetings, they should be aware of the confidential nature of the information that may be shared as it may relate to an ongoing police investigations or other children linked to the exploitation. In these circumstances the meeting may be split so that parents, children and advocates are invited to join following a discussion of confidential information.

Responsibilities of advocates

FGC co-ordinators and Parent advocates acting as formal advocates have three primary responsibilities:

- ***Pre-meeting preparation:*** Advocates should meet with parents prior to meetings to a) review any documents related to meetings and to support the parent to prepare anything they wish to say or ask during the meeting.
- ***Support parents' participation during meetings:*** Advocates should support parents to attend meetings, including supporting parents to voice their perspective, concerns and ask any questions they may have during meetings. Advocates can ask clarifying questions on behalf of the parent if needed, ensuring that the parent fully understands any information that is shared during the meeting.
- ***Post-meeting debriefing:*** Advocates should discuss the main points of the meeting with the parent and confirm what (if any) decisions or agreements were made during the meeting or if the parent has any actions to carry out. Advocates should provide an opportunity for parents to express how they felt about the meeting and discuss any areas of confusion or concern.

Anything outside of the above scope of practice is not within the advocate's remit.

Approaches to advocacy

- ***Empowerment:*** Advocates should enable service users to participate in and influence decisions that affect their lives and increase their confidence and ability to do this.

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- **Strengths-based:** Consideration should be given to the use of supportive structures such as Family Group Conferences or strengths-based approaches and Relational Practice to help service users draw on their own resources to find solutions to issues.
- **Systems-approach;** Advocates should be aware of how systems (for example the child protection system) may inadvertently disadvantage some groups causing discrimination. It is important for advocates to recognise any equalities issues that might arise from service structures and systems and that these are brought to the attention of CSFH management.

Standards of practice for advocates

- Advocates will be working with vulnerable people who feel powerless and who are facing real crises in their lives; the situation they find themselves can be emotionally charged but it is important for an advocate to remain objective at all times.
- Advocates should be working to empower children and parents so that they are ultimately able to speak up for themselves without the help of advocates; this is one of the key principles of Relational Practice.
- Advocates should limit their involvement to scheduled meetings and necessary preparation/debriefing sessions, maintaining clear boundaries with parents and avoiding over-involvement in a family's ongoing case management or personal matters.
- Advocates:
 - should be clear about their role, explaining to the service user what they can expect and setting out the remit of their role
 - need to be non-judgemental and empathetic but to keep a professional distance and set aside their personal beliefs and values;
 - should help the service user to achieve self-determination and enable them to make decisions and choices based on the available information without imposing their own views or perceptions on the service user or making decisions for them
 - should ensure service users are aware of their rights and have all the relevant information they need so that they are able to make informed decisions.

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- When working with service users, advocates should:
 - be open and honest with service users
 - use clear, straightforward language and avoid jargon
 - build on the service users own strengths, skills and knowledge
 - allow service users to use their own words to “tell their story” as far as possible
 - encourage service users to speak up for themselves where this is appropriate
 - ensure service users with communications difficulties or whose first language is not English are able to use their preferred method of communication or have a suitable translator present
 - be aware of what actions to take under the Mental Capacity Act 2005 when a service user may not have capacity to make decisions
 - be aware of possible conflicts of interest when working with a service user and seek advice from managers on what actions to take
 - respect confidentiality but explain the limits to confidentiality to service users.

7 Quality assurance processes

Recording

- It is a requirement for local authorities to record when advocates are provided to service users and the outcome of advocacy.
- Social workers will generally record any occasion of advocating for a child or family in case notes on the MOSAIC case record as part of their general recording requirement.
- IROs should write details of advocacy carried out on behalf of a looked after child on the IRO consultation case notes.
- Chairs of conferences should record on the Chairs report whether an advocate was available for parents at case conferences.

Measuring outcomes

Advocacy should be evaluated on the extent to which:

- service users were helped to achieve stated outcomes
- service user’s rights were upheld

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- service users were able to participate in decision making
- service users were able to address power imbalances and achieved social justice
- service users were provided with support.

Feedback forms for parents and practitioners should be used to record the quality of advocacy and these are available on MOSAIC.

Support for advocates

Staff who are expected to carry out advocacy roles such as IROs and FGC co-ordinators should be offered suitable training in order to develop their skills and knowledge. Their advocacy role, and any potential difficulties and conflicts, should be discussed in supervision so that they have an opportunity to reflect on this aspect of their role.