YOUR VOICE
YOUR CHOICE

A GUIDE FOR CHILDREN AND YOUNG PEOPLE
ABOUT THE NATIONAL ADVOCACY STANDARDS
The Department for Education and Skills funded and supported the production of this booklet
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INTRODUCTION

This booklet is about good quality advocacy services for children and young people who:

- are in care - with foster carers or in a children’s home or secure unit
- are on remand in a secure unit or secure training centre
- have left care
- are in contact with social services for other reasons

WHAT IS ADVOCACY?

Advocacy is about support to help you get across your views and take part in decisions that affect your life. It is normally independent of social services.

You have a number of legal rights that must be met by social services. Above all you have the right to say what you think and be listened to when decisions are being made about you.

So advocacy support can make this real.
YOUR ADVOCATE SHOULD:

**Give you power** so that:
- Your views and feelings are heard and you feel fully involved in decisions that are being made about your life
- Your rights are met by people who make decisions about you.

**Speak up for you** by:
- Helping you to speak up for yourself, or
- Putting your views across for you.

**Support you** by:
- Giving you information and advice about your rights and any worries you have
- Helping you make choices about what you feel is best for you.

**Help you** by:
- Sorting out problems and issues with the people who are involved in your life
- Making a complaint if you are not happy about something or finding you a solicitor if your legal rights aren’t met.

‘Now I think I’m beginning to develop self-advocacy skills and beginning to be more confident – it’s made me a stronger person’
From April 2004, you have a legal right to choose an advocate if you have a concern or a problem or want to make a complaint. This is called the Children Act complaints procedure. (See page 5).

Social services should make sure that you have an advocate of your choice. They should also make sure that you have an advocate who is completely independent of the people in social services who are making decisions about you.

If you want to know more about this you can look at Get it Sorted. This is free from the Department for Education and Skills on 0845-6022260 or from www.dfes.gov.uk/consultations.
CHILDREN ACT COMPLAINTS PROCEDURE

The law says that you have right to make a complaint against social services if you have worries or concerns that they are not doing things they should be or they are acting wrongly. There are three stages:

ци Stage one: social services must first try and sort things out as quickly as possible. This must normally be done within 14 days.

ци Stage two: if this does not work out, you can ask for your complaint to be formally investigated. This will be done with someone called an Independent Person to make sure that the investigation is carried out fairly.

ци Stage three: you can go to an independent panel if you are unhappy with the decision of social services following the investigation.

The best thing is for your complaint to be sorted early and effectively so that you don’t have the worry and delay of a formal investigation. Having an advocate early on is really important in helping you solve your problems informally by talking with the people who are making decisions about you.

If you think that you want to make a complaint, you should contact the complaints officer in social services (they are sometimes called a children’s complaints officer). They should explain how the complaints procedure works and they must give you information about advocacy services and help you find an advocate.
Lots of different people can be an advocate for you.

- Independent advocates or children’s rights officers
- Parents or members of your family
- Foster carers or residential workers
- Social workers, teachers, learning assistants, mentors, youth workers or personal advisers
- Friends or other young people – this is called peer advocacy

The main thing is that you should have choice about who you want to be your advocate.
INDEPENDENT ADVOCACY

This booklet is about independent advocacy

Independent advocates
They work specially as advocates. They may be teachers, youth workers, lawyers, social workers, counsellors etc. Sometimes they may be young people who have experience of the care system. When they work as your advocate they are there just for you.

Independent advocacy services
These are organisations where advocates work. It is very important that they are independent from social services so that you feel confident that your advocate can help you without social services telling them what to do.

There are different types of independent advocacy services:

- National advocacy services such as Voice for the Child in Care (VCC) and National Youth Advocacy Service (NYAS)

- Local children’s rights services. Many councils have children’s rights or children’s participation services. They may be able to provide you with independent advocacy.

‘My advocate was very helpful. She helped me to stay where I wanted. She listened to what I wanted and did her best to get this for me. She was a really understanding person’
HOW DO I FIND AN INDEPENDENT ADVOCATE?

- You can ask people you know, perhaps your foster carer, residential worker or teacher. Or you can ask another child or young person who has used an advocate before.

- Your social worker should give you written information about how to find an advocate as soon as you come into care and they should remind you about this at each of your reviews.

- Some children’s homes and most secure units have advocates who regularly visit. They will be able to help you with things that are going on in the home and may be able to help you with other things too.

- VCC can give you information about independent advocacy services near where you live. You will find our details on the opposite page along with other organisations which explain how they can help.

'Sometimes when I get worked up about it, then I’ll say what I want ... but most young people keep quiet. It would help if someone was like there for them, someone from outside, like independent'
**USEFUL ORGANISATIONS YOU CAN CONTACT**

**VCC - Voice for the Child in Care**
Free confidential advice, information and advocacy for young people in care, in need and for care leavers on request and visiting advocacy to children's homes and secure units
**Free phone: 0808 800 5792**
www.vcc-uk.org

**NSPCC- National Society for the Prevention of Cruelty to Children**
There4me.com an advice service for all teenagers living in the British Isles. It brings confidential online advice including 'real time' online counselling with an NSPCC Adviser.
**Free phone: 0808 800 5000**

**ChildLine**
Free confidential 24-hour helpline for children and young people in the UK.
**Free phone: 0800 111111**
www.childline.org.uk

**NYAS - National Youth Advocacy Service**
Free confidential advice, information and advocacy for young people in care, in need and for care leavers.
**Free phone: 0800 616 101**
www.nyas.net

**Children's Legal Centre**
Free and confidential legal advice and information service, covering all aspects of the law affecting children and young people.
**Advice line: 01206 873 820**
www.childrenslegalcentre.com

**The Who Cares? Trust**
Free telephone line offering support and information in confidence to children and young people who are in or have left the care system. They also operate CareZone which is a new set of secure online services for children in public care.
**Link line: 0500 564 570**
www.thewhocarestrust.org.uk

**CROA - Children's Rights Officers and Advocates**
Provide rights, advocacy and participation services to children and young people 'looked after', in need and to those involved in child protection procedures.
**Telephone: 020 7833 2100**
www.croa.org.uk
Wherever you live and whatever your situation you have the right to expect good quality help and respect from your advocate and the advocacy services they work for. These standards explain how this can be done.

Children, young people, advocates and other people involved with children’s rights helped the government by suggesting what they thought should go into the standards.

The standards say that advocates should:

- Work just for children and young people
- Value and respect children and young people as individuals
- Make sure that they are not discriminated against
- Check out that children and young people in care can understand what is happening to them
- Help children and young people express their views and where possible have choices about decisions being made about their lives
- Help children and young people bring up issues about things they are unhappy with. This includes making complaints under the Children Act complaints procedure.
**Standard 1**

- **My advocate should:**
  - Give me help only if I want it.
  - Spend enough time getting to know me so that I feel okay in letting them know my views and feelings.
  - Help me understand things so that I have enough information to make decisions that feel right for me.
  - Help me speak up about my views, wishes and feelings to my social worker and others who are making decisions about me.
  - Speak up for what I want even if they don’t personally agree with it or think it’s best for me.
  - Make sure that I understand the decisions that social services have made about me. This should be written down and you can ask to see this record.
  - Make sure that I can understand what is being said by everyone.
ADVOCACY IS LED BY THE VIEWS AND WISHES OF CHILDREN AND YOUNG PEOPLE

More on what this means for you:

If you agree, they may also talk with other people such as relatives or carers but they must always put your views first.

Your advocate will help you choose how you want to do this. You may want to speak up for yourself or you may want your advocate to do that for you, or you may want to do both.

This is called ‘acting on your instructions’. Only if you are thought to be at risk (see p23) can your advocate go against your instructions.

Your advocate should make sure that your wishes and views are heard and understood by everyone who is making decisions about you. You should be helped to write them down.

Your advocate should make sure that nothing is hidden from you. They should show you their written records about you and give you notes of meetings if you weren’t there.
My advocate should:

- Champion children’s rights.
- Make sure that I get legal advice or other specialist advice if I need it.
- Be involved in standing up for the rights of children and young people as a whole.
- Work with other organisations which support children’s rights.

‘After my advocate’s help I felt as though I had more self-confidence to ask for things I have a right to ask for’
ADVOCACY SERVICES CHAMPION THE RIGHTS AND NEEDS OF CHILDREN AND YOUNG PEOPLE

More on what this means for you:

This may be necessary if your case is complicated or you have particular needs. The advocacy service should have up-to-date information about specialist solicitors or other advisers.

Advocacy services can help children and young people talk to people in the government or the council about how things could be made better for children in care.

‘This service is a great thing and gives kids peace of mind’
Standard 3

My advocacy service should:

- Make sure that ALL children and young people know about it and are able to use it.
- Not prevent me or any child or young person from using the service.
- Make contact with children from black and ethnic minority communities and children with disabilities.
- Try to make sure that I have an advocate of the same gender and ethnic background if this is what I want.
- Make sure that advocates have training so that they respect ALL children and young people.

My advocate was extremely good. She is also a very good friend towards me. She listens... and treats me with respect'
The advocacy service must not prevent you from using the service for any reason to do with age, gender, race, culture, religion, disability or sexual orientation. If for example you are unable to visit the office an advocate will meet you at a place of your choice.

The advocacy service should have workers from different backgrounds and experiences. The advocacy service should aim to have both men and women, people from different ethnic groups and people with experience of disability so that you can be matched with an advocate of your choice.

‘Try to listen to what we want instead of guessing. You don’t know us’

‘Respect has to be shown for us to give it back’
My advocacy service should:

- Explain to me what it can and cannot do and how it can be contacted. There may be a freephone number.
- Be open at hours which are convenient to me, such as after school.
- Have an answer-phone giving information about how to get help when the service is closed.
- Be in a place which is convenient and safe for me to visit.
- Make sure that an advocate can visit me usually at a place of my choice if I am unable to get to the office.
- Make sure that I can always speak with my advocate in private.
- Ask children and young people to help them produce publicity about the service.
CHILDREN AND YOUNG PEOPLE SHOULD KNOW ABOUT THE ADVOCACY SERVICE AND HOW TO USE IT

‘Let more young people know that they don’t have to put up with bad behaviour from adults, there is someone they can talk to’

‘An advocate should be there for you when you need them’

More on what this means for you:

This may be in leaflets or posters or other kinds of publicity such as tapes or on the web, which can be understood by children and young people of different ages and backgrounds or who may have disabilities.
My advocate should:

- Respond quickly to my request.
- Tell me when they will do things and if something cannot be done on time, explain why.
- Make sure that I can choose another service if they cannot help me.
- Keep in touch with me and give me regular updates on the work they are doing for me.
ADVOCACY GIVES HELP AND ADVICE QUICKLY WHEN REQUESTED

‘Everything was done quickly and my advocate was very kind and understood what was the issue, and always let me know what was happening’

‘It made me feel happy that I could talk to someone in confidence, someone who gives good advice’
My advocacy service should:

- Make sure that social services have **NO** say in how I work with my advocate.
- Not change my advocate unless I ask for this.

‘They got things sorted and if anything was troubling me I could ring them about it without anyone knowing’
Wherever possible advocacy services should be independent of social services.

Social services often pay for your advocacy service. Wherever possible it should be run in a way which is independent of social services so that you can feel confident that your advocate is there just for you. Unless your advocate thinks that you are at risk of significant harm (see page 23), the advocacy service should never give information about you to social services without your agreement.

The advocacy service may also change your advocate if there is a good reason, for example because they have not behaved properly but they should talk with you about this.
My advocate should:

- Keep what I say confidential. This is a promise to keep what I say private unless I agree to it being passed on.

- Explain and give me written information at our first meeting about the confidentiality rules before I tell them the reasons why I want help.

- Let me know that the advocacy service may have to break confidentiality if it believes it is necessary to protect me or someone else who is thought to be at risk.

- Explain if they feel that they have to pass on information to social services or the police to protect me or other people.

- Make sure that written records made about me are not shown to anyone else without my permission unless the law says this is necessary.
The law uses the words ‘significant harm’ to describe risk. It means that it is thought you are in serious danger or at risk of being in serious danger.

Your advocate should have had training in keeping what you say confidential and making decisions about protecting you. They will also have ongoing support from their supervisor (see page 29).

Any decision to break confidentiality is very serious and should be made by the advocacy service and not by your advocate alone. The service will think about this very carefully and take advice if necessary.

Your advocate should involve you as fully as possible if they have to pass on information so that you can stay in control of what is happening. This could mean that you agree to the information being passed on with the support of your advocate.

If you do not say it’s okay to pass on information and the advocacy service still feels that this is necessary, your advocate will explain the reasons for doing this. These should normally be written down.
Standard 8

My advocacy service should:

- Ask my views about the service I have been given.
- Give me training and support if I want to get involved with the service.
- Make sure that my views are taken seriously.
- Make sure that I am given feedback about how my suggestions have been used.
- Reward me for any work that I do.

‘We work with ......., we help them choose new staff, help them design new posters and leaflets. We also go to meetings with them, and they ask us what we think of the work they do’
THE ADVOCACY SERVICE WILL LISTEN TO THE IDEAS OF CHILDREN AND YOUNG PEOPLE TO IMPROVE THE SERVICE

More on what this means for you:

The ways you could be involved include:
- Listening to your views and having a say about how the service could be made better
- Interviewing new members of staff, especially when they are going to work directly with children and young people
- Taking part in training
- Being on the management committee
- Helping produce publicity and information.

You should always get all your expenses, ie travel, meals, money for childcare and any extra costs, particularly if you are disabled. You may also be paid for your time and you should be told how this is worked out and given advice about how this may affect your benefits or any tax you have to pay if you are working.
My advocacy service should:

- Give me information about what to do if I am unhappy about the advocacy service or with my advocate.
- Be run in a way so that I feel okay to talk about my worries or concerns.
- Have a complaints procedure which is easy to use.
- Learn from complaints to make changes to the service.
- Make sure that any changes coming out of my complaint are made straight away or within a set time.
THE ADVOCACY SERVICE HAS A COMPLAINTS PROCEDURE, WHICH IS EASY TO UNDERSTAND

More on what this means for you:

The procedure should have two parts.
- The informal part - ways in which the service can first try and sort things out with you.
- The formal part - how your complaint is dealt with if it cannot be sorted out informally.

For the formal part your complaint should be investigated quickly by someone who is independent of the service.

Their job is to:
- decide whether to agree with your complaint
- suggest how things can be improved
- say when this should happen
- make sure that you get feedback from the service about your complaint
- explain what you can do if you are not happy with what has happened.

“When I first met my advocate he told me who to talk to if I had a complaint, I felt better about talking to him because he was very honest”
My advocacy service should:

- Give me written information about the aims of the service and where the money comes from to run it. I can see this if I wish.

- Make sure that all advocates go through government safety checks so I am not placed at risk.

- Give training and supervision to advocates to carry out their work for me to a high standard.

More on what this means for you:

Supervision means that advocates are able to talk through their work and get support and advice from someone more experienced to make sure that they are doing their best for you.
’We felt the service in our case to be very good and things resolved themselves well’