

National Standards for the Provision of Children's Advocacy Services

November 2002



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Being on the sidelines of my own life

Reflecting back to the time that I first came into care, I remember feeling completely lost. As a child in a family home, I had some degree of rights. The family unit protected me; I had to be listened to.

I entered the system between the ages of 5 and 6 years old. From then I felt like a puppet, brought out for meetings and public engagements, then slung back to the children's homes.

As a child of such a young age, it was believed that I was incapable of independent thought and feelings – as if young children experience no pain or misery. As time progressed, I became more aware of decisions being made about my care plan, but still I was not allowed to have any input in the decisions.

Being on the sidelines of my own life, not being able to have any say in how I'm looked after. The option to just give up and take it is strong, and who knows where I'd be now?

Helen, Advocacy User, Voice for the Child in Care.

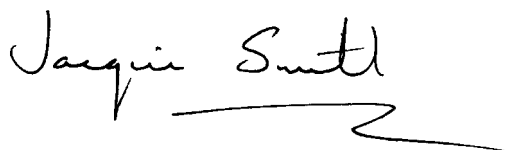
Foreword

Advocacy safeguards children and young people and protects them from abuse and poor practice. Too often in the past, we have seen situations where children and young people have tried to speak out but have not had their voices heard. This is not acceptable.

This is why the Government has developed national standards for advocacy practice. We want to make sure that looked after children and young people get the same support, as far as possible, as other young people living at home and leaving home. Linked to this, we want to see advocacy and advice for children using the NHS, delivered through a network of patient forums. Participation of children and young people is a central theme of the Quality Protects programme and we want to see the continued development and growth of advocacy and children's rights services beyond the end of the Quality Protects programme.

The standards will provide a framework to plan, develop and review advocacy practice at all levels. They have been developed for councils commissioning services and for voluntary agencies contracted by councils.

I commend these standards to you and encourage you to use them in your day to day practice.

A handwritten signature in black ink that reads "Jacqui Smith". The signature is written in a cursive style and is followed by a long, horizontal, wavy line that extends to the right.

Jacqui Smith
Minister of State
Department of Health

Acknowledgements

Grateful thanks are given to all advocacy organisations, children's organisations, councils, young people's organisations and groups, and individual young people who took part in the development of these standards.

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Introduction

What is advocacy?

1. Advocacy is about speaking up for children and young people. Advocacy is about empowering children and young people to make sure that their rights are respected and their views and wishes are heard at all times. Advocacy is about representing the views, wishes and needs of children and young people to decision-makers, and helping them to navigate the system. The standards in this document cover advocacy for children and young people (including those leaving care) up to the age of 21. Advocacy Services provide independent and confidential:
 - Information;
 - Advice;
 - Advocacy;
 - Representation;
 - Support.

Who are the advocacy standards for?

2. The standards will help all agencies and staff commissioned by councils with social service responsibilities to provide advocacy for looked after children and for those in need – including care leavers and disabled children. The standards set the minimum level that children and young people can expect from professionals providing advocacy services. As well as giving children and young people the power to speak for themselves or speaking on their behalf, advocates also offer information, advice and support. Advocates assist children and young people in the early resolution of complaints or concerns.
3. Sometimes there may be a difference between the child or young person and his/her advocate about the child or young person's best interests. This issue is addressed in the standards.
4. The term 'advocacy services' is used throughout the standards. This means a group of advocates and their management support. The service will be working separately from the organisations that have statutory responsibility for looked after children or those in need. While advocacy may often be provided in local premises, it may also be provided in other places and ways.
5. It is important that children and young people have an advocate of their choice. This may include, for example, parents, other adult relatives, carers, social workers, teachers, friends or Connexions personal advisers. This is called informal advocacy. It may also include friends or relatives who are the same age. This is called peer advocacy. Such people may look to advocacy services for advice and support in their role as advocates.
6. It is recognised that the standards are not an exhaustive list and that those making use of them may wish to add their own standards to those listed here.

7. Children and young people using advocacy services have actively contributed to the development of the standards and to the following core principles:
- Advocates should work for children and young people and no one else.
 - Advocates should value and respect children and young people as individuals and challenge all types of unlawful discrimination.
 - Advocates should work to make sure that children and young people in care can understand what is happening to them, can make their views known and, where possible, exercise choice when decisions about them are being made.
 - Advocates should help children and young people to raise issues and concerns about things they are unhappy about. This includes making informal and formal complaints under section 26 of the Children Act 1989.

Advocacy – the legal position

8. The standards are informed by Article 12 of the UN Convention on the Rights of the Child (UNCRC) and the Human Rights Act 1998. The Convention sets out a wide range of measures to safeguard and to promote the physical, mental, emotional, social and behavioural development of children. In short, the UNCRC recognises that children are not merely 'adults in training' but people who are able to form and express opinions, to participate in decision-making processes and to influence solutions.

The status of this document

9. The standards are being issued under Section 7(1) of the Local Authority Social Services Act 1970, which requires local authorities with social services functions to act under the general guidance of the Secretary of State. The standards should be complied with by councils when commissioning independent advocacy for looked after children. Only in exceptional cases may local circumstances justify a variation. Existing services should meet the standards and new services should be developed in line with them.
10. The standards are consistent with the Government's Objectives for Children's Social Services and with Objective 8 of the Quality Protects programme. The standards are also consistent with the Core Principles of Participation (*Learning to Listen*) published by the Children and Young People's Unit in November 2001 and with the Department's action plan (*Listening, Hearing and Responding*) published in June 2002.

Department of Health
November 2002

The Standards

Standard 1: Advocacy is led by the views and wishes of children and young people.

"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."

Why this standard is important

Advocacy is a unique service, unlike any other adult relationship with children and young people. The advocate is the voice of the child or young person. This is central to the value of advocacy for children and young people.

How to meet the standard

- 1.1 Children and young people are given help only if they want it. It is very important that children and young people have control over the advocacy relationship.
- 1.2 The child or young person leads the advocacy process. The advocate acts only upon his/her express permission and instructions, even when these are not the advocate's view of the child or young person's best interests. Only in exceptional circumstances would this standard be broken [see Standard 7].
- 1.3 Advocates never make assumptions about children and young people's abilities to express views. It is the job of the advocate to discover their feelings. This may involve time and effort to get to know the child or young person well. Where appropriate, and only with the child or young person's consent, views are sought from parents, carers, grandparents, siblings and friends close to the child. Where there is conflict between the child or young person's wishes and those of others, advocates give precedence to those of the child.
- 1.4 Advocates provide children and young people with all relevant information and support them in interpreting and understanding that information so that they can make well-informed decisions.
- 1.5 Advocates help children and young people to communicate their views and wishes freely and directly. The child or young person determines how he/she wishes to participate and communicate. Some may wish to communicate for themselves; some may want the advocate to speak for them; whilst others may wish to represent themselves jointly with the advocate. The advocate takes great care not to put words in the child or young person's mouth, but to represent his/her views without resorting to jargon. The advocate encourages other adults to adopt this approach.
- 1.6 Advocates provide an 'open' service – making sure that no information they have or action they take is hidden from the child or young person.

- 1.7 Advocates ensure that the views and wishes of children and young people are heard, understood and recorded in all decision-making that affects them.
- 1.8 It is the role of the decision-making body to provide the child or young person with an explanation about decisions affecting him or her, but advocates ensure that the information has been conveyed. This includes decisions that are not in line with the child or young person's wishes. The information is given to the child or young person in a manner appropriate to his or her age and understanding. Advocates keep a record about how this was done and why, and children and young people should have a right of access to these records.

"Now I think I'm beginning to develop self-advocacy skills and beginning to be more confident – it's made me a stronger person."

Standard 2: Advocacy champions the rights and needs of children and young people.

"This service is a great thing and gives kids peace of mind."

Why this standard is important

The promotion of the rights of individual children and young people is at the heart of successful advocacy. Advocacy services have an important role to play in using their experience and knowledge to promote the rights of children and young people generally.

How to meet the standard

- 2.1 The service and all those working for it are committed to promoting and securing the rights of children and young people.
- 2.2 Children and young people are referred for legal and other specialist advice when appropriate. The service keeps an up-to-date and comprehensive referral list and takes active steps to identify legal and specialist advisers who provide a good service.
- 2.3 The service enables children and young people to represent their views directly to decision-makers. This may involve helping them with presentation, assertiveness and communication skills. It may also involve enabling them to use informal or peer advocacy if they wish.
- 2.4 Where possible, the service promotes and publicises changes that have improved the lives of children and young people and urges decision-makers to make these changes for others. The service seeks to involve children and young people directly in this work.
- 2.5 The service works collaboratively with others sharing similar concerns and objectives about children and young people'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."

Standard 3: All Advocacy Services have clear policies to promote equalities issues and monitor services to ensure that no young person is discriminated against due to age, gender, race, culture, religion, language, disability or sexual orientation.

"Respect has to be shown for us to give it back."

"Treat us like normal people cause we are no different to u or other people u know."

Why this standard is important

Children and young people are not a homogeneous group. There is no single way to find out their views and a 'one size fits all' approach does not work. All children and young people should be treated fairly, equally and with respect.

How to meet the standard

- 3.1 Information about the service is provided in a variety of child and young person-friendly ways and advertised in places that young people use. This could include translating publicity and other written material into children's first languages, Braille, audio tapes, video tapes (which can be useful for children and young people who do not use speech as their preferred method of communication), picture books for the very young, Makaton or Bliss, etc.
- 3.2 Proactive steps are taken to make contact with and engage disabled children and children and young children from black and ethnic minority communities.
- 3.3 No child or young person is prevented from accessing advocacy services and participating effectively on the grounds of gender, race, religion, culture, age, ethnicity, language, disability or sexuality. This means, for example, in cases where children and young people are unable to visit the advocacy office, arrangements are made for advocates to meet with children and young people in a place of their choice.
- 3.4 Particular attention is given to the communication needs of disabled children and young people, including those who are very young and those with multiple and learning disabilities. Some children and young people will need creative and imaginative approaches, including the use of new technologies and multi-media or non-verbal communication. Some will need trained staff who can interpret their responses.
- 3.5 Action notes and records of meetings with children and young people demonstrate how their active participation has been promoted.
- 3.6 When seeking help from children and young people to improve the service, effort is made to achieve a representative balance of views from among those using the service.

- 3.7 The service has a staff profile in terms of personal and professional experiences and backgrounds relevant to the range of the children and young people using the service. This includes gender, ethnicity and disability.
- 3.8 Training provided or obtained for advocates includes equal opportunities, including the impact of policies on refugee and asylum-seeking children, awareness of disability discrimination and the increased vulnerability of disabled children and young people to abuse, (especially those who are very young or who have communication difficulties).

"I am a person not a number."

"Try to listen to what we want instead of guessing. You don't know us."

"My advocate was extremely good. She is also a very good friend towards me. She listens...and treats me with respect".

Standard 4: Advocacy is well-publicised, accessible and easy to use.

"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."

Why this standard is important

Any child who could benefit from an advocacy service should know of its existence and have easy access to it.

How to meet this standard

- 4.1 Children and young people will know best how to fulfill this standard and advocacy services should routinely seek their views and advice to ensure that publicity materials are appropriate, and that children and young people of different ages and abilities can use and understand them.
- 4.2 The existence of the advocacy service, what it can and cannot offer and the means by which it may be contacted are well-publicised. It will be clear that the service is independent. A free-phone number might be available.
- 4.3 Where possible, advocacy services are delivered in accessible places that are convenient, safe, private and enable the best possible use of time with the advocate. Provision is made for vulnerable children and young people who, for whatever reason, are unable to travel to the service. This includes providing discrete advocacy at police stations or secure accommodation and should cover arrangements for children and young people placed away from their own local authority area.
- 4.4 The service operates at hours that are as relevant as possible for the children and young people using the service. When the service is not staffed, there is a 24 hour answer-phone which explains how to get immediate help including from other people/agencies and how long they may have to wait for a response.
- 4.5 The service actively encourages and enables all relevant agencies and adults who are in a position to advise children and young people (such as teachers, residential workers, foster carers, youth offending team workers, police officers, religious leaders, advice centre staff and youth workers) to:
 - Inform children and young people about the service;
 - Encourage them to use it;
 - Help them to contact it.
- 4.6 Agencies offer advocacy at all stages of the Children Act complaints procedure and give help when a child or young person is thinking about making a complaint or has a problem.

"An advocate should be there for you when you need them."

Standard 5: Advocacy gives help and advice quickly when they are 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."

Why this standard is important

Timeliness and efficiency are essential factors for organisations seeking to deliver high quality services. Advocacy is no exception. Delays in responding to children and young people, for whatever reason, will reduce their trust and confidence in the service. Delay is also likely to prejudice the welfare of the child or young person. Children and young people's perceptions of time are different from adults and the service should respond quickly.

How to meet this standard

- 5.1 The service responds quickly to any eligible child or young person asking for help. Each activity undertaken by an advocate on behalf of a child or young person has a specified, achievable timescale. Wherever possible, if deadlines are missed, the child or young person will have been warned in advance that this is to happen.
- 5.2 The specific follow-up actions that will or will not be taken are clear at the end of each contact between an advocate and child or young person. Regular updates will be given to the child or young person so he/she does not think that they have been forgotten. The service will operate a bring-forward system to help ensure efficiency.
- 5.3 Clear information is provided about what the service can and cannot provide. If, for whatever reason, the service is unable to help, it will refer the child or young person on to another appropriate source of help.
- 5.4 The service's confidentiality policy is explained to all children and young people using the service and is made available in written form.

Standard 6. Advocacy works exclusively for children and young people.

"They got things sorted and if anything was troubling me I could ring them about it without anyone knowing."

Why this standard is important

Advocacy will only be used, and is only possible, if children and young people are confident that advocates are acting exclusively on their behalf and have no potential or apparent conflicting interests or pressures.

How to implement this standard

- 6.1 The advocacy service is, as far as possible, funded and managed in a way that ensures independence from the commissioning body, so that children and young people have confidence that their advocates will act for them and are free from any conflicts of interest.
- 6.2 The advocacy service has a statement detailing how it ensures and demonstrates its independence from its funders. The statement will identify potential conflicts and say how the service will deal with them. It will also make clear how the service's performance will be monitored. The statement will be available to advocates, young people and professionals and will be in a language and style useful to each.
- 6.3 The service does not routinely operate in a place connected to the child or young person's concerns – for example they should not have their main office in a local council building or school. Separate literature, logos, locations etc. will be more important to children and young people than the intricacies of funding arrangements.
- 6.4 Advocates are trained to act, and to be seen to act, independently and this is reflected in their behaviour when attending meetings with other professionals.
- 6.5 As far as possible, the service is not directly accountable to the management of any bodies exercising parental responsibility for the child or young person. For example, local council grants are channeled through an independent board of management or voluntary organisation. Where a voluntary organisation is running both an advocacy service and other services in an area, care will be taken to ensure that a conflict of interests does not arise if a complaint is made to the advocacy service about any of the voluntary organisation's other services.
- 6.6 Many locally based advocacy services have an on-going relationship with children and young people and are there to help them with specific issues. Where there are a number of issues, these are best dealt with sequentially. On-going relationships are developed when the child or young person is participating in service development or planning.
- 6.7 Once an advocate has been allocated to a child or young person the advocate will not be changed unless requested by the child or young person, or it is demonstrated that there is good reason for a change.

"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."

Standard 7. The advocacy service operates to a high level of confidentiality and ensures that children, young people and other agencies are aware of its confidentiality policies.

"It made me feel happy that I could talk to someone in confidence, someone who gives good advice."

Why this standard is important

The advocacy service has a clear confidentiality policy based on 'significant harm' and makes sure that everyone understands this policy.

How to implement this standard

- 7.1 The advocacy service has a clear confidentiality policy grounded in the concept of significant harm, which is consistent with local Area Child Protection Committee (ACPC) procedures and understood by all concerned. As well as children and young people who use the service, this includes the service's staff, its funders, the ACPC, child protection services within councils, other local agencies and professionals, schools and, where appropriate, children and young people's parents or carers.
- 7.2 The confidentiality policy is explained to children and young people before they discuss the reasons why they have approached the service. They are given a summary of the policy in child and young person-friendly language.
- 7.3 Children and young people are assured that their privacy is respected at all times and that nothing will be disclosed outside the service without their agreement, unless it is necessary to prevent significant harm to them or to someone else, or if disclosure is required by a court order. They are also assured that they will be told if information is to be, or has been, passed on. Where the service believes it necessary to pass information on to statutory agencies and the child or young person does not give consent to this, the advocate informs him or her of the reasons for taking this action. The reasons are recorded in writing.
- 7.4 The child or young person is enabled to retain as much control as possible during the disclosure process.
- 7.5 The confidential relationship existing between the child or young person and his/her advocate extends to all staff working within the advocacy service. This means that anyone within the service receiving information must keep it confidential. Advocates may share information with their supervisor to help resolve difficult confidentiality decisions. Professional advice will be taken if necessary.
- 7.6 Information and records relating to children and young people using the service are not given, or shown, to anyone without their permission, unless the conditions for disclosing information are met. The keeping and disposal of all records conforms to Data Protection legislation.
- 7.7 Advocates are supported by a line manager and receive training and support on confidentiality and the grounds and process for sharing information.

"They shouldn't tell your social worker things unless you want them to."

Standard 8. Advocacy listens to the views and ideas of children and young people in order to improve the service provided.

*"We work with *****, we help them to choose new staff, help them design new posters and leaflets. We also go to meetings with them, and they ask us what we think about the work they do."*

Why this standard is important

Article 12 of the UN Convention on the Rights of the Child states the rights that all children and young people have to express themselves and have their views heard. The benefits of involving children and young people in policy and service development, as well as in decisions about their own care, are now widely recognised. Services can become more sensitive to and effective towards meeting children and young people's needs if they consult and involve them at all levels of decision-making.

How to meet this standard

8.1 The service encourages voluntary involvement by all groups of children and young people, and makes clear that voluntary offers of help or advice about how the service can be improved are welcome.

8.2 The ways in which children and young people are involved with the service could include:

- Recruitment of staff, particularly those working directly with children and young people;
- Staff induction, training and appraisal;
- Joining management committees;
- Acting as advisors to the advocacy service;
- Production and promotion of publicity and information materials;
- Joining consultation groups on policy, ethics and practice development;
- Evaluating and monitoring the service.

Efforts are made to ensure that due weight is given to the views of the children and young people, and that they have feedback about how their suggestions have been used.

8.3 Training and support are offered to children and young people to enable them to get involved in the work of the service.

8.4 Children and young people are, where appropriate, rewarded or paid for their participation in the work of the service. Consideration is given to any tax liability or potential impact on benefits. Travel and subsistence are always reimbursed, as are any additional costs related to the participation of disabled children and young people. All payments are made direct to the child or young person or their carer.

Standard 9: The Advocacy Service has an effective and easy to use complaints procedure.

"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."

Why this standard is important

A well-publicised and accessible complaints procedure is essential if the service is to be credible and accountable to children and young people.

How to meet this standard

- 9.1 The service makes it easy for young people to raise concerns. The service provides information for young people on what to do if they are not happy with the service.
- 9.2 The service has a complaints procedure which is clear, easily used and follows specified timescales. The procedure should have informal and formal parts. The service makes information about the complaints procedure widely known and may include information about the Social Services Complaints Procedure under section 26 of the Children Act.
- 9.3 A suitable person who is independent of the service investigates all aspects of the complaint promptly, decides whether the complaint is upheld and recommends remedies to be carried out within a specified timescale. That same person should ensure the child or young person gets feedback about the outcome of his/her complaint and knows what to do if he/she is dissatisfied with the outcome.
- 9.4 The service makes sure that any solutions are put in place straight away or within a set timescale.
- 9.5 The service records all complaints, both formal and informal and analyses the data annually. Lessons are learned from the analysis and action taken where necessary.

Standard 10: Advocacy is well managed and gives value for money.

"I felt the service in my case to be very good and things resolved themselves well."

Why this standard is important

Advocacy services, like any other service, need good management. All funds should be directed towards delivering the best possible advocacy for children and young people, and the service should keep track of how it is doing by, for example, setting targets and careful monitoring. All those working for the service should have a clear understanding of their role, for whom they are responsible and to whom they are accountable. The service should regularly seek the views of young people and use these to improve the service.

How to meet this standard

- 10.1 The service sets out its legal constitution, aims and objectives, powers, management structure (including the names and professional addresses of senior staff and honorary offices) and services offered in written form available to all.
- 10.2 The service has sufficient funds to provide its services.
- 10.3 The service demonstrates that money is being used efficiently. It has clear financial systems, which are audited, or independently examined, in line with legal requirements. An annual report is produced covering financial and other performance information.
- 10.4 The service has clear written policies and procedures on:
 - Aims and objectives;
 - Equal opportunities;
 - Confidentiality;
 - Recruitment;
 - Staff conduct, supervision, development and appraisal;
 - Disciplinary and grievance procedures;
 - Complaints procedures;
 - Whistle-blowing;
 - Health and safety.
- 10.5 Data on the work of the service is routinely collected and monitored. It is evaluated at least annually and lessons learned so that the service can be improved and practice can be developed. Data about the views of users and any complaints made by them is included in this analysis. Arrangements will be made with the commissioning or purchasing body about monitoring and performance.
- 10.6 The service has clear recruitment and selection procedures addressing anti-discrimination issues.

- 10.7 Selected candidates will have passed all necessary safety checks (see Appendix B).
- 10.8 All staff have clear job descriptions and understand the service's structure, lines of accountability, policies and how their role is to be carried out and their responsibilities achieved.
- 10.9 All management, staff and advocates are trained to do their jobs to a high standard. The advocates' training includes:
- The role and responsibilities of being a children and young people's advocate;
 - Strategies for effective advocacy;
 - Participation of children and young people;
 - Strategies for empowering children and young people to speak out for themselves;
 - Confidentiality, child protection and what to do when there are serious concerns about safety and welfare;
 - The legal position of children and young people's rights;
 - Administrative and professional systems affecting children and young people (this might include care, health and mental health systems);
 - Non-discriminatory, anti-oppressive and sensitive practice (including disability equality training and communicating with children and young people, including those with learning and other disabilities);
 - The policies detailed at 10.4.
- 10.10 Staff are supported in their work (which may include external consultancy and joining local and national support networks), have regular case supervision and their progress appraised at least annually. Support is also made available, where possible, to advocates of the child or young person's choice.
- 10.11 All the information gathered is used to improve the service.

"WE WANT:

Someone who has worked with young people before

Someone who isn't bossy and has a happy personality

Someone who will respect us

Someone who we can get on with

Someone who can stand up for themselves

Someone who can listen to young people

Someone who will learn about us and our ways

Someone who doesn't ignore children and young people"

Appendix A: Confidentiality

1. Confidentiality is a vital part of the relationship, based on trust and respect, between a child or young person seeking help and an advocate charged with providing help. Advocates need to operate to the confidentiality standard in a way which demonstrates to children and young people that the service being offered is separate and distinct from social services or any other commissioning body.
2. By operating the confidentiality standard well, advocacy services can encourage children and young people to have the confidence and courage to share information and to take necessary action to solve their problems. In this way, advocacy services can enhance the effectiveness of statutory child protection services, providing a crucial lifeline for children and young people who might otherwise never seek adult help. In some circumstances, however, the duty to protect children may outweigh the duty to preserve the confidentiality of information shared with advocates by a child or young person.
3. Councils with social services responsibilities have specific duties under the Children Act 1989. This Act introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. Social services are under a statutory duty to make enquiries, or cause enquiries to be made, where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Section 31(9) of the Children Act 1989 defines harm as ill treatment or the impairment of children's health and development. This broad definition encompasses physical and sexual abuse as well as other forms of ill-treatment which are not physical.
4. Advocacy services need to be clear about how they identify a level of concern that would trigger the making of a referral to social services, particularly when such a step takes place without the consent of the child or young person.

Confidentiality and sharing information to protect children

5. Guidance about sharing information to protect children if there are concerns that they may be at risk of significant harm is set out in *Working Together to Safeguard Children**. The guidance specifies the roles and responsibilities of statutory and other agencies in ensuring children's protection.
6. *Working Together* is relevant to all those working in the statutory, voluntary and independent sectors. *Working Together* requires all those agencies including health, education and social services, the police, the probation service and, in certain circumstances, the Crown Prosecution Service, Children's Guardians and the NSPCC to promote children's welfare and protect them from abuse and neglect. *Working Together* stresses the importance of these agencies working in partnership not only with each other but, wherever possible, also with the family and with the child. Where decisions are taken which do not reflect the wishes of children or parents, then these agencies must be justified in their actions. The safety and welfare of the child is their primary concern and, in some circumstances, this involves sharing information about suspected abuse.

* *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children* (Department of Health, DfEE, Home Office – 1999 (The Stationery Office))

7. The key messages of *Working Together* are that local agencies identify and respond to the needs of children, take appropriate action to safeguard them, and develop close working relationships with other agencies, based on a sound understanding of their different roles and responsibilities. This understanding includes recognition of the differing approaches that various agencies take towards providing confidentiality to children – though the distinctive role that advocacy can play in safeguarding children is not explored in *Working Together*. However, it is essential that advocacy services both fully understand the practices of those with statutory responsibility for safeguarding children, and also ensure that all those involved in the child protection system understand what advocacy entails, including its confidentiality policy under these standards.
8. *Working Together* recommends that the best way of ensuring that information-sharing between advocacy services and other agencies is properly handled, is for there to be carefully worked out information-sharing protocol.

Appendix B: Recruitment and selection of advocates

1. The service should have policies and procedures in place to deter those who are unsuitable to work with children and young people. Common features should include the following:
 - Criminal record checks through the Criminal Records Bureau; Checks of lists maintained by the Department of Health and the Department for Education and Skills of those deemed unsuitable to work with children;
 - Checks of professional registers, if relevant;
 - Asking candidates to confirm identity through official documents;
 - Directly verifying the authenticity of qualifications and references;
 - Seeking a full employment history for prospective staff members and reserving the right to approach any previous employer; checking with former employers the reason why employment ended; identifying any gaps or inconsistencies and seeking an explanation;
 - Making appointments only after references are obtained and checked. Referees should be reminded that references should contain no material mis-statement or omission relevant to the suitability of the applicant;
 - Making all appointments to work with children and young people (including internal transfers) subject to a probationary period.
2. Interviewers should be prepared to explore with candidates their attitudes towards young people, children and child-care, their perception about boundaries of acceptable behaviour towards children and young people, and questions about sexual boundaries and attitudes.
3. Even the most careful selection process cannot identify all those who may pose a risk to children and young people. Post-employment management and supervision should always be alert to indications of untoward behaviour.

Appendix C: Related publications

Children Act 1989. London: The Stationery Office.

Children (Leaving Care) Act 2000. London: The Stationery Office, 2000.

Department of Health. *Consent – what you have a right to expect: a guide for children and young people*. London: Department of Health, 2001.

Department of Health, Home Office, Department for Education and Employment. *Framework for the assessment of children in need and their families*. London: The Stationery Office, 2000.

The Children and Young People's Unit. *Learning to listen: core principles for the involvement of children and young people*. London: Department for Education and Skills, 2001.

Department of Health. *Listening, hearing and responding: core principles for the involvement of children and young people*. London: Department of Health, 2002.

Advocacy 2000. *Principles and standards in independent advocacy organisations and groups*. Edinburgh: Advocacy 2000.

Ruth Sinclair and Anita Franklin. *Research in practice: young people's participation*. (Quality Protects Research Briefings: 3). London: Department of Health, 2000.

Department of Health. *Supporting the implementation of patient advice and liaison services: a resource pack*. London: Department of Health, 2002.

Children's Rights Officers and Advocates (CROA). *Total Respect: Ensuring Children's Rights and Participation in Care*. London: CROA, Cambridge House, Cambridge Grove, London W6 0LE, tel: 020 8748 7413, email: mail@croal.freemove.co.uk

Department of Health. *The Government's objectives for children's social services*. London: Department of Health, 1999.

Department of Health. *The Protection of Children Act 1999, a practical guide to the Act for all organisations working with children*. London: Department of Health, 2000.

Department of Health, Home Office, Department for Education and Employment. *Working together to safeguard children – a guide to inter-agency working to safeguard and promote the welfare of children*. London: The Stationery Office, 1999.

Department of Health. *Valuing people: a new strategy for learning disability for the 21st century: planning with people: towards person centred approaches*. London: Department of Health, 2001.



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Produced by Department of Health
29606 1p 10k Nov 02 (CWP)
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First published: November 2002

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