

# Croydon Council

For General Release

<b>REPORT TO:</b>	<b>ADULT SOCIAL SERVICES REVIEW PANEL</b> <b>30 January 2013</b>
<b>AGENDA ITEM NO:</b>	<b>7</b>
<b>SUBJECT:</b>	<b>ADVOCACY REPORT</b>
<b>LEAD OFFICER:</b>	<b>Hannah Miller, Executive Director for Adult Services, Health &amp; Housing</b>
<b>CABINET MEMBER:</b>	<b>COUNCILLOR MARGARET MEAD, ADULT SERVICES AND HEALTH</b>
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> The review of advocacy supports the council's priorities with regard to encouraging empowerment and a stronger relationship between statutory agencies and various communities and to enable local people to exercise greater choice and control by ensuring advocacy to support this.	
<b>FINANCIAL IMPACT</b> The advocacy report sets out the current financial commitment to providing advocacy alongside other forms of support for individuals and references funding from sources other than the council such as the NHS.	

## 1. RECOMMENDATIONS

- 1.1 That members note the content of the advocacy review

## 2. EXECUTIVE SUMMARY

The advocacy review seeks to scope the amount and breadth of advocacy, provided by the council via contracts with providers and includes other forms of advocacy provided by NHS Croydon.

The purpose of the review is to:

- Identify what advocacy is and the forms it can take

- Provide some brief information about the statutory requirements around advocacy
- Describe the current advocacy arrangements that have been put in place by Croydon Council in conjunction with partner agencies including NHS Croydon for the various client groups
- Include information on the multiagency arrangements that are in place for advocacy via voluntary/ third sector groups.
- Identify whether there are any significant gaps in current advocacy provision.

### 3. DETAIL

#### **Background information:**

The report references what advocacy is and the different forms that it can take. It considers the development of advocacy over the years and its importance in enabling people to attain human rights and greater equality for disadvantaged groups. It sets out clearly the different types of advocacy in terms of advocacy that is required in law and that which enables improved equality, choice and control but is not mandatory. It also sets out the differences between advocacy that is instructed and non instructed, family and befriender advocacy, self advocacy, peer advocacy and independent advocacy.

Advocacy is a statutory requirement for people who fall under certain sections of the Mental Health Act and find that their liberty has been restricted as a consequence. Advocacy is also mandatory for people who lack capacity, and who have no one else to represent them, and for whom specific far reaching decisions are being made which will have a profound impact on their life, such as serious medical interventions, changes of accommodation or certain safeguarding investigations.

#### Statutory advocacy and advocacy under safeguarding:

The report describes the various forms of statutory advocacy:

- Independent Mental Capacity Advocacy for people who lack capacity to make key decisions for themselves and who have no one able to advocate on their behalf. This is currently funded jointly by the council and NHS Croydon because of responsibilities to recipients of both social and health care.
- Independent Mental Health Advocacy – this is provided for people who fall under certain sections of the Mental Health Act and who therefore find that their liberties are restricted. This is funded by NHS Croydon.
- Independent Complaints Advocacy for recipients of health services. This is funded by the Department of Health.
- The report sets out the role of advocacy in safeguarding and the various guidance and recommendations, some of which are grounded in legislation, with regard to the provision and benefits of advocacy.

## Training for advocacy

The report identifies that there are various levels of experience and training for advocacy some of which leads to formally recognised qualifications. Other forms of advocacy is non professional. The review recommends that it important to ensure that there is a proportionate level and range of skilled advocacy according to the types of issues that people encounter – that is, not all people will need the services of a professionally qualified advocate but equally unqualified advocates must know when the issue at hand goes beyond their level of expertise so as not to provide support which may prove detrimental.

## Review of current advocacy provision.

The report sets out the current advocacy services in place across Croydon for adults who are vulnerable or in need of services and for their carers. The review identifies that in many cases of non statutory advocacy provision, the funding to partner organisations does not ring fence funding for advocacy as a separate element from wider emotional and practical support. This recognises the fact that in some instances advocacy and more generalised or practical support can overlap and it is not always helpful to create rigid boundaries.

## Recommendations:

The report concludes with a number of recommendations for the commissioners of advocacy services, the providers and local safeguarding social workers and case managers.

## **4. CONSULTATION**

Commissioners and providers were consulted as part of the report preparations. The report has been shared at both the public information and dissemination subgroup to the safeguarding board and the main safeguarding board. It incorporates comments from these forums.

## **5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

There are no specific financial considerations attached to this report which does not make any recommendations about changing the level of provision currently available.

## **6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

6.1 The Solicitor to the Council comments that there are no legal issues arising from the report

(Approved by: J Harris Baker, head of social care and education law and deputy monitoring officer on behalf of the Council Solicitor & Director of Democratic & Legal Services)

**7. HUMAN RESOURCES IMPACT**

7.1 This report covers in some detail the issues around learning & development – there are no other HR considerations that arise from it.

(Michael Pichamuthu -Strategic HR Business Partner - Department for Adult Services Health & Housing)

**8. EQUALITIES IMPACT**

Equalities issues are considered in the report with regard to the scope of advocacy across the various cultural and disability groups.

**9. ENVIRONMENTAL IMPACT**

None

**10. CRIME AND DISORDER REDUCTION IMPACT**

None

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**CONTACT OFFICER:** Kay Murray, Head of Professional Standards.

**BACKGROUND DOCUMENTS:**