

Fosterline Wales Factsheet: Advocacy and rights for children and young people

Introduction

Foster carers have an essential role to play in enabling the voice of the child or young person to be heard. Advocacy empowers children to know their rights, to be represented and to participate in decisions about their own lives.

What is advocacy?

‘Advocacy is a process which helps someone speak up for themselves, to access information, and their rights and entitlements, and to get something stopped, started or changed.’

Welsh Assembly (2009)

Welsh Government guidance, in relation to advocacy, states that the interests of all children and young people are better safeguarded, supported and promoted by having a personal champion in the form of an advocate who can play an active role in their lives.

This is particularly important for looked after children and young people. It is supported by the framework of legislation and standards that govern foster care:

- Understanding and taking into consideration the wishes and feelings of the child or young person is a fundamental principle of the Children Act 1989.
- In 2011 Wales incorporated the United Nations Convention of the Rights of the Child into law.
- The Social Services and Well-being (Wales) Act 2014 reinforces a strong presumption that the voice of child will be heard and that children have the right to an independent advocate. Local authorities are required to ensure children and young people are aware of these advocacy services.
- The National Minimum Standards for Fostering require that children's opinions are sought over all issues likely to affect their daily life and their future.
- The fostering service must ensure that children and young people know how to raise concerns or complaints, and that they get a quick response.
- Social workers in the fostering service must promote the rights of individuals as part of a commitment to promoting equality and diversity.
- Carers must understand the importance of listening to the views of the children and young people in their care, and are trained and supported by the service in respect of this aspect of their work.
- The Children's Guide must contain information on how a child can secure access to an independent advocate and about how to complain, including the right to approach the Children's Commissioner for Wales.
- Extra help must be provided for any child or young person with communication difficulties.

More than just having advocacy services in place, everyone working with the child needs to ensure that the child or young person understands their rights, knows about advocacy and knows how to access it. This is not only when they wish to make a formal complaint, but includes situations where they need to make representations about the quality of the care and support provided by the local authority.

Access to advocacy will be particularly important when key decisions are being taken - where the child or young person lives, placement moves, contact, for example.

The commitment to advocacy extends to young people who stay with their carers after the age of 18 and all care leavers.

The role of foster carers

Foster carers play an essential role in enabling the child to put their views across, and to express their wishes and feelings about the help they feel they will need for the future.

Make sure the child or young person knows how to get independent advice about their rights. Don't assume that they know. There are several possible access routes:

- The local authority has a duty to provide independent professional advocacy for children and young people. Contact the social worker and check the Children's Guide or children's complaints procedure. Social services must provide a copy of these for the child.
- Through the care planning process and the independent reviewing officer (IRO).
- Contacting an independent children's rights organisation. You'll find some addresses on this factsheet.

Advocacy is part of the foster carer's role. You are likely to be one of the first to know about the child's concerns, misgivings or complaints. Talk to the child or young person about what they want to happen. You may be the best person to help them or to resolve a particular problem. At the same time, make sure they understand that independent advocacy is available and how that might help them.

Advocates and foster carers can work together on behalf of the child or young person. A review of advocacy undertaken for the Welsh Government in 2005 observed that:

'Most young people stated a preference for a "professional" advocate in more formal situations (important meetings and decisions) and carers/family for more every-day issues. Key reasons given included the professional advocate's training and knowledge of systems, as well as their focus on the young person's wishes and feelings (no conflict of interest) and the provision of a confidential and independent service.'

It went on to say that a clear understanding of independent professional advocacy is very empowering for children and young people, and if foster carers gain this understanding, they will be much less threatened by advocacy and consequently much more likely to promote it.

Resources

MEIC

This is the helpline service for children and young people up to the age of 25 in Wales. It covers information, advice and advocacy.

bit.ly/meiccymru

The Children's Commissioner Wales

The Children's Commissioner for Wales is an independent children's rights institution that safeguards and promotes the rights and welfare of children and young people.

bit.ly/childwales

How The Fostering Network can help

The Fostering Network offers advice, information and support. Our expertise and knowledge are always up to date and available through our vital member helplines, publications, training and consultancy.

Advice

Fosterline Wales

Call us on 0800 316 7664 from 9.30am - 12.30pm Monday to Friday. If you call outside this time please leave a message and someone will call you back as soon as possible.

You can email us or write to us at:

Fosterlinewales@fostering.net

The Fostering Network Wales

1 Caspian Point, Pierhead Street

Cardiff Bay CF10 4DQ

Support and resources

Our website is an essential source of information, while our online community brings together foster carers for peer support and advice. You can login to share your experience and get advice from other foster carers. Our online community is a safe and secure area to discuss foster care matters. thefosteringnetwork.org.uk

For web based advice on advocacy please visit thefosteringnetwork.org.uk/policy-practice/policies/fostering-legislation-in-wales

Training and consultancy

Wherever you are in your fostering career, as a foster carer, social worker or manager, The Fostering Network has a range of training designed to meet your development needs. For more information, contact our learning and development manager, Sarah Mobedji at

sarah.mobedji@fostering.net.

About The Fostering Network

The Fostering Network is the UK's leading fostering charity, bringing together everyone who is involved in the lives of fostered children to make foster care the very best it can be.

Contact us

To find out more about our work in Wales, please contact:

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