



# Giving disabled children a voice:

our case for independent advocacy for those placed away from home

# The Children's Society is campaigning to ensure all disabled children placed away from home have access to an independent advocate

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*An advocate will certainly help to get a young person's views heard particularly if the young person has communication difficulties.*

Young person's comment from a consultation conducted by The Children's Society for the Care Matters Green Paper 2007

**An independent advocate, unlike other people involved in a child's life, is there for the child alone. They do not have conflicting interests, such as budgets, departmental priorities or the need to make recommendations guided by the best interest of the child.**

## **What are we campaigning for?**

The Children's Society believes that the 13,300 disabled children and young people placed away from home in England should have a statutory right to independent advocacy.

## **New research highlights limited provision**

A comprehensive survey of advocacy services across England<sup>1</sup> has found alarming new evidence of the very limited provision of advocacy for disabled children. The survey, undertaken by The Children's Society, shows that, between April and December 2006, only **64 services provided advocacy to an estimated 877 disabled children.**

The most recent national statistics<sup>2</sup> show that, in February 2005, there were 22,300 disabled children supported in their families or independently receiving services in a 'typical' week. In addition, there were 11,800 looked-after disabled children receiving services in the same week. Therefore, **there were 34,100 disabled children receiving services and, over nine months, only 877 disabled children receiving an advocacy service.** And these figures do not include all those disabled children placed in residential schools and health settings.

## **So why is service provision so sparse?**

The research demonstrates that services experience a range of barriers to providing advocacy to disabled children, including limited funding and restricted contracts. Since the beginning of April 2006, a quarter of services reported that they had not been able to respond to a referral from a disabled child at all. One service had been unable to provide for 213 referrals, as the terms of their contract only allowed them to support 'moderately disabled children'.

Particularly alarming were the findings that the children likely to be **the most vulnerable were even less likely to receive an advocacy service.**

- Over two fifths of services reported that they could not provide advocacy for children and young people who do not communicate verbally
- An eighth of services could not provide for those who had moderate to severe learning disabilities
- Over a third of services could not provide advocacy for autistic children and young people
- A tenth of services could not provide advocacy for any of these groups.

*Advocacy offers crucial protection where children face particular complex circumstances, are in contact with different services, or have communication difficulties.*

Children's Commissioner, from *Care Matters: Consultation Responses* (p16), published by DfES 2007



*Most children have little or no access to advocacy, but especially those with learning or literacy difficulties, who can't write or use the phone, and have little or no speech.*

Atkinson, D (1999)  
*Advocacy: A review*

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### **Our opportunity to progress the campaign through *Care Matters***

It is essential to ensure the child's own view is heard and taken into account in a range of situations, including

- looked-after children reviews
- transition planning meetings
- assessments and plans carried out under Section 47 [child protection] of The Children Act 1989
- when a long-term move to different accommodation is being planned
- when decisions are being made about serious medical treatment
- when a representation or complaint is being considered

The proposed Children and Young Persons Bill, which will take forward the *Care Matters* agenda, provides an unprecedented opportunity to deliver this.

In October 2006, the Government's Green Paper *Care Matters: Transforming the Lives of Children and Young People in Care* was published. *Care Matters* suggested that every child in care should have three key individuals in their lives – a social worker, a residential or foster carer and an independent advocate. It recognised the importance of children and young people having someone independent of the system to advocate for them when they need it, a view confirmed by many of those commenting on the paper.

In the follow-up White Paper *Care Matters: Time for Change*, published in June 2007, the Government missed the opportunity to ensure that disabled children who need it will be able to access independent advocacy. This paper proposed strengthening the role of independent reviewing officers and extending the opportunity to have an independent visitor to more children in care.

**This does not go nearly far enough and these roles cannot replace the need for disabled children and young people to be able to access independent advocacy.**

Advocacy provides a vital safeguard for disabled children and young people by helping them speak out about problems with their care.

### **Aiming high for disabled children**

The Government report *Aiming High for Disabled Children*, published in 2007, highlighted that many disabled young people feel they are not empowered to be involved in decisions about their own care and in service planning. However, despite announcing £5m investment over the Comprehensive Spending Review period specifically to support parental engagement, the report failed to identify any specific new investment to support the involvement of disabled children and young people.

*All children should have access to [an] advocate if needed*

Young person's comment from a consultation conducted by The Children's Society for the *Care Matters* Green Paper 2007

This report, published in May 2007 by HM Treasury and the DfES, detailed the findings of the Disabled Children Review. This review was part of an overall policy review of children and young people, building on the Government's strategy to improve children's outcomes. The report highlights the importance of engaging with disabled children, young people and their families to shape services at a local level.

However, despite policy and guidance, participation of disabled children and

young people varies considerably, is sometimes non-existent and often tokenistic. And, while parents and carers play an important role in decision-making, involving them does not always ensure a young person's thoughts, wishes and feelings are represented. **A statutory right to advocacy for disabled children placed away from home will help those children least likely to be empowered have the opportunity to be fully involved in designing their care packages and contribute to service development.**

The Children's Society is a leading national charity and service provider. Our direct action, delivering solutions and results through a network of projects, supports children who face danger, discrimination and disadvantage in their daily lives. We turn around the lives of tens of thousands of children and their families every year. Key amongst our areas of operation is the work we do with disabled children, ensuring that they have a voice and are given the choices that other children enjoy. We provide real solutions for individual cases, while our pioneering research and influential campaigning protects the rights of all children. Our work is driven by the belief that every child deserves a good childhood and we are committed to creating better childhoods for all.

**For more information on how you can support this campaign, please contact:**

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*Notes*

- 1 The Children's Society (2007) *When will we be heard? Advocacy provision for disabled children and young people in England*. Available from [www.childrenssociety.org.uk/campaigns](http://www.childrenssociety.org.uk/campaigns) or by calling 020 7841 4656
- 2 Department for Education and Skills (2006) *Children in Need in England: Results of a survey of activity and expenditure as reported by Local Authority Social Services' Children and Families Teams for a survey week in February 2005: Local Authority tables and further analysis* (internet only). Available from [www.dfes.gov.uk/rsgateway/DB/VOL/v000647/index.shtml](http://www.dfes.gov.uk/rsgateway/DB/VOL/v000647/index.shtml) [last accessed 24 April 2007]

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