

**ANGUS COUNCIL**

**FAMILY, EDUCATION AND JUSTICE COMMITTEE – 20 FEBRUARY 2024**

**ANGUS ADVOCACY STRATEGIC FRAMEWORK 2023 - 2026**

**REPORT BY JILLIAN GALLOWAY, CHIEF OFFICER, ANGUS HEALTH AND SOCIAL  
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**1. ABSTRACT**

The purpose of this report is to update the Family, Education and Justice Committee on the first Framework outlining advocacy services available across Angus. The Framework outlines priorities for 2023-2026 and associated actions in relation to these priorities.

**2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES**

This is aligned to the Angus HSCP Strategic Commissioning Plan (2023-2026) and direction by [The Mental Welfare Commission](#).

***The Framework is aligned to the Angus Community Plan and Angus Council priorities of Caring for our People***

- We will reduce inequalities in our communities
- Improve physical, mental health and wellbeing
- We will protect those in our communities who are at risk of or have experienced significant harm.

**3. RECOMMENDATIONS**

It is recommended that the Family, Education and Justice Committee:

- (i) Acknowledges the publication of the Angus Advocacy Strategic Framework, in relation to children's services as the first edition for Angus; and
- (ii) Approves the priorities and actions outlined within the delivery plan of the Framework for children's services.

**4. BACKGROUND**

As directed by The Mental Welfare Commission, each HSCP and local authority are advised to have a plan outlining the available advocacy services as instructed through several pieces of legislation<sup>1</sup>.

For example, the Mental Health (Care and Treatment) (Scotland) Act 2003 imposed a duty on local authorities and health boards to collaborate to ensure the availability of independent advocacy services in their area for those with a mental disorder (children, young people and adults). A mental disorder is defined as:

- any mental illness
- personality disorder
- learning disability

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<sup>1</sup> As outlined in appendix 1 of the Angus Advocacy Strategic Framework 2023-2026.

Separate to the requirements introduced by the 2003 Act, the local authority also has a duty as an Education Authority to provide advocacy services available for children subject to discussion in tribunal proceedings under the Education (Additional Support for Learning) (Scotland) Act 2009.

Furthermore, in accordance with article 12 of The United National Convention on the Rights of the Child (UNCRC), every child has the right to say what they think in all matters affecting them, and to have their views taken seriously. This expectation is translated into the Getting it Right for Every Child and was given legal effect in relation to the Child's Plan through the Children and Young People (Scotland) Act 2014 section 33. Independent advocacy is one mechanism through which children and young people (as well as their families) can exercise this right. The Framework summarises a range of services in place to support children, young people and families in Angus to access the advocacy that is right for them.

The Carers (Scotland) Act 2016 requires each local authority to establish and maintain an information and advice service which must provide information and advice in respect of advocacy for carers.

Work initially began in 2018 to develop an Advocacy Framework for Angus (for children, young people and adults) however progress was delayed due to operational pressures as a result of the COVID-19 pandemic. Progression recommenced in August 2022 and the Angus Advocacy Planning Group was reconvened with refreshed membership from:

- Angus Health and Social Care Partnership
- Children, Families and Justice, Angus Council
- Community Mental Health and Wellbeing Services, AHSCP
- Angus Independent Advocacy
- Angus Carers Centre
- Parent to Parent
- Who Cares? Scotland
- Procurement, Angus Council

## **5. CURRENT POSITION**

Advocacy services are commissioned by both Angus Health and Social Care Partnership (AHSCP) and Angus Council for adults and children respectively.

AHSCP commission services for adults who have a mental disorder. Emerging legislation is clear that advocacy services are to be accessible to carers to ensure their voices are heard as well as those they care for. Angus Carers Centre provides advocacy support for young and adult carers.

Angus Council commission services for children and young people with a mental disorder, care-experienced children and young people, and children, young people and parents of children with additional support needs.

The Angus Advocacy Strategic Framework outlines all commissioned services in one document and details the priorities and actions for 2023-2026.

## **6. PROPOSALS**

For the Family, Education and Justice Committee to acknowledge publication of the Angus Advocacy Strategic Framework, in relation to children's services, as the first edition for Angus and to approve the priorities and actions within.

(The Framework has been written in collaboration with Angus Health and Social Care Partnership, Angus Council and service providers as outlined in section 2 above. The format was designed following guidance from the Mental Welfare Commission ensuring that all the required elements were considered and included within the Framework.)

## 7. FINANCIAL IMPLICATIONS

With the completion of the necessary advocacy needs assessment (as instructed by The Mental Health (Care and Treatment) (Scotland) Act 2003), there is the potential for further unmet need being identified.

It is assumed any service pressure will be managed through mitigation of pressures or, where there is no additional funding, the local reprioritisation of existing resources. In this case the local advocacy resources will be reprioritised to meet and absorb any new priority.

## 8. RISK MANAGEMENT

<b>Risk Description</b>	(Should the actions within the Framework not be approved for progression)  People within our communities will not receive the care and support they need to live their lives and manage their health and wellbeing.
<b>Risk Category</b>	Strategic, Operational
<b>Inherent Risk Level</b>	Likelihood 4 x Impact 3 = Risk Scoring 12 (which is a High risk level)
<b>Mitigating Actions</b>	Service providers will continue to provide and promote their services as they currently do. These organisations may wish to increase their engagement activity within community regardless of the framework and delivery plan not being approved.
<b>Residual Risk Level</b>	Likelihood 3 x Impact 3 = Risk Scoring 9 (which is a Medium risk level)
<b>Planned Risk Level</b>	Likelihood 3 x Impact 3 = Risk Scoring 9 (which is a Medium risk level)
<b>Approval Recommendation</b>	It is proposed that implementation of the Framework and delivery plan within, will reduce the planned risk level to:  Likelihood 1 x Impact 1 = Risk Scoring 1 (which is a Very Low risk level)

<b>Risk Description</b>	Additional independent advocacy providers and advocacy support services will be required to meet unmet need.
<b>Risk Category</b>	Strategic, Operational
<b>Inherent Risk Level</b>	Likelihood 3 x Impact 3 = Risk Scoring 9 (which is a Medium risk level)
<b>Mitigating Actions</b>	<ul style="list-style-type: none"> <li>• Carry out needs assessment</li> <li>• Exploration of other organisations to identify if support is available but needs to be more widely known</li> <li>• Explore if current advocacy providers can increase the services/support they currently provide within their current funding</li> <li>• Raising awareness in communities of advocacy services currently available</li> <li>• Explore options for additional funding streams</li> </ul>
<b>Residual Risk Level</b>	Likelihood 1 x Impact 2 = Risk Scoring 2 (which is a Very Low level risk)
<b>Planned Risk Level</b>	Likelihood 3 (moderate) x Impact 2 (minor) = Risk Scoring 6 (which is a Low level risk)

<b>Approval Recommendation</b>	With the mitigating actions as described above, this risk would be deemed as manageable

## 9. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications arising from the recommendations of this report.

## 10. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY

An Equality Impact Assessment has been carried out and is attached.

## 11. CONSULTATION (IF APPLICABLE)

The Framework has been written collaboratively with all members of the Angus Advocacy Planning Group as outlined above. Engagement with the public has been completed by sharing the draft Framework along with a feedback questionnaire. This questionnaire was shared via the following methods:

- General public via AHSCP website, Facebook and Twitter with regular posts repeatedly advertising the framework and feedback questionnaire
- Draft shared for circulation with:
- Members of the Advocacy Planning Group (including Angus Independent Advocacy (AIA), Angus Carers Centre, Parent to Parent and Who Cares? Scotland)
- Angus Mental Health and Wellbeing Network (AMHAWN)
- North East Sensory Services (NESS)
- Deaf Links
- Gypsy/Travelling communities
- Community Mental Health Services
- Learning and Physical Disability Services
- Day Care Services
- Homelessness Prevention and Support Service
- Supported Accommodation Services
- Angus Alcohol and Drug Partnership (ADP)
- Strategic Planning Group (SPG)
- Clinical Partnership Group (CPG)
- Locality Improvement Groups (LIGs)
- Children Services Third Sector Forum
- Extended Management Team (Angus Council)
- Leading the Promise Group
- Integrated Children's Services Partnership

Following the initial engagement period, feedback received was minimal with few responses received. Given the low number, it was not possible to gain a representative view of the Framework. Comments received did suggest that the flow of the Framework needed some adjustment along with clarity of what services are independent advocacy providers and what services provide an element of advocacy support along with their other services. Changes were made to the Framework and the decision was taken to carry out a second round of engagement. This was more successful with an increase in responses. Following review of the feedback, the Framework was reviewed and amended.

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List of Appendices:

- Appendix 1 Angus Advocacy Strategic Framework
- Appendix 2 Equality Impact Assessment (Angus Council)