

Advocacy Counts 8

*A review of advocacy services for adults in Wales
with a particular focus on older people*



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1. Executive Summary

Advocacy Counts 8 provides an updated snapshot of advocacy provision in Wales for adults, with a particular emphasis on older people. It appears that the overall number of advocates, people supported and the number of services funded to deliver advocacy across Wales have all increased since the last survey was reported in 2020.

Analysis of the survey responses was enhanced by follow-up interviews with some respondents, along with discussions at advocacy network meetings across Wales. The analysis suggests that the increases are likely to be attributed to a much greater awareness of the advocacy services that already exist rather than a significant increase in the number of new services. Indeed, the number of organisations completing the survey has reduced over the past two years and it is known that a number of organisations that previously completed the survey have recently ceased to provide advocacy.

There is now a greater awareness and understanding of the quantity, quality, range and variety of advocacy that exists across Wales amongst advocacy providers, local authority commissioners and also by Welsh Government. An important future step remains to extend this greater understanding to potential service users, information and advice services and also to social workers and health professionals. Increased training and information is required by professionals to increase their awareness of advocacy and also people's rights in order to ensure their needs are met.

Since Advocacy Counts 7 in 2020, the Coronavirus pandemic has had a significant effect on advocacy services in Wales. In 2020 and 2021, two surveys were undertaken of advocates in Wales to capture the impact of the pandemic on advocacy services, advocates and clients. Both reports concluded that human rights failures, safeguarding issues and blanket decision making were having a significant impact on advocacy. The impact on the wellbeing of clients and advocates had also been exacerbated by the lack of care packages and support from other services. These findings are consistent with responses to the Advocacy Counts 8 survey.

Nearly all local authorities have now commissioned independent professional advocacy services under the Social Services and Well-being (Wales) Act 2014 (The Act). Concern was raised during interviews in 2020 that the fulfillment of statutory requirements for advocacy may have an impact on the availability of lower level, preventative, community based advocacy. The reduction in the number of organisations completing the Advocacy Counts 8 survey, and an analysis of who those organisations are, would suggest that those concerns have materialized for some organisations supporting adults of all ages.

In contrast to the reduction in the number of organisations supporting people of all ages, Age Cymru is particularly pleased to note the increase in the number of specialist advocacy providers, services and advocates specifically supporting older people. This has also resulted in an associated increase in the number of older people supported. This has partly been due to Age Cymru securing funding to deliver the HOPE and Dementia Advocacy projects.

2. A review of advocacy services for adults in Wales with a particular focus on older people

Introduction

We're pleased to present Advocacy Counts 8, our 8th report on advocacy provision for adults in Wales with a particular emphasis on older people.

Over the last 16 years, Age Cymru has been reviewing availability of services, issues around funding and sustainability, quality of service and training of advocates, advocacy and its role in safeguarding, accessibility in terms of language, and knowledge and understanding of legislative changes in advocacy.

Our evidence has been used to influence grant funders, commissioners, and Ministers in Welsh Government. We have called for an end to the post code lottery of availability, for a more consistent funding approach, for increased sustainability of the sector and most importantly for people who need the support of these services to have access wherever they are in Wales. We also called for a new statutory duty for advocacy under The Act.

Independent advocacy is a vital service for individuals to ensure that the person (and their well-being outcomes) is placed at the center of the work of support services. Independent advocacy gives citizens voice, choice and control over achieving their well-being outcomes.

There have been significant developments in the field of independent advocacy in the period between Advocacy Counts 5 (2016), through Advocacy Counts 6 and 7 and now Advocacy Counts 8 (2022). The Act places a requirement on local authorities to make advocacy available for all individuals in Wales in certain circumstances including (but not

exclusively) assessment, care planning, review and safeguarding. Nearly all Local Authorities have now commissioned services to comply with these requirements with many preparing to review and re-tender these services. The most recent survey was undertaken during the Coronavirus pandemic and covers a particularly challenging period for advocacy services, advocates and clients.

Advocacy Counts 8 presents the findings from our most recent survey. It explores the findings in light of the completion of the first round of commissioned independent professional advocacy services implemented under the new advocacy requirement within The Act and through the Coronavirus pandemic. Advocacy Counts 8 will provide a broad snapshot of the current situation in Wales.

Methodology

An online survey was used to distribute our questions to providers. We have extensive knowledge of the advocacy sector in Wales but undertook a further desk top exercise to ensure we engaged with as many providers as possible.

The Advocacy Counts survey respondents are self-selecting. Responses are sought from organisations that are funded to deliver advocacy services for adults across Wales. Information is also gathered on the support that is given to older people either through dedicated services or as part of the wider client group. Despite all efforts we can't guarantee we have data from 100% of providers.

The data which we collected was longitudinal, and therefore mirrored the other surveys in our series; we have extracted data to paint the

fullest picture of advocacy services in Wales, making the data useful to commissioners, providers and citizens alike.

We originally sent the survey out in November 2021, making direct contact with as many providers as we could, including those we had already received responses from to previous

surveys and those we had become aware of through the Golden Thread Advocacy Programme (GTAP). We were aware that a lot was changing in the advocacy sector and we have a responsibility to produce a clear and accurate snapshot in this report.

Key findings since Advocacy Counts 7

- There has been an increase in the number of advocacy services (from 12 to 19) specifically for older people.
- There has been a 17% rise in services providing advocacy to a wider client group. The increase is from 76 to 89 services.
- There are 132 paid and volunteer advocates delivering advocacy specifically to older people. This figure has quadrupled.
- There are 150 full time paid advocates working across Wales. This figure has increased 52% since 2020.
- There are 79 part-time paid advocates which is an increase of 14%.
- There are 117 volunteer advocates working in a variety of advocacy services across Wales. This is 10 fewer than the figure in Advocacy Counts 7.
- The total number of older people supported across all services over the last 12 months was 9,090, an increase of nearly 1,000 from Advocacy Counts 7.
- 5,034 more older people were supported by advocacy services funded specifically for older people than in 2020. This has more than quadrupled.
- The total number of people supported across all services in Wales over the last 12 months rose by 16% to 19,592.
- Services specifically funded for older people now exist in all 22 local authority areas in Wales. In 2020 they existed in only 15 local authorities. Services for a wider client group continue to cover all local authorities.
- At the time the survey was undertaken, one local authority area in Wales hadn't commissioned their independent professional advocacy services as required by the Social Services and Well-being (Wales) Act 2014.



Number of services and people supported

	Advocacy Counts 6 2018	Advocacy Counts 7 2020	Advocacy Counts 8 2022
Total number of respondents	21	33	27
Number of services funded specifically for older people	13	12	19
Number of organisations providing these services	7	6	10
Number of other funded advocacy services where older people are part of the client group	41	76	89
Number of organisations providing these services	18	30	24
Total number of people supported	10,402	16,909	19,592
Total number of older people supported	5,466	8,153	9,090
Number of local authority areas with services funded for a wider client group	22	22	22
Number of local authority areas with services specifically funded for older people	15	15	22

(Please note that one provider may have more than one advocacy service and some will have services specifically for older people as well as services for a wider client group).

Advocacy staff and volunteers

	Advocacy Counts 6 2018		Advocacy Counts 7 2020		Advocacy Counts 8 2022	
	Older people services	All service types	Older people services	All service types	Older people services	All service types
Full Time	10	44	8	99	23	150
Part Time	12	51	10	69	18	79
Volunteer	15	38	13	127	91	117

Advocacy services funded specifically for older people (50+) in Wales

Our survey suggests that there are 19 services funded specifically for older people compared to 12 in 2020. The number of organisations providing those services has increased from six to 10. Five of the organisations provide one advocacy service each, three provide two services each, one provides three services with the remaining organisation providing five services.

Unsurprisingly, the number of older people supported directly by these services during the previous 12 months has also increased, rising from 1,186 in 2020 to 6,220 in 2022. The number of paid and volunteer advocates has also increased from 31 in 2020 to 132 in 2022.

Respondents to our survey reported that they are funded to provide a broad spread of advocacy services across the categories listed in Part 10 Code of Practice (Advocacy) that accompanies The Act. There is also an increased consistency in the availability of these services across Wales.

Geographically, advocacy services specifically for older people are now available in all areas of Wales. In 2020, organisations specifically supporting older people only existed in 15 local authority areas. In addition to this, older people may also be able to access support from services with a wider client group as all local authority areas have at least seven different types of advocacy services, as identified through the mapping of advocacy services undertaken with the support of services attending the advocacy network meetings across Wales.



Advocacy services for a wider client group but older people are supported as part of the service

The number of responses to the Advocacy Counts 8 survey has reduced compared to the previous undertaking of the survey. 27 organisations completed this survey compared to 33 in 2020. However, prior to the Advocacy Counts 7 survey, a maximum of just over 20 responded to each of the previous surveys. Despite this small reduction in respondents, the overall figures for all areas of service delivery, for services that support adults of all ages, have increased to the highest recorded levels when compared to previous reports.

Since 2020 the number of services providing advocacy to a wider client group where older people are also supported has risen by 17% to 89 in 2022. The number of people supported by these services has also risen from 16,909 to 19,592 in 2022. Overall, the total number of older people receiving advocacy support has also risen to the highest recorded level of 9,090.

The number of organisations providing these services was 24. Apart from 30 in the Advocacy Counts 7 survey, this is still significantly higher than any other survey in the series. The number of full-time and part-time advocates have both risen to the highest levels reported in the Advocacy Counts series of reports. The number of volunteer advocates has reduced slightly from 127 in 2020 to 117 in 2022.

There continues to be a broad range of advocacy services delivered across Wales, covering all the types of advocacy described in Part 10 Code of Practice (Advocacy) of The Act. The number of local authority areas where independent professional advocacy commissioned under The Act is now being delivered has risen by one to 21. The one local authority area that has yet to formally commission advocacy services under The Act spot purchases advocacy support when required.

There continues to be a complete geographical coverage of advocacy services for a wider client group across Wales. Building on the results of the survey, Age Cymru continues to map the range of advocacy services in each local authority area in Wales, undertaking follow-up interviews where necessary. The results show that at least seven different types of advocacy service are available to adults in each local authority area in Wales, depending on their eligibility.

Some additional comments made by services include:

“We managed to continue supporting people online throughout the pandemic, and we have returned to some face-to-face activities”.

“Keep funding independent and other forms of advocacy. It is an invaluable service that we feel is overlooked and not funded correctly”.

“National advocacy networks and regional ones are really important to stay connected. Services can feel very isolated so it’s important to have that connection across Wales”.

“Nearly every other local authority in Wales have commissioned an Independent Professional Advocacy Service and have withdrawn funding for other advocacy services”.

“Lottery funding is for new projects - there is a massive need for core funding as there can’t be projects without an organisation to run them”.

Language

In providing advocacy services to ensure citizens’ voices are heard and their wishes respected, it’s necessary to offer support in the medium with which they are most comfortable whether that is English or Welsh.

The percentage of organisations with Welsh speaking advocates has risen slightly from 55% to 60% since Advocacy Counts 7. The actual number of Welsh speaking advocates has also increased from 46 to 52.

The uptake of advocacy support through the medium of Welsh continues to be very low, with nearly 90% of services continuing to report that 10% or less of their support is provided in Welsh, with many reporting no uptake at all.

Quality and standards

In 2020, 44% of respondents had the Quality Performance Mark (QPM). In 2022 this figure has risen to 63%, although there are now very few organisations actively working towards achieving the QPM. Overall, the percentage of organisations who don’t have the QPM and aren’t working towards it has remained at around 33%.

There continues to be an increase in the proportion of organisations whose staff now have the City and Guild’s National Advocacy Qualification or are working towards achieving it. It increased during the period 2013 to 2020 from nine to 21 and has now increased again to 22. In addition to this, three organisations also have advocates that either have or are working towards the BA in Advocacy qualification.

When asked about training needs, Liberty Protection Safeguards; advocacy dilemmas; conflicts of interest; complex cases and non-instructed advocacy in relation to the Mental Capacity Act were mentioned.



Conclusions and recommendations

Advocacy Counts 8 provides an updated snapshot of advocacy provision in Wales for adults, with a particular emphasis on older people. It appears that the overall number of advocates, people supported, and the number of services funded to deliver advocacy across Wales have all increased since the last survey was reported in 2020.

As in 2020, follow-up interviews with respondents and discussions at advocacy network meetings across Wales don't, however, support the view that there has been a large increase in the number of new organisations established to support adults of all ages. Indeed, the number of organisations completing the survey has reduced over the past two years and it is known that a number of organisations that previously completed the survey have ceased to provide advocacy. Discussions suggest again that most of the increases can be attributed to a much greater awareness of the advocacy services that already exist and a corresponding increase in the level of engagement by advocacy providers in exercises such as the Advocacy Counts survey. Coronavirus surveys of advocates show that, after an initial reduction, the number of referrals to advocacy services has returned to pre-Covid-19 levels and beyond, placing greater pressure in existing advocacy services.

Therefore, it may be concluded that the results in Advocacy Counts 8 provide an even broader picture of advocacy services for adults in Wales. This greater awareness has also continued to develop within the advocacy sector itself as organisations report extended opportunities to know more about each other and as a result, are able to explore opportunities to collaborate and support each other.

Nearly all local authorities have now commissioned independent professional



advocacy services commissioned under The Act. Concern was raised during interviews in 2020 that the fulfillment of statutory requirements for advocacy may have an impact on the availability of lower level, preventative, community-based advocacy. The reduction in the number of organisations completing the Advocacy Counts 8 survey, and an analysis of who those organisations are, would suggest that those concerns have materialized for some organisations supporting adults of all ages.

The increased awareness and understanding of the quantity, quality, range and variety of advocacy that exists is very encouraging. However, follow-up interviews and discussions with advocacy providers suggest that there has been little progress in extending this greater understanding to potential service users or to professionals working in statutory bodies.

Whilst managers and commissioners in local authorities may have an increased understanding, more training and information continues to be required by social workers who work directly with potential beneficiaries of advocacy services. The Covid pandemic has also highlighted the lack of understanding and application of people's human rights.

In contrast to the reduction in the number of organisations supporting people of all ages, Age Cymru is particularly pleased to note the increase in the number of specialist advocacy providers, services and advocates specifically supporting older people. This has also resulted in an associated increase in the number of older people supported. This has partly been due to Age Cymru securing funding to deliver the HOPE and Dementia Advocacy projects across the whole of Wales.

The previous reduction in specialist providers in each survey since Advocacy Counts 4 in 2013 had meant continued reduction in the specialist focus and expertise for supporting older people through advocacy services focusing on early intervention, prevention and community-based advocacy. It is very encouraging to report that this trend has been reversed.

In light of the new requirements placed upon local authorities and the effects of the Coronavirus pandemic it is anticipated that demand for advocacy services will continue to grow and therefore the availability and sustainability of services is a priority for all involved. Interviews with advocacy providers and comments made during the survey suggest that cases are becoming increasingly complex and time-consuming and that this too will have an impact on the sustainability of services in the future.

Age Cymru remains committed to supporting the development of the independent advocacy sector in Wales and views it as a vital tool to secure the well-being of all citizens, not just that of older people. Since Advocacy Counts 7, Age Cymru has secured funding to deliver advocacy directly to older people. The HOPE project ensures low level, volunteer delivered, community-based advocacy is available for older people and their carers in all areas of Wales. The Dementia Advocacy project ensures specialist support is available for older people and their carers across Wales. Age Cymru also continues to promote and make available the support and resources developed for the advocacy sector in Wales during GTAP.

For further information,
please contact Age Cymru by emailing
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Please note:

The Advocacy Counts survey respondents are self-selecting. Responses are based on whether they provide funded advocacy services that are specifically for or include older people as part of their client group. While we endeavour to collect data from all providers, completion of the survey isn't mandatory.

The data which we collected was longitudinal, and therefore mirrored the other surveys in our series but we have extracted data to paint the fullest picture of advocacy services in Wales, making the data useful to commissioners, providers and citizens alike.

3. Developments in advocacy in Wales

Advocacy During Coronavirus

Since Advocacy Counts 7 in 2020, the Coronavirus pandemic has had a significant effect on advocacy services in Wales. In June 2020, a survey was carried out of advocates to gather evidence of the impact of the Coronavirus pandemic. This resulted in the Valuing Voices in Wales: Protecting Rights Through the Pandemic and Beyond report. In June 2021, the advocacy sector in Wales again collected evidence of the pandemic's impact on people who are entitled to advocacy, the accessibility and quality of advocacy and on the ability of services to provide advocacy. The Advocacy during Coronavirus survey 2021 sought to understand what had changed over the intervening year, the present challenges and what had worked well in response to the pandemic.

Both reports concluded that human rights failures, safeguarding issues and blanket decision making were having a significant impact on advocacy clients. The impact on the wellbeing of clients had been exacerbated by the lack of care packages and support from other services.

In 2020, the number of referrals to advocacy services were reduced, but by the 2021 survey, the number of referrals to advocacy services had returned to pre-Covid-19 levels and beyond. This is consistent with responses to the Advocacy Counts 8 survey. Whilst a welcome recognition of the importance of advocacy, this is also impacting on services which were already stretched and have had no additional funding. Whilst most advocates felt their effectiveness had improved, the vast majority felt that their own wellbeing had deteriorated.

In 2021, advocates who responded to the survey felt they had provided an excellent service to those who really needed it during the pandemic. Advocates had become creative in the way they work and embraced new ways of working and alternative communication options.

Below are some additional comments made during the Advocacy Counts 8 survey:

“The importance of providing face to face advocacy remains and technology can also be utilised to provide help to people, freeing up advocates time to assist more people”.

“The pandemic has left a great deal of clients without support. As advocacy providers it's important to help clients raise their views by any means necessary”.

“The advocacy role has had a key safeguarding role for vulnerable people through this period”.

“The inequalities experienced by the people we support have increased as a result of the impact of Covid-19”.

“Advocacy is going to be needed more than ever as restriction lift. Continue to work remotely when appropriate”.

“Advocacy kept people going when statutory services crumbled”.

“Advocacy has demonstrated its value during the pandemic and there should be more professional recognition of the advocacy service and an increase in funding”.

Change from Deprivation of Liberty Safeguards to Liberty Protection Safeguards

The Mental Capacity (Amendment) Act 2019 will result in the transition from the existing Deprivation of Liberty Safeguards (DoLS) arrangements to the revised Liberty Protection Safeguards (LPS). LPS were due to come into force in April 2022, but at the time of writing this report, the draft Code of Practice had yet to be released. Once released, there would then be a 12-week public consultation period. The Department of Health and Social Care have confirmed that there will be a delay but have yet to announce a revised timetable.

Impending changes to the Community Health Councils and complaints advocacy

From April 2023, the Citizen Voice Body (CVB) will represent the voices and opinions of the people of Wales in respect of health and social care services. The CVB will replace Community Health Councils (CHC). One of the potential effects of this is that the remit of the CHC complaints advocacy services could extend to cover Social Services complaints. Full details have yet to be published about what the implications may be of the new CVB on advocacy and also on work practices within the CVB and on services already commissioned by local authorities.

Introduction of the new qualifications framework and new advocacy qualification

Since Advocacy Counts 7, the new level 4 advocacy qualification has begun to be delivered in Wales. This followed a review of qualifications for health and social care and childcare by Qualifications Wales. The existing qualification will be recognised as a predecessor qualification for those who have started or already attained it.

Changes to the Mental Health Act

The Westminster Government issued White Paper proposals for reform of the Mental Health Act in January 2021. The advocacy sector in Wales took the opportunity to provide a united response to the proposed reforms during the course of the consultation.

Cardiff and Westminster governments, have responded to the consultation responses and there is some clarity around the proposals which will be taken forward:

- Introduction of Advanced Choice Documents, real opportunities for patient choice and challenge around treatment options, patient choice over their nearest relative (proposed nominated person).
- More robust detention criteria which should lead to fewer detentions under the Act, particularly for people with a learning disability and autistic people.
- Enhanced rights of appeal for patients and their representatives, and greater powers for the Tribunal to go behind the detention criteria and examine care planning and treatment.
- Whilst IMHA (Independent Mental Health Advocacy) provision is additionally available in Wales for people admitted to hospital informally as well as those detained under the Act, the key proposal is to make IMHA an opt-out rather than refer-in service, with greater powers for IMHAs to support appeals on behalf of people who lack capacity or are disempowered from applying themselves.

It is anticipated that the new Mental Health Act will be introduced as law in 2023.



Big Event webinars

During Autumn 2020, the first virtual Advocacy Big Event was held and hosted by the HOPE advocacy project for the adult advocacy sector across Wales. The event was held virtually due to the Covid19 restrictions, however it provided an extremely successful opportunity for advocates from across the sector to come together and meet for an extremely worthwhile development opportunity and for advocates to share their knowledge and experiences.

Following the success of the 2020 event, the HOPE advocacy project hosted the second virtual Advocacy Big Event in November 2021. Both events focused on the finding of the two Coronavirus surveys and enabled advocates from across Wales to discuss the findings and their implications. Key speakers were invited to present to the advocacy sector, to open up discussions and networking opportunities with the wider advocacy community and to consider the recommendations made.



Both conference reports can be found on the Age Cymru website:

www.agecymru.org.uk



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