

Colin McKay  
Chief Executive  
Mental Welfare Commission for Scotland  
Thistle House  
91 Haymarket Terrace  
Edinburgh  
EH12 5HE

Dear Colin,

**Mental Welfare Commission March 2018 Report – ‘The Right to Advocacy’** – A review of how local authorities and NHS Boards are discharging their responsibilities under the Mental Health (Care and Treatment) (Scotland) Act 2003

Thank you for the above visit and monitoring report.

Please find below Dumfries and Galloway’s response to the report addressing each of the recommendations contained within the document

The report and this response was discussed at the Dumfries and Galloway Integration Joint Board on 31 May 2018.

**Recommendation 1 - Ensure that there is clarity about which organisation will be responsible for coordinating the preparation of strategic advocacy plans for their area.**

Independent Advocacy for adults is a function delegated to the Dumfries and Galloway Integration Joint Board (IJB). The IJB is therefore the lead organisation for coordinating the preparation of the strategic independent advocacy plan for Adults. There is a commitment within the Dumfries and Galloway Integration Joint Board Health and Social Care Strategic Plan 2016 – 2019 that

*“We will make sure that people have access to Independent Advocacy if they want or need help to express their views and preferences”.*

Dumfries and Galloway Council, in partnership with colleagues from the Health and Social Care Partnership, will lead on the coordination of the preparation of a strategic independent advocacy plan for Children and Young People.

**Recommendation 2 - Ensure that strategic advocacy plans are in place by the end of December 2018.**

Dumfries and Galloway is noted within the report (page 14) as one of five areas in Scotland who were able to provide the MWC with an up to date plan for independent advocacy (2015 – 2018).

I can confirm that work to develop a new independent advocacy plan for Dumfries and Galloway 2018 – 2021 is underway. It is anticipated that the new plan for adult independent advocacy will be in place no later than the end of December 2018 as required by the MWC.

**Recommendation 3 - Ensure that strategic plans are developed based on a local needs assessment, and information about unmet need and gaps in local provision. They should be developed in partnership with people who use or may use services,**

**and with service providers. Barriers people may be experiencing accessing advocacy support, including barriers created by prioritisation criteria and people being placed outwith their home areas, should be addressed in plans.**

Work to develop the new plan for advocacy is being lead by a short life working group, the Advocacy Planning Group. The group membership includes people who use services, their Carers, Independent Advocacy Service Providers, planning and commissioning, mental health services and social work services.

The Advocacy Planning Group will work in partnership with people who use independent advocacy services, people who may use the service in the future and a wide range of other stakeholders to develop a plan for independent advocacy provision in Dumfries and Galloway.

The plan will be based on information contained within the Dumfries and Galloway Strategic Needs Assessment 2016- 2019 and information from providers regarding unmet need.

The current independent advocacy plan seeks to address some of the barriers people may be experiencing. The service for independent advocacy advice and support is available to all adults who are identified or who identify themselves, as having a need for independent advocacy. There are no criteria in place.

Informal 'reciprocal' arrangements between adult independent advocacy providers across Scotland are in place should someone placed outwith their home area require the services of independent advocacy. Providers based in Dumfries and Galloway only operate within Dumfries and Galloway.

There have been some changes to the local adult independent advocacy service from the time of the Right to Advocacy Report. This includes the development of adult collective independent advocacy. This service has been available from 1 April 2018 supported by a modest increase in independent advocacy funding.

Further work to identify and overcome identified barriers will be included in the new plan.

**Recommendation 4 - Ensure that advocacy planners carry out equalities impact assessments and develop approaches to monitoring and enabling access to advocacy which cover all the protected characteristics.**

A full Equality Impact Assessment will be undertaken as part of the process of developing the new advocacy plan.

Providers of independent advocacy in Dumfries and Galloway collect a range of equality information from people who use their service. Adult Advocacy services for the region were recently re commissioned and there is agreement that the service provider will monitor all ten protected characteristics. Trends arising from the equality data are discussed during routinely scheduled monitoring meetings to inform plans regarding ensuring the needs of underrepresented groups are met.

**Recommendation 5 - Ensure there is clarity about where the responsibility lies for planning and commissioning independent advocacy services which are accessible for all children and young people under 18 with a mental disorder. This includes children and young people receiving care and treatment on an informal basis, or in placements outwith their home area.**

Planning and commissioning independent advocacy services for children and young people is led by Dumfries and Galloway Local Authority. This is work however is undertaken in jointly with colleagues and partners within the Health and Social Care Partnership. Planning will include a focus on placements outwith the region.

**Recommendation 6 - Ensure that arrangements for planning for the provision of independent advocacy services for children and young people include processes for assessing the projected need for these supports.**

Processes for assessing the projected independent advocacy needs for children and young people is based on the Dumfries and Galloway Children and Young People Strategic Needs Assessment linked to the Children and Young People's Plan (2017 – 2020). Both of these documents have been prepared in partnership between Dumfries and Galloway Council and the Dumfries and Galloway Health and Social Care Partnership. These documents, along with information from engaging with children and young people, will identify unmet need which will inform the planning of children and young people's independent advocacy services.

I hope that the above information is helpful and fully address the recommendations contained within the report. Please do not hesitate to contact me however should you require any clarification or any further information.

Yours sincerely

Julie White  
Chief Operating Officer  
Dumfries and Galloway Health and Social Care Partnership