



Integration Joint Board
Strategic Plan Delivery and Commissioning Committee

26th October 2023

This Report relates to
Item 11 on the Agenda

Dumfries and Galloway Independent Advocacy Plan (Adults and Children/Young people)

Paper presented by Viv Gration

For Approval

Author:	Liz Forsyth, Strategy Support Manager, Strategic Planning Elizabeth.forsyth@nhs.scot
Paper Approved for Submission By:	David Rowland, Director of Strategic Planning and Transformation david.rowland2@nhs.scot
List of Background Papers:	Mental Welfare Commission <u>'The right to advocacy' (2023)</u> <u>IJB Strategic Commissioning Plan 2022-2025</u>
Appendices:	Appendix 1 - Mental Welfare Commission Recommendations – extract from 'The Right to Advocacy' Appendix 2 - Membership of Independent Advocacy Reference Group Appendix 3 - Draft Independent Advocacy Plan Appendix 4 - Draft Communications and Engagement Plan (including timeline for delivery)

1. Introduction

- 1.1 There is a statutory requirement under the Mental health (Care and Treatment) (Scotland) Act 2003, updated 2015, on local authorities and health boards to ensure the availability of independent advocacy services in their area.
- 1.2 The Mental Welfare Commission (MWC) [Right to Advocacy Report 2023](#) was published in April 2023 and recommends that all Health and Social Care Partnerships have a joint plan, with their local authority and NHS Board, in place by 31 March 2024.
- 1.3 This paper provides a draft communications and engagement plan, with timeline for development of a joint Independent Advocacy Plan with local authority and NHS Board. It also includes a draft plan that has been developed with a local independent advocacy reference group for engagement with key stakeholders.

2. Recommendations

- 2.1 **The Strategic Plan Delivery and Commissioning Committee is asked to:**
 - **Note the statutory requirement to provide independent advocacy is available and the MWC guidance to have an advocacy plan in place by 31 March 2024**
 - **Support and recommend to the Integration Joint Board:**
 - **the intention to develop a joint plan, with Dumfries and Galloway Council and NHS Dumfries and Galloway to meet this requirement;**
 - **the structure of the draft Independent Advocacy Plan in Appendix 3 be used as the basis for engagement with key stakeholders in line with advice from Healthcare Improvement Scotland Communications and Engagement Team; and**
 - **the draft communications and engagement plan at Appendix 4**

3. Background and Main Report

- 3.1 Independent advocacy is a way to help people with a learning disability, mental illness or other mental disorder and looked after children to have a stronger voice and to have as much control as possible over their own lives.
- 3.2 An independent advocate supports an individual, or a group, to represent their own interests or represents their views if they are unable to do this for themselves. They provide support on specific issues and provide information but not advice.
- 3.3 Ensuring people's human rights are met and that they have their voices heard in respect of their health and social care is a key component of the Integration Joint Board Model of Care. Independent advocacy support this ambition by providing support from outwith health and social care delivery organisations.
- 3.4 Developing a Joint Plan
- 3.5 All adult health and social care functions are delegated to the Integration Joint Board as are children's health functions. Responsibilities for Social Work functions for children and young people and all regional health services remain with the local authority and NHS Board respectively. Recognising the right that all residents of

	<p>Dumfries and Galloway have access to independent advocacy it is proposed that a joint plan for IJB, NHS Dumfries and Galloway and Dumfries and Galloway Council is developed.</p>
3.6	<p>This is in line with the MWC recommendation 1 of the Right to Advocacy Report, 2023. See background papers and Appendix 1.</p>
3.7	<p>To support the development of a plan that reflects the needs of all these groups an independent advocacy advisory group has been established, membership of the group is provided at Appendix 2.</p>
3.8	<p><u>Draft Independent Advocacy Plan for Engagement</u></p>
3.9	<p>The Independent Advocacy Advisory Group has supported the development of a draft plan to be used as the basis of engagement. This is provided at Appendix 3 for consideration and approval.</p>
3.10	<p><u>Engaging with Stakeholders</u></p>
3.11	<p>A communications and engagement plan for the development of an independent advocacy plan is provided at Appendix 4 for consideration and approval. This includes a high level timeline to meet the deadline of 31 March 2024.</p>
3.12	<p>Advice has been sought from Healthcare Improvement Scotland Engagement Team and from the Dumfries and Galloway Consultation and Engagement Group regarding the right level of engagement. It is the view of these groups that engagement with key stakeholders will be sufficient for the development of this plan.</p>
4.	<p>Conclusions</p>
4.1	<p>There is a statutory requirement to ensure that Independent Advocacy is available in Dumfries and Galloway.</p>
4.2	<p>It is proposed that a joint independent advocacy plan (IJB, NHS Board and Local Authority) is developed by engaging with key stakeholders, including independent advocacy advisory group to be published by 31 March 2024.</p>
5.	<p>Resource Implications</p>
5.1	<p>A small engagement budget of around £500 will be required to carry out the stakeholder engagement</p>
5.2	<p>No financial implications beyond existing commissioning budgets for services have been identified around this piece of work.</p>
6.	<p>Impact on Health and Social Care Partnership Outcomes, Priorities and Policy</p>
6.1	<p>Having an up to date and fit for purpose Independent Advocacy plan for Dumfries and Galloway would meet National Health and Well Being Outcomes</p> <ul style="list-style-type: none"> • 5 Health and social care services contribute to reducing health inequalities • 3 People who use health and social care services have positive experiences of

those services, and have their dignity respected
 IJB Strategic Commissioning Intentions

- SCI 2 Fewer people experience health and social care inequalities
- SCI4 People have access to the care and support they need

These are detailed on page 6 of the IJB Strategic Commissioning Plan 2022-2025

7. Legal and Risk Implications

- 7.1 Failure to have an up to date plan in place may impact on the organisational Risk Register at 1e under "Failure to keep up to date with national and regional policy and strategy developments"
- 7.2 While it is not a legal requirement, failure to have a Strategic Advocacy Plan in place by 31/03/24 would mean the Partnership, Local Authority and NHS had not met recommendation 1. of the MWC’s Right to Advocacy Report, as mentioned in point 1.2 of this paper.

8. Consultation

- 8.1 Following discussion at the Consultation and Engagement Working Group and subsequent discussions with Healthcare Improvement Scotland – Community Engagement and the Mental Welfare Commission it was felt that formal consultation would not be required in respect of this plan.
- 8.2 Proportionate engagement with partners and relevant stakeholders including but not exclusively Dumfries and Galloway Advocacy Service (staff and people accessing the service), Dumfries and Galloway Integration Joint Board (or one of its Committees), Dumfries and Galloway NHS Board, Dumfries and Galloway Council, Health and Social Care Senior Management Team, Health and Social Care Governance and Performance Group, Integration Joint Board Strategic Planning Group, Independent Sectors partners, Third Sector Dumfries and Galloway will be undertaken.
- 8.3 Due to the vulnerable nature of people who tend to access Independent Advocacy engagement activities are likely to be more targeted and take place over an extended period of 12 weeks to allow sufficient support to be put in place.

9. Equality and Human Rights Impact Assessment

- 9.1 In line with recommendations made in the Right to Advocacy Report 2018 (updated 2023) an Equality Impact Assessment is under development in respect of the development of the new Dumfries and Galloway Independent Advocacy Plan. This will be published in due course.

10. Glossary

- 10.1 All acronyms must be set out in full the first time they appear in a paper with the acronym following in brackets.

EQIA	Equalities Impact Assessment
IJB	Integration Joint Board
MWC	Mental Welfare Commission

Appendix 1 – MWC’s Recommendations

Recommendation 1: All health and social care partnerships (HSCPs), health boards and local authorities should work collaboratively to ensure that a strategic advocacy plan has been developed and implemented for a three year period based on information gathered from a needs assessment, scoping exercises and consultations for the provision of independent advocacy services in their area by 31 March 2024.

Recommendation 2: Equality impact Assessments (EQIA) must be undertaken when developing and finalising strategic advocacy plans and signed off by senior management from all key partners, e.g. health and social care partnerships, health boards and local authorities.

Recommendation 3: All HSCPs, health boards and local authorities should ensure that advocates and advocacy organisations commissioned to provide advocacy services in their area comply with the principles and standards set out in Appendix 1 of the Scottish Government Guidance: Independent advocacy - a guide for commissioners (2013).

Recommendation 4: All HSCPs, health boards and local authorities should promote advocacy services among health, social care and social work staff through training/awareness sessions and ensure information is available through a wide range of methods to members of the public.

Recommendation 5: All children’s integrated service plans should include reference to the provision of independent advocacy services by 31 March 2024.

Recommendation 6: All HSCPs, health boards and local authorities to consider the term of funding in response to the feedback from the advocacy organisations about how this can make it challenging regarding long term planning and sustainability of independent advocacy organisations.

Appendix 2 – Independent Advocacy Advisory Group Membership

- Chief Executive, **Dumfries and Galloway Advocacy Service**
- Chief Officer, **Dumfries and Galloway Carers Centre**
- Commissioning Officer, **Dumfries and Galloway Council**
- Contract and Commissioning Officer for Children and Families, **Dumfries and Galloway Council**
- Mental health Team Manager, **Dumfries and Galloway Council**
- National Children’s Rights & Advocacy Manager, **Barnardo’s Scotland**
- Senior Mental Health Officer, **Dumfries and Galloway Council**
- Strategy Support Manager – Strategic Planning and Transformation, **NHS Dumfries and Galloway**
- Young Carers Lead, **Dumfries and Galloway Carers Centre**