



Dumfries and Galloway
Integration Joint Board

4th June 2024

This Report relates to
Item 13 on the Agenda

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

Paper presented by David Rowland

For Approval

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List of Background Papers:	Mental Welfare Commission ‘The right to advocacy’ (2023) IJB Strategic Commissioning Plan 2022-2025
Appendices:	Appendix 1 - Mental Welfare Commission Recommendations – extract from ‘The Right to Advocacy’ Appendix 2 - Membership of the Independent Advocacy Advisory Group Appendix 3 - Revised Draft Independent Advocacy Plan Appendix 4 - Easy Read Draft Independent Advocacy Plan Appendix 5 - Communication and Engagement Plan Appendix 6 - Equalities Impact Assessment

Direction Required to Council, Health Board or Both	If the report content has been the subject of a previous direction please provide the title and reference number of Direction:	
	Title: Development of a Strategic Advocacy Plan for Adults	Reference Number IJBD1801
	Direction to: DGC and NHS D & G	
	1. No Direction Required	
	2. Dumfries and Galloway Council	
3. NHS Dumfries and Galloway		
4. Dumfries and Galloway Council and NHS Dumfries and Galloway		✓

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 recommends that all Health and Social Care Partnerships have a joint plan, with local authority and NHS Board, in place by 31 March 2024.
- 1.3 Papers on the development of the Joint Independent Advocacy Plan have been presented for noting at governance groups including Dumfries and Galloway Council's Children's Services Strategic and Planning Partnership - Executive Group, Health and Social Care Leadership Group, and Strategic Planning Delivery and Commissioning Committee prior to this meeting.
- 1.4 On 15 February 2024 the Health and Social Care Leadership Group agreed that to allow sufficient time to process data from engagement activities and go through all necessary governance, the Draft Joint Independent Advocacy Plan would be published by 31 March 2024.
- 1.5 The final version of the Joint Independent Advocacy Plan will be published when it has been through all necessary governance and approved by the IJB by the end of June 2024.

2. Recommendations

- 2.1 **The Integration Joint Board is asked to:**
 - **Note the Draft Joint Independent Advocacy Plans (plain English and Easy Read versions) publication on 31 March 2024 enabled us to meet the MWC recommendation.**
 - **Approve the Draft Joint Independent Advocacy Plans (plain English and Easy Read versions) in Appendix 3 and 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 care experienced children to have a stronger voice and to have as much control as possible over their own lives.
- 3.2 Ensuring people's human rights are met in respect of their health and social care is a key component of the Integration Joint Board Model of Care.
- 3.3 Independent advocacy provides unbiased, independent support to enable people to do this, including but not exclusively working with people accessing drug and alcohol support and those accessing mental health services.
- 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 Dumfries and Galloway have access to independent advocacy, all parties have agreed that a joint plan (IJB, NHS Dumfries and Galloway and Dumfries and Galloway Council) should be developed.

- 3.6 This is in line with the MWC recommendation 1 of the Right to Advocacy Report, 2023. See background papers and **Appendix 1**.
- 3.7 In Dumfries and Galloway, the Alcohol and Drug Partnership (ADP) have been included as partners in the development of the plan.
- 3.8 To support the development of a joint plan that reflects the needs of all those that access independent advocacy services, an Independent Advocacy Advisory Group (IAAG) has been established. Membership of the group is detailed in Appendix 2. It includes statutory sector and third sector partners involved in the delivery of, commissioning of, and referrals to independent advocacy.
- 3.9 Draft Independent Advocacy Plan for Engagement
- 3.10 The IAAG and stakeholders from relevant stakeholder groups have supported the development of the draft plan and other resources used for the purpose of engagement.
- 3.11 This draft plan is available on the partnership website using link Appendix 3 - Independent Advocacy Plan and Appendix 4 - Easy Read Independent Advocacy Plan.
- 3.12 Engaging with Stakeholders
- 3.13 A communications and engagement plan for the development of an Independent Advocacy Plan showing details of all planned engagement actions is provided at Appendix 5. This includes a high-level timeline.
- 3.14 Engagement on the draft plans opened on 7 December 2023 and ran until 25 February 2024. Engagement resources including posters, flyers, emails and social media posts were shared widely by partners in statutory, third sector and independent sector organisations across Dumfries and Galloway. Workshops and 1-2-1 sessions were offered through partners, and a WhatsApp number was shared.
- 3.15 The original timeline has been amended to reflect that the Draft Joint Independent Advocacy Plan was published on 31 March 2024, to meet the MWC recommendation.
- 3.16 Follow inclusion of revisions based on stakeholder feedback, the final version the draft Joint Independent Advocacy Plan will be presented to all appropriate governance groups and seek IJB approval.
- 3.17 If approved the plan will be published by 30 June 2024.
- 3.18 Advice was sought early in the development of the plan from Healthcare Improvement Scotland Community Engagement and from the Dumfries and Galloway Consultation and Engagement Working 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.

- 3.19 The relatively low numbers of people across Dumfries and Galloway who access independent advocacy and the vulnerability of stakeholders has resulted in a lower than usual number of responses to the engagement (61 survey responses and a group of 5 prisoners from HMP Dumfries and 15 young people to date). This was expected.
- 3.20 The IAAG and Healthcare Improvement Scotland have been apprised of the situation. Those that commented, all agree on the proposal to publish the draft in March and the final version in June 2024.
- 3.21 The Consultation Working Group have been regularly updated on progress and offered support and advice throughout.

4. Conclusions

- 4.1 There is a statutory requirement to ensure that Independent Advocacy is available in Dumfries and Galloway.
- 4.2 It was agreed by partners that a joint Independent Advocacy Plan (IJB, NHS Board and Local Authority) should be developed.
- 4.3 The draft Joint Independent Advocacy Plan was published on 31 March 2024 to meet the MWC Recommendation 1.
- 4.4 The final version of the Dumfries and Galloway Joint Independent Advocacy Plan will be published by 30 June 2024, subject to IJB approval.

5. Resource Implications

- 5.1 A small engagement budget of around £500 was approved but has been unspent this will be retained to enable printing of hard copy versions of the plan on request and for publicising the final version of the plan.
- 5.2 No further financial implications beyond existing commissioning budgets for services have been identified around this piece of work.

6. Impact on Integration Joint Board Outcomes, Priorities and Policy

- 6.1 Having an up to date and fit for purpose Joint Independent Advocacy plan for Dumfries and Galloway would meet

National Health and Well Being Outcomes

- 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 a joint Independent Advocacy plan in place may impact on the organisational Risk Register (NHS Dumfries and Galloway) at 1e under "Failure to keep up to date with national and regional policy and strategy developments"
- 7.2 While it was not a legal requirement, failure to have a joint Independent Advocacy Plan in place by 31 March 2024 would have meant 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.
- 7.3 Publishing the draft joint Independent Advocacy Plan by 31 March 2024 meant the partnership meets the recommendation and avoids the risk of not having a current plan in place.

8. Consultation

- 8.1 Following discussions with the Consultation and Engagement Working Group and Healthcare Improvement Scotland - Community Engagement 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 Engagement activities included attending face to face meetings with protected characteristic groups such as Wigtownshire Stuff and prisoners in His Majesty's Prison (HMP) Dumfries.
- 8.4 Due to the vulnerable nature of people who tend to access Independent Advocacy engagement activities took place over a period of 12 weeks to allow sufficient support to be put in place.

9. Equality Impact Assessment

- 9.1 In line with recommendations made in the Right to Advocacy Report 2018 (updated 2023) an Equality Impact Assessment (EQIA) has been undertaken in respect of the development of the Joint Independent Advocacy Plan. This will be published on all parties' websites when the final Plan is approved. The EQIA is attached at Appendix 6.

10. Glossary

ADP	Alcohol and Drug Partnership
EQIA	Equalities Impact Assessment
HMP	His Majesty's Prison
IAAG	Independent Advocacy Advisory Group
IJB	Integration Joint Board

	MWC	Mental Welfare Commission	
	SPDC	Strategic Planning, Delivery and Commissioning	

Dumfries and Galloway Integration Joint Board



DIRECTION

(ISSUED UNDER SECTIONS 26-28 OF THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014)

1.	Title of Direction and Reference Number	Reference Number will be added once the direction is formally logged
2.	Date Direction Issued by Integration Joint Board	04 June 2024
3.	Date from which Direction takes effect	04 June 2024
4.	Direction to	<ul style="list-style-type: none"> Both
5.	Does this direction supersede, amend or cancel a previous Direction? If yes, include the reference number(s)	Yes - IJBD1801
6.	Functions covered by Direction	Development of a Joint Independent Advocacy Plan for Adults, Children in Young People in Dumfries and Galloway
7.	Full text of Direction	Development of a Joint Independent Advocacy Plan for Adults, Children in Young People who meet agreed criteria in Dumfries and Galloway
8.	Budget allocated by Integration Joint Board to carry out Direction	No financial implications beyond existing commissioning budgets for services have been identified around this piece of work.
9.	Desired Outcomes	<p>Having an up to date and fit for purpose Joint Independent Advocacy plan for Dumfries and Galloway would meet</p> <p>National Health and Well Being Outcomes</p> <ul style="list-style-type: none"> 5 Health and social care services contribute to reducing health inequalities

		<ul style="list-style-type: none"> • 3 People who use health and social care services have positive experiences of those services, and have their dignity respected <p>IJB Strategic Commissioning Intentions</p> <ul style="list-style-type: none"> • SCI 2 Fewer people experience health and social care inequalities • SCI4 People have access to the care and support they need 	
10.	Is there a need for engagement with the third sector in delivery of this direction?	<i>YES</i>	<i>NO</i>
		✓	✗
		Third sector partners have been involved throughout the development of the plan and will be a fundamental part of the delivery of the plan/Direction	
11.	Performance Monitoring Arrangements	Directions will be reported to the relevant IJB Committee on a 6 monthly basis. An annual report of all current Directions will be presented to the IJB	
12.	Date Direction will be Reviewed	01/06/25	