

Evaluation
**Children's Hearings
Advocacy Scheme
Scotland-Wide
Provision**
2024

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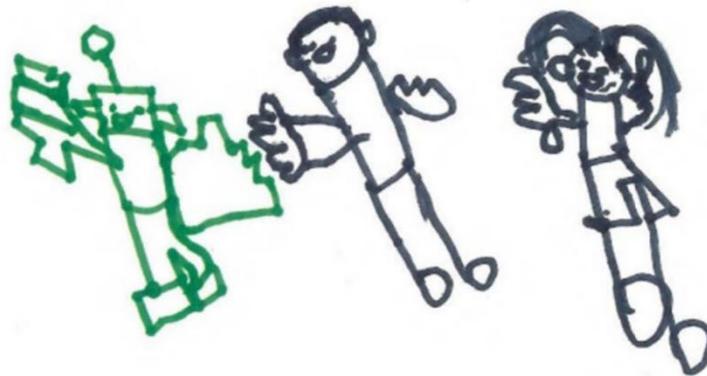
I'm so glad there's going to be someone at this Hearing that has my back."

YOUNG PERSON

She said the hard bits that I couldn't."

YOUNG PERSON

Panel members



You're the first adult I've ever trusted."

YOUNG PERSON

She helps me to get ready but I still feel worried about going. She talks for me so I can sing in my head."

YOUNG PERSON

1. Introduction

About this report

This evaluation explores the impact of and learning from the Children's Hearings Advocacy Scheme.

Evaluation aims

The main focus of the evaluation was to explore the impact of the Children's Hearings Advocacy Scheme for children and young people, Panel members, Reporters, social workers, safeguarders, legal representatives and other professionals involved in the Children's Hearing.

The evaluation also explored:

- What value are professionals getting from hearing and acting upon children's views?
- Does it make decision making any easier for professionals involved in the Children's Hearing?
- Does the advocacy support aid processes during the Hearing?
- What good practice could be shared and replicated across Scotland?
- What are potential areas for improvement?

Method

The evaluation involved four main stages.

1

Literature review

The literature review drew on quarterly and annual reports from advocacy providers within the Children's Hearings Advocacy Scheme, minutes of meetings to inform the Scheme, and wider contextual information.

It explored the context to the Scheme, its development, and what was already known about the impact of advocacy for children, young people and other stakeholders involved in the Children's Hearings system.

2

Views of children and families

The evaluation gathered the views of 21 children and young people supported through the Children's Hearings Advocacy Scheme, and 8 foster and kinship carers. Views were gathered through face to face individual discussions, phone conversations, online conversations and written feedback.

3

Stakeholder views

The evaluation gathered views from stakeholders such as Panel members, social workers, Children's Reporters, safeguarders, school staff and legal representatives.

A national survey was undertaken, with 181 responses. In addition, 44 phone or online interviews were held with stakeholders to gather their views.

4

Provider views

Four online group discussions were held with advocacy providers to gather their views on impact, what works well and what is challenging. In addition two individual conversations were held with those unable to attend group sessions.

At times throughout the report, examples of children and young people's experience are provided. These are adapted from evaluation interviews and partner reports. All names have been changed to protect the identity of children involved in this evaluation.

2. The Children's Hearings Advocacy Scheme

Introduction

This chapter explores the development of the Children's Hearings advocacy scheme in Scotland. It sets out:

- the purpose of Children's Hearings
- the law which introduced the Children's Hearings Advocacy Scheme
- initial work developing the scheme
- the operation of the scheme
- the National Practice Model for advocacy in the Children's Hearings system
- awareness raising activity
- training for advocacy workers
- the wider context.

Children's Hearings

A Children's Hearing is a legal meeting arranged to consider and make decisions about a child or young person who may need legal steps to be taken to help them. Most children and young people involved in Children's Hearings are referred to the Children's Reporter due to concerns about their welfare, care and protection. Children and young people can also be referred because of alleged offences, but these children have also often been referred because of concerns about their safety and welfare.

In 2023/24, almost 10,200 children and young people were referred to the Children's Reporter and more than 21,600 Children's Hearings were held. The most common reason for a Children's Hearing is to review a Compulsory Supervision Order (as these must be reviewed at least once a year, and should only last as long as necessary). This Order can be made at a Children's Hearing, and can contain conditions stating where the child or young person has to live and other conditions that they must comply with.

Children's Hearings are held in private and only those who have a legal right to be there, or are allowed to be there by the chairperson, attend.

As well as the child and their family or carers, the Hearings system can involve¹:

- A Reporter – Children's Reporter are employed by the Scottish Children's Reporter Administration, and receive referrals for children and young people who are believed to require compulsory measures of supervision. The Reporter gets information about the child or young person to help them to make a decision about whether they should be referred to a Children's Hearing, and records what has been decided at the Hearing.

¹ More information on who may be involved in Children's Hearings and their role is available on the [SCRA website](#)

- Panel members – Each Hearing has three Panel members who make the decisions. Panel members are specially selected and trained volunteers from the local community, and are supported by Children’s Hearings Scotland.
- A social worker – The local authority is responsible for making sure that what is decided at the Children’s Hearing is put in place, and that the child or young person is getting the help they need.
- A Safeguarder – Children’s Hearings appoint Safeguarders where there is the need to safeguard the interests of the child involved. Safeguarders do an independent assessment of what is in the child’s best interests and provide it to the Hearing.
- A legal representative – In some cases legal representation may be needed, and children’s legal aid can help with the costs of representation at a Children’s Hearing.
- Wider support – The Hearing may also involve an independent advocacy worker, or someone like a friend or teacher who can represent and support the child or young person.

Panel members and Reporters have an overarching aim of ensuring that the environment in which decisions take place is as fair, supportive and as conducive to participation by the child as possible. If a decision can’t be made at the Children’s Hearing, the case may go to court so a sheriff can review the circumstances.

The law on advocacy at Children's Hearings

The provision of children’s advocacy services for Children’s Hearings is set out in law. The Children’s Hearings (Scotland) Act 2011 brought much of the existing law relating to Children’s Hearings into one place, and made various changes including:

- creating a single national children’s Panel in place of local Panels
- establishing Children’s Hearings Scotland
- modernising grounds for referral
- providing for a national scheme of state funded legal representation in Children’s Hearings
- making provisions for a national panel of Safeguarders.

The Act also made amendments to ensure that children’s views are heard at Children’s Hearings. Section 122 of the Act makes provision for children’s advocacy services at Children’s Hearings. The Act specifies that children must be informed by the chair of the Hearing of the availability of children’s advocacy services (unless it would not be appropriate to do so taking account of the age and maturity of the child). The Act also gave Scottish Ministers the power to make regulations for, or in connection with, the provision of children’s advocacy services.

To allow time to develop advocacy support for children attending Hearings, it was decided that section 122 of the Act should not be commenced with the Act’s other main provisions. This was to avoid Children’s Hearings Panel members being obligated to alert children to the availability of advocacy in the absence of fully resourced provision.

In 2020, Scottish Ministers produced regulations on children's advocacy services in the Children's Hearings system². The regulations apply where Scottish Ministers have entered into arrangements with a service provider under section 122 of the Act. The regulations set out:

- **Service standards** – A children's advocacy worker must act in accordance with the children's advocacy service standards (the National Practice Model for Advocacy within the Children's Hearings System published by the Scottish Government in March 2020).
- **Training** – Child advocacy workers must receive training, including about legislation and the rights of a child at Children's Hearings, the role and functions of child advocacy workers and others involved in a Children's Hearing, and the possible outcomes of Children's Hearings.
- **Payment** – Service providers shall be entitled to payment of fees, expenses and allowances.

Developing the scheme

Scottish Government has undertaken a wide range of work to inform the development of advocacy provision for children and young people in general, and the Children's Hearings Advocacy Scheme in particular.

In 2010, the Scottish Government commissioned a scoping study into advocacy support for children and young people³. The report found it was difficult to identify whether existing provision met the needs of children and young people, access depended on where children lived, there was inconsistency in provision and there were significant gaps including for those attending Children's Hearings.

In 2015 and 2016, Scottish Government officials worked with relevant partners including Who Cares? Scotland, Barnardo's, Inspiring Scotland, Your Voice, Scottish Children's Reporter Administration and Children's Hearings Scotland to consider how advocacy services could be provided in the best interests of children and young people. Three action research projects were run, by Barnardo's, Who Cares? Scotland and Your Voice.

In 2016/17, Scottish Government commissioned children's advocacy pilots, delivered by Who Cares? Scotland. In 2017, Inspiring Scotland were commissioned to identify options for the delivery of a national approach for the provision of advocacy for Children's Hearings.

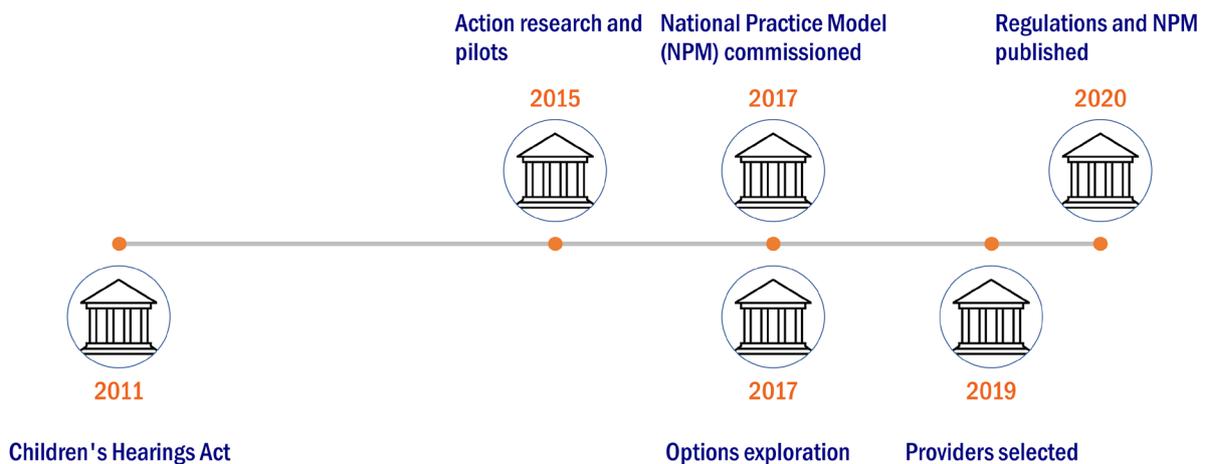
In 2017, Who Cares? Scotland was commissioned by the Scottish Government to develop a National Practice Model and a Service Delivery Model for advocacy within the Children's Hearings system. It undertook a Scotland wide consultation with children, young people and young adults with experience of the Children's Hearings system. This explored the principles that were important for children and young people, and views on the language used to explain advocacy.

² The Children's Hearings (Scotland) Act 2011 (Children's Advocacy Services) Regulations 2020

³ Advocacy makes you feel brave': Advocacy support for children and young people in Scotland, Elsley, S. 2010

In 2019, Scottish Government issued a discussion paper to the care and justice sectors, seeking views on certain aspects of Children’s Hearings advocacy. It also participated in workshops with Members of Scottish Youth Parliament (MSYP) in October 2019, and ran a survey of MSYP young constituents in September and October 2019. The survey gathered 817 responses from young people aged 12 to 25 across Scotland, from all 32 local authorities.

Children's Hearings Advocacy Scheme Development



Advocacy providers

Following an expression of interest exercise in 2019, ten organisations were selected who together provide a Scotland-wide network of children’s advocacy services for Children’s Hearings.



The ten advocacy providers within the Scheme set up a National Providers Network in summer 2020. The network aims to support the national coverage of independent advocacy at Children's Hearings in a consistent and cohesive way.

The Children's Hearings advocacy provision works alongside existing advocacy – it should only enhance the offer available for children and young people, specifically to support them for their Children's Hearings. Advocacy support is available before the Hearing, during the Hearing, and after the Hearing.

To ensure children and young people have some choice in their advocacy provider, there is a primary and alternate provider for each local authority area. Nine organisations are primary providers, and one offers alternate provision only. A list of local authority and primary and alternate providers is included as Appendix One.

The alternate provision is used in three circumstances – to offer choice, to ensure consistency with wider advocacy support, or to reduce any potential conflict of interest (for example where siblings are receiving advocacy support).

The national children's advocacy service was planned to be introduced in spring 2020. However, timings were affected by the emergence of the Covid-19 pandemic. The provisions in section 122 of the Children's Hearings (Scotland) Act 2011 therefore came into force slightly later than planned in November 2020. This activated the duty which requires chairing members of Children's Hearings to inform children of the availability of children's advocacy services.

Over time, the scheme has expanded. In 2021, national practice guidance was produced by Scottish Government on keeping brothers and sisters together⁴. In relation to Children's Hearings, it specified that brothers and sisters have new rights to appropriately participate in Children's Hearings where contact with their siblings is being considered, with support including advocacy services. The national scheme was expanded to offer advocacy to support brothers and sisters to fully participate in their siblings' contact arrangements Hearings.

The Children's Hearings advocacy scheme was again extended in June 2022 in response to regulations relating to cross border placements where a child becomes subject to a Deprivation of Liberty Order. In these circumstances Scottish Ministers will inform the child or young person of the availability of children's advocacy services, unless taking into account the age and maturity of the child they do not consider it would be appropriate to do so. The advocacy provision acts as an extension to the existing national Children's Hearings advocacy scheme.

To reflect this expansion, the annual budget for the scheme has increased.

⁴ [Staying Together and Connected: Getting it Right for Sisters and Brothers National Practice Guidance, Scottish Government, July 2021](#)



For 2022/23 and 2023/24, the Minister endorsed a multi-year commitment of £2million per annum, providing certainty of funding levels over two years.

There are periodic reviews of the level of demand for and provision of advocacy for Children’s Hearings. It was not envisaged that every child and young person attending a Children’s Hearing would want to access the service. Many will be content to provide their views themselves or will have other people they choose to support them.

Oversight for the scheme is carried out by the Scottish Government’s Children’s Hearings Advocacy Team. The Children’s Hearings Advocacy Expert Reference Group supports the design, delivery and implementation of the national scheme.

The National Practice Model

The Scottish Government commissioned a National Practice Model for Advocacy in the Children’s Hearings System, to develop a sustainable model of advocacy.

The development of the National Practice Model included engagement with stakeholders, including advocacy providers and children and young people with experience of the Children’s Hearings System. The work also involved setting up the Expert Reference Group, and holding workshops and consultations.

Guidance on the National Practice Model was published in March 2020, and set out principles, standards, outcomes and indicators for advocacy in Children’s Hearings.

Advocacy can take many forms. The National Practice Model states clearly that the type of advocacy to be used for advocacy in the Children’s Hearings system will be professional advocacy – provided by professional advocacy workers, supporting children and young people on an individual basis.

The principles within the National Practice Model reflect those set out in the Scottish Government's wider guidance on children's advocacy⁵:

- advocacy puts the children who use it first
- advocacy workers must understand their role and responsibilities
- advocacy is as free as it can be from conflicts of interest
- advocacy is accessible.

Within each principle, there are standards that explain how advocacy should be applied in practice, and what the principles mean in terms of advocacy in the Children's Hearings system. The standards highlight that advocacy workers:

- will listen to children and young people
- will only work for and on behalf of the child or young person – who is in charge of how and with whom their views are shared
- will have detailed knowledge of children's rights and entitlements
- will understand the law and procedures – and help young people understand what is happening
- will speak to professionals and carers on behalf of children and young people with their permission
- will only work on behalf of children and young people
- will not give their own or anyone else's views or opinions
- will not be influenced by anyone or anything else while they are supporting the child or young person
- will liaise with carers and other professionals already working with children and young people
- will work with children and young people of all backgrounds and respect identity, culture, needs and preferences of all.

Where a child or young person is unable to give instructions due to their age and stage of development, complex communication needs, long term illness or disability, non-instructed advocacy will be provided. The non-instructed advocacy worker aims to uphold the child's rights, ensure fair and equal treatment, and make certain that decisions are taken with due consideration for their preferences and perspectives.

A more detailed overview of the principles, standards, outcomes and indicators for the scheme is included as Appendix Two.

The National Practice Model highlights that a comprehensive training package should be developed by advocacy providers, considering topics such as understanding Children's Hearings, independent advocacy ethics and challenges, unaccompanied asylum seeking children, safeguarding, the role of independent people in secure accommodation, data protection and information security and equality, diversity and inclusion.

The National Practice Model also sets out a self-assessment tool for advocacy organisations, to be returned to Scottish Government on an annual basis.

⁵ Children's Advocacy Guidance, Scottish Government, June 2014

Training for advocacy workers

Training for advocacy workers is a core requirement of the National Practice Model. In 2020/21 a mandatory training scheme was designed for advocacy workers to undertake before commencing their role.

The training is provided by Clan Childlaw, funded by Scottish Government. The training provides a legally informed understanding of the Children's Hearings system including the rights and duties of the child. New advocacy workers receive this training on induction, and staff are also invited to annual update training sessions. The training is delivered through a combination of theory based reading, recorded presentations and facilitated interactive sessions.

Induction training involves approximately four hours e-learning plus a half day interactive session and update training is also available.

Advocacy workers can also access the Clan Childlaw Legal Advice service. This provides access to resources online, and direct contact available to advocacy workers to seek guidance from solicitors about particular matters. More widely, Clan Childlaw is working to establish a system for referral to a solicitor for a young person where this is needed.

Advocacy workers also access wider training through their own organisation, and through working in partnerships for others. For example advocacy workers have received training on:



In 2022, the Expert Reference Group and National Providers Network also developed a skills and knowledge framework for advocacy workers in the Children's Hearings system. In mid 2023 the Expert Reference Group agreed that the framework provided a solid basis to build from when the time is right. The Expert Reference Group is also committed to giving advocacy workers the opportunity to work towards a recognised qualification, if they wish to. A sub-group has been set up to explore what would be required to develop a qualification for children's advocacy workers, what it might look and feel like and who would need to be involved.

Awareness raising

A significant amount of work has taken place to raise awareness of the Children's Hearings Advocacy Scheme.

At national level, strategic conversations have taken place about raising awareness of the scheme, including with Children's Hearings Scotland, Scottish Children's Reporter Administration, the Scottish Association of Social Work and Social Work Scotland. There are regular partner meetings, networks and national meetings that build and strengthen connections. Webinars have been held to raise awareness of the scheme and the service was promoted during Independent Advocacy Awareness Week.

Scottish Children's Reporter Administration amended its letters to children and young people to inform them about the availability of advocacy services, and developed an email to social workers confirming practical arrangements and emphasising the availability of advocacy services. Social work templates have been changed to ensure that advocacy is considered.

A Hearings Advocacy website⁶ was set up for children and young people, to raise awareness of advocacy for children and young people at Children's Hearings. A translation service is available on the website, with information made available in the ten most commonly requested languages. Children and young people from Our Hearings, Our Voice – an independent board for children and young people across Scotland with experience of the Children's Hearings system, were involved in developing and updating the website.

Videos have been developed for and with children and young people, as well as child friendly leaflets and materials, and links to these through QR codes at Hearings centres. The service is also promoted through social media campaigns and through the Our Hearings, Our Voice magazine for children and young people.

Locally, advocacy providers have undertaken a significant amount of work to raise awareness of the service. This has included calls, visits and emails to local partners representation at strategic groups and partnerships, social media, service leaflets, engagement with schools and local discussions with Scottish Children's Reporter Administration, Children's Hearings Scotland and social work.

Providers have also spent time making sure premises are safe, friendly and welcoming and invested in communication tools to ensure children can make their voices heard.

⁶ www.hearings-advocacy.com



Make sure your views are heard!

- It is important the Panel Members hear what you think and what you have to say.
- Your advocacy worker, if you want, can speak for you if you are not comfortable speaking for yourself.



How do I get in touch with an advocacy worker?

- This independent advocacy support is free for you and you can make contact using the details below:



ADVOCACY FOR CHILDREN'S HEARINGS

How can advocacy help me? ...

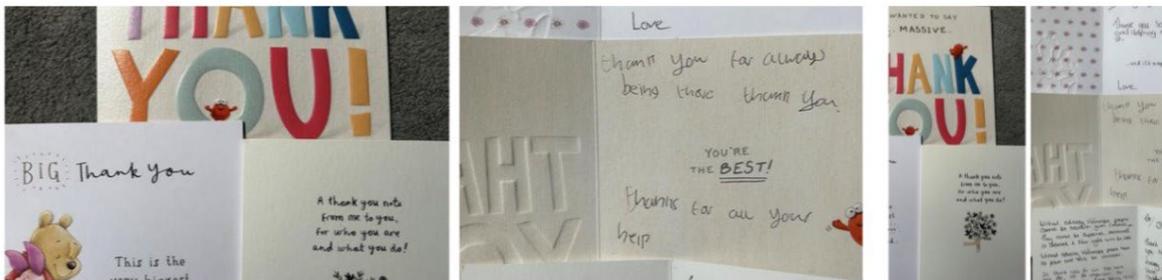
What if I change my mind? ...

Having your say ...



www.hearings-advocacy.com

Advocacy for Children's Hearings leaflet, Hearings Advocacy website

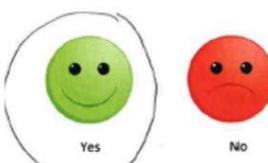


About your hearing

4. How did you feel before your hearing?



5. Did you get to talk about how you feel in



How you're feeling

How did you feel before your hearing?



Did you get to talk about how you feel in the hearing?



Did you feel listened to?



Approaches to exploring impact

Within the Children's Hearings Advocacy Scheme there has been a strong focus on gathering high quality evidence about the impact of advocacy in the Children's Hearings system. In 2021, it became clear that there was an opportunity to align outcomes measurement across providers, enabling consistent information to be gathered about the difference the scheme makes. The National Providers Network, supported by the Scottish Government, worked to develop an outcomes framework and toolkit, including outcome measurement tools that are suitable for the children and young people they work with.

The toolkit and associated tools are available on the Hearings Advocacy website⁷. This provides a range of excellent resources for self-evaluation – so that advocacy providers can explore the difference they are making for children and young people, and what people think of the service they receive. A range of creative methods are used including statements, sliders, prompts, videos and other methods.

Wider context

The development of children's advocacy within the Children's Hearings system sits alongside wider change to Children's Hearings. Since the reforms of the 2011 Act, the Scottish Government, Children's Hearings Scotland, the Scottish Children's Reporter Administration and others have sought to make continuous improvements to the Children's Hearings system.

The Children's Hearings Improvement Partnership developed Standards for Better Hearings, written from the perspective of what children and young people should expect from their experience of a Hearing. The role of advocacy is mentioned throughout the standards.

Hearing children's voices is also an important aspect of The Promise, which sets out a vision of transformational change and foundations of care for young people with care experience. It highlights that children must be heard and listened to in all decisions about their care.

In summer 2021, the Hearings System Working Group was established to keep The Promise in relation to redesigning the Children's Hearing System. In 2023, the working group published a report⁸ with a series of recommendations and reforms to ensure that children and young people are better supported. In late 2023 the Scottish Government published its response⁹ to this report, and committed to consult on the redesign of the system. In July 2024, as part of a series of steps to redesign the Children's Hearings system, Scottish Government launched public consultation¹⁰ on the parts of Children's Hearings Redesign which may require changes to the law.

⁷ [Hearings Advocacy website resources page](#)

⁸ [Hearings for Children: The Report of the Hearings System Working Group](#), May 2023

⁹ [Hearings for Children report: response - gov.scot \(www.gov.scot\)](#)

¹⁰ [Children's hearings redesign - Scottish Government consultations - Citizen Space](#)

3. Uptake of advocacy

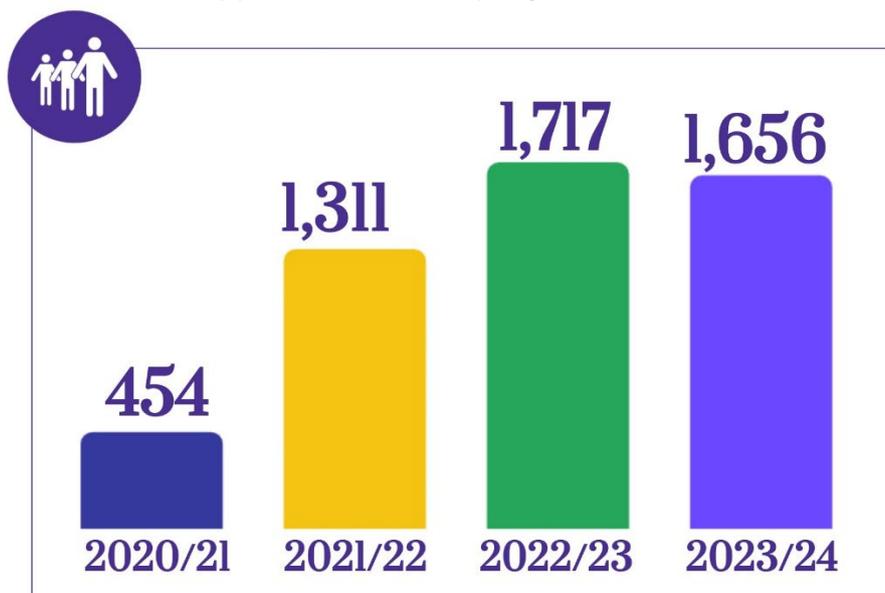
Introduction

This chapter explores the uptake of advocacy through the 10 providers delivering the Children’s Hearings Advocacy Scheme.

The Children’s Hearings advocacy provision works alongside existing advocacy. It should only enhance the offer available for children and young people, specifically to support them at their Children’s Hearings. More widely, many more children and young people will receive independent advocacy support in a wide range of ways to help to uphold their rights. This will include wider independent advocacy support offered by the 10 providers who are part of the Children’s Hearings Advocacy Scheme, who also support children and young people with advocacy outwith the Children’s Hearings system. Many other independent advocacy providers also provide wider advocacy support for children and young people across Scotland.

Number of children and young people supported

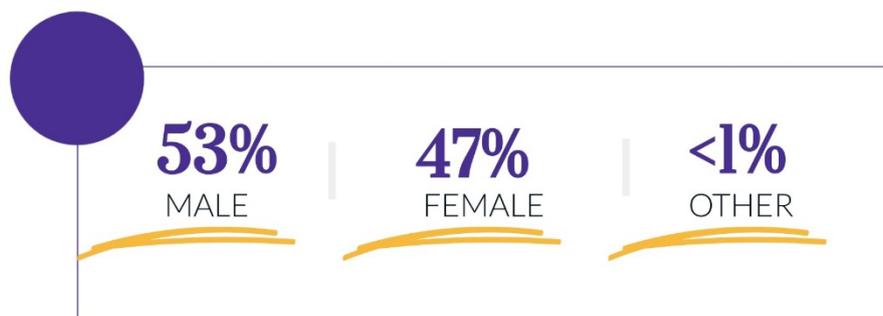
From April 2020 to March 2024, the Children’s Hearings Advocacy Scheme supported approximately 5,000 children and young people. Some of the same children will have been supported over multiple years, across a series of Hearings.



Providers produce quarterly and annual updates on their work, but the way providers report information about their work varies. This fits well with the needs of each provider and their way of working, but makes it challenging to collate the information across organisations. The information reported above has been cross checked with each provider, to ensure that the collated figures are as accurate as possible.

Profile of children and young people supported

Information on the profile of children and young people supported is reported in quarterly and annual reports. Through working with the ten providers, evidence suggests that from April 2020 to March 2024 just over half of the children and young people supported identified as male and half identified as female, with a small number identifying as another option.



The slightly higher proportion of young men and boys supported compared with young women and girls fits wider trends for Children’s Hearings. For comparison, in both 2022/23 and 2023/24, 43% of children and young people referred to the Scottish Children’s Reporter Administration were female and 57% were male¹¹.

The available evidence suggests that approximately 5 per cent of children and young people supported were minority ethnic. However, there are gaps in the information available, and the actual proportion may be higher or lower. For context, in Scotland overall approximately 8 per cent of the population is minority ethnic¹².

Although some providers gathered information on disability or additional support needs, this was not gathered consistently by all partners. A cross check of the available evidence with partners suggests that approximately 10 per cent of children and young people supported had additional support needs. Qualitative information gathered through discussions with advocacy providers also suggests that many of the young people that advocacy providers work with have additional support needs.

¹¹ SCRA Statistical Analysis- <https://www.scra.gov.uk/wp-content/uploads/2023/07/SCRA-full-statistical-analysis-2022-23.pdf> and <https://www.scra.gov.uk/wp-content/uploads/2024/06/SCRA-full-statistical-analysis-2023-24.pdf>

¹² 2011 Census - <https://www.scotlandscensus.gov.uk/census-results/at-a-glance/ethnicity/> Detailed information data will be available for 2022 Census starting May 2024.

Prevalence of advocacy support

The Scottish Children's Reporter Administration (SCRA) has begun producing more detailed updates on advocacy in Children's Hearings, since November 2023. This analysis is at an early and preliminary stage. It suggests that from November 2023 to July 2024, approximately a fifth of children had an advocacy worker at their Hearing¹³.

Prevalence of advocacy support was highest for children aged 6 to 14, peaking at age 9 to 11 at around a third.

Few children aged 1 to 3 had advocacy support, at around 4 per cent. By age 4 and 5, this increased to around 10 to 15 per cent.

Advocacy support levels also varied considerably by local authority area.

Further work will be undertaken in the future, after at least a year of data is available through the SCRA, to cross check the numbers gathered through SCRA and those gathered by providers through the Children's Hearings Advocacy Scheme.

¹³ Advocacy Update from SCRA to the Children's Hearings Advocacy ERC March 2024 and July 2024

4. Impact on children and families

Introduction

This chapter explores the impact of advocacy in the Children's Hearings system for children, young people, parents and carers. It draws on reports produced by the ten advocacy providers within the Children's Hearings Advocacy Scheme, the 21 interviews conducted as part of this evaluation with children and young people, and eight interviews held with parents and carers. As part of this evaluation, one advocacy provider also made available more detailed feedback it had received and collated from a large number of children and young people.

Listening to children and young people

Children and young people valued having their advocacy worker as someone to talk to, describing advocacy workers as supportive, kind, good at listening and happy to spend time with them.

“I feel happy, coz she's really kind and she helps me figure out stuff...”
Young person, 11 (evaluation interview)

“I feel like it's a comfortable environment, and I can open up and talk to her about things.” Young person, 13 (evaluation interview)

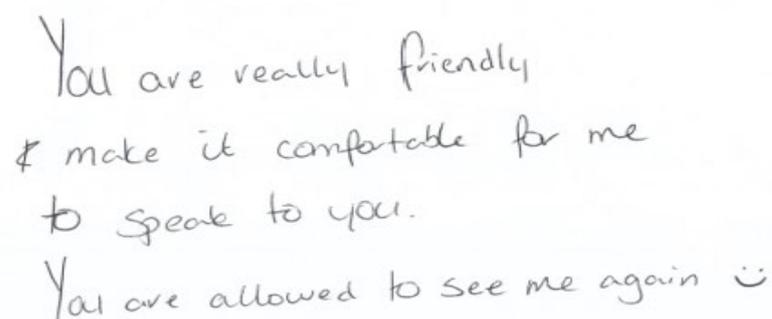
“He was very supportive, I felt very comfortable to express my feelings to him.” Young person, 12 (partner report)

This led to high levels of trust. Children and young people said they were able to build up trusting and non-judgmental relationships very quickly.

“You're the first adult I've ever trusted.”
Young person, 14 (partner report)

“I feel safe and happy, I really like her she's a lovely person.” Young person, 13 (evaluation interview)

“I like my advocate, I feel comfortable talking to him. I can contact him when needed.” Young person (written evidence)



You are really friendly
& make it comfortable for me
to speak to you.
You are allowed to see me again 😊

An important part of this trust was the constant relationship, with young people being supported by the same advocacy worker over time.

“He’s been the only one there to help me through everything. He’s always been there when I need him, he’s never ditched on me, he’s been the only one there for me.” **Young person, 13 (evaluation interview)**

Children and young people liked that their advocacy workers were flexible, and could meet them wherever they felt most comfortable – at home, at school, or at an advocacy centre.

Children and young people said that they strongly felt that the advocacy worker was on their side, and had their best interests at heart.

“I strongly felt advocacy worker was on my side and no one else’s... because I could talk about anything.” **Young person, 12 (partner report)**

“He’s been amazing...he’s really been the only one there for me...I’d be nowhere without him.” **Young person, 13 (evaluation interview)**

Many said that they felt in charge of the relationship, and in control of how the advocacy worker supported them and represented them. Some said that this was a very different relationship than they had with other adults in their lives.

“I’m basically the boss because I tell you what to say and then you tell others.” **Young person, 8 (partner report)**

“She was very good at listening, she didn’t try to make what you said in to what she wanted, she just listened to me.” **Young person (partner report)**

“I got the help I needed when nobody else was listening to me.” **Young person (written evidence)**

Some children and young people said that through talking to their advocacy worker, they were able to work through their emotions and learn better how to manage different emotions. A few said that without an advocacy worker they would feel more confused and angry.

“She helps me and like helps me control stuff and anger and listens to me when I need to be heard.” **Young person (evaluation interview)**

“If I feel sad, I can tell her things and if I have an argument, she can help me get over it.” **Young person (evaluation interview)**

Carers taking part in this evaluation said that advocacy workers were excellent at listening to children and young people. Carers felt that advocacy workers were able to build a trusting relationship with the young person very quickly, taking time to get to know the young person, play with them and do things they like together.

“Just an amazing service being able to get that insight from a child, in that little amount of time.” **Kinship carer (evaluation interview)**

Carers stressed that the consistency of the relationship between the young person and advocacy worker was particularly valuable, helping to build trust and enable young people to share their views and experiences. Carers also felt that reminders that the advocacy worker works for the child or young person – not anyone else - were particularly valuable.

“The children are actually listened to.”
Foster carer (evaluation interview)

Parental views in reports and feedback to providers also showed that parents felt their children’s views were heard.

“My daughter feels heard because of you.”
Parent (partner report)

“I wouldn’t have been able to speak up for my children the way you have. You put them at ease and they were able to say what they thought.” **Parent (partner report)**

Example: Forming views

Celia* is five. Her advocacy worker used a talking mat with images to explore her views. This was done in a playful way, talking about views and experiences. Celia could take cards illustrating family members and place these in the sections that she felt were right for them. These were presented to the Panel at the next Hearing, to highlight Celia’s views. Over time, the decisions made by the Panel became more in line with Celia’s views.

*Name changed to protect identity

Preparing for Hearings

Children and young people involved in this evaluation said that their advocacy worker helped them to understand:

- when Hearings are taking place
- why there is a Hearing
- who will be attending
- what the process will be like
- the language used at the Hearing
- the decisions made at the Hearing.

Young people talked about how their advocacy worker spent time with them helping them to understand the real reasons for the Hearing, what to expect, what order things will happen in, and when they will be asked to give their views.

“That they help you speak at meetings, that they tell you what the meeting is going to be about and stuff like that.” **Young person, 10 (evaluation interview)**

“Wouldn't be able to understand it without my advocacy worker.” **Young person (evaluation interview)**

Carers involved in this evaluation also strongly felt that advocacy workers helped children and young people to prepare for their Hearings. Carers valued that the advocacy workers:

- visited young people at home or at school to prepare for Hearings
- reminded young people about upcoming Hearings and their right to attend
- talked to the young person about what they wanted to say
- used creative methods like games to prepare for Hearings
- showed the young person around the Hearings venue if they were attending, so they could understand what would happen and where they would sit
- provided support in the days, hours and minutes before the Hearing
- collected young people for Hearings in taxis, if they were attending.

From partner reports, there was also some evidence that advocacy helped children and young people understand what would happen at their Hearings and prepare for them.

“I had questions before the Hearing and my advocate helped me get them answered.” **Young person (partner report)**

“She helped me understand stuff that I really didn't understand.” **Young person (partner report)**

“It helped having (the advocacy worker) come see me to get my views.” **Young person, 9 (partner report)**

In discussion, advocacy workers explained that they provided a range of practical support including making children aware that they can attend their Hearing, supporting them to see the Hearing room in advance, explaining jargon, suggesting when legal advice might be appropriate, and letting young people know that they can speak to the Panel on their own if they wish.

Example: Understanding Hearings

Hayden* was referred to advocacy support by a head teacher of a school for pupils with social, emotional and behavioural needs. The advocacy worker:

- met with the young person three times before the Hearing
- explored his needs and preferences
- supported him to gain legal representation for the Hearing
- helped him to access a mobile phone so that the young person could be contacted by his advocacy worker, solicitor and social worker within the short timeframe leading up to the Hearing.

The advocacy worker discussed the Hearings process with Hayden and created a views statement. Although Hayden wanted to attend, he wanted the advocacy worker to read the statement on his behalf. At the Hearing, Hayden was able to put his views forward, and an interim decision was made.

After the Hearing, the advocacy worker spoke with Hayden on the phone to make sure he understood the decisions made and the language used at his Hearing.

To prepare for his next Hearing, the advocacy worker discussed the options available to Hayden as he prepares to turn 16, which led to him making an informed decision on what he would like to happen in the near future.

Example: Understanding Hearings

Ben* is 11. He had never attended any of his Hearings before having an advocacy worker, and had not had his views heard. Ben met with his advocacy worker and built a strong relationship. They talked about the Hearings process, and Ben gained a good understanding of what a Hearing looked like, who would be there and their responsibilities. Over time, Ben felt comfortable enough to attend his Hearing alongside his advocacy worker and express his views.

Example: Understanding Hearings

Jess* is six. She had never attended her Hearings before. The advocacy worker used creative methods such as drawing and cardboard models to help Jess to understand what a Hearing is, what a virtual Hearing might look like, who might be there and what sort of things might be talked about. After working on this over several meetings, Jess was very clear that she wanted to attend. She was excited to attend and speak to the Panel.

*Names changed to protect identity

Experiences of the Hearing

Children and young people involved in this evaluation said that having an advocacy worker to support them through the Hearing helped them to feel more prepared, less worried and anxious, safer and more in control.

“Having an advocate helps me to not get nervous at my Hearing. If I have questions I can ask my advocate.” **Young person (evaluation interview)**

More widely there was clear evidence from partner reports that having an advocacy worker present at the Hearing made a big difference to children and young people. Having someone there for the young person helped them to feel supported, and more confident and comfortable with the experience.

“I’m so glad there’s going to be someone at this Hearing that has my back.” **Young person (partner report)**

“It was really stressful but having her there made a huge difference I felt I had someone there just for me.” **Young person, 11 (partner report)**

“It is important that someone is there just for the child.” **Young person (Our Hearings, Our Voice report)**

Some young people talked about Hearings going well or being a much more positive experience because of having an advocacy worker present.

“That was the best Hearing I’ve ever been to because it’s first time I’ve had advocacy there.” **Young person (partner report)**

Example: Hearing experiences

Lily* was very clear about her views, and the parameters she wished to set around the contact with her mum. In particular Lily was clear that she wanted no contact with her mum’s partner. When the virtual Hearing began, it became clear that her mum’s partner was present. As Lily became upset, the advocacy worker asked whether the partner was a relevant person. The Hearing was deferred until a future Hearing could be scheduled with only the relevant people present. This ensured that Lily felt more secure and safe at the next Hearing.

*Name changed to protect identity

Carers involved in this evaluation also felt that young people were supported through advocacy workers explaining in an age appropriate way what is happening during the Hearing, reminding the Panel about what is important for the young person, and asking for time outs to explain things to the young person if they suspect they don't understand.

Kinship carers involved in this evaluation particularly highlighted the value of advocacy support in terms of their own experiences of Hearings. Many kinship carers said that without support they would feel overwhelmed, stressed and anxious. Some said that having an independent advocate to represent the wishes of the young person helped to make Hearings less hostile, and ensure that the young person receives totally independent support.

Because of advocacy support, kinship carers felt that there were fewer accusations by family members of them influencing the child's views, particularly as advocacy sessions don't involve carers, are often held outwith the home in a neutral environment such as school, and carers don't hear what the child discusses with the advocacy worker until the Hearings. Kinship carers also felt that it took away the stress and pressure of understanding the Children's Hearings system and supporting the child through this.

Example: Reducing stress for kinship carers

Anya* is a kinship carer who looks after her 11 year old granddaughter. She said that the advocacy support had greatly relieved stress and pressure. Before having an advocacy worker, in the lead up to Hearings Anya would feel unwell with worry and anxiety about what would happen. Since having the advocacy worker she no longer worries, and is confident that her granddaughter is supported in the best way possible. Without the advocacy worker, Anya would have continued to worry about Hearings, and worry if she was fully representing all of her granddaughter's views.

*Name changed to protect identity



Obviously we fight for her, mum and dad fight for her, but having somebody fight just solely on how she feels is amazing."

KINSHIP CARER

Evaluation interview



For me it takes away that responsibility of having him at the Hearing, and me perhaps putting my point in his mouth, you know it just takes that away and it gives him his voice...it's somebody totally independent who isn't going to benefit in any way from what [the young person] decides he wants to do."

FOSTER CARER

Evaluation interview



They're just an amazing service. I honestly don't know what I would do without them."

KINSHIP CARER

Evaluation interview



Just to have somebody around that knows what they're doing. I'd be totally confused otherwise."

FOSTER CARER

Evaluation interview

Expressing views at Hearings

Some children and young people said that having an advocacy worker helped them to express their own views at their Hearing. Some said that they felt more confident in speaking up, and trusted that others would listen.

“Made me trust people more and feel confident with my thoughts feelings and choices.” *Young person (partner report)*

“I felt braver knowing you were with me.”
Young person (partner report)

Some said that talking to their advocacy worker helped them to think through what to say to the Panel.

“It does help because she wouldn't tell me what to say but she would help me understand what to say.” *Young person (partner report)*

“She keeps me focused on what I'm supposed to be talking about.”
Young person (evaluation interview)

Some said that they worked jointly with their advocacy worker, to express views together.

“She spoke and I spoke too. Kind of like a team.”
Young person, 10 (evaluation interview)

“She helps me in meetings. She spoke out some of the stuff. If she wasn't there I'd be a bit more anxious.” *Young person (evaluation interview)*

A few said that having an advocacy worker helped them to attend the Hearing, and that they would not have attended otherwise.

“She really made me feel better and not scared and I would not have gone [to the Hearings] if it wasn't for her.”
Young person (partner report)

Example: Attending Hearings

Aileigh* is 10 and lives with her kinship carers. She initially chose not to attend her Hearings. However, since being supported by her advocacy worker Aileigh has wanted to attend Hearings. She is much more confident about attending and interacting with the Panel.

Example: Expressing views

Blake* is 12 and received advocacy support to prepare for their Hearing. The advocacy worker met Blake at home and in school and established a trusting partnership. The grounds for the Hearing were explained, and the possible consequences. The advocacy worker and Blake worked to compile a comprehensive statement for the Hearing. Blake felt more confident and listened to for the first time, and was pleased with the outcome of the Hearing.

Example: Expressing views

Finn* is 11 and lives with his foster carer. Before he had an advocacy worker he didn't speak up much in Hearings and just said he was fine, and agreed with everything that was said. Since having an advocacy worker, his confidence has grown and he is able to express his views. Because of this, he has asked to speak to the Panel without his father being in the room.

"At the last meeting, he was so good, he actually spoke out, he answered questions, and he had the confidence to say I'm not going to speak while my dad can hear me."

Foster carer

Representing views at Hearings

Children and young people involved in this evaluation said that sometimes they didn't want to attend their Hearing or speak at the Hearing. Some said that they said some of their views themselves, but forgot parts of it or didn't want to say some of the things themselves. In these cases, children and young people fully trusted that their advocacy worker would say the things they couldn't or didn't want to say.

“She helps me to get ready but I still feel worried about going. She talks for me so I can sing in my head.” **Young person (evaluation interview)**

“I will usually begin my conversation with the Panel members, then if I feel stuck at any place, I just give [advocacy worker] a nod and he'll continue.” **Young person, 13 (evaluation interview)**

In partner reports, there were many examples of how advocacy workers helped children and young people have their voice heard through speaking up on their behalf at the Hearing.

Some said it helped because they were too nervous or scared to speak up.

“She said my words because I was too scared... They got my words about my mum and they never got my words before.” **Young person, 8 (partner report)**

Some said that their advocacy worker reminded people to listen to their voice, or put their voice across more clearly or firmly than they might have.

“My advocacy worker will stop the meeting to remind people what I want to happen.” **Young person (written evidence)**

“I didn’t really get my voice heard...but ever since [advocacy worker] has come along, I’ve had way more of a voice.” **Young person, 13 (evaluation interview)**

Children and young people were confident that advocacy workers represented their views well, and only expressed the views they wanted to be shared.

“She listened and told the Panel everything I wanted. She only told the things I wanted to be told. I had the choice to speak if I wanted and I knew what everything meant. She said the hard bits that I couldn’t.” **Young person, 11 (partner report)**

The carers taking part in this evaluation strongly felt that advocacy helped to ensure that children’s voices were heard, and that without this support they may not be heard in Hearings. Some carers felt that without an advocacy worker, the children would not be able to give their views at all.

“If we didn’t have advocacy her voice wouldn’t have been heard.” **Kinship carer (evaluation interview)**

“It’s really good for [the child] to understand that she can tell [the advocacy worker] anything, you know it’s not me and it’s not social work.” **Foster carer (evaluation interview)**

Parents also felt that advocacy gave children a voice, and ensured children were listened to.

“It made a really big difference for us all to hear the side he told you.” **Parent (partner report)**

“My daughter’s voice was finally heard.” **Parent (partner report)**

Example: Gathering views

Laurie* is 9 years old and lives with her foster carers. Initially, she did not have an advocacy worker to support her through the Hearings process. Her carer felt that her voice was not being heard, and that decisions were being driven strongly by social work views. Since having an advocacy worker, the carer feels that the Panel gets to hear Laurie's thoughts and feelings, and that this makes a difference to the outcome of the Hearings.

Example: Gathering views

Lisa* is five. She first met her advocacy worker in school, as this was a positive and trusted environment for her. The advocacy worker built up a relationship with Lisa through games, play and tablet apps. Lisa's views were gained over three visits, and then confirmed and agreed with her. Lisa did not want to attend her Hearing, but her views were represented by the advocacy worker.

Example: Gathering views

An advocacy service supported four siblings involved in the Hearings system. One child was selectively mute. The advocacy worker supported the child to provide views, and established that they were happy to provide views by giving a thumbs up or thumbs down response. The advocacy worker attended the Hearing on behalf of the siblings, and was able to share their views. The decision made was in line with the views of the children.

Example: Gathering views

Caleb* is 12 and was supported to have his voice heard at a Children's Hearing. Caleb needs support to communicate, and over time the advocacy worker used a range of different communication methods to find what best suited him. This included Talking Mats, Easy Read, drawing and using peg dolls. What Caleb liked best was using TheraPutty, as he found it calmed and distracted him, making it easier to speak freely. Over the course of a few months Caleb opened up about his views and shared his thoughts more freely. Caleb asked the advocacy worker to attend the Hearing on his behalf.

Example: Having views heard at court

Jock* is 12 and was supported over eight months to attend six court Hearings. Jock did not wish to speak at court but did want to have their views heard. Jock attended with their advocacy worker, who was able to share their views throughout the process. The final decision made was in line with the young person's views.

*Names changed to protect identity

Understanding decisions

Young people involved in this evaluation said that their advocacy worker helped them to understand the decisions made at Hearings. Some said they could accept the decision made at Hearings better when they are fully explained to them by the advocacy worker.

“I am listened (to) but I understand that’s not the same as getting what I want.” *Young person (written evidence)*

There was also some evidence from partner reports that advocacy helped children and young people to understand the decisions that were made at the Hearing, and appreciate that their views had been taken into account.

“I felt the Panel listened and made a choice that was close to what I wanted.” *Young person (partner report)*

“I can’t believe they listened; I didn’t think they would.”
Young person, 7 (partner report)

Carers involved in this evaluation felt that advocacy workers helped to explain decisions made at Hearings using appropriate language that the young person can understand.

Accessing wider support

Children and young people involved in this evaluation said that their advocacy worker provided them with links to wider support, including:

- help dealing with emotions or issues in their lives
- advocating for support at school and learning
- signposting to counselling, doctors and CAMHS mental health support
- ensuring young people have the support workers they are entitled to
- helping young people access social activities like sports clubs.

“If I am not sure about anything I will ask my advocacy worker and she will find out for me.” *Young person (evaluation interview)*

Carers involved in this evaluation highlighted that advocacy workers helped them to access legal support, additional support at school, or social and community activities.

Example: Wider support

Harper* is 15. Her advocacy worker and social worker jointly considered wider support that might be helpful for her. Together they suggested a support worker, and a referral to CAMHS (Child and Adolescent Mental Health Services). Harper and her advocacy worker have also discussed legal advice, and this is something she may take up in the future.

*Name changed to protect identity

In some cases, partner reports demonstrate that advocacy supported young people to access wider support – particularly legal support.

“ I wouldn't have been able to get a solicitor myself.” Young person (Our Hearings, Our Voice report)

Example: Accessing legal support

Oscar* is 14 and did not agree with the Statement of Facts attached to the Grounds of Referral to the Children's Reporter. Oscar was referred for advocacy support after their initial Hearing had taken place and a referral had been made to the Sherriff. The advocacy worker provided information to Oscar about his right to instruct a solicitor to represent him in court, and supported him to instruct and meet with a solicitor. The solicitor was able to negotiate amended Statements of Facts with the Children's Reporter which Oscar felt happy to accept and the solicitor presented to the Sherriff.

Example: Accessing legal support

An advocacy worker requested a copy of the Grounds for the Hearing so that they could talk through them in detail with the young person and explore what they wanted to say to the Panel. The advocacy worker spotted a serious allegation within the Grounds, and asked if the young person had been offered any legal advice – which they had not. With the young person's consent, the advocacy worker sought advice through the Clan Childlaw Legal Support Service. The service advised that the young person should have legal representation and offered to take on the case. The young person took up this offer and therefore attended the Hearing fully aware of their rights and choices, with proper legal advice and with legal representation.

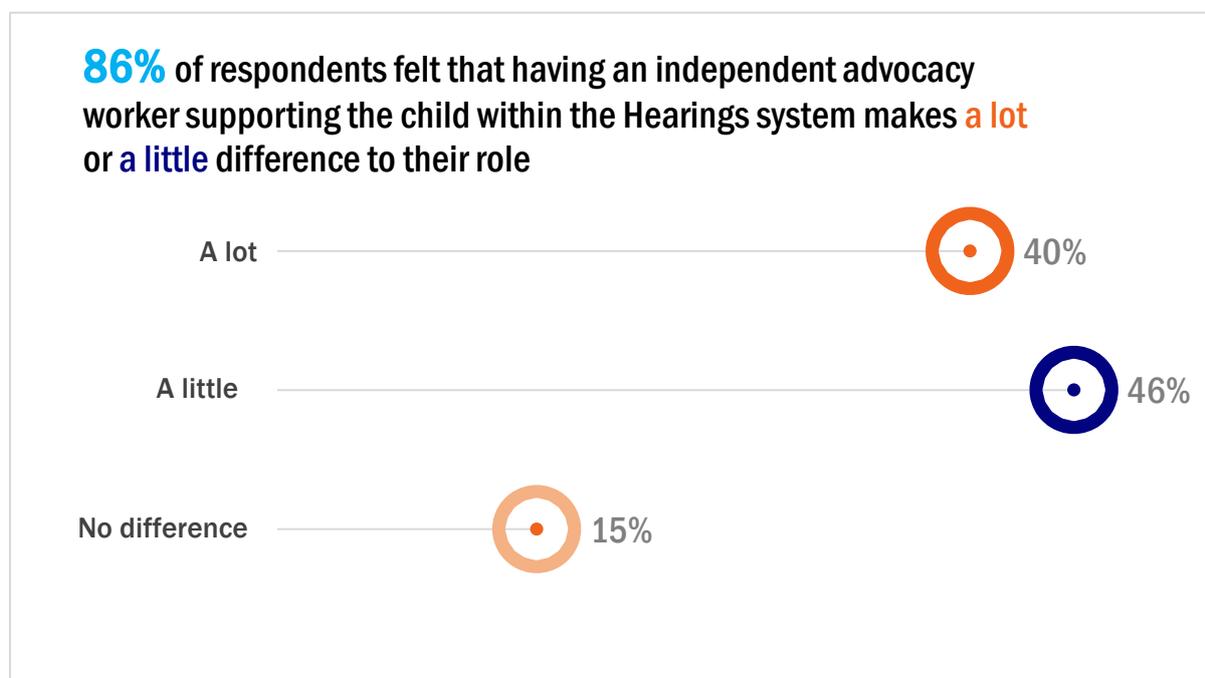
5. Impact on stakeholders

Introduction

This chapter explores the impact of advocacy in Children’s Hearings for professionals within the system – including Reporters, Panel members, social workers, safeguarders, legal representatives, school staff and others. It is based on a survey of stakeholders with 181 responses, and 44 in-depth interviews or small group discussions with stakeholders across the country.

Impact on stakeholder roles

Overall, most stakeholders felt that having independent advocacy made a difference to their role.



Panel members were most likely of all survey respondents to feel that having an independent advocacy worker made a lot of difference to their role. Interviews with Panel members found that many felt more confident about their role when advocacy support is present, feeling it makes their role clearer and easier. Panel members said that advocacy support:

- ensures young people are more prepared, have worked out what they want to say and are clear about what they want to tell the Panel
- helps Panel members communicate with children and understand their views
- enables more detailed and clearer understanding of views – providing an understanding that the Panel may not have been able to get directly
- amplifies the voice of children and young people in a system in which other voices can dominate
- provides reassurance and confidence that the child’s views will be aired.

“There’s more of a confidence about the views of the child because the advocate specifically deals with the child and asks them what they want said or discussed. So for me there’s a greater understanding of the child’s emotional responses to what’s happening in their life.” Panel member

“There’s more chance of getting a view of a child with an advocate than not.” Panel member

“It’s always a good thing. It’s never a bad thing that they’re there, because it helps children have a voice in a room full of adults talking about them.” Panel member

Panel members particularly valued the independence of advocacy workers, and their role of passing on a child’s views, and not judging them.

“It’s an easy way of ensuring that everyone in the room has heard the child’s views and doesn’t think they’ve been interpreted by someone else, possibly with a certain slant. So the words accurately reflect what the child is feeling at the time.” Panel member

Many Reporters also felt that advocacy support made a positive difference to their role. Reporters and Assistant Reporters also felt that having an advocacy worker present could give more confidence to Panel members, and ensures that young people are heard and supported through the process.

“One of the functions of a Reporter is to enable participation. Advocacy workers clearly assist children to participate in hearings when previously they may not have done so.” Reporter

“If there is an advocate involved, I am confident that the views of the child will be represented so in terms of my role, I know that the element of the child’s views is satisfied.” Reporter

Social workers felt that advocacy workers could help them with their role due to being recognised as impartial and objective. Some social workers said that speaking to the advocacy worker could help them prepare for the Hearing and better understand children’s views, while others said that advocacy could help parents to hear and truly listen to their children’s views, through an independent third party.

“I’ll speak with an advocacy worker in the run up to a hearing so I can gather what the child’s views are and to make sure that I’ve accurately captured the child’s views as well for my report, albeit a child can change their views at any point.” Social worker

Safeguarders found that independent advocacy impacted on their role through providing reassurance that they have understood children’s views, and providing deeper insight into children’s feelings and emotions. Some indicated that they would try to speak to the advocacy worker to see what views can be shared, to inform their safeguarding report, to avoid duplication. In some cases this can reduce the need for

a safeguarder to talk to the child, if information can be gathered through the advocacy worker (with the child's permission). Some safeguarders said that they sometimes had to work hard to explain to children the difference between the safeguarder role (to represent what is best for the child) and advocacy role (to support the child to express their views).

Legal representatives largely indicated that they found advocacy support had a positive impact on their role. Advocacy workers were often pivotal in noticing potential legal issues and encouraging and supporting young people to take the step of taking legal advice. Legal representatives felt that advocacy workers were trusted adults who could help facilitate the introduction of a solicitor and build confidence in young people engaging with the solicitor – particularly for young people who have additional support needs. A few said that without advocacy support, they would expect to have to spend more time relationship building and supporting a young person to reach the point of confidence in ability to instruct them.

On a practical level, legal representatives felt that advocacy workers support them to meet with young people – keeping in touch with the young person, arranging meetings in a location they feel safe, being present to support the young person, and making conversations with solicitors easier and more beneficial and helping the solicitor to do their job well.

“Having the advocacy worker to obtain the views of the child can help me focus more on the legal issues with the child.” **Legal representative**

A small number of survey respondents felt that independent advocacy made no difference to their role. These respondents fell across a range of professions, and gave a range of reasons:

- a few felt where numerous other professionals were involved they could perform much the same role
- the impact depends on the age of the child – a few felt it works best for children who are older – and how willing the child and family is to engage
- the skill and ability of advocacy workers could vary – with some feeling the views could lack detail
- the time advocacy workers had to complete their work could be rushed.

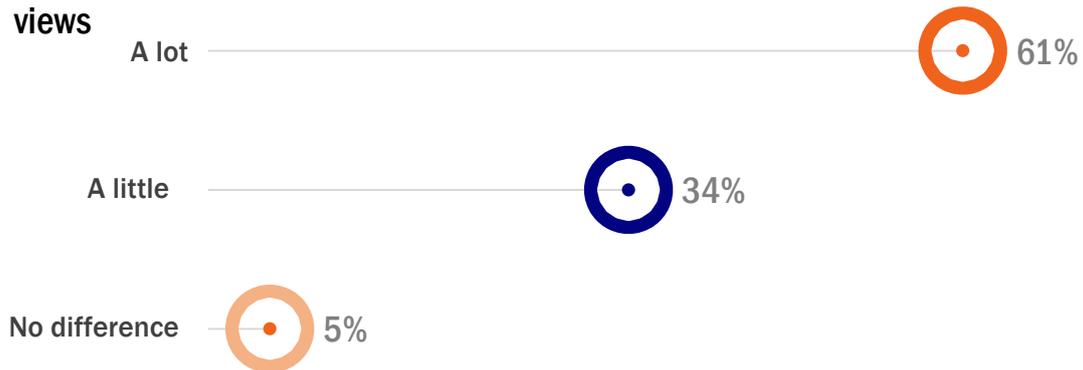
A very small number of interviewees said that advocacy could impact negatively on their role through:

- introducing an element of uncertainty to Hearings if the child's views are not shared in advance
- introducing suspicion of professional opinion if different to children's views as expressed through advocacy
- not sharing crucial information that has an impact on the child's safety.

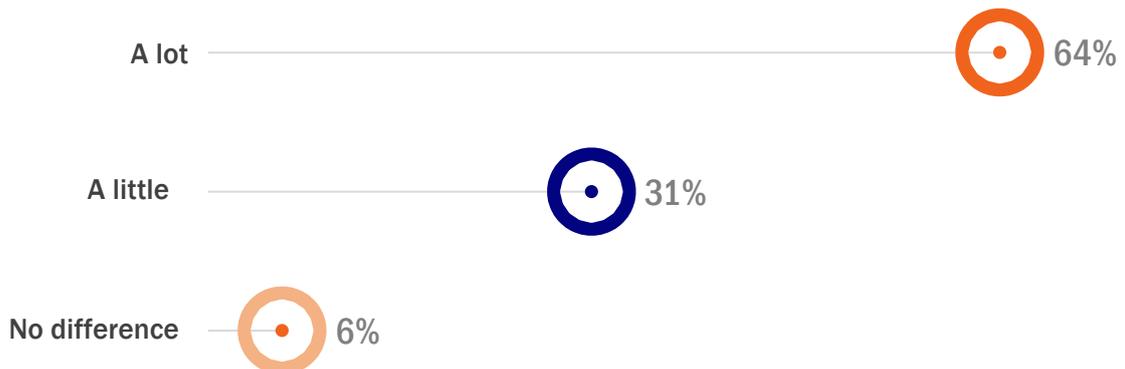
Impact on hearing children's views

Almost all stakeholders said that independent advocacy made a positive difference to how prepared children seem to give their views, and the depth of views received from children.

95% of respondents felt that having an independent advocacy worker supporting the child within the Hearings system makes **a lot** or **a little** difference to how prepared children seem to give their views



95% of respondents felt that having an independent advocacy worker supporting the child within the Hearings system makes **a lot** or **a little** difference to the depth of views from children



Panel members completing the survey and taking part in interviews felt that independent advocacy makes a positive difference to hearing from children and young people. Panel members said:

- independent advocacy can facilitate better communication between the Panel and child, where a child is present at the Hearing
- advocacy can ensure that if a child doesn't attend the Hearing, they can still have their voice heard
- advocacy workers can express children's views sensitively where there is conflict or tension – and reduce the need for the child to be responsible for airing this
- children may be more likely to attend a Hearing and want to give their views because there is someone with them on their side
- children with advocacy support seem better prepared for Hearings.

Some Panel members said that they noticed a particular positive impact for neurodiverse children and children who are nervous, anxious or shy.

“They're helpful to the Hearing and they're helpful to us as Panel members because they give you views as the child has stated them. It's basically the child's voice. They're not putting their slant on it.” **Panel member**

“An advocate can often get a child to give more detail to their views.” **Panel member**

“We are getting much more comprehensive views which seem more reliable in more Hearings since this part of the Act came into force.” **Panel member**

“The majority of the time when a child has an advocacy worker they attend the hearing and either speak themselves more confidently, because they have already voiced their views to someone else and are not saying it for the first time in a Hearing, or have someone to speak for them.” **Panel member**

Other stakeholders felt that overall advocacy was a positive addition to the system because:

- it enables decision makers to hear the voice of the child directly (either in person or through an advocacy worker)
- decision makers and others (such as parents) feel reassured that the views expressed are independent of other influences
- views are more in depth than others may be able to gather, as relationship can be built over time with children
- children may be more likely to give their views to an advocacy worker who they know is independent and not making any recommendations or decisions
- children are supported to understand their rights and uphold these

- children’s views are heard even if they are not present at the Hearing – as listening to children’s views doesn’t have to rely on in person attendance
- children appear more confident in giving their views to the Panel
- children can be reminded, prompted or ask their advocacy worker to speak for them if they get intimidated or forget what they want to say
- children may be more likely to attend their Hearing as they feel more empowered to feel their views will be heard, and have support to attend.

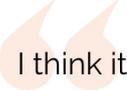
Stakeholders felt that overall independent advocacy supported the children’s views being central to the Hearing, pushes the voices of children closer to the centre of Hearings proceedings and ensured that decisions could be made with an informed understanding of the perspective of the most important person in the room.

“A child isn’t a silent thing within a family. A child is a powerful actor within a family, and an important individual in their own right, so it’s important to bring that to a Children’s Hearing, where everybody has a view.”
Strategic stakeholder

A small proportion of stakeholders felt that advocacy didn’t make a difference to the depth of views or how prepared children were. These stakeholders expressed an interest in hearing from the child directly, rather than through an advocacy worker.

A few said that they hadn’t experienced many Hearings with advocacy workers, and a few felt that advocacy was often introduced at the last minute and so workers had little time to engage and impact on depth of views.

“It very much depends whether the advocacy worker has had time to get to know the child, and whether the child feels comfortable sharing their views with them.” Panel member



I think it's important that there is that second entity, who is not part of the decision-making, or part of the child's overall life, who can accurately reflect those opinions independently and without any external influence."

SOCIAL WORKER

Evaluation interview



It's of great value because a child gets to be heard. A young person gets to be heard. Sometimes you've got so many people in a Hearing that they can get overlooked but if you've got an advocacy worker there you know they'll have their say."

ASSISTANT REPORTER

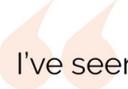
Evaluation interview



Children are more informed and more willing to share their views if they have an advocacy worker."

REPORTER

Evaluation interview



I've seen many examples where the young person doesn't want to come to the Hearing, or wants to come but can't articulate their feelings for a variety of reasons, and the support worker has been able to voice what they think so they are heard."

SAFEGUARDER

Evaluation interview



Independent advocacy ensures that the young person's genuine views are put before the Panel, and in much greater depth than they would have been otherwise."

LEGAL REPRESENTATIVE

Evaluation interview



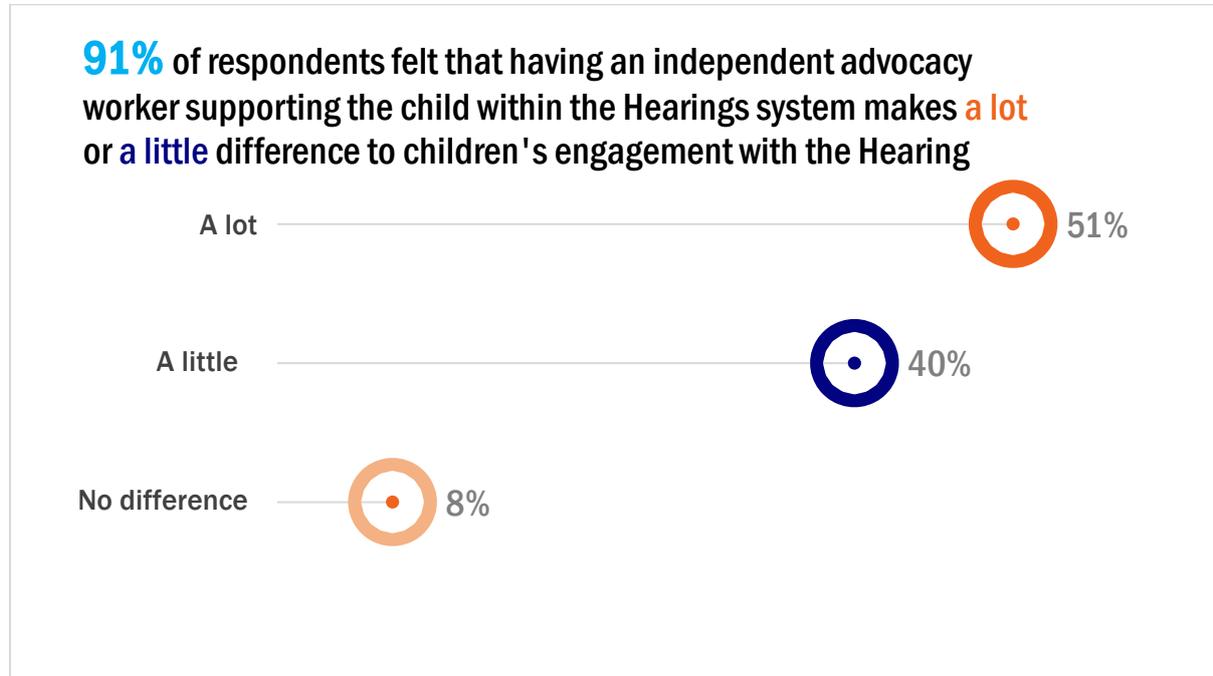
I feel that advocacy workers are able to provide more detailed information and views than most children would provide when asked directly by a Panel if they did attend a Hearing."

REPORTER

Evaluation interview

Impact on engagement with the Hearing

Most stakeholders felt that independent advocacy improved children's engagement with their Hearing.



Stakeholders who felt that it made a difference said it impacted on:

- putting children at ease – helping children feel more comfortable and safe, with someone there to explain things and support them
- relationships between the Panel and the child – reducing pressure, making this less intimidating and less formal
- relationships between the parents and the child – helping prevent parents challenging or influencing the child's views
- managing sensitivities – advocacy workers can communicate sensitives in advance (such as asking parents to leave) which means the child doesn't need to ask for this themselves and reduces stress
- building understanding of rights – helping children to understand what is happening, negotiate a complex system, understand their rights (including their right to be heard) and put these into practice
- the atmosphere at a Hearing – providing a calming presence, airing children's views without strong 'in the moment' emotions and anger
- understanding decisions – helping children to understand that the process, even if it hasn't led to the outcome they wanted.

Advocacy workers agreed that there were benefits to parents and carers, but stressed that their primary focus is on the child or young person so any wider benefits are indirect.



We are seeing far more children attend Hearings with their advocate to support them. Those children would otherwise not attend."

PANEL MEMBER

Evaluation interview



Children often feel more comfortable attending a Hearing knowing that they will have someone there to help them and represent their views."

REPORTER

Evaluation interview



In my view the advocate takes away a lot of those difficult decisions a child would have to make on the day of the Hearing."

PANEL MEMBER

Evaluation interview



They have a better understanding of what the Hearing is about and how they can put their views across, and also explaining to them that although it's their views, it doesn't meant the Panel is going to agree with them."

REPORTER

Evaluation interview



The children who engage with advocacy appear to me more engaged in the process and understand why there are Hearings much better than their peers who elect not to have advocacy assisting them."

LEGAL REPRESENTATIVE

Evaluation interview

A few said that more children with advocates came to their Hearing, who may not otherwise have attended. However, a few others said that Hearings could be stressful and traumatic, and having an advocacy worker meant that by not attending children could reduce this trauma while still having their views represented.

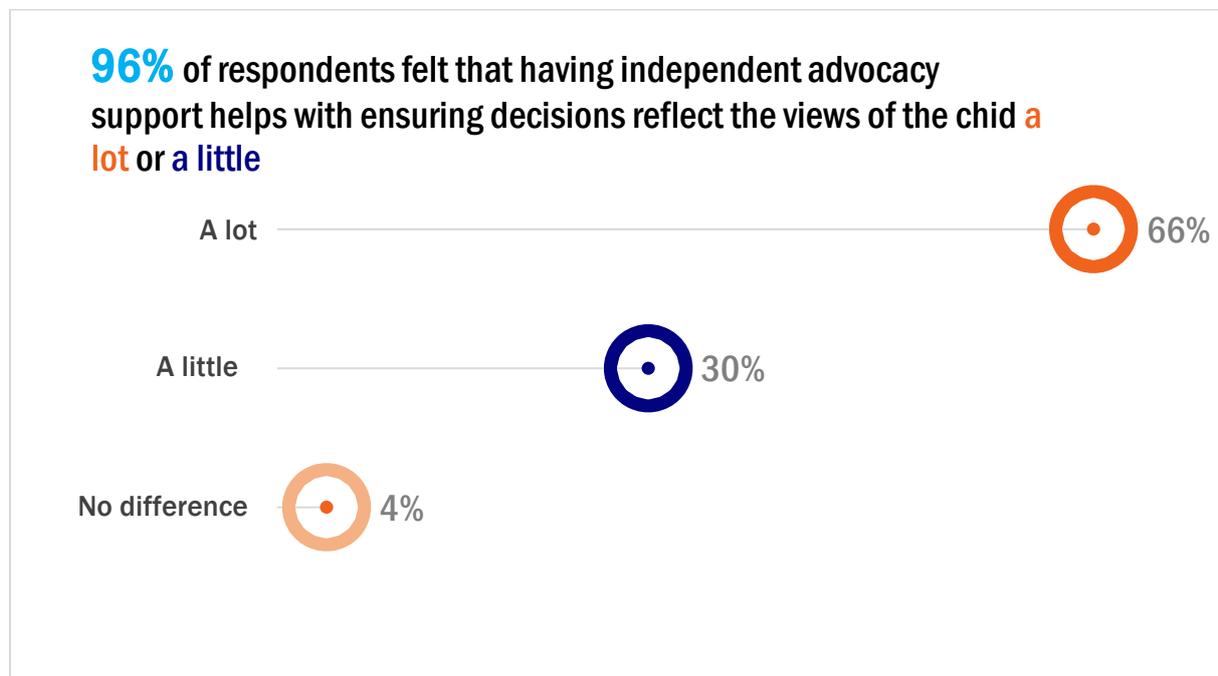
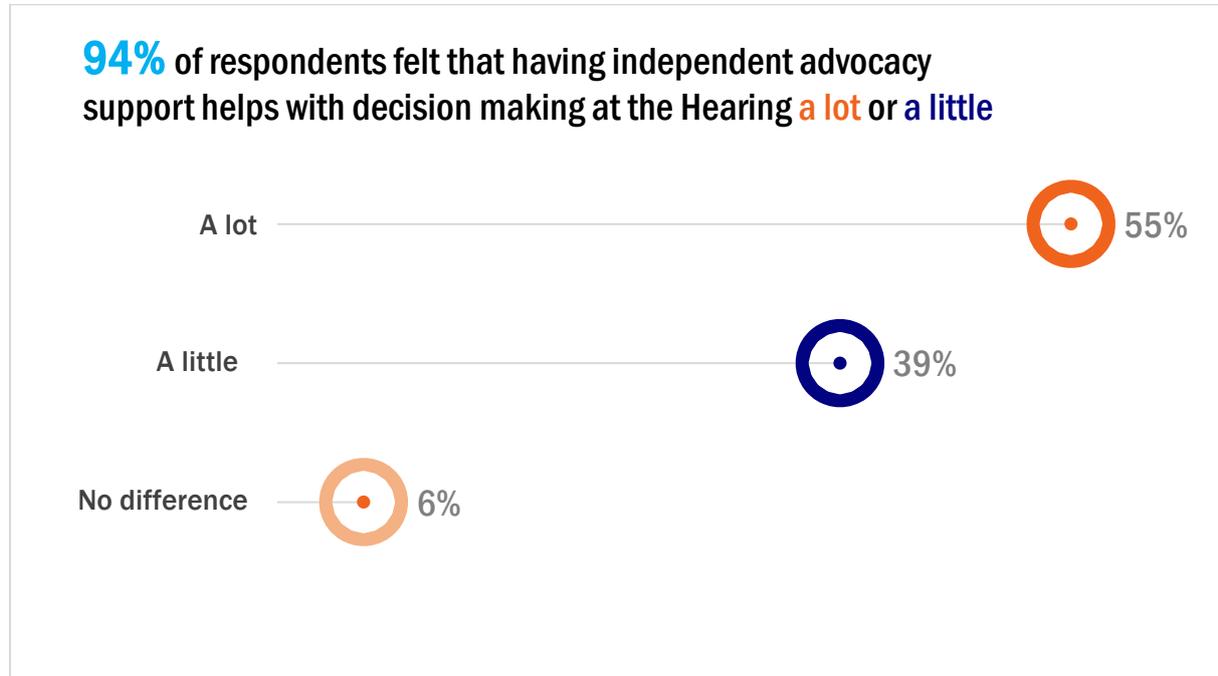
“If views can be represented on their behalf, it cuts out all that trauma of attending the Hearing. Because it can be a big deal for them and quite anxiety-inducing.” **Strategic stakeholder**

“Even for adults the Panel system is terrifying. I can’t imagine what it must be like for a child to have to speak to three strangers that are making big decisions about their life and changing things.” **Social worker**

Those who felt that advocacy didn’t make a difference to engagement at the Hearing commented that although they were hearing young people’s views, this could be through advocacy workers – and there were not necessarily more children attending or speaking up at Hearings as a result. Within these comments, there were different opinions among stakeholders about whether it is or isn’t in a child’s interests to attend their Hearing.

Impact on decision making

Most stakeholders felt that independent advocacy helped with decision making at the Hearing, and ensuring decisions reflect the views of the child.



Panel members make the decisions within the Hearings system. Those responding to the survey and taking part in interviews were clear that independent advocacy made a significant difference in the decision making process.

Panel members felt that independent advocacy helped them to be clearer about what a child wants. Panel members felt that without advocacy, children's voices could be excluded or talked over, and that advocacy ensured their voice was heard clearly in the decisions that were made. Some Panel members felt that hearing children's voices clearly helped as a vital check against the other views expressed during the Hearing, about the child's best interests. It also helped Panel members to explain the decision that they had made to the child, in the context of wider understanding of their views.

“Being clear about the child's views gives the Panel confidence that they are acting in the child's best interests, and hopefully the child feels they have been listened to. That is good decision making.” Panel member

“My view is the better the quality of the information we get, the better the quality of the decision-making.” Panel member

“From a Panel member's perspective you can sit there thinking I'm hearing what this child is feeling and what this child is wanting, and you can have more of a dialogue about your decision and why that decision is appropriate.” Panel member

“It really allows for children and young people who can't, or don't want to, convey their views and opinions to the Panel, which I think is hugely valuable for us to be able to make the best decisions for children.” Panel member

Other stakeholders agreed that hearing the voice of the child, with support through independent advocacy, supported effective decision making. Some also said that the role of the advocacy worker in helping to explain Panel decisions to young people was valuable.

Stakeholders emphasised that while hearing the child's voice clearly helped decision making, decisions had to be made based on the child's best interests.

Those who felt that advocacy had no impact on decision making gave a range of reasons. Some said decisions need to focus on best interests regardless of the wishes of the child. Other reasons given were:

- other professionals can provide children's views
- the information provided by advocacy workers could be limited
- a few had not attended many Hearings where advocacy workers present.



As a Reporter, it really comes across to me that decision-makers on the Panel really take the presence of the child's views on board. If an advocacy worker is giving the views of the child they really take notice of that, whether they agree with them or not."

REPORTER

Evaluation interview



Having such a trusted and clear representation of the child's feelings and opinions really supports decision making."

SCHOOL STAFF

Evaluation interview



Clear statement of the child's view can only improve decision making where the interests of the child are supposed to be paramount consideration."

LEGAL REPRESENTATIVE

Evaluation interview



Having the child's views and engagement in the Hearing always assists the decisions that are made and ensures that these decisions are what is best for the child."

REPORTER

Evaluation interview



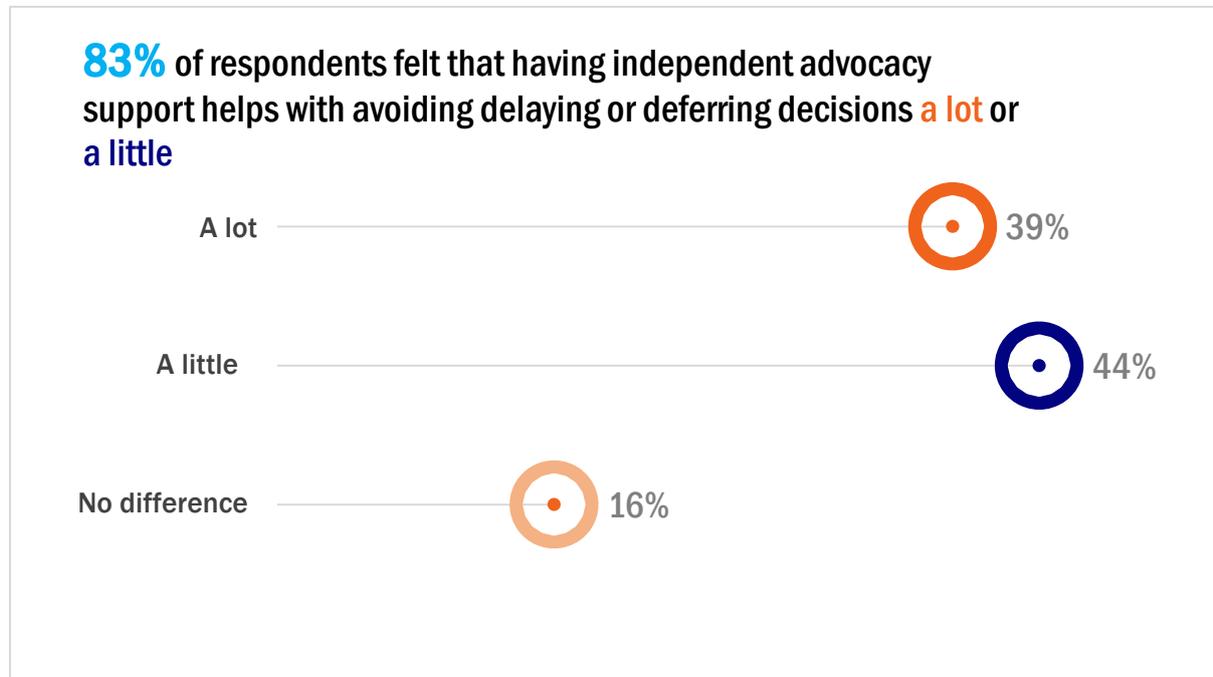
Due to advocacy workers ensuring the young people's views are represented clearly, it's easier for panel members to make decisions in the child's best interests with all the facts being considered."

SOCIAL WORKER

Evaluation interview

Impact on processes

Most stakeholders felt that independent advocacy helped avoid delaying or deferring decisions at Hearings. Those who felt it made a lot of difference said that advocacy removed or reduced a previously common reason for deferring Hearings, which was that a child's views were not known.



Most stakeholders said that they would prefer not to defer Hearings unless absolutely necessary, to reduce uncertainty. But in some areas, stakeholders said that Panels would defer Hearings if there were significant issues and advocacy had not been offered to the child.

In terms of wider processes of the Hearing, stakeholders felt that advocacy support helped Hearings work more effectively through:

- supporting children to be aware of their rights
- helping children understand what is happening
- building a calm environment
- playing with young children to keep them occupied during lengthy adult proceedings
- reminding children of what they wanted to say
- enabling children to be excused from Hearings if an advocacy worker can be appointed to offer the child's views
- increasing engagement with other professionals, through the advocacy worker.

Overall stakeholders felt that advocacy support had a positive effect on the Hearing and could be central to making a Hearing work.

6. Learning

Introduction

This chapter summarises the learning about what works well and what is challenging about independent advocacy within the Children’s Hearing system. It draws on learning highlighted in quarterly and annual reports from advocacy providers, interviews with children, young people and families, a survey and interviews with stakeholders, and discussions with advocacy providers.

What works

Quality of service

Almost all children and young people involved in this evaluation said that there was nothing about the advocacy support that didn’t work well or that they would change. They felt that they trusted their worker and built up positive relationships quickly.

Most stakeholders were also very positive about the quality of service provided. Stakeholders felt that it was clear that advocacy workers were skilled, responsive and experienced and could build relationships and trust. Stakeholders were confident that advocacy workers brought a particular skill set which is different from other professionals, and that the practice appears child-led and responsive to the needs of each child.

“I think the relationship-based focus within advocacy is so, so important and that’s what works really well.” **Social worker**

A few stakeholders said they had never come across a poor relationship between an advocacy worker and young person.

Advocacy providers were clear that hearing the voices of children and young people and supporting them to have their voice heard is central to their practice. Providers use a wide range of methods to talk to children and gather their views, including Talking Mats, Buttons Mice, soft toys, puppets, games and playing together.

Reports from advocacy providers highlight that a high proportion of children have complex needs and trauma experienced backgrounds. Many are also very young. Advocacy providers invest time and effort working with children to build relationships and trust, so that they feel able to express their views.

“It gives children a proper voice.”
Reporter

Independence

Stakeholders felt that the independent role of the advocacy worker was critical, with their sole focus on exploring the views and feelings of children and young people, and supporting them to have their voice heard.

Stakeholders felt that an important aspect of the role was that the advocacy workers did not make any decisions, recommendations or give their own views. Stakeholders felt that this helps to ensure that the child's voice is heard independently from other views from professionals and families about what is in the child's best interests.

“As a Panel member I prefer to hear from a child or advocacy worker, then I know that I'm actually hearing what the child wants to happen, not a parent or professional interpretation.” **Panel member**

“I am confident that what is being expressed is truly the child's views and not somebody else's interpretation of the child's views.” **Panel member**

Stakeholders trusted that most advocacy workers understood this role, and could be trusted and seen as impartial. A few mentioned that some other stakeholders in the system, such as social workers, may not experience the same levels of trust from families and Panel members.

“It is helpful to have an advocate share the child's views as the Panel members do not always appear to believe I share the child's views accurately.” **Social worker**

“Children have a voice where they may not have otherwise, for example where they do not have a trusting relationship with their social worker.” **Social worker**

This independence and focus on supporting the child to have their heard voice was also seen as helpful for family members, as well as professionals, helping them to hear and understand the experience of their child.

Joint working between providers

Joint working has been a key component of the Children's Hearings Advocacy Scheme. Reports from advocacy providers highlight very good relationships between advocacy providers, through the National Providers Network, and with Scottish Government. The Expert Reference Group is also highly valued by advocacy providers.

What could be better

Many stakeholders said that although there are efforts ongoing to make the Hearings system more child-friendly, it needs ongoing improvement. Some said that advocacy couldn't be expected to solve underlying issues, but that the provision of one to one support for children before, during and after the Hearing added significant value.

Some potential areas of improvement specifically relating to advocacy provision were identified. These suggestions were made in the context of high levels of satisfaction with advocacy services, and with the aim of further improving the outcomes for children and young people.

Suggestions from children and young people

Just three children and young people suggested improvements as part of this evaluation.

- One suggested more consistency in advocacy worker, to avoid having to build up relationships again when a new worker comes into post.
- One suggested more consideration over when meetings with advocacy workers take place, to avoid missing important or favourite classes.
- One young person said it was difficult to build a relationship with her advocacy worker who didn't understand her and said what she was asking for was unrealistic. Another worker was put in place.

Supporting uptake of advocacy

The stakeholders involved in this evaluation gave varied experiences of how often advocacy workers were involved in Children's Hearings. Overall, most said advocacy workers were involved in roughly a third to two thirds of the Hearings they were involved in. A small number said it was rare for advocacy workers to be involved in Hearings.

“It's not every single Hearing, which I think it should be.”
Panel member

Panel members said they will ask if advocacy has been offered, or why it hasn't been taken up. In some areas Panel members said it was still common for advocacy not to have been offered.

Example: Raising awareness

In one area, a Panel member explained that there were now fewer instances of advocacy not being offered to children before their Hearing. There had been a big awareness raising and education programme locally with social workers, and it was emphasised that it was mandatory to offer children advocacy and make them aware that they are entitled to access advocacy support.

Many stakeholders said that the way in which children and young people are informed about advocacy was inconsistent. There were concerns that:

- systems rely on professionals, particularly social workers, telling children about their right to advocacy
- referral, signposting and awareness raising approaches vary between different areas
- some social workers, or social work teams, may be more proactive than others in raising awareness of advocacy support
- at times, those telling children about their right to advocacy may act as gatekeepers or not fully explain the value of the support
- the information young people get about advocacy is variable and the unique role of advocacy may not always be fully explained to young people
- the independent nature of advocacy may not be recognised, as the offer often comes through social work teams
- children often have wider advocacy support from others, and it can be easy for children to assume they already have advocacy
- children with wider advocacy support may have different advocacy workers for different meetings or events in their lives which can create confusion
- high turnover among professionals can make awareness raising about advocacy challenging
- Panels reminding the child at the Hearing about the option of advocacy support is too late to be useful.

Some said that without adequate information, children and young people may simply see advocacy as further adult interference in their lives and be wary about getting another adult involved.

A few advocacy providers and stakeholders also raised issues around obtaining consent to meet or contact a child. This has caused some issues if the responsible adult does not grant consent to advocacy providers. Advocacy providers said that as advocacy in the Hearings system became more established, gaining parental consent was becoming a little easier but could remain a challenge in some cases. A few said parents were more likely to give their consent if they had a direct conversation with advocacy workers, and fully understood the service being offered.

Advocacy providers have worked at national and local level to increase rates of referral for advocacy support; to ensure advocacy providers are linked with children and young people as early as possible in the process; and to ensure effective and timely sharing of information with advocacy providers. This has taken time, and at times intervention from the Scottish Government has been needed to build networking and support joint working arrangements. Advocacy workers felt that over time, awareness and understanding of their role had increased.

Stakeholder suggestions for improving uptake of advocacy included:

- automatic referral to advocacy support or an opt-out service – which the child or young person could then accept or decline
- more information about the advocacy process and benefits

- repeat offers for advocacy at regular intervals within the system
- routine recording in social work reports to Hearings about whether advocacy support has been formally offered, taken up or declined
- making advocacy available sooner in the process – at the point of referral to the Reporter rather than at notice of a scheduled Hearing.

“In an ideal world all children in the Hearings system would be allocated an advocacy worker and it would then be for the child to opt out of using the service. This would prevent delay and ensure an allocated advocate at the earliest opportunity.” **Reporter**

“Advocacy support should almost be offered as a matter of course to young people. Because even though we might be thinking they sound confident or they want to be there, it can get emotional or difficult in a Hearing.” **Safeguarder**

A few stakeholders said that it would be important to review supply of advocacy provision if awareness raising work or opt-out services were introduced. A few also said that informed consent from the child or young person should be a key requirement of any opt-out service. A few, particularly social workers, said that it was important to recognise the right not to take up advocacy.

Example: Raising awareness of advocacy

Stakeholders highlighted that in one area they are trialing a new scheme where the provider makes initial contact with families and explains and offers advocacy services. Advocacy workers are notified that a child has entered the Hearings process and are able to make contact directly with the family to offer the child support. Advocacy providers felt that this was working well, but did have an impact on resources and demand.

Example: Improving referrals

In one area, an advocacy provider noted that there had been a change made to the relevant social work report template, so that a box had to be ticked to indicate whether advocacy support had been offered. It was felt that this had a positive effect on referral rates and reducing Hearing deferrals.

Example: Raising awareness of advocacy

Some stakeholders felt that the Scottish Children’s Reporters Administration could potentially play a greater role in raising awareness of advocacy in the future. A few said that Reporters are not currently permitted to refer families directly to advocacy support (by policy rather than law). A few mentioned that in the future SCRA will be making more contact with families pre-Hearing, and that this opportunity could be used to raise awareness of advocacy.

Managing demand and supply

Reports from advocacy providers indicate that in the early days of the Scheme referral levels for advocacy were low and an issue of concern in some areas. However, providers have worked locally and nationally to build relationships, referrals have increased and providers have become busier.

In discussion, some providers indicated that there were peaks and troughs in demand. A few said they were at times at or above capacity in some areas, but managed this by balancing work across different local authority areas, working closely with alternate providers, or involving managers in case loads at particularly busy periods. Providers found the most challenging aspect to manage was late referrals for advocacy support, making it difficult to juggle diaries to fit with last minute Hearings. Some advocacy workers said that at times they worked beyond capacity to avoid setting up a waiting list or turning people away. Waiting lists were used as a last resort to manage demand, and ensure quality of service.

Providers have worked to balance the workloads of primary and alternate providers, based on offering choice to young people, avoiding potential conflict and taking into account the capacity of each provider at the time. Providers have also worked together to develop guidance on how referrals will be agreed for children who moved to live outwith their original local authority, to ensure support for the Hearing is provided while reducing the need to travel significant distances to provide pre-Hearing support.

At times providers are asked for advocacy support on other issues, and need to be clear about the support available through the Children's Hearings Advocacy Scheme, and the availability of other support more widely. Providers also indicated that it would be important to think through the implications of raising the age of referral to the Children's Reporter to include 16 and 17 year olds – as intended by the Children (Care and Justice) (Scotland) Act 2024¹⁴.

A few also highlighted that the rights of siblings to attend Hearings and access advocacy had been interpreted differently in different areas.

Many stakeholders said that advocacy services were responsive, referral arrangements were straightforward, and availability of advocacy workers was good. However, stakeholders mentioned that:

- there were variations across different areas
- some felt demand outstripped supply
- at times staffing shortages, vacancies and absence affected availability
- some found it challenging to work out which provider covers which area or circumstance (such as children living out of area)
- the range of providers meant there could be an element of hard boundaries and competition between providers which didn't benefit service users
- a few were not clear what the alternative was if the provider did not have capacity
- a very small number questioned whether different providers for siblings was best use of resources.

¹⁴ [Children \(Care and Justice\) \(Scotland\) Act 2024 - Whole Act](#)

Time to work together

Some stakeholders said that there could be challenges with advocacy workers not having adequate time to work with children and young people in advance of their Hearing, which impacted on the effectiveness of advocacy and the relationship between the young person and advocacy worker.

Stakeholders talked about late referrals, short notice Hearings and emergency Hearings being particular issues. A few said this could make it feel to young people like advocacy workers were just another adult being involved in their lives for a very short period of time, and could result in views expressed being high level or lacking in depth. There was an interest in exploring earlier and more efficient referral options.

In some areas, advocacy providers have experienced challenges being able to submit views in advance of the Hearing, due to tight timescales. Providers were concerned that in some cases the views of children and young people were not being read to the Panel unless submitted in advance, which was not always possible.

Role and training for advocacy workers

Advocacy workers are dealing with emotionally demanding, traumatic and complex issues, and require support for their own wellbeing at work. Advocacy provider reports highlighted the skills and resilience required of advocacy workers.

Most stakeholders felt that advocacy workers were clearly independent, didn't offer their own opinions or views, and were there to make sure children had their voices heard. However, some stakeholders raised concerns about variations in the way different workers, and different providers, approached the role. While recognising that the role was child-focused, and naturally varied, some stakeholders had concerns that:

- at times, different providers appeared to have different interpretations of the advocacy role
- in a small number of cases, advocacy workers give their own opinion and get drawn into discussions about the child's best interests or criticising decisions made.

A few stakeholders gave examples of different providers operating in the same area appearing to have different approaches to advocacy, ranging from straightforward relaying of the child's views and wishes, to a more interpretative approach. A few felt that some providers produced better trained and more competent support workers than others. Other stakeholders suggested that at times (rarely) less experienced advocacy workers could become emotionally invested and overstep the boundaries of their role.

“In our locality we see variation between advocacy workers - some see their role to represent the views of the child and some go a step further and advocate for the rights of the child (even if these issues are not within the child's views).” Reporter

““ Their role needs to be clearly defined. Are they advocates as in expressing the views of the child or are they there to challenge professionals, cross examine professionals and act in a solicitor type role? The line is very thin in some Hearings.” Reporter

Some suggested that it would be useful to have more clarity and consistency around professional practice, across different service providers. A few noted that advocacy workers were not highly paid, had high workloads and turnover, vacancy and sickness absence could be high, which may contribute to the perceived inconsistency.

A few solicitors indicated that advocacy workers had limited training on legal matters, so may not always fully understand the law. Sometimes solicitors felt advocacy workers aren't noticing when legal advice should be sought, or should have been sought earlier.

The legally informed advocacy training provided by Clan Childlaw was felt to be highly valuable, keeping advocacy workers up to date with the law and the rights of children and families. Access to the online resource bank and legal advice enquiry service was also felt to be extremely useful.

““ I find any of the training I have attended that Clan have delivered has been very relevant to my work and has helped me feel more confident when providing advocacy.” Advocacy worker

““ I got much more than I expected...the lawyers at Clan took the situation on themselves, and even met with the young person twice.” Advocacy worker

Example: Clan Childlaw training

Clan Childlaw offers induction training to new advocacy support workers, with a focus on legal procedure at Hearings and children's legal rights. There is a focus on spotting red flags within the Hearings process, and supporting advocacy workers to look out for these. Clan Childlaw also offers annual update training to workers who have previously completed induction, usually based around a specific theme. It also provides a legal helpline service which advocacy workers can call and receive legal advice on specific topics or questions. There is scope for the helpline service to be used more by workers – even just to double check an issue – although use of the service is increasing.

Non instructed advocacy

In some cases, advocacy support is non-instructed – supporting a child or young person who is not able to give a clear indication of their views or wishes. This focuses on upholding the child or young person's rights and ensuring fair and equal treatment. The National Providers Network has worked to ensure that this practice is consistent. It has created a common definition of non-instructed advocacy and a protocol for recording non-instructed advocacy activity.

Some stakeholders had particular concerns about the use of non-instructed advocacy. Some felt that it appeared at odds with the premise that advocacy workers

will only relate the child's views, and not their own views. A few said this seemed to be contradictory to advocacy guidelines, and felt it could create tensions and confusion about the role of advocacy workers. A few felt that it shifted the role to one of assessment and opinion, which they felt was best left to social work.

Information sharing

Most stakeholders felt that information sharing worked relatively well, and few issues were identified.

Reporters indicated that they were not permitted to share information with advocacy workers, beyond the date and time of Hearings. A few stakeholders felt that advocacy workers should receive more information in advance about the young person's circumstances and reasons for the Hearing (to reduce the onus on the child to share this information and to reduce any challenges that arise as a result of advocacy workers not seeing this information), but others were uncomfortable with advocacy workers seeking this type of information.

“There's a lack of consistency for the child, and no reference to other meetings which have taken place prior to a Hearing. It would be helpful if those advocates could link in with a Reviewing Officer so they have an understanding of discussions that have taken place in other meetings.”
Social worker

Some stakeholders indicated that although they recognised the time constraints involved, it would be useful to have written reports from advocacy workers on children's views in time for them to be included in the Hearing papers.

A few reports from advocacy providers highlighted that new Scottish Children's Reporter Administration guidance on rights of attendance at Hearings was interpreted and implemented in different ways locally, and occasionally resulted in advocacy workers not being permitted to attend the entirety of the Hearing – although it was felt that this had improved over time.

Some advocacy workers raised concerns about information sharing, communication and administration in terms of receiving invitations to Hearings, which involved a range of partners including Reporters and social workers.

Equality and inclusion

Some advocacy providers began to capture demographic information for the children and young people they work with in more recent years, to support them to better understand the range of children and young people they are supporting.

A few advocacy providers felt that very young children may not always be offered advocacy support due to social work perceptions of the age at which a child can express their opinions.

One provider noted that its service was not reaching a diverse a range of children and young people in terms of ethnic origin. It has worked to explore the reasons for this and to increase accessibility – for example through introducing translation

software for its website and targeted outreach to generate referrals. The issue has also been explored at the National Providers Network.

Stakeholders felt confident that advocacy provision was available to the children and young people in need of support, and raised few equality issues. One felt perhaps there was a need for more support for young people with English as a second language, or young people with additional support needs. Advocacy providers indicated that many of the children they supported had additional support needs, and they felt confident in tailoring the support accordingly.

Advocacy providers and a few stakeholders raised issues in equality of provision for young people moving between authorities, leading to complexity in meetings, communication, advocacy provider and Hearing location. Some advocacy providers were concerned that they didn't always have funding for travel out of area, which meant some meetings were online, and children who have moved around a lot may be at a disadvantage in accessing the best advocacy support.

In a small number of reports, advocacy providers raised some issues around the skills and awareness of some of those involved in the Hearings system to ensure children and young people with a wide range of needs and characteristics can have their voice heard in an inclusive way. This included awareness of equality issues, the language used during the Hearing and the creation of a positive wider environment for children and young people to participate. A few felt that requests for information in easy read or child friendly formats were not always actioned.

A few stakeholders also felt that Panel members could be very focused on hearing from the young person themselves, with the young person attending the Hearing and speaking directly to the Panel – even though they have clearly said they want their advocacy worker to speak on their behalf.

Expanding support available

Some stakeholders indicated that they would like to see an enhanced or expanded advocacy service available for children involved in the Children's Hearings system. Some said that continuing to provide advocacy support beyond the time the child is involved in the Hearings system could help to build a more sustained relationship, more in line with The Promise. A few said this may be helpful if the case then re-opened, and there was a need for further Hearings support. A few said some transitions support may be useful as the relationship ends, to build skills on understanding rights, expressing views and speaking to other trusted adults.

“The focus on that one-off event means it's not about the young person's journey through the system.” **Social worker**

A small number of stakeholders said that all children and young people with any type of social work involvement should be entitled to advocacy support.

“If we legislated for advocacy in all of the professional decision-making in children's services for children, then that would follow a child through all the decision-making arenas they would find themselves in.” **Strategic stakeholder**

7. Conclusions

Key findings

Impact on children and young people

Since 2020, the Children's Hearings Advocacy Scheme has supported approximately 5,000 children and young people. There is clear evidence that the support makes a difference to children and young people. The support helps children and young people:

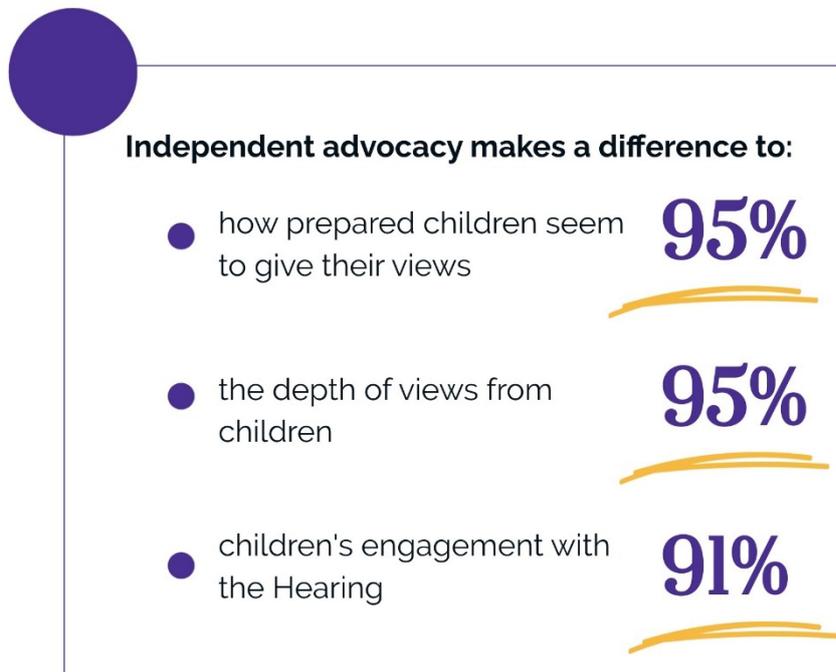
- feel someone in the Hearings system is on their side and there to support them
- feel in control of how they are supported and represented
- work through their emotions, explore their views and think through what to say at the Hearing
- understand the Hearings process including why and when Hearings are taking place, where it will be, who will be there and what will happen
- be aware that they can choose to attend their Hearing, can choose to speak, and can choose to ask for certain people not to be there when they give their views
- feel more prepared, less worried, safer and more in control
- feel more confident speaking up during a Hearing, trusting that others will listen
- have someone else to say the things they find difficult to say, or speak for them when they find it hard to attend the Hearing
- have their views put across more clearly or firmly than they might have been able to do themselves
- understand the language used and the decisions made at Hearings
- access wider support – including at school, health services, social activities and legal support.

Children and young people are happy with the service provided and are able to build up trusting and non-judgmental relationships with their advocacy workers very quickly. An important part of this was being supported by the same worker over time, and fully trusting that workers will only express the views that the child or young person has given consent to be shared.

Carers valued having independent advocacy for the child or young person, feeling this meant the young person was well supported and views were understood to be independent. Kinship carers felt less pressure as they didn't need to explain the Hearings system to the child, and it helped make Hearings less hostile.

Value to stakeholders

A survey of stakeholders in the Children's Hearings system found that overall advocacy was having a positive impact and adding value.



Stakeholders felt that advocacy could support children's views to be heard through:

- better communication between the Panel and child or young person
- hearing children's voices through advocacy workers, where children do not attend their Hearing
- building confidence that views expressed are independent of other influences
- enabling more in-depth views to be gathered and expressed
- empowering children to attend their Hearing – knowing they will have their views heard, and have support to attend.

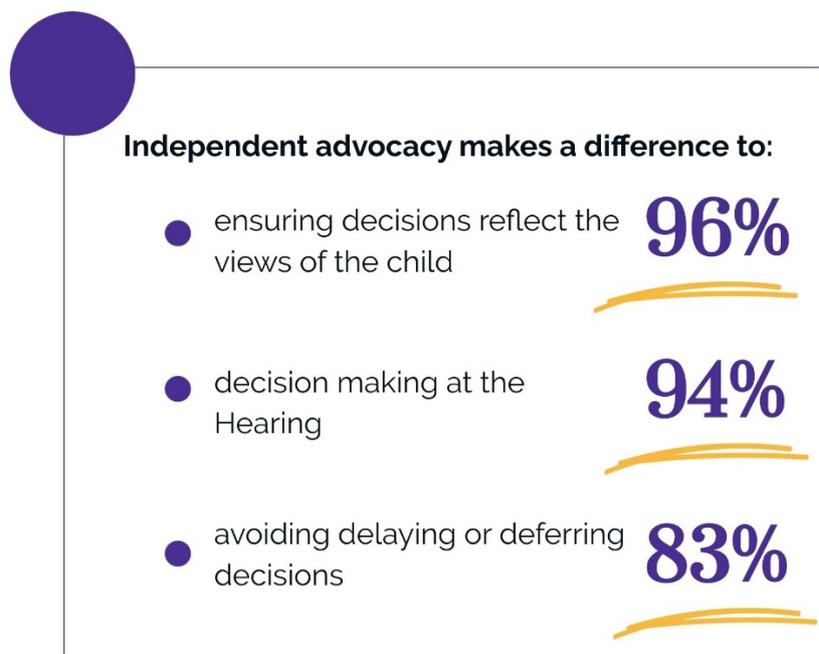
Stakeholders also felt that engagement and experiences of the Hearing improved through:

- advocacy workers helping with raising sensitive views or managing sensitivities where there is conflict or tension
- building understanding of children's rights
- building a positive and calming atmosphere at the Hearing – with children feeling comfortable and safe.

Stakeholders felt that overall independent advocacy supported the children's views being central to the Hearing, had a positive effect on the Hearing and could be central to making a Hearing work. Stakeholders felt that the independent role of the advocacy workers was critical, helping to ensure that the child's voice is heard independently from other views.

Decision making

Most stakeholders felt that independent advocacy helped with decision making at the Hearing, and ensuring decisions reflect the views of the child.



Panel members felt that independent advocacy helped them to be clearer and more confident about what a child wants, and provided a vital check against other views expressed during the Hearing about the child's best interests.

Other stakeholders agreed that hearing the voice of the child, with support through independent advocacy, supported effective decision making. Some also said that the role of the advocacy worker in helping to explain Panel decisions to young people was valuable.

Areas for consideration

Suggestions for potential development or improvement are made in the context of high levels of satisfaction with advocacy services, and with the aim of further improving the outcomes for children and young people.

Monitoring

The Children's Hearings Advocacy Scheme has invested in gathering high quality information about the impact of the scheme. However, further development of monitoring requirements for advocacy providers would be useful. It is currently challenging to collate information about the number of children and young people supported and their profile. Work should be undertaken to develop simple, robust and standard methods for gathering monitoring information. This will increase the quality of information about who is supported through the scheme, and whether the scheme is reaching all children and young people equally.

Uptake, demand and supply

Currently around a fifth of Hearings have independent advocacy workers present. Advocacy providers are broadly managing supply and demand at this level, although peaks in demand are creating some pressures at times of high demand.

Stakeholders felt that while providers were responsive and referral arrangements worked well, it was not always clear which provider covered each area or circumstance and what the alternative was if the provider did not have capacity.

Stakeholders had concerns that children and young people may not always be making informed decisions about whether to accept advocacy support, and felt there was more to be done to encourage uptake. There were also concerns that referrals and requests for independent advocacy could be short notice, negatively impacting on the quality of service providers could offer, and causing challenges managing diaries.

Suggestions included:

- providers contacting families directly to explain and offer advocacy support – through an automatic referral or opt-out service model
- repeat offers of advocacy at regular intervals
- routine recording in social work reports of whether advocacy support has been offered
- more information being provided about independent advocacy.

Stakeholders and advocacy providers were clear that while increased awareness of advocacy would be positive, consideration would need to be given to the resources available to meet any increased demand.

Independent advocacy role and training

Most stakeholders felt that advocacy workers were clearly independent, didn't offer their own opinions or views, and were there to make sure children had their voices heard. However, some raised concerns about variations in the way different workers and different providers approached the role – with some appearing to interpret their role differently, or (in a minority of cases) get drawn into giving their own opinion and discussing the child's best interests. Some stakeholders had particular concerns that non-instructed advocacy appeared to contradict the independence of advocacy workers, and shifted their role to assessment and opinion.

It may be useful to jointly explore professional practice in relation to independence and role across the ten advocacy providers, and explore the training and skills development opportunities available to workers around the complexities of their role.

Information sharing

Most stakeholders felt that information sharing worked relatively well, and few issues were identified. It may be useful to explore procedures for advocacy workers being invited to Hearings (to ensure adequate notice), and ensure clarity across all stakeholders about the information that should be shared with advocacy providers and what consents should be in place to enable this.

Equality and inclusion

It would be helpful to strengthen the evidence available about the profile of children and young people supported by advocacy providers, through a consistent approach to gathering and reporting on equalities monitoring information. This would help to better demonstrate and understand the range of children and young people supported through independent advocacy.

It may be useful to review procedures for supporting young people who move between local authorities, to ensure those who move are not at a disadvantage in receiving high quality independent advocacy support.

Expanding and connecting support

Some stakeholders would like to see expanded advocacy services available for children in the Children's Hearings system – for example providing a sustained approach beyond the time of the Hearing(s). A small number said that all children and young people with any type of social work involvement should be entitled to advocacy support. Stakeholders also cautioned that children supported through the Children's Hearings Advocacy Scheme also often have wider advocacy support, and having different workers for different aspects of their lives may be confusing. It may be useful to consider how the Children's Hearings Advocacy Scheme connects and inter-relates with wider advocacy provision, and whether there are gaps, areas of overlap or areas with potential for greater connection of support.

Appendix One: Primary and alternate advocacy providers

Local Authority Area	Primary Provider	Alternate Provider
Aberdeen City	Who Cares? Scotland	Advocacy Service Aberdeen
Aberdeenshire	Who Cares? Scotland	Advocacy Service Aberdeen
Angus	Angus Independent Advocacy	Who Cares? Scotland
Argyll & Bute	Who Cares? Scotland	Partners in Advocacy
Clackmannanshire	Who Cares? Scotland	Barnardo's
Dumfries & Galloway	Barnardo's	Who Cares? Scotland
Dundee	Partners in Advocacy	Who Cares? Scotland
East Ayrshire	East Ayrshire Independent Advocacy Services	Who Cares? Scotland
East Dunbartonshire	Partners in Advocacy	Who Cares? Scotland
East Lothian	CAPS Independent Advocacy	Partners in Advocacy
East Renfrewshire	Partners in Advocacy	Who Cares? Scotland
Edinburgh, City of	Partners in Advocacy	CAPS Independent Advocacy
Falkirk	Who Cares? Scotland	Barnardo's
Fife	Barnardo's	Who Cares? Scotland
Glasgow	Barnardo's	Partners in Advocacy
Highland	Who Cares? Scotland	Partners in Advocacy
Inverclyde	Partners in Advocacy	Who Cares? Scotland
Midlothian	CAPS Independent Advocacy	Partners in Advocacy
Moray	Who Cares? Scotland	Partners in Advocacy
North Ayrshire	Barnardo's	Who Cares? Scotland
North Lanarkshire	Who Cares? Scotland	Barnardo's
Orkney	Who Cares? Scotland	Partners in Advocacy
Perth & Kinross	Independent Advocacy Perth & Kinross	Who Cares? Scotland
Renfrewshire	Who Cares? Scotland	Barnardo's
Scottish Borders	Borders Independent Advocacy Service	CAPS Independent Advocacy
Shetland	Who Cares? Scotland	Partners in Advocacy
South Ayrshire	Barnardo's	Who Cares? Scotland
South Lanarkshire	Partners in Advocacy	Who Cares? Scotland
Stirling	Who Cares? Scotland	Barnardo's
West Dunbartonshire	Partners in Advocacy	Who Cares? Scotland
West Lothian	Who Cares? Scotland	Barnardo's
Western Isles (Eilean Siar)	Advocacy Western Isles	Who Cares? Scotland

Appendix Two – Overview of National Practice Model

Principle 1	Standard	Outcome	Guidance	Indicators
Advocacy puts the child or young person first	Advocacy workers listen to children and young people to understand what matters to them, help them explore their options and have their voice heard.	The child or young person feels listened to, can express to their advocacy worker what matters to them and has explored their options and had their voice heard.	Advocacy workers: Make sure child understands they are in control Take time to introduce the service Explain their role Explain they have a choice Easily accessible materials to explain the role	% feel listened to by advocacy worker % feel listened to by others % who have expressed how they want to communicate their views
	Advocacy workers will only work for and on behalf of the child or young person, who is in charge of how and with whom their views are shared.	The child or young person knows that their advocacy worker works only for them. The advocacy worker will only share what the young person wishes to be shared.	Agree with the child how they wish to receive support Take time to explore views and how they want to express	Record of consent Supporting information materials Levels of satisfaction with advocacy % say they understand the reasons for the decisions made by the Hearing

Principle 2	Standard	Outcome	Guidance	Indicators
Advocacy seeks to understand and explain what is going on	Advocacy workers will have detailed knowledge of children's rights and entitlements.	The child or young person feels they are better informed about their rights and entitlements.	Advocacy workers: Help child understand the Hearings process Have understanding of human rights and how these apply	% who have a better understanding of the Hearings system % reporting improved understanding of rights and entitlements Evidence of workers commitment to CPD Diverse range of methods communicating rights and entitlements
	Advocacy workers will understand the law and procedures that apply. They will be able to help children and young people understand what is happening and explore their options.	The child or young person has a better understanding of the Children's Hearing system as it relates to their life, and their options and rights within the Hearings system.	Have excellent knowledge of the Hearings system Understand rights and opportunities in the Hearings system Help children to prepare before Hearing Ensure child understands reasons for Hearing and recommendations Help child access right information if they are unclear	
	Advocacy workers will speak to relevant professionals and carers on behalf of children and young people with their permission, to help them get answers to any questions or concerns.	The child or young person feels supported in seeking answers to the questions that matter to them.	Spend time providing support after the Hearing Help child understand what decisions mean, and what rights and options are now Have good understanding of role of legal representation Support child to access legal advice as required	

Principle 3	Standard	Outcome	Guidance	Indicators
Advocacy workers only work for the child or young person	Advocacy workers only work on behalf of children and young people. They only share information with others with permission from the child unless someone is at risk of harm.	The child or young person trusts that the advocacy only works for them and understands confidentiality of the advocacy relationship.	<p>Advocacy workers: Will be aware of their own opinions and prejudices Should not let their personal opinions, choices and values interfere Always value and respect the views of the child Always empathetic, non-judgemental and understanding Explain that children have control over what is shared with others Are imaginative, robust and resourceful in ensuring the child's voice is heard Ensure the child is aware of the different ways their views can be presented (even if they are excused from the Hearing) Ensure the views of the child are highlighted, examined and reiterated as necessary Speak up for the child or support them to speak themselves Remain alert to how the child is experiencing the Hearing Understand their role and that of other professionals</p>	<p>Level of satisfaction with advocacy support</p> <p>Advocacy workers demonstrate understanding of the GDPR</p> <p>% of children who feel supported to express their views during the Hearing</p> <p>Record of advocacy issues</p> <p>Number of incidents of advocacy support provided at Hearings where the child is excused from the Hearing</p> <p>% of Hearings where children's views are fully or partially expressed</p>
	Advocacy workers will not give their own or anyone else's views or opinions, they will only represent the child or young person's wishes.	The child or young person feels supported in expressing their views. They know the advocacy worker is only there to support them.		
	Advocacy workers will not be influenced by anyone or anything else while they are supporting the child or young person	The child or young person knows that their advocacy worker is not influenced by the wishes of others and focuses solely on their views.		

Principle 4	Standard	Outcome	Guidance	Indicators
<p>Advocacy is for all children and young people who wish to take up the offer of advocacy</p>	<p>Advocacy workers will liaise with carers and other professionals already working with children and young people to ensure that they are sensitive to the individual child or young person's needs.</p>	<p>The child or young person's individual needs have shaped the way they receive advocacy and they have been appropriately supported by their carers and professionals in the advocacy process.</p>	<p>Advocacy workers: Tailor communications based on individual needs and requirements Have a range of different creative resources available, using an age, stage and ability appropriate approach Make sure the child can be supported to directly express their views and opinions in a way that suits them</p>	<p>Range of communication tools for children and young people from all backgrounds % of children who feel respected and treated fairly by their advocacy worker</p>
	<p>Advocacy workers will work with children and young people of all backgrounds and respect the identity, culture, needs and preferences of all children and young people and treat them fairly and equally.</p>	<p>Children and young people of all backgrounds have access to advocacy. The child or young person feels that they have been treated equally and with respect throughout their advocacy relationship.</p>	<p>Will be flexible to changing contexts Will understand the differences between instructed and non-instructed advocacy Will develop networks with others to foster understanding and awareness of advocacy services Will be imaginative and ambitious in communication with other key professionals about what they can offer children and young people</p>	<p>Diversity of backgrounds, age and ability of children accessing advocacy % of advocacy workers who have received training on non-instructed advocacy</p>