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Background

The Care Act says that there is a duty to arrange an Independent Advocate for adults who are subject to a Safeguarding Enquiry or Safeguarding Adults Review (SAR) when there is a need for this support. The aim of this duty is to enable people who have substantial difficulty or lack capacity in being involved and supported as fully as possible in safeguarding enquiries. Where necessary an Advocate can represent and speak on the individual's behalf. Individuals should be enabled to be active partners in safeguarding enquiries in relation to allegations of abuse/neglect.

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Why it matters

No matter how complex an individual's needs the Social Worker making the enquiry is required to involve the individual to express their wishes and feelings, to support them to weigh up options, and make their own decisions on how they wish to be safeguarded. It is important for an individual who may need advocacy to be identified and offered the support they need from the outset.

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Information

If the individual is likely to have/ may have substantial difficulty being involved in the process e.g. the individual may have a learning difficulty, memory problems, or difficulty in understanding. The individual may be unable to explain their views, how they would like to be protected from further abuse and achieve the outcomes that matter to them. This is underpinned by making safeguarding personal principles.

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If the individual does not have anyone appropriate and willing to support them through the process then a referral to advocacy should be made. Individuals may have friends or family members to support them however the individual may still want independent advocacy support. Advocacy will assist the individual to: decide what outcomes/changes they want, understand the behaviour

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of others that are abusive or neglectful, understand which actions of their own may expose them to avoidable abuse or neglect, understand what actions they can take to safeguard themselves' understand what advice and help they can expect from others, including the criminal justice system, understand what parts of the process are completely or partially within their control and explain what help they want to avoid reoccurrence and recover from the experience

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What to do

Do I need to consider a referral to independent advocacy? This consideration is needed both at the initial stage within the MASH process and again in the community safeguarding enquiry service. Referrals can be made by; Consulting with the Single Point of Contact on 0330 002 2200 Contacting Advocacy Focus directly on 0300 323 0965 or admin@advocacyfocus.org.uk

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Questions to consider

- How will I know if a referral to advocacy has been made?
- Can you think of one way you can improve an individual's right to get advocacy support?
- Are there any benefits for me?
- How good is your team at making referrals?
- How do you audit this in your team?

