

# Report

Report to:	<b>Social Work Resources Committee</b>
Date of Meeting:	<b>20 January 2021</b>
Report by:	<b>Director, Health and Social Care</b>

Subject:	<b>Lanarkshire Advocacy Plan/Advocacy Services Tender</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ present the Lanarkshire Advocacy Plan drafted by both North and South Health and Social Care Partnerships as part of the requirements set out in “Independent Advocacy – Guide for Commissioners” (2013)
- ◆ provide an update on current advocacy contractual arrangements and proposed next steps to develop an advocacy tender specification

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the content of the report, and the Pan-Lanarkshire Advocacy Plan be noted; and
- (2) it is noted that existing contracts will be rolled on for a further year whilst an advocacy tender specification is developed.

## 3. Background

- 3.1. Independent Advocacy Support people to have their voices heard and their rights and interests protected. It is a positive force in influencing social change, with a person centred focus and human rights framework. The importance and benefits of independent advocacy are now widely recognised and woven into the fabric of Health and Social Care provision in Scotland.
- 3.2. The legal and strategic context in which Advocacy operates can be rooted in the following legislation and policy guidelines:
- ◆ Mental Health (Care and Treatment) (Scotland) Act 2003
  - ◆ The Patients’ Rights (Scotland) Act 2011
  - ◆ Independent Advocacy – Guide for Commissioners 2013
  - ◆ The Right to Advocacy – Mental Welfare Report 2018
- 3.3. Independent Advocacy – A Guide for Commissioners was first published by the Scottish Executive in 2001, it defined advocacy as:
- “Advocacy is about standing up for and sticking with a person or a group, taking their side, helping them to get their point across. Advocacy adds weight to people’s views, concerns, rights and aspirations.”*

- 3.4. The above guide was refreshed in 2013, the subsequent revision and publication by the Scottish Independent Advocacy Alliance (SIAA). The guidance sought to clarify commissioners' statutory responsibilities under the Mental Health (Care and Treatment (Scotland) Act. The Scottish Government's expectation set out in the guide was that local strategic plans should be developed.
- 3.5. The Lanarkshire Advocacy Plan has been evolving since 2004, when initial plans just followed the funding resources, but now in a more inclusive plan, setting out what is happening in each Health and Social Care Partnership (HSCP), and the future plans for Advocacy Services.
- 3.6. Advocacy services fall under the delegated functions outlined in the South Lanarkshire Integration Scheme. Consequently, a similar report to this will be presented to the next Integration Joint Board meeting to sign off the strategy and propose a direction with regards to the future strategic direction of advocacy services.

#### 4. Current Position

- 4.1. The current Plan has been developed in partnership with North Lanarkshire Health and Social Care Partnership (NLHSCP), South Lanarkshire Health and Social Care Partnership (SLHSCP), Lanarkshire Advocacy Planning Group, Lanarkshire Advocacy Network, and the service users and carers who have engaged with Advocacy Services.
- 4.2. The current Plan is structured as follows: Forward, Introduction, What is Independent Advocacy and Why do we Need it?, Different Types of Advocacy, Voice of Service Users/Carers, Advocacy Planning, Achievements from Last Advocacy Plan 2016-20, Objectives of the Advocacy Plan 2020-2025, Conclusion, Appendices: Financial Framework, Action Plan, Relevant Resources, Advocacy Providers, Agencies Involved and Consultation. (Appendix 1)
- 4.3. Within SLHSCP, we have the following Advocacy Providers funded as outlined in the table below:

**The Advocacy Breakdown for South Lanarkshire is as follows:**

Project	Service	SLC	NHSL	Alcohol and Drugs Partnership	Total to Provider
		£	£	£	
Who Cares Scotland	C&F	117,600.			117,600.
TAP	OP	48,620.	19,000.		67,620.
TAP	MH	91,830.	23,000.	25,000.	139,830.
Speak Out	LD	112,600.	25,000.		137,600.
People First	LD	62,912.			62,912.
<b>Totals</b>		<b>433,562.</b>	<b>67,000.</b>	<b>25,000.</b>	<b>525,562.</b>

- 4.4. There are existing contracts in place with The Advocacy Project (TAP) and Speak Out, both of which are due to expire in March 2021. The intention would be to roll these forward for a further year, whilst developing an advocacy framework and have new services in place by April 2022. No formal contract is in place with People First Scotland, and there is potential to review this arrangement, and include peer advocacy as part of a new commissioned advocacy service.

- 4.5. There are further potential efficiencies in looking to have one provider for children's advocacy and one provider for adult advocacy. We are also aware that the Children's Hearing System in South Lanarkshire has recently introduced Advocacy for Children, funded by the Scottish Government, the Provider in the South partnership is an organisation called Partners in Advocacy.

## **5. Employee Implications**

- 5.1. Staff from both HSCPs have been working together to develop this Advocacy Plan.
- 5.2. Dedicated staff time will be required to progress a future tender for Advocacy Services. A small steering group has been established and meeting schedule in place.

## **6. Financial Implications**

- 6.1. The current financial resource linked to Advocacy are outlined at 4.3. above. Some of these funding elements are renewed annually, such as Patients' Rights and Alcohol and Drugs Partnership funding and there is no guarantee these elements will be included in a future tender.
- 6.2. Every two years The European Commission reviews and updates the Official Journal of The European Union (OJEU) procurement thresholds, based upon currency fluctuations. As the UK currently remains within the EU, until a Brexit deal is completed, all UK public sector procurement will be carried out in-line with the new OJEU procurement threshold.
- 6.3. The new OJEU procurement thresholds were applied from 1 January 2020. The current threshold for Social and other special services is £663,540. The estimated annual value of any Advocacy Tender will be in excess of £500.00 and, therefore, a tendering exercise will require to be undertaken.

## **7. Climate Change, Sustainability and Environmental Implications**

- 7.1. There are no implications for Climate Change, sustainability and the natural environment in terms of the content of this report

## **8. Other Implications**

- 8.1. The pan-Lanarkshire Advocacy Plan reduces any risks to individuals requiring advocacy support and contributes to our legislative responsibility.
- 8.2. Extending current contractual arrangements will enable us to sustain services whilst planning to commission new Advocacy provision for 2022.
- 8.3. Other issues associated with this report are linked to the funding of services from a range of partners, and the transitional arrangements between advocacy for children and advocacy for adults and older people. These issues will be addressed as part of commissioning new Advocacy Services.
- 8.4. Clear pathways are also required to be developed to firmly link Advocacy to both our Adult and Child Protection Committees and ASP and CP activity to ensure advocacy is offered and accepted.

## **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. This report does not introduce a new policy, function or strategy or recommend a change to existing policy, function or strategy and, therefore, no impact assessment is required.
- 9.2. A consultation exercise was undertaken as part of the development of the Advocacy Plan, across both North and South HSCPs, with staff, advocacy partners, and advocacy service users. Across both Partnerships there were 60 responses to the staff survey, 40 responses to the Partner (service users) survey, and 19 responses from advocacy workers.

**Val de Souza**  
**Director, Health and Social Care**

11 December 2020

### **Link(s) to Council Values/Ambitions/Objectives**

- ◆ Improve health, care and wellbeing

### **Previous References**

- ◆ none

### **List of Background Papers**

- ◆ Lanarkshire Advocacy Plan 2020/2025

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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