Social Security Advocacy Service Standards:

Analysis of consultation responses

The Scottish Government's analysis of responses to the consultation undertaken between 11 July and 7 October 2019.

Scottish Government
Riaghaltas na h-Alba
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1   Respondent Profile

In total there were 77 replies to the consultation of which 36 were from organisations (broken down as below) and 41 from individuals.

Table 1: Respondent Groups

	Number
Campaigning / Advocacy	11
Local authority	5
Third sector	20
Total organisations	**36**
Individuals	**41**
Total respondents	**77**

Definition of Advocacy

In the consultation document questions 1 and 2 asked about the definition of advocacy.

Question 1: Do you agree with the definition of advocacy?

As shown in the following table, a majority of respondents agreed with this definition.

	Number			
	Agree	**Disagree**	**No response**	**Total**
Campaigning / Advocacy	4	5	2	**11**
Local authority	5	-	-	**5**
Third sector	8	5	7	**20**
Total organisations	**17**	**10**	**9**	**36**
Individuals	33	6	2	**41**
Total respondents	**50**	**16**	**11**	**77**

Question 2: Is anything missing from the definition of advocacy, and if so, what?
A total of 57 respondents, across all sub-groups, opted to provide commentary in support of their response to Q2.

A key theme emerging in response to this question was that this definition is missing 'independent'. There is a need to highlight the independence and that the advocacy worker is not employed by anyone other than the advocacy organisation and has no affiliation with any other service provider to prevent any conflicts of interest.

Another common theme emerging was clients requiring to self-define as disabled as being a potential barrier to accessing advocacy services.

A number of further responses were received and these are listed below:
- Advocacy workers will help clients challenge decisions if asked to
- The advocacy worker should present all options available to the client as a first step to ensure client is fully informed
- It should not only be to make an application to Social Security Scotland, it should be advocacy in any shape or form the disabled person requires
- The advocacy service standards and practise should include a reference to human rights based approach

One organisation commented on the importance of seeing an addition of a standard stating the advocacy worker will be able to help BSL users which is particularly important to deafblind people.

Independence
Questions 3, 4 and 5 asked about the standards for independence.

Question 3: Do you agree with the principle of "independence"?

As shown in the following table, a majority of respondents agreed with this principle.

	Number		
	Agree	**Disagree**	**No response**
Campaigning / Advocacy (11)	6	1	4
Local authority (5)	5	-	-
Third sector (20)	15	3	2
Total organisations (36)	**26**	**4**	**6**
Individuals (41)	31	9	1
Total respondents (77)	**57**	**13**	**7**

Question 4: Do you agree with the standards?

	Number		
	Agree	Disagree	No response
Campaigning / Advocacy (11)	4	5	2
Local authority (5)	5	-	-
Third sector (20)	10	5	5
Total organisations (36)	**19**	**10**	**7**
Individuals (41)	28	10	3
Total respondents (77)	**47**	**20**	**10**

Question 5: Is anything missing from the standards and if so, what?

A total of 56 respondents, across all sub-groups, opted to provide commentary in support of their response to Q5.

A key theme emerging in response to this question was that the standards fail to say that the advocacy provided should be independent advocacy and advocacy workers should not deliver any other services. This also included advocacy support being separate from benefit support and advocacy not being provided by the Local Authority.

One individual made an observation that introducing another official person to a young person with additional support needs can be confusing.

A number of further responses were received and these are listed below:
- Additional clarity required on what constitutes independence and what constitutes a conflict of interest
- The standards are missing the word 'confidentiality'
- Advocacy should be separate from Scottish Government, not just Scottish Ministers

Person Centred

Questions 6, 7 and 8 asked about the standards for person centred:

Question 6: Do you agree with the principle of "person centred"?

As shown in the following table, a consensus of respondents agreed with this principal with no one disagreeing.

	Number		
	Agree	**Disagree**	**No response**
Campaigning / Advocacy (11)	9	-	2
Local authority (5)	5	-	-
Third sector (20)	17	-	3
Total organisations (36)	**31**	**-**	**5**
Individuals (41)	40	-	1
Total respondents (77)	**71**	**-**	**6**

Question 7: Do you agree with the standards?

	Number		
	Agree	**Disagree**	**No response**
Campaigning / Advocacy (11)	8	1	2
Local authority (5)	5	-	-
Third sector (20)	14	1	5
Total organisations (36)	**27**	**2**	**7**
Individuals (41)	37	3	1
Total respondents (77)	**64**	**5**	**8**

<u>Question 8: Is anything missing from the standards and if so, what?</u>

A total of 46 respondents, across all sub-groups, opted to provide commentary in support of their response to Q8.

A key theme emerging in response to this question was concern that the standard requiring formal agreement before acting on a client's behalf may leave people vulnerable if they are unable to give formal consent. A number of responses state this may be problematic as it assumes all individuals will be able to give consent.

A number of further responses were received and these are listed below:
- This standard is not person centred, it is based/centred on the Social Security system
- Final point on outcomes may be considered as jargon. Suggested it to read 'Your advocacy worker will base their actions on what is important to you'
- Scottish Government should make clear what a person centred principle means in relation to a rights based Social Security system
- Advocacy can only be person centred if it is independent advocacy
- Actions are to be based on the client's desired outcomes and with the client's agreement

A small number of respondents stated having multiple sets of standards for independent advocacy is counterproductive to a person centred approach.

Accessible

Questions 9, 10 and 11 asked about the standards for accessible.

<u>Question 9: Do you agree with the principle of "accessible"?</u>

As shown in the following table, a majority of respondents agreed with this principle.

	number		
	Agree	**Disagree**	**No response**
Campaigning / Advocacy (11)	9	-	2
Local authority (5)	5	-	-
Third sector (20)	16	1	3
Total organisations (36)	**30**	**1**	**5**
Individuals (41)	38	2	1
Total respondents (77)	**68**	**3**	**6**

Question 10: Do you agree with the standards?

	Number		
	Agree	Disagree	No response
Campaigning / Advocacy (11)	7	2	2
Local authority (5)	5	-	-
Third sector (20)	13	2	5
Total organisations (36)	**25**	**4**	**7**
Individuals (41)	36	4	1
Total respondents (77)	**61**	**8**	**8**

Question 11: Is anything missing from the standards and if so, what?

A total of 48 respondents, across all sub-groups, provided commentary in support of their response to Q11.

A key theme emerging in response to this question was concern over meeting in rural settings with limited travel options.

An organisation raised concern about the lack of mention, throughout the draft standards, to non-instructed advocacy stating this undermines the policy of the principle of accessibility.

A number of further responses were received and these are listed below:
- The need for clarity regarding where the meeting will take place
- The standards should state the meeting will take place at a time that suits the client
- The right of the person accessing the advocacy to be accompanied
- The use of 'reasonable adjustment' may strengthen this standard
- Reference to missed appointments not leading to exclusion would recognise system barriers clients may face
- The need for Scottish Government to tell clients this support is available and where to find it
- The need for risk assessments to be carried out for workers to meet service user in a place that is accessible and safe
- The need for accessibility to be personalised

A few respondents mentioned the need for sufficient financing and resourcing to make advocacy truly accessible to disabled people e.g. need for translation services, BSL interpreters. Concern was raised over how this will be financed and delivered.

Trained
Questions 12, 13 and 14 asked about the standards for trained.

Question 12: Do you agree with the principle of "trained"?

As shown in the following table, a majority of respondents agreed with this principle.

	Number		
	Agree	**Disagree**	**No response**
Campaigning / Advocacy (11)	9	-	2
Local authority (5)	5	-	-
Third sector (20)	15	-	5
Total organisations (36)	**29**	**-**	**7**
Individuals (41)	35	5	1
Total respondents (77)	**64**	**5**	**8**

Question 13: Do you agree with the standards?

	Number		
	Agree	**Disagree**	**No response**
Campaigning / Advocacy (11)	7	2	2
Local authority (5)	4	1	-
Third sector (20)	13	2	5
Total organisations (36)	**24**	**5**	**7**
Individuals (41)	31	8	2
Total respondents (77)	**55**	**13**	**9**

Question 14: Is anything missing from the standards and if so, what?

A total of 49 respondents, across all sub-groups, provided commentary in support of their response to Q14.

Key themes emerging in response to this question were: the question of who is training the advocacy workers, the need for a definition of training and the need for training to be standardised across all Local Authorities.

A few respondents asked if advocacy workers should be registered and regulated.

A number of further responses were received and these are listed below:
- The standards should include 'people with a lived experience will be involved in the training of advocacy workers'
- The need for advocacy workers to be trained in the benefit system as a whole
- The standards are missing a recognition that providing independent advocacy and advice are separate support services requiring different training
- Clarity on how advocacy workers maintain their responsibilities under human rights and equality legislation
- The need for standards to be reviewed and reported on to ensure public knows the standard, and level, of training the advocacy advisor has met

Quality Assurance
Questions 15, 16 and 17 related to the standards for quality assurance.

Question 15: Do you agree with the principle of "quality assurance"?

As shown in the following table, a majority of respondents agreed with this principle.

| | Number | | |
	Agree	Disagree	No response
Campaigning / Advocacy (11)	9	-	2
Local authority (5)	5	-	-
Third sector (20)	16	-	4
Total organisations (36)	**30**	**-**	**6**
Individuals (41)	34	4	3
Total respondents (77)	**64**	**4**	**9**

Question 16: Do you agree with the standards?

	Number		
	Agree	Disagree	No response
Campaigning / Advocacy (11)	8	1	2
Local authority (5)	5	-	-
Third sector (20)	10	2	8
Total organisations (36)	**23**	**3**	**10**
Individuals (41)	33	5	3
Total respondents (77)	**56**	**8**	**13**

Question 17: Is anything missing from the standards and if so, what?

A total of 43 respondents, across all sub-groups, opted to provide commentary in support of their response to Q17.

A key theme emerging in response to this question was that a robust quality assurance system needs to be in place to ensure a consistent and reliable service delivery that can be measured and reported on, including a reference on how quality assurance is maintained.

A few respondents noted that it may be useful to have a more dynamic and inclusive form of user involvement, other than just feedback forms, to capture more types of intangible outcomes. One organisation stated this could be enhanced by placing a requirement on advocacy services to be proactive in seeking service user feedback.

A number of further responses were received and these are listed below:
- The complaints procedure being straight forward and stress free with a clear and transparent escalation route
- People should be assured their advocacy service is free from any potential conflict of interest
- Standards to include that people with lived experience who have used the advocacy service should be directly involved in the evaluation of the service
- To include that disabled people can have advocacy support to complain about advocacy services
- Clients have the right to see any records held about them

A small number of respondents asked what would be considered as an outcome, how this will be identified and who identifies what an outcome is.