

**coramVoice** )))  
getting young voices heard

# Non-Instructional Advocacy for Children and Young People



# GETTING YOUNG VOICES HEARD

**Coram Voice enables and equips children and young people to hold to account the services that are responsible for their care. We uphold the rights of children and young people to actively participate in shaping their own lives.**

We work with vulnerable children and young people across England. Our services include Always Heard, the national advocacy safety net and advice service, and a range of local children's rights projects such as advocacy for children in care, care leavers and other young people needing the support of Children's Services.

At Coram Voice we have a wealth of experience advocating on behalf of young people who are supported by Children's Services, some of whom also have complex additional needs. We want to ensure that our service is accessible to every child and young person who is eligible for our support.

This publication describes how we work with children and young people who, for a range of reasons, are unable to instruct an advocate to uphold their rights, wishes and feelings.



# NON-INSTRUCTED ADVOCACY

*“Non-instructed advocacy is taking affirmative action with or on behalf of a person who is unable to give clear direction of their views or wishes in a specific situation. The non-instructed advocate seeks to uphold the person’s rights; ensure fair and equal treatment and access to services; and make certain that decisions are taken with due consideration for their unique preferences and perspectives.”*

Henderson 2006

Even if children and young people are not able to communicate clear instructions, they have the absolute right to be involved in the decisions that affect them and have their views taken into account when decisions are being made about their lives. This is enshrined in law: Article 12 of the UN Convention on the Rights of the Child, sections 17, 22 and 47 of the Children Act 1989.

Coram Voice therefore believes that every child and young person who is entitled to independent support and representation from an advocate, should have access to this service. A commitment to equality of opportunity and equal access to independent advocacy is consistent with the National Standards for the Provision of Children’s Advocacy (2002), and meets the requirements of the Equality Act 2010.

The advocate’s role is unique, in that they act on behalf of the child alone. At the heart of the non-instructed model of advocacy is the commitment to providing a voice for the most vulnerable young people. For those who cannot self-advocate, it is even more essential that others safeguard their rights, to ensure that they are not treated less favourably or unfairly disadvantaged.

The advocate uses a model that places the young person at the centre of everything they do. The advocate’s actions will be informed by their perceptions of the child or young person’s unique preferences and perspectives, and an understanding of their rights. This ensures that the advocate’s work is always focused on the young person.

# CRITERIA FOR CORAM VOICE'S NON-INSTRUCTED ADVOCACY

**The lack of verbal communication or lucidity does not in itself warrant a non-instructed advocacy approach.**

In the first instance, Coram Voice advocates will always seek to enable a child to express their instructions so that the advocate works to an agenda that has been set by the child. The advocate must take all possible steps to establish a meaningful mode of communication. Where this is not possible, they can utilise a non-instructed model of advocacy only when any of the following apply:

- The child or young person is unable to clearly and specifically communicate their wishes, feelings, and instructions by reason of age, learning disability, communication disorder, mental ill health, or debilitating illness
- The child or young person lacks the capacity to be able to understand a specific issue
- The child or young person lacks the capacity to understand the consequences of action or inaction
- The child or young person lacks the capacity to make informed decisions



# APPROACHES TO NON-INSTRUCTED ADVOCACY

**A Coram Voice advocate can use the following approaches when working with a child or young person requiring non-instructed advocacy support:**

## **The Person Centred Approach**

Is based on developing a mutually respectful relationship between the advocate and the child or young person over a period of time. The advocate spends time with the young person observing their responses, interacting with the child and learning to understand the meaning of their expressions. By spending time with the child in different settings, the advocate builds up perceptions of the child's lifestyle, individual perspectives, needs, unique preferences, likes, and dislikes.

## **Rights Based Approach**

By gathering information and raising questions in relation to a young person's rights, an advocate comes to understand the young person's position in relation to his or her entitlements. The advocate is able to identify whether or not the young person's rights are being upheld, and challenge any failings.

## **The Watching Brief**

When decision makers and service providers make proposals, the advocate is able to raise questions to ensure that proposals are justifiable and positively meet the needs of the child. The Watching Brief focuses on raising questions around quality of life domains, including continuity, choice and influence and well-being.

## **Witness-Observer Approach**

The role of the advocate is as an observer or witness. When the advocate observes something which is unacceptable or which poses a threat to the child or young person's well-being, then the advocate takes appropriate action.



## NON INSTRUCTED- ADVOCACY IN OTHER SETTINGS

**The non-instructed advocacy approach is not only employed with children and young people being supported by Children's Services:**

For example the Mental Capacity Act 2005 provides the right to support from an Independent Mental Capacity Advocate or "IMCA" when a person over the age of 16 has been assessed as lacking capacity to make specific important decisions about their lives, and when there is no one else who is "appropriate to consult." Non-instructed advocacy can also be used by Care Act and Independent Mental Health Advocates.

It is possible that a young person working with a Coram Voice advocate may also be in receipt of services from another advocacy provider at the same time. For more information about this, please contact our Specialist Advocate for Children and Young People with Disabilities.

# CONTACTING US

## Always Heard

Coram Voice's Always Heard service supports children and young people involved with Children's Services to access the advocacy support they need. Young people can contact us directly or if a young person lacks the capacity to contact Coram Voice themselves then any adult involved in their life can make the referral.

Contact Always Heard:

- Freephone helpline: **0808 800 5792**
- Email : **[help@coramvoice.org.uk](mailto:help@coramvoice.org.uk)**
- Text/WhatsApp: **07758 670 369**
- Online: **[www.coramvoice.org.uk/alwaysheard](http://www.coramvoice.org.uk/alwaysheard)**

We provide advice and information about young people's rights and how to access local support they are entitled to. We also step in to provide safety net advocacy support to children in care, care leavers and those needing to be in care who are unable to access their local advocacy service. Where a child cannot give consent to receiving advocacy then the consent of a person holding parental responsibility will be sought prior to commencing advocacy work.

## Specialist Advocacy

For more information about non-instructed advocacy, please contact the **helpline** and ask to speak to the **Specialist Advocate for Children and Young People with Disabilities**.

## Training

We also offer training to support professionals who provide non-instructed advocacy to children and young people, along with a range of other advocacy and disability focused training courses.

To discuss our training offer, please contact **[info@coramvoice.org.uk](mailto:info@coramvoice.org.uk)** or call **0207 833 5792**.





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