

## 46

# INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

## Unit overview

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### Elements of competence

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| 46a | Work with the children and young people to identify how and by whom they wish to be represented                               |
| 46b | Work with children and young people to represent their needs and wishes   |
| 46c | Help children and young people understand the procedures and outcomes from the representation                                 |
| 46d | Support children and young people to evaluate their experiences of the advocacy support and the systems they have encountered |

### About this unit

For this unit you need to advise and support children and young people to make decisions about how you represent their case in their terms and how they can evaluate their experience of the representation.

### Scope

The scope is here to give you guidance on possible areas to be covered in this unit. The terms in this section give you a list of options linked with items in the performance criteria. You need to provide evidence for any option related to your work area.

**Communicate** using: the child's/young person's preferred spoken language; the use of signs; symbols; pictures; writing; objects of reference; communication passports; other non verbal forms of communication; human and technological aids to communication.

Your **knowledge and understanding** for this unit will relate to legal requirements and codes of practice applicable to the scope of your work and that of others with whom you work; your role, and level of responsibility you have within your organisation to manage activities to achieve an optimum service; the depth and breadth of understanding that will enable you carry out your job role and support others to perform competently; the need to be able to solve problems and resolve conflicts; the need to be able to evaluate, assess situations and act appropriately; systems and processes within your own and across other organisations and the need for you to be able to work in collaboration with children and young people, parents, families, carers and others within and outside your organisation.

### Values underpinning the whole of the unit

The values underpinning this unit have been derived from the key purpose statement<sup>1</sup>, the statement of expectations from carers and people receiving services, relevant service standards and codes of practice for health and social care in the four UK countries. They can be found in the principles of care unit 44. To achieve this unit you must demonstrate that you have applied the principles of care outlined in unit 44 in your practice and through your knowledge.

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<sup>1</sup>The key purpose identified for those working in health and social care settings is "to provide an integrated, ethical and inclusive service, which meets agreed needs and outcomes of people requiring health and/or social care"

## INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

### Key words and concepts

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This section provides explanations and definitions of the key words and concepts used in this unit. In occupational standards it is quite common to find words or phrases used which you will be familiar with, but which, in the detail of the standards, may be used in a very particular way.

**Therefore, we would encourage you to read this section carefully before you begin working with the standards and to refer back to this section as required.**

<b>Active support</b>	Support that encourages children and young people to do as much for themselves as possible to maintain their independence and physical ability and encourages people with disabilities to maximise their own potential and independence
<b>Advocacy</b>	Where a person represents the exact views of the child/young person and speaks on their behalf
<b>Carers</b>	Any person who cares for the physical, social and mental well-being of the children
<b>Children and young people</b>	Children and young people from birth to 18 years of age who require health and care services and where the children and young people are “looked after” or still eligible to receive children’s/young people’s services until they reach 21. If still in educational provision this age range can rise to 25. Where children and young people use advocates to enable them to express their views, wishes or feelings and to speak on their behalf, the term child/young person within this standard covers the children and young people and their advocate
<b>Evidence</b>	The supporting rationale and materials that underpin decisions and actions. It should clearly differentiate between fact, informed opinion and evidence/knowledge based evidence
<b>Families</b>	Include the people who are biologically related to children and young people and those who, through relationships, have become an accepted part of their family
<b>Independent representation</b>	Where the child/young person is represented by someone who is independent of others involved in the child’s/young person’s health and care
<b>Level of development and understanding</b>	Covers the cognitive, physical, social, emotional and intellectual level of children and young people. It can be related to chronological age but where children and young people have disabilities and form of development may be delayed
<b>Others</b>	Are other people within and outside your organisation that are necessary for you to fulfil your job role
<b>Parents</b>	The biological and/or step parents of the children and young people

## INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

### Key words and concepts (continued)

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#### Rights

The rights that children and young people have to:

- be respected
- be treated equally and not be discriminated against
- be treated as an individual
- be treated in a dignified way
- privacy
- be protected from danger and harm
- be cared for in a way they choose
- access information about themselves
- communicate using their preferred methods of communication and language

## 46 INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

46a Work with the children and young people to identify how and by whom they wish to be represented

### **Performance criteria**

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You need to show that:

- 1 You provide **active support** to enable **children and young people** to communicate their feelings and needs about advocacy and **independent representation**, taking account of their age, abilities and **level of development and understanding**
- 2 You seek advice from **parents, families, carers** and friends close to the children and young people, and only with the child's or young person's consent
- 3 You help children and young people to communicate their views and wishes freely and directly about **advocacy** and independent representation
- 4 You ensure that the child or young person determines whether he/she wishes to participate and communicate either:
  - for themselves
  - with an advocate to speak for them
  - jointly with an advocate
- 5 You work with children and young people to enable them to understand:
  - what is happening to them
  - how they can make their views known
  - the choices they have regarding decisions being made about them and any restrictions placed upon them and others
- 6 You make notes and records of meetings with children and young people, which show how their active participation has been promoted
- 7 If you and your organisation are unable to help, you work with **others** to refer the child or young person on to another appropriate source of help

## 46 INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

46b Work with children and young people to represent their needs and wishes

### **Performance criteria**

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You need to show that:

- 1 You provide children and young people with all relevant information about advocacy and independent representation
- 2 You support children and young people to interpret and understand the information and to make well-informed decisions about how you should represent them
- 3 You provide information in an accessible and understandable format and language that gives the children and young people appropriate power and an effective voice
- 4 You support children and young people to communicate what they want you to say on their behalf, communicate what you are going to say and check that this reflects their views, wishes and preferences
- 5 You support children and young people to understand what others who are challenging the representation of the children and young people may say and how you might have to change what you say in response to their comments
- 6 You do not make assumptions about the abilities of children and young people to express their views
- 7 You only act with the express permission and instructions of children and young people, even when you disagree
- 8 You treat children and young people fairly, equally and with respect, valuing them as individuals and challenging discrimination
- 9 You ensure that the activities you undertake on behalf of children and young people have specified achievable timescales, and, where deadlines slip, you inform the children and young people of this and the consequences
- 10 You assure the children and young people that you will remain as their advocate, unless there is a good reason for change
- 11 Following the end of each contact, you agree any follow-up action with the child/young person
- 12 Where there are differences between your own and the child's/young person's view, you communicate the differences and identify the best way forward with the child/young person and other relevant people
- 13 You use **evidence** to record what has been done, how it was done and why, giving children and young people an opportunity to see, understand and challenge the records and ensuring that their views and wishes are documented and understood

## **46 INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE**

46c Help children and young people understand the procedures and outcomes from the representation

### **Performance criteria**

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You need to show that:

- 1 You clarify whether the children and young people understood the proceedings and the implications of what was said and decided for and about them
- 2 You support children and young people to understand the outcomes from the representation
- 3 You give children and young people any documents that they are able to read, checking that their understanding of them is correct and clarifying issues and matters arising
- 4 You provide information about the processes and outcomes from the representation in an understandable and accessible form for children and young people
- 5 You assure children and young people that their privacy will be respected at all times and that nothing will be disclosed outside the service without their agreement, unless it is necessary to prevent significant harm and abuse to them or to someone else, or if disclosure is required by a court
- 6 You support children and young people to understand any future action that may be taken, how they may be involved in this and any likely effects this may have on their lives

## **46 INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE**

46d Support children and young people to evaluate their experiences of the advocacy support and the systems they have encountered

### **Performance criteria**

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- 1 You support the children and young people to evaluate their experiences of the advocacy and the systems to support this service
- 2 You ensure that children and young people are aware of complaints procedures and how to use these
- 3 You involve children and young people in identifying changes that need to be made to advocacy services, indicating how such changes could help other children and young people and urge decision-makers to make changes
- 4 You work collaboratively with those within and outside your organisation who share similar concerns and objectives to promote children's and young people's rights and wishes
- 5 You work with others to ensure that every child/young person can access advocacy services and participate effectively on the grounds of disability, age, gender, race, culture, religion, language, sexuality or nationality
- 6 You support children and young people to raise their concerns and follow the complaints procedures of the organisations when they are not happy with the service
- 7 You use evidence to record what has been done, how it was done and why, giving children and young people an opportunity to see, understand and challenge the records and ensuring that their views and wishes are documented and understood

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# INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

## Knowledge specification for the whole of this unit

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Competent practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent practice in the performance described in this unit. When using this specification **it is important to read the knowledge requirements in relation to expectations and requirements of your job role.**

### Values

- 1 Legal and organisational requirements on equality, diversity, discrimination, rights, confidentiality, sharing of information and the rights of children and young people nationally, and through the UN convention on the Rights of the Child
- 2 Knowledge and practice that underpin the holistic person centred approach which enable you to work in ways that:
  - place the children and young person's preferences and best interests at the centre of everything you do
  - provide active support for the child/young person
  - recognise the uniqueness of the child/young person and their circumstances
  - empower children and young people to take responsibility (as far as they are able and within any restrictions placed upon them), and make and communicate their own decisions about their lives, actions and risks
- 3 Methods and ways of working that:
  - support equality and diversity by:
    - ◇ promoting equality of opportunity and fair access to advocacy services
    - ◇ challenging discrimination on the grounds of gender, ethnicity, sexuality, disability, size, age, class, appearance, religion and language
    - ◇ ensuring that disabled children are supported to be as independent as possible and enabled to play a full and active part in every day life, and how advocacy can support this
  - support the rights of children and young people to communicate in their preferred way, media and language
  - are effective when dealing with, and challenging information, documents, systems, structures, procedures and practices that are discriminatory
  - protect the rights and the interests of children and young people
  - are ethical and adhere to any codes of practice relevant to your work
- 4 How to manage ethical dilemmas and conflicts for children and young people

### Legislation and organisational policy and procedures

- 5 Codes of practice and conduct, and standards and guidance relevant to your own and the roles, responsibilities, accountability and duties of others when advocating for children and young people



## INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

### Knowledge specification for the whole of this unit (continued)

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- 6 Current local, UK and European legislation and organisational requirements, procedures and practices for:
- data protection
  - making and dealing with complaints
  - employment practices
  - child protection
  - the promotion and safeguarding of children and young people, including whistle blowing procedures
  - promoting secure and permanent relationships for children and young people
  - parental rights and responsibilities
  - working in integrated ways to promote children and young people's well-being
- 7 The philosophy and scope of children's legislation
- 8 Standards of practice, and service standards and guidance about children and young people, advocates, families, carers, groups and communities
- 9 Frameworks and guidance for children and young people on:
- assessment
  - education
  - health
- 10 Key government initiatives, standards and guidance to promote the use of independent representation and advocacy for children and young people
- 11 How to access, evaluate and influence organisational and workplace policies, procedures and systems for advocacy
- 12 How to access and record information, decisions and judgements about children and young people, electronically and manually

### Theory and practice

- 13 How and where to access literature, information and support to inform your own and the practice of others when advocating for children and young people
- 14 An up-to-date knowledge of:
- the literature related to best practice in advocacy for children and young people
  - government reports, inquiries and research relevant to advocacy for children and young people
  - government reports, inquiries and research into serious failures to protect children and young people, their parents, families and carers
- 15 Theories of:
- human growth and development related to children and young people, including factors and conditions that can benefit and/or inhibit development
  - identity and self-esteem
  - managing loss and change
  - conflicts and dilemmas
  - stress and how it can affect behaviour
  - power relationships and how these can be used and abused
  - engagement, stimulation and motivation related to the children and young people with whom you work
  - inter-personal communication with children and young people, including those whose age or condition requires non-verbal inter-actions and communications
  - supervision and management in child protection

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## INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

### Knowledge specification for the whole of this unit (continued)

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- 16 Knowledge of health, social, emotional, financial and environmental factors that affect the well-being of children and young people
- 17 Knowledge of physical, social, emotional, financial and mental health conditions you are likely to have to deal with when advocating for children and young people
- 18 Methods of:
- working jointly with others in and outside your organisation and professionals when advocating for children and young people
  - involving children and young people in assessing, planning, implementing, and reviewing their advocacy needs and preferences, in ways that are appropriate to the age of the child/young person and their level of development and understanding
  - working with children and young people who have been abused, bullied, persecuted, who are at risk of harm or danger, of becoming involved in offending behaviour
- 19 The different types of decision-making forums with which children and young people might be involved, how they operate and how to promote the child's/young person's understanding of the way decisions are made at the forum
- 20 The different forms of advocacy and the contribution they can make in supporting children and young people to express their views
- 21 Factors to take account of and ways of working with children and young people when reviewing and evaluating the outcomes of advocacy with them
- 22 Factors involved in and which must be considered when negotiating and agreeing changes to advocacy
- 23 Factors that cause risks and those that ensure safe and effective care for children and young people
- 24 Types of support for disabled children, young people and parents
- 25 The use of evidence based practice to:
- justify your actions and decisions
  - record and report processes and outcomes of your work
- 26 Methods that are effective to enable you to work in age appropriate ways when advocating for children and young people
- 27 The types of evidence that are valid in investigations and court, actions and statements that could contaminate the use of evidence
- 28 The use of evidence, fact and knowledge based opinions in records and reports and why it is important to differentiate between these and make clear the source of evidence

## INDEPENDENTLY REPRESENT AND ADVOCATE WITH, AND ON BEHALF OF, CHILDREN AND YOUNG PEOPLE

### Evidence requirements for this unit

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- Direct observation by assessor and/or an expert witness is required for some of the performance criteria for every element in this unit.
- Prior to commencing the unit you should agree a plan with your assessor regarding the types of evidence to be used.
- You must provide your assessor with evidence for ALL the performance criteria and ALL the knowledge requirements and the relevant parts of the SCOPE as applicable to your workplace.
- The evidence must, at all times, reflect the policies and procedures of the workplaces as linked to current legislation and values and principles for best practice within the Health and Social Care Sector. This will include the National Service Standards for your area of work or client group.
- All evidence should relate to real work activities for ALL elements of this Unit.
- Simulation is NOT permitted for this unit.

### Competences can be demonstrated using a variety of types of evidence from the following:

- **Work products:** these can be any record that you would normally use within your normal role eg policies and procedures and reports and records, etc.
- **Assignments/projects:** you may have already completed a project or assignment (for example from HNC, NC, VRQ, BTec courses, D32, 33, 34, A1 and V1). You could also use evidence of previous in-house training course/programmes you have completed showing professional development.
- **Reflective accounts:** you describing your actions in a particular situation(s) and reflection on the reason(s) for practicing in that way, in relation to the children and young people who you support.
- **Questioning and professional discussion:** you and your assessor may agree on questions to demonstrate your knowledge and/or performance, to supplement the evidence demonstrated through Observations, Products and Reflective Accounts. These can be oral or written but evidence of this must be recorded.
- **Witness testimonies:** these could be from other people who could provide evidence of how you have worked with children and young people to give help and advocacy support.

**NB Confidential records are not required in your portfolio, they can remain where they are normally stored and be checked by your assessor and internal verifier. If they are included they must be anonymised.**