



Children and young people's views on England's care review

Advocacy,
Independent
Visitors and
Protected
Characteristics

November 2022

coram
Voice 
getting young voices heard

nyas 
national youth
advocacy service

Children's rights charities NYAS (National Youth Advocacy Service) and Coram Voice wanted to understand what children and young people thought about the recommendations in the Independent Review of Children's Social Care about advocacy, independent visitors and making care experience a protected characteristic.

This is so that we can tell the UK Government what children and young people think this support should look like.

49

completed online survey

NYAS and Coram Voice teamed up with care experienced young people to co-create a survey that individual children and young people could complete.



23

took part in local sessions using an activity pack

We also hosted three online workshops and created an activity pack for children in care councils and participation groups. In total, we spoke to **83** children and young people, the majority who were aged between 8 and 25 years old.



11

took part in online workshops

We heard from children and young people from 27 out of the 152 local authorities across England (18%). That's just under a fifth or all local authorities.



All quotes included in this report are from young people.



The children and young people who responded were aged between 8 and 25.

There were more young people over 16 (23) than under (19) and more girls/women (23) than boys/men (12).



About a quarter said they had a disability or long-term health condition.

Advocacy



Advocates allow children to have their views, wishes, and feelings heard when important decisions are being made about them. An advocate should be independent and always on the side of the child.

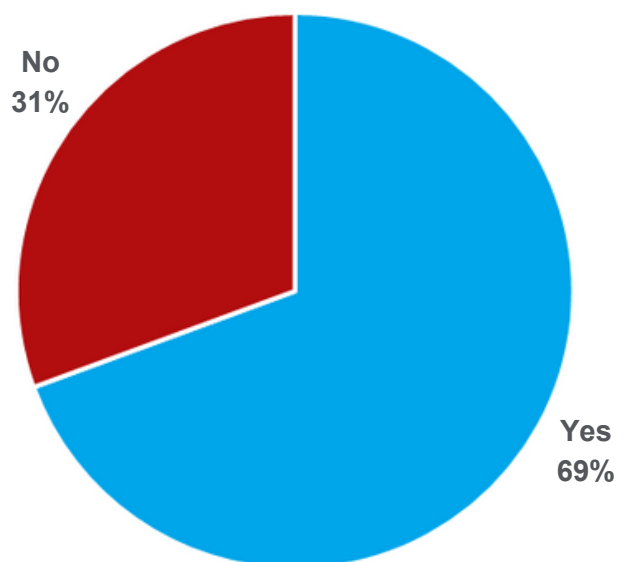
The care review recommended that all children and young people in care should be contacted by an advocate to offer support at key points in their lives. Making this change matters.

Many young people do not know how to access advocacy.

3 out of 10 children and young people said they did not know how to get an advocate. It is more likely that children who are in contact with children's rights organisations such as NYAS and Coram Voice would know about their right to advocacy. This means that the proportion of all children in care in England who know how to get an advocate is likely to be much lower.

In 2015 the Children's Commissioner found that over half of children in care were unsure (16%) or didn't know how to get one (39%).¹

Do you know how to get an advocate?



1. Children's Commissioner (2015) State of the Nation: report 1, Children in Care and Care Leavers survey 2015



It can feel like you have to ‘fight’ for an advocate at the moment. It feels because the process was really difficult and not straightforward that having an advocate was something I weren’t meant to have. Therefore having one instantly helps this feel meaningful and like it matters.



Young people want to have a say in decisions that affect their lives.

We asked children and young people what decisions they wanted to have a say in. Responses included where they live, pathway plans, what happens in the future, contact with family, meetings they attend, school and activities.

They also mentioned driving lessons, getting passports or other official documents and legal advice. Most commonly young people said they wanted a say in everything in their lives.

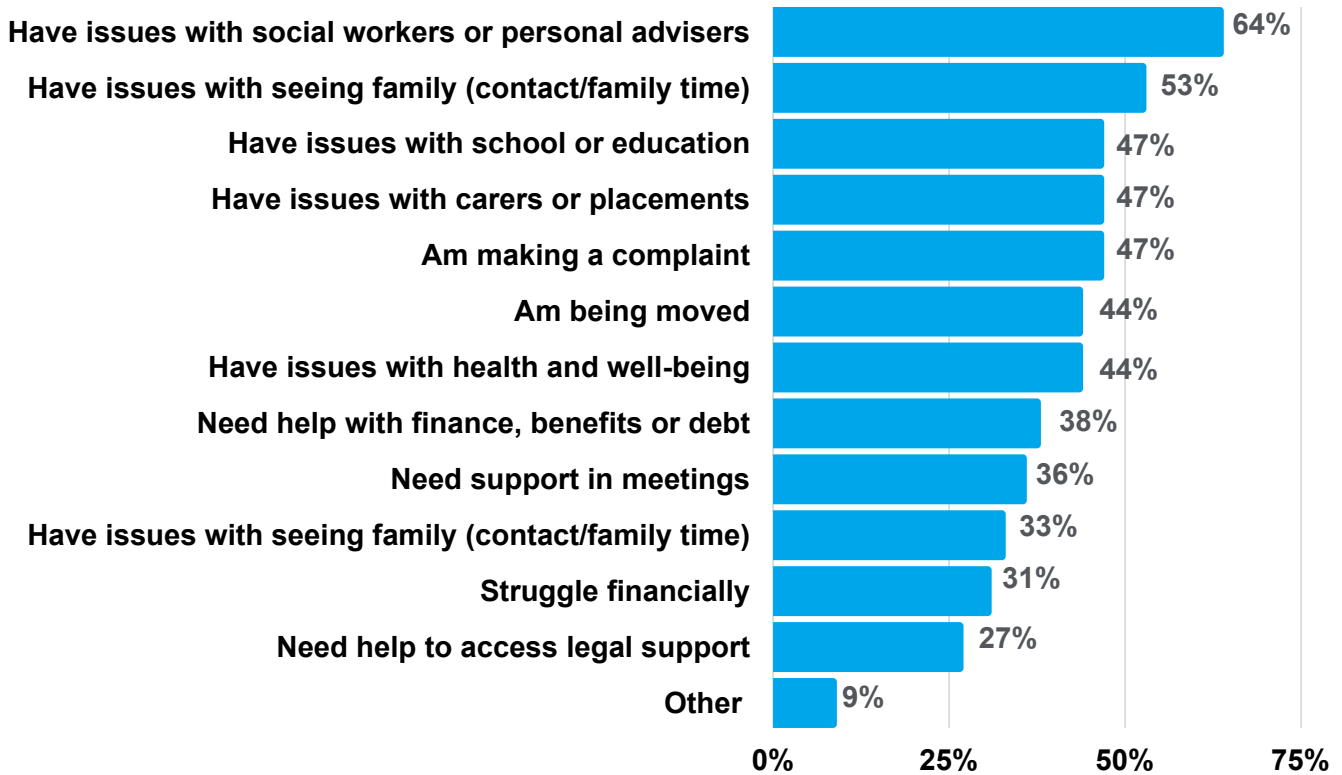
It is a right under Article 12 of UN Convention for the Rights of the Child (UNCRC) for children to express their views, feelings, and wishes in all matters affecting them.



An advocate should be available for anything I might need help in.



I need someone to help me be heard when I...



Advocates should be good listeners and honest.

Children and young people say they need advocates who listen, are honest, and get to know them.

They wanted advocates who are there for them, keep them informed and do what they say they are going to do.

“

That they are open, honest, transparent. They keep me updated and communicate with me, and also make an effort to form a meaningful relationship that doesn't just feel like a task.

”

“

They listen and see me not what has been written about me.

”

What would make you trust an advocate

honest
non judgemental
consistent
helpful
gets to know me
nice
listens
sense of humour
communicates well
trustworthy
experienced
keep you informed
there for me

and feel that they are on your side?

Young people want someone independent who is on and by their side when important decisions are made.

Young people agreed with the care review that advocates needed to be able to be more proactive in contacting children and young people directly. This would enable all children and young people to have an advocate if they wanted one.



— “ —

Think it's good that advocates will contact the child/young person. It's important that the child/young person knows who their advocate is and how to contact them.

— ” —

— “ —

An advocate being independent is the key thing, and they voice the needs of those in care. If an advocate contacts the children first and makes them aware of their rights then they will be able to trust them and build a relationship.

— ” —

— “ —
ALL should be able to have an advocate if there are no IROs - not just when you assume one is needed.
— ” —

Children and young people felt it was important that they had access to advocates during reviews, especially if, as proposed in the care review, Independent Reviewing Officers (IROs) are removed.

There were mixed views about IROs. Some felt IROs were not independent and could be influenced by what was best for the council not the child.

Young people agreed with the care review that advocates needed to be able to be more proactive in contacting children and young people directly. This would enable all children and young people to have an advocate if they wanted one.

“
I would be worried if they took IRO's away. I don't see mine that often, but it's good to know they are there.
”

“
I don't think IRO's are truly independent anyway - their wages are paid by the council.
”



If I wasn't told about advocacy when I was in care I would have been stuck for a very long time. My advocate... was absolutely exceptional and changed my life, the support that an advocate provides young people is one that is unmatched.



What should happen next?

Young people told us whilst they want help to have a say in many different kinds of decisions, they do not always know how to access advocacy support. To make sure they have a voice advocacy must be offered and available in all the situations when they feel they need help to be heard. Advocacy services therefore need to be properly funded to be able to be there for young people.

The government should implement the care review's recommendation for an opt-out model of independent advocacy support, where children are automatically connected with an advocate when entering care and at other key moments in their care journey.

Independent Visitors



An Independent Visitor is a volunteer who spends time with a child or young person in care. For many children and young people, an Independent Visitor is the only adult in their lives who is not paid to spend time with them.

The care review recommended for local authorities to re-design their existing Independent Visitors schemes for children in care and care leavers to allow for long-term relationships to be built.

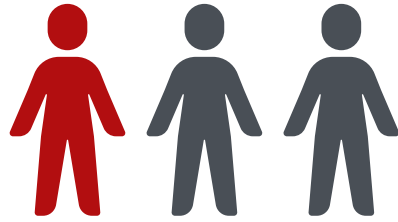
A long-term relationship between a young person and their Independent Visitor could be one of a young person's two loving relationships that the care review has made its mission for no child to leave care without by 2027.

However, care experienced young people are only entitled to an Independent Visitor up until their 18th birthday.



Although the care review has asked local authorities to reimagine their Independent Visitor schemes by involving wider communities, no tangible goals have been set on how to connect more young people with Independent Visitors.

Too many young people have not heard of independent visitors.



A third of young people who responded to our survey had not heard about Independent Visitors.

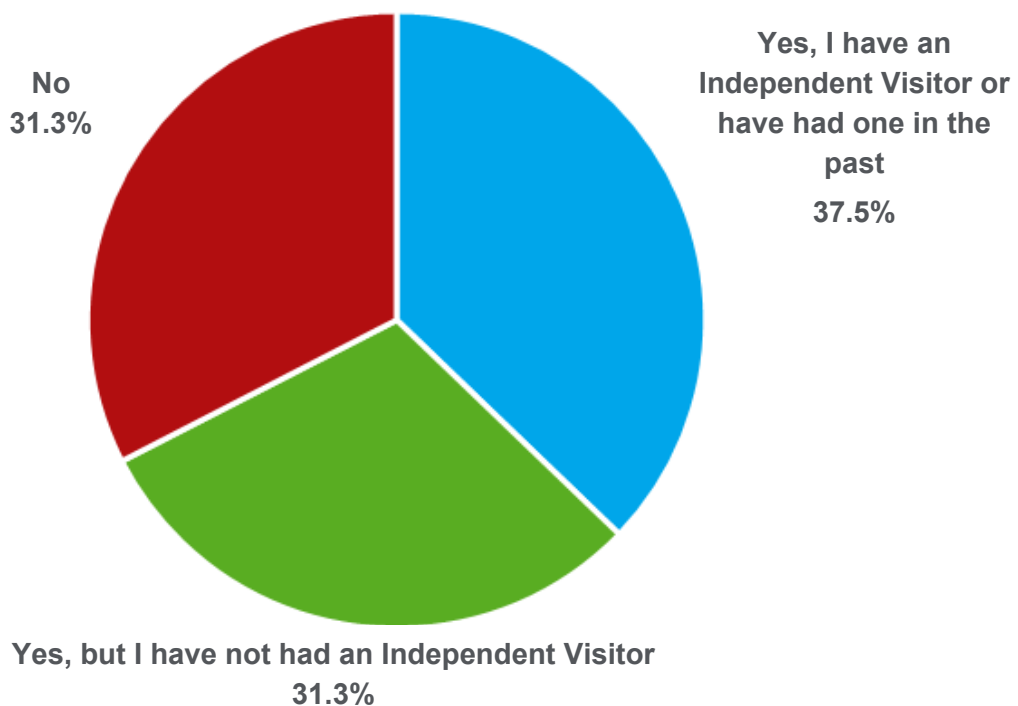
If young people have not heard of Independent Visitors, then their legal right to receive one, if it is in their best interests, is not likely to be met.



IVs are great as it increases the chances of socialising and being mentally healthy as you've someone in your life.



Before this survey had you heard about Independent Visitors?



Many young people do not know how to access an Independent Visitor.

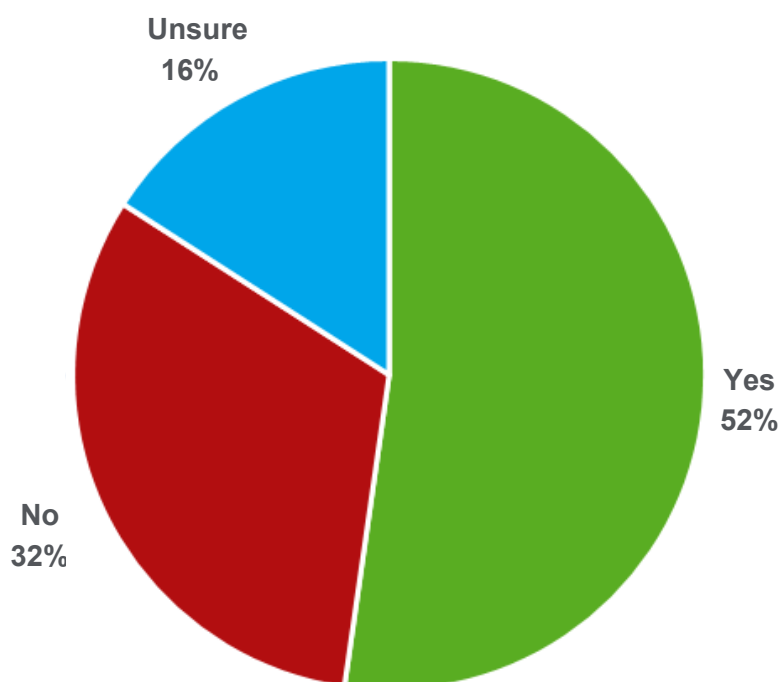
Almost half of young people who responded to our survey were unsure or did not know how to access an Independent Visitor.



I would have liked an IV they sound like people who would be there for me and not answer to my social worker.



Do you know how you can get an Independent Visitor?



A person who is there for [me], not as of a family, who I can talk to without having to think what their thoughts on me are.



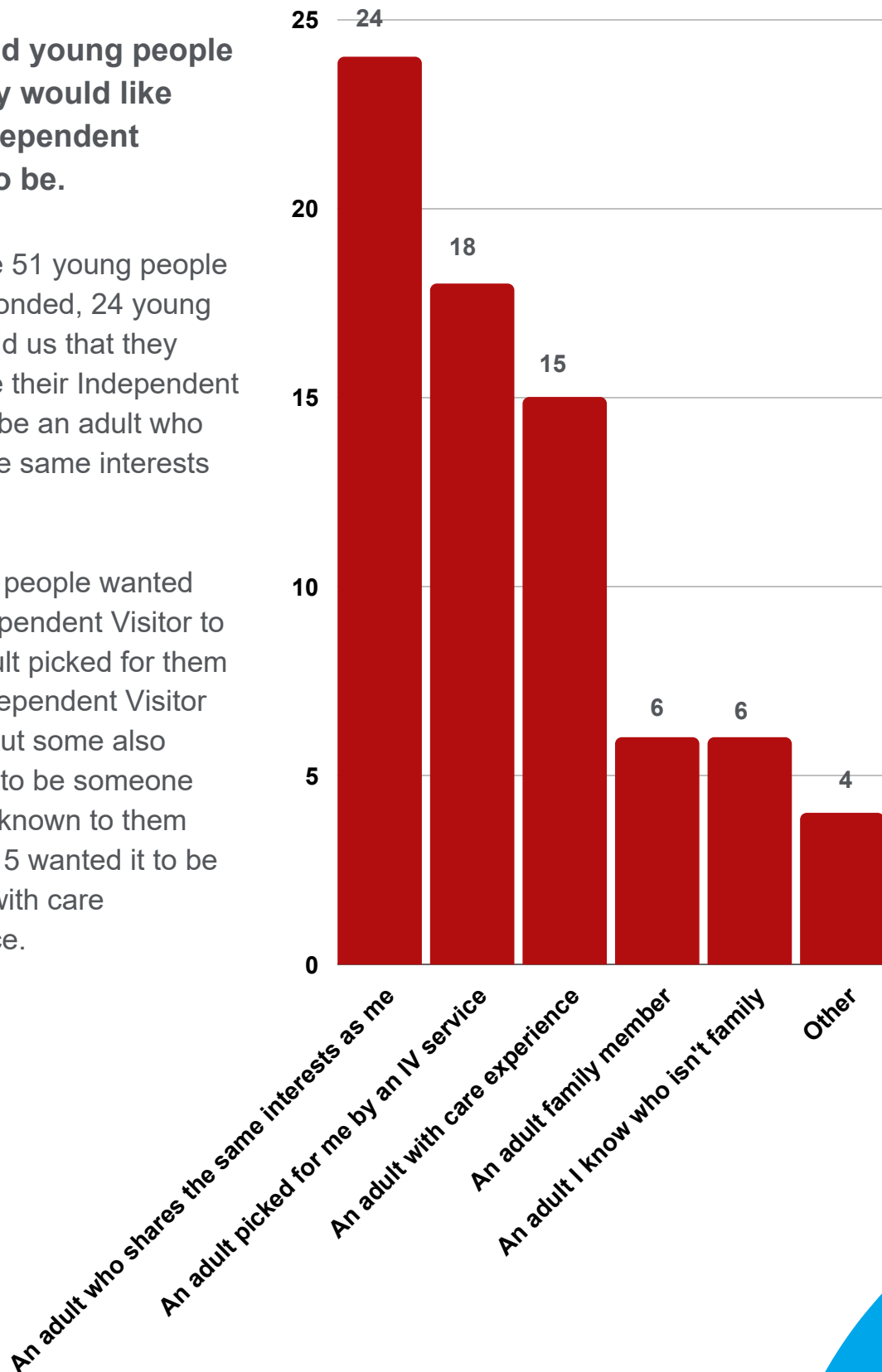
Young people want their Independent Visitor to share the same interests as them.

We asked young people who they would like their Independent Visitor to be.

Out of the 51 young people who responded, 24 young people told us that they would like their Independent Visitor to be an adult who shares the same interests as them.

18 young people wanted their Independent Visitor to be an adult picked for them by an Independent Visitor service, but some also wanted it to be someone who was known to them already. 15 wanted it to be an adult with care experience.

Who would you like your Independent Visitor (IV) to be?



Young people like spending time on days out and talking with their Independent Visitors.

“Activities like going to places I chose, playing board games because when you're distracted it's easier to talk about things than in a professional way.”

Young people told us about the sorts of things they would like to do with their Independent Visitors. Outdoor activities, talking and going to events were their favourites.

Other examples included meals or days out, sports, developing life skills, cinema or live music, gaming, shopping and pampering.

“Explore my faith and culture as I live with people who do not understand my religion. Someone who would like to try new foods and foods which I like to eat from my background have fun and try new things.”

A couple of young people spoke about wanting someone who understood their faith or culture or support them with planning their future.

“Go for lunch and talk about my moving forward plan and help me make the right decision without being bias.”

What sort of things would you like to do

days out
outdoor
live music
faith and culture
cinema
activities
eat out
sports
pampering
shopping
talking
events
seeing family

with an Independent Visitor?

Independent Visitors should keep in contact after young people turn 18.

Young people felt that long lasting relationships were related to stability and to someone being there for them no matter what.

“

Someone that is with you for a long time – you’re not just a job to them.

”

Young people who responded to our survey shared their thoughts on what would help them to have a long-lasting relationship with an Independent Visitor that continues after they turn 18 years old. They felt it was someone who they could trust, who was kind, caring, funny and listened to them. Respect, forgiveness and feeling safe were also important.

“

Someone that can make you laugh, but also talk about the serious stuff.

”

They wanted them to be someone who was present through both good and bad times, encouraging them when they did well and helped them when they were not doing well. They wanted someone with whom they could do fun, age appropriate activities with.

“

A long lasting relationship is just that, long lasting - not give your time once a week or once month for a year!

”

Young people felt regular contact and talking with their Independent Visitor would help them continue their relationship, and feeling they could trust their Independent Visitor was important to make the relationship last.

“

Being able to contact them anytime, and meet for occasional coffees etc. if needed. My IV would only meet me on the set date, relationships don't have specific dates, they happen at any time.

”

What should happen next?

Young people wanted Independent Visitors who they shared interests with and who they could see in a more flexible way. Whilst many young people want services to identify an adult to match them with, some also indicated that they would want to develop relationships with adults they already know. Young people want flexible services that allowed contact when young people want and need it and that continue as they leave care at 18.

As part of the implementation of the care review, resources should be made available to reimagine and redevelop services together with children and young people in local areas. This could involve older care leavers as peer mentors as well as schemes that facilitate relationships with adults who young people already know. Some young people thought the Independent Visitor service needed to be renamed to be more accessible.

On the day a child turns 18, they do not immediately stop enjoying outdoor activities, talking, or going to events with a friend they trust. Too many young people do not know how to request an Independent Visitor. Local authorities should have a legal duty to offer all children in care and care leavers an Independent Visitor or befriender.



Protected Characteristics

It is against the law to discriminate against someone if they have certain characteristics, which are qualities that make them different from others. Protected characteristics such as disability and race are characteristics people have which result in them being more likely to be discriminated against.

The care review recommended for the government to make care experience a protected characteristic, meaning it would be against the law to discriminate against someone because they are or have been in care.



People often assume that you are problematic and have many things wrong with you because you're in care. They expect you to be aggressive and loud, when really you just want to be heard. Being in care is probably the worst thing a child experiences and they need support, not discrimination for being in an unfortunate circumstance.



If care experience was made to be a protected characteristic, this means that more organisations would have a responsibility to support and protect children in care and care experienced adults.

The care review hoped that this change to the law would help to change societal attitudes and reduce the stigma care experienced people face.

Overall, some care experienced young people feel they have been treated negatively by others.



4 in 10

young people felt they had been treated negatively as a result of being care experienced.

Overall most young people said they have been treated positively or the same by others as someone who is care experienced (62%). Many young people mentioned the grants and support they received because of being care experienced as reasons for this. However, 4 out of 10 felt told us they had been treated negatively as a result of being care experienced

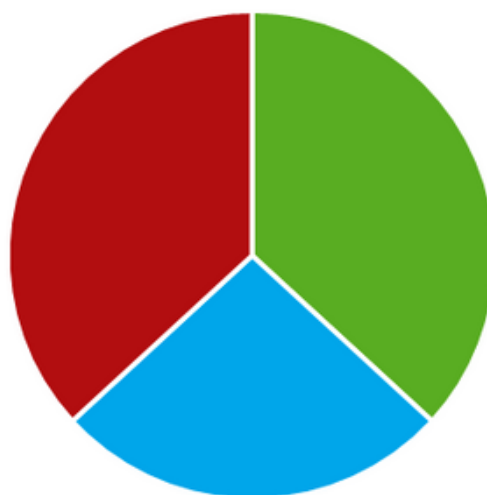


I said yes [I have been treated badly], not because of my peers but because of the treatment of some social workers and carers.



Overall, as someone care experienced I have been...

Treated negatively by others
38%



Treated positively by others
36%

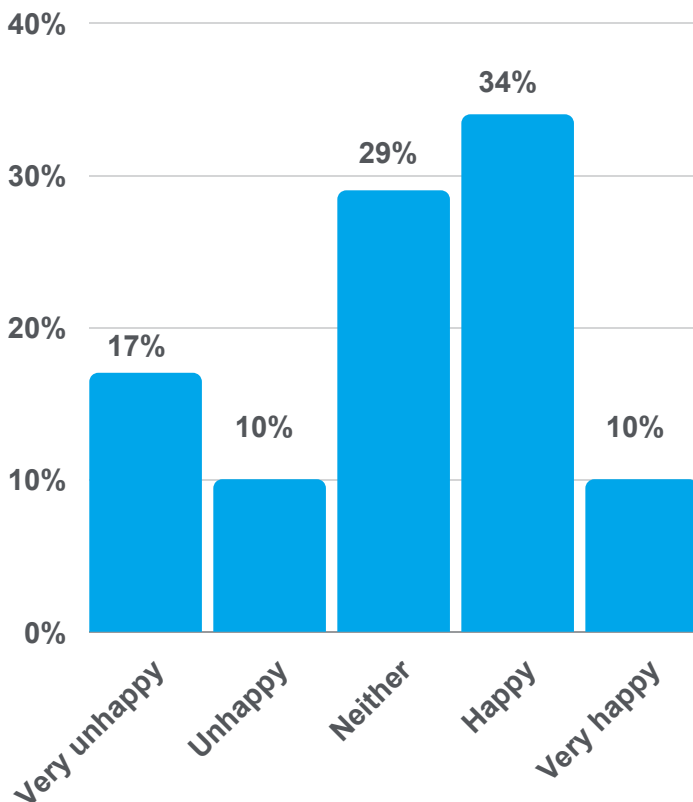
Treated the same as any other young person
26%

More young people are happy than unhappy to be care experienced, despite many feeling that experience led to being treated badly.

More young people are very happy or happy to be care experienced (44%) compared to those who are unhappy or very unhappy (27%).

However, just because more young people are happy to be care experienced does not mean they had not been treated badly because of their care experience. More young people had been treated badly because of their care experience (50%) compared to those who had not (41%).

How happy do you feel about being care experienced?



Young people think it is a good idea to make care experience a protected characteristic.

Most young people (6 out of 10) thought it was a good idea to make care experience a protected characteristic, with a small number (around 1 in 10) disagreeing. A further 3 out of 10 are not sure.

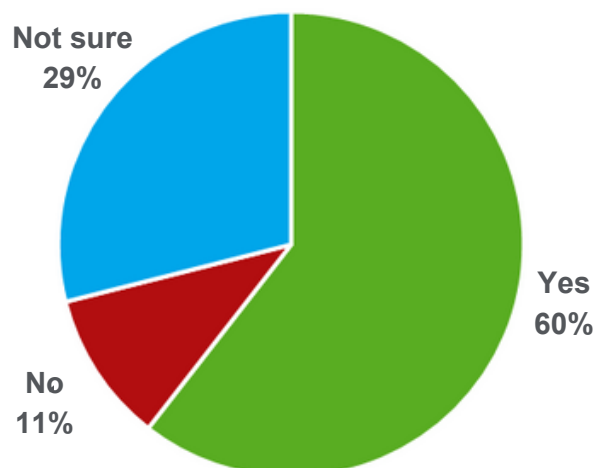
Many young people agreed with the care review that this could change the stigma of being in care and mean any discrimination faced by care experienced people would be taken seriously.



It's better to do something than not to do something – then we have a foundation to work from. It might not be perfect but it's a start and a step forward.



Would it be a good idea to make care experience a protected characteristic?



They also felt that it may lead to a better understanding of what it is like to be care experienced including encouraging a better understanding of the impact of trauma.

— “ —

It would mean more awareness, more training and then a change in attitudes which would help.

— ” —

Young people who were unsure or did not want care experience to become a protected characteristic said that they did not want to be defined by their experience, did not want a further label and instead felt that everyone should be treated equally.

Young people said schools and employers should treat young people like any other young person who isn't in care.

Is there anything that children's services, schools, employers or others should do to stop young people being treated badly because they are or were in care?

Young people said that people should listen and understand more about what it means to be in care and how it feels. Young people also said that schools and employers shouldn't discriminate young people further but help them and protect them.

— “ —

Teach others about care and children in care so other people get a better understanding of it.

— ” —

— “ —

I think it's a misconception by many people that care experience people are badly behaved and it's their fault or that they are from a bad family of addicts and abusers which is not true.

— ” —



What should happen next?

Our survey indicates that there is some support from young people for a protected characteristic (60%) but there are still many who are unsure and some do not favour this. More needs to be done to explain the implications of such a proposal to children and young people so that they can make an informed decision. As recommended in the care review the government should prioritise consulting widely on this issue and as part of this produce resources to explain in more detail what a protected characteristic would mean in practice.

Local councils can start acting now and make care experience a protected characteristic by passing motions which recognise that care experienced people are a group who face discrimination. This means that the impact of all future decisions and policies on care experienced people in these councils would be assessed. To inform any local decisions local authorities should consult with their own children and young people to identify whether this is something that they would support and what they hope this would achieve locally.

Conclusion and recommendations

01

ADVOCACY

Many young people do not know how to access advocacy support, but they do want to have a say in decisions that affect their lives. They want advocates to be good listeners and honest.

The government should implement the care review's recommendation for an opt-out model of independent advocacy support, where children are automatically connected with an advocate when entering care and at other key moments in their care journey. This must be properly funded.

02

INDEPENDENT VISITORS

Too many young people have not heard of Independent Visitors and do not know how to get an Independent Visitor. Young people want their Independent Visitor to share the same interests as them, and enjoy spending time together on activities and talking. Young people want Independent Visitors to keep in contact with them into adulthood.

As part of the implementation of the care review resources should be made available to reimagine and redevelop services together with children and young people in local areas. This should include more flexible services that allow contact when young people want and need it and that continue post 18.

The government should set a legal duty for local authorities to actively offer children in care and care leavers an Independent Visitor or befriending service up to the age 25. This is a clear way to meet the care review's call for local services to better enable long-term relationships between young people and Independent Visitors.

03

PROTECTED CHARACTERISTICS

Overall, some care experienced young people feel they have been treated negatively by others. More young people are happy than unhappy to be care experienced, despite many feeling that experience led to being treated badly. More young people think it is a good idea to make care experience a protected characteristic than those that do not or are unsure. Still more needs to be done to explain the implications of such a proposal.

The government should prioritise consulting widely on care experience as a protected characteristic, as recommended in the care review. As part of this produce resources to explain in more detail to young people what a protected characteristic would mean in practice.

Local councils can start acting now and make care experience a protected characteristic by passing motions which recognise that care experienced people are a group who face discrimination. To inform any local decisions local authorities should consult with their own children and young people to identify whether this is something that they would support and what they would hope this would achieve locally.

NYAS and Coram Voice thank all the children and young people who shared their time, opinions and experiences with us to create this report and tell the government how they feel.

Thank you!



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