

REPORT TO: EAST LoTHIAN CHILDREN'S STRATEGIC PARTNERSHIP

MEETING DATE: 14th August 2025

BY: Head of Children's Services

SUBJECT: Children's Services Plan 2023-2026 Appendix

1 PURPOSE

1.1 To seek the Children's Strategic Partnership's approval for the following appendix East Lothian Partnership's Children's Services Plan 2023-2026.

1.2 East Lothian is committed to ensuring children, young people and their families have access to suitable independent advocacy services. Children who are involved in the Children's Hearing system and those who are looked after and accommodated can access dedicated advocacy via CAPS and Who Cares? Scotland, respectively. From April 2025 we have expanded our provision to offer Independent Advocacy to all children and young people allocated to Children's Services and a tendering process will begin in Autumn 2025 to ensure the sustainability of this service.

As part of the UNCRC working group, we will continue to address other areas where advocacy is required including children with a mental health disorder.

2 RECOMMENDATIONS

2.1 That the Children's Strategic Partnership agree the additional appendix to the East Lothian Children's Services Plan 2023-2026.

3 BACKGROUND

3.1 The Mental Health (Care and Treatment) (Scotland) Act 2003 states that any person with mental illness, learning disability, dementia and related conditions ("mental disorder") has a right to access to independent advocacy. It places a duty on NHS Boards and Local Authorities to work together to make sure that independent advocacy services are available in their areas, and to take appropriate steps to ensure that those people have the opportunity of making use of these services.

The Mental Health (Scotland) Act 2015 adds a requirement that Health Boards and Local Authorities provide the Mental Welfare Commission with information about mental health, learning disability or dementia advocacy services, about how services have been provided over the past two years, and about plans in place to

provide services over the next two years. Please note that this requirement relates to advocacy provision in respect of **children, young people and adults**.

Advocacy services can include the following:

- **Independent Advocacy**

Independent advocacy is about speaking up for, and standing alongside individuals or groups, and not being influenced by the views of others. Fundamentally it is about everyone having the right to a voice: addressing barriers and imbalances of power, and ensuring that an individual's human rights are recognised, respected, and secured.

- **Collective Advocacy**

Collective advocacy brings people together who have a common interest. It aims to provide a supportive environment in which a group can explore this interest, identify goals and seek possible solutions.

Experiences of this shared interest can be discussed openly and in a format that suits all. This may mean holding sessions via email, skype, but ideally in a physical setting.

Independent collective advocacy uses the same principles as individual independent advocacy and applies those to a group setting.

- **Citizen Advocacy**

Citizen Advocacy aims to recognise, promote, protect and defend the rights, welfare and the interests of people with intellectual disabilities who are vulnerable and/or at risk of abuse, neglect and/or social isolation.

It does so by establishing and supporting one-to-one relationships between a person with a disability (protégé), who is vulnerable and has unmet needs in one or more important areas of their lives; and a responsible citizen who is resourceful and principled, free from conflict of interest, and who makes a personal freely given commitment to protect the protégé's interests as if they were their own. This support may take many forms, from spokespersonship to emotional and material support.

4 POLICY IMPLICATIONS

4.1 This appendix to the East Lothian Children's Services Plan 2023-2026 includes actions for Children's Social Services, Health and Social Care Partnership, and advocacy services in East Lothian.

4.2 From 1st April 2025 the offer of Independent Advocacy is available to all children and young people accessing social work services regardless of whether they are care experienced and or have a mental illness / learning disability.

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report went through an Integrated Impact Assessment which is available online at [https://www.eastlothian.gov.uk/downloads/file/34039/iaa - east lothian independent advocacy strategic plan](https://www.eastlothian.gov.uk/downloads/file/34039/iaa-east-lothian-independent-advocacy-strategic-plan).

6 RESOURCE IMPLICATIONS

6.1 Financial – the Plan requires advocacy measures to be put in place. Current financial provision is through a 1-year grant from the Section 10 budget in Children’s Services. Uptake will be assessed during this year to inform future procurement processes and longer-term grants.

6.2 Other – none identified.

AUTHOR’S NAME	Lucy Higginson
DESIGNATION	Community Planning Officer
CONTACT INFO	lhigginson@eastlothian.gov.uk
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