

Advocacy and Independent Visitors Policy

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Regulations and Standards:

The Children's Homes (England) Regulations 2015:

- Regulation 7 - The children's views, wishes and feelings standard.
- Regulation 22 - Contact and access to communications.
- Regulation 44 - Independent person visits.
- Regulation 45 - Review of quality of care.

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1. Advocate:

HND Children's Care LTD ensure the rights of looked after children in their care have a say in decisions about their lives which is enshrined in the United Nations Convention on the Rights of the Child and in the Children Act 1989.

An appointment of an advocate for a looked after child is necessary where a child wishes to be represented at a meeting (for example a looked after review) or assisted in making a complaint or bringing a matter to the attention of the care provider, the local authority, or the regulatory authority.

Information must be provided to all looked after children about how they can gain access to a suitably skilled advocate within agencies such as the National Youth Advocacy Service,



NYAS, for advocacy and independent visiting.

Information should be included in the children's guide or provided to them at any time by their social worker or independent reviewing officer especially where their wishes and feelings may not be in accordance with plans being made for them. Information should be in a range of accessible formats.

Assistance must also be given to enable an advocate to be appointed for the child, for example by approaching the independent organisation on behalf of the child. Consideration needs to be given to the needs of disabled children, very young children, children placed out of the local authority area and those with complex communication needs who need the support of an advocate.

2. Duties of an advocate:

An advocate's key objective is to promote children's central involvement in decisions affecting their lives. The nature of support advocacy provides varies considerably as it is dependent upon each local authority's commissioning arrangements, but every service follows core principles:

- The advocate should not be directive or judgmental but assist the child to express their views.
- Children should be offered full information in expressing their views.
- Children should decide upon the best course of action.
- The advocate should always remain fully supportive of the child.

3. Independent Visitors:

When to Appoint?

An independent visitor may be appointed for a child in the following circumstances:

- where there is infrequent communication between a child and parent; or
- where there has been no contact between a child and parent for the preceding 12 months and, it is in the best interests of the child to make such an appointment.

A decision to appoint an independent visitor will usually be made at a child's looked after review except where the child is placed in secure accommodation, in which case arrangements must be made by the child's social worker for the appointment to take place as soon as practicable after the placement.

A local authority should assess whether it would be appropriate to appoint an independent visitor for the child they are looking after if either of the following is satisfied:

- It appears that communication between the child and parent has been infrequent.
- The child has not been visited (or has not lived with) a parent or any person who is not the child's parent but who has parental responsibility for the child, during the preceding 12 months.

The local authority should consider the following factors when deciding if it is the



child's interests to consider appointing an independent visitor:

- Whether the child is placed at a distance from home.
- Whether the child is unable to go out independently or experiences difficulties in communication and building positive relationships.
- Whether the child is likely to engage in behaviour which puts them at risk as a result of peer pressure or forming inappropriate relationships with older people.
- Whether a child placed in a residential setting would benefit from a more individualised setting; and
- Whether it would contribute to promoting the child's health and education.
- Where an appointment is considered necessary, the child's social worker will identify a suitable person to be appointed. The independent visitor may be a person already known to the child and independent of the local authority who may be suitable.

Before the appointment is made, the proposed independent visitor must have been checked with the Disclosure and Barring Service (DBS), have suitable vetting in place, and have the agreement of the social worker. The appointment must be confirmed in writing.

The child must be consulted about the appointment and if he or she objects, the appointment should not be made.

4. Duties of Independent Visitor:

The independent visitor should undertake regular visits to the child and maintain other contact, by telephone and e-mail / letter as appropriate.

The main purpose of the visits and contacts will be to:

- Befriend the child.
- Give advice and assistance as appropriate with the aim of promoting the child's development and social, emotional, educational, religious and cultural needs.
- Encourage the child to exercise their rights and participate in decisions which will affect them.
- Support the care plan for the child.
- Complement the activities of the carers.

On appointing an independent visitor, the local authority will decide how much information to give him or her about the child's current situation and history. The child should be involved in deciding what information is made available to the independent visitor. Independent visitors have no right to inspect a child's file. No information should be withheld if it places the child or visitor at risk.

5. Review of Appointment:

The need to continue the appointment should be considered at the child's looked after reviews, and the child's wishes, and feelings will be the main consideration in deciding the need for the continued appointment.



End.