

23 April, 2024

## ***HOW LOCAL AUTHORITIES IN ENGLAND AND WALES SIGNPOST OLDER PEOPLE IN THEIR AREA TO INDEPENDENT ADVOCACY***

### **Key findings from OPAAL's review of Local Authority website's compliance with NICE Guidance NG227.**

- It is very difficult to find a reference to independent advocacy for older people on the majority of Local Authority websites.
- It is highly unlikely that vulnerable older people, who may not know about advocacy, and in some instances may not have anyone in their life who can help them speak up about their needs and wants, will get the support they need to fully express themselves about decisions that directly affect the quality of their lives.
- The vast majority of Local Authorities in England and Wales are not complying with the NICE Guidance NG227.

### **OPAAL is calling upon all the Local Authorities in England and Wales to take the following actions:**

- To provide information on independent informal advocacy, what it is, how it could help older people (and others), and how it can be accessed.
- Information on independent advocacy should be provided **prominently** on the pages that older people, or those that support them, are likely to visit when dealing with health, social care or housing issues.
- Local Authorities should provide links to organisations that can either provide some form of informal advocacy, or advice/information/resources on how to self advocate **prominently** on the pages that older people, or those that support them, are likely to visit when dealing with health, social care or housing issues.

## **Introduction:**

On 9 November 2022, the National Institute for Clinical Excellence issued guidance on advocacy services for adults with health and social care needs ([NG227](#)).

In the NG227 Guidance, NICE asks all those involved with the provision of health and social care sector to,

“Offer advocacy to people who are not covered by the legal entitlement, but who would otherwise not be able to express their views or sufficiently influence decisions that are likely to have a substantial impact on their wellbeing or the well being of someone they have caring or parental responsibility for.” [NG227 1.2.1]

Furthermore as the guidance continues it states,

“Local authorities and advocacy providers should collaborate to make it clear how people can access advocacy and how they can provide support to help them to do so if they:

- are supported outside of their home area or
- are carers who care for someone outside their area.” [NG227 1.4.11]

15 months after the issuance of the NG227, the Older People’s Advocacy Alliance (OPAAL) have conducted a survey of local authorities in England and Wales, to examine how many local authorities have information on their websites that would meet the requirements of NG227. This report details the findings of those enquiries.

## **OPAAL's method:**

OPAAL used data provided by the Local Government Association to identify local authorities that provide health and social care services to older people in their area.

We conducted an internet review, to see which of 151 Local Authorities (listed at Appendix 1) who offered housing or social care services, also referenced advocacy in some form. The review was undertaken between 14th February and 19 March 2024.

We followed this basic methodology:

- We looked for reference to adult social care or housing on a local authority website.
- If there was a page, we looked for a reference to advocacy on that page.
- If we could not see a reference to advocacy, we conducted a search on the site for the term "advocacy".

Our method contained the following weaknesses:

- People may not be aware of the existence of independent advocacy, therefore it is unlikely that people would search a local authority site for that term.
- Older people could be less likely to use technology and therefore the existence of information online, may not be accessible to this audience.
- If advocacy was listed at all, we recorded a positive identification of advocacy, even if it was only a reference to formal advocacy.
- If advocacy was listed at all, we recorded a positive identification of advocacy, even if older people were not specifically referenced.

Where we found no reference to advocacy at all, we wrote to the local authority (See Appendix 2). We introduced ourselves, talked about positive examples of advocacy where the concept of advocacy has been well received and has delivered benefits, and we asked the following questions:

**OPAAL's method (cont.):**

- When engaging with service providers for older people, are your teams checking that staff/team members understand what independent advocacy is? And if they can identify when formal or informal advocacy is required?
- On the identification of a need for formal or informal advocacy, what actions are the care providers taking that satisfy your teams that they are dealing with this circumstance appropriately?
- What could OPAAL be doing to assist you in helping care providers to meet the requirement to provide signposting to formal and informal advocacy for older people?

We recorded which local authorities we wrote to, and if and when we got a response.

Our method contained the following weaknesses/adjustments:

- There was not always a clear email address to send the letter to, and therefore in many instances we were reliant on complaints or press departments, forwarding on our letter to the Adult Social Care Department. Where this happened, we recorded this as a response, but a "poor" response.
- On some occasions our letter was misinterpreted as a bid to provide services for the local authority, when this happened we wrote a follow up email, clarifying our position. If we got a positive response, this was recorded as a positive. If we got no response, this was recorded as a "poor" response.

***Our findings:***

<b>Total number of Local Authority websites reviewed.</b>	<b>151</b>
<b>Percentage of Local Authorities that reference advocacy in some form on their website.</b>	<b>87 (58%)</b>
<b>Percentage of Local Authorities that do not reference advocacy in some form on their website.</b>	<b>64 (42%)</b>
<b>Total number of Local Authorities written to.</b>	<b>64</b>
<b>Percentage of Local Authorities that responded to the letter in some form.</b>	<b>12 (28%)</b>
<b><i>Of the 12 Local Authority respondents:</i></b>	
<b>Percentage of Local Authorities that provided a substantive response to the letter.</b>	<b>6 (50%)</b>
<b>Percentage of Local Authorities that did not provide a substantive response to the letter.</b>	<b>6 (50%)</b>
<b>Percentage of Local Authorities that DID NOT respond to the letter in any form.</b>	<b>52 (72%)</b>

***Our conclusions:***

**The findings of our review are really clear. It is very difficult to find a reference to independent advocacy for older people on Local Authority websites. It is therefore highly unlikely that vulnerable older people, who may not know about advocacy, and in some instances may not have anyone in their life who can help them speak up about their needs and wants, will get the support they need to fully express themselves about decisions that directly affect the quality of their lives.**

**This means that the vast majority of Local Authorities in England and Wales are not complying with the NICE Guidance NG227.**

**Specifically:**

- 42% of Local Authorities who are providing health and social care services and/or housing services, are not promoting the availability of any form of independent advocacy, either formal or informal, on their website, for any member of the public. This means that when anyone (not withstanding older people) are engaging with their local authorities on issues that significantly affect their quality of life, they do not have the option of independent advocacy presented to them, to help them speak up about their needs and wants.
- Of the 58% of Local Authorities that do refer to any form of advocacy on their website, the vast majority reference either statutory advocacy for adults, or advocacy for children. This does not meet the NICE Guidance when it states:

*“Offer advocacy to people who are not covered by the legal entitlement, but who would otherwise not be able to express their views or sufficiently influence decisions that are likely to have a substantial impact on their wellbeing or the well being of someone they have caring or parental responsibility for.” [NG227 1.2.1]*

- Of the 58% of Local Authorities that do refer to any form of advocacy on their website, the vast majority do not reference advocacy on the page that relates to Adult Social Care. The information that did refer to advocacy was found by putting the term “advocacy” in the relevant search bar. This means it is highly unlikely that the vast majority of individuals who may benefit from informal advocacy, will know of its existence, as they are highly unlikely to search for that term.

### ***Our conclusions (cont.):***

OPAAL is calling upon all the Local Authorities in England and Wales to take the following actions.

- To provide information on independent informal advocacy, what it is, how it could help older people (and others), and how it can be accessed.
- Information on independent advocacy should be provided **prominently** on the pages that older people, or those that support them, are likely to visit when dealing with health, social care or housing issues.
- Local Authorities should provide links to organisations that can either provide some form of informal advocacy, or advice/information/resources on how to self advocate **prominently** on the pages that older people, or those that support them, are likely to visit when dealing with health, social care or housing issues.

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# Local Authorities and Independent Advocacy for Older People

Adur and Worthing
Allerdale and Copeland
Amber Valley
Ashfield District Council
Aylesbury Buckinghamshire Council
Barking and Dagenham
Barnesely Metropolitan Borough Council
Barnet London Borough
Barrow in furness and eden south lakes
Bath and North East Somerset Council
Bexley Council
Birmingham City Council
Blackburn Borough Council
Bromley County Council
Bolton Council
Bracknell Forest Council
City of Bradford
Brent council
Bridgend County Borough Council
Brighton and Hove City Council
Bristol
Bury Council
Camden County Council
Cambridgeshire County Council
Cardiff Council
Carmarthenshire County Council
Central Bedfordshire
Ceredigion County Council
Cheshire East
Conwy Council
Coventry City council
Croydon County Council
Darlington Borough Council
Denbighshire County Council
Derbyshire County Council
Devon County Council
City of Doncaster Council
Dorset Council
Ealing County Council

East Dorset
East Riding
East Sussex
Essex County Council
Flintshire County Council
Gateshead Borough Council
Gloucestershire Council
Greenwich County Council
Gwynedd Council
Hackney Council
Hammersmith and Fulham
Hampshire County Council
Haringey Council
Harrow Council
Hartlepool Borough Council
Havering Council
Herefordshire County Council
Hertfordshire
Hillingdon County Council
Isle of Angelesey County Council
Isle of Wight Council
Council of the Isles of scilly
Islington County Council
Kensington and Chelsea Council
Kent County Council
Kingston Council
Hull County Council
Knowsley County Council
Lambeth Council
Lancashire County Council
Leeds County Council
Leicestershire County Council
Lewisham County Council
Lincolnshire County Council
Liverpool County Council
Luton County Council
Manchester City Council
Medway Borough Council
Merton County Council
Merthyr Tydfil County Council



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# Local Authorities and Independent Advocacy for Older People

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Appendix 01  
(cont)

Milton Keynes Council
Neath Port Talbot
Newcastle County Council
Newham County Council
Newport County Council
Norfolk County Council
North East Lincolnshire Council
North Lincolnshire Council
North Yorkshire Council
North Tyneside Council
Nottinghamshire County Council
Oldham County Council
Oxfordshire County Council
Pembrokeshire County Council
Portsmouth City Council
Powys County Council
Reading Borough Council
Redbridge County Council
Redcar and Cleveland Council
Richmond upon Thames Council
Rhondda Cynon Taf
Rutland County Council
Rochdale County Council
Rotherham County Council
Salford City Council
Sandwell Borough Council
Sefton Council
Sheffield County Council
Slough County Council
Solihull Borough Council
South Tyneside County Council
Southampton City Council
South Gloucestershire Council
Southwark County Council
Stockport Borough Council
Stockton on Tees Borough Council
St Helen's Borough Council
Staffordshire County Council
Stockport County Council
Stoke on Trent City Council

Sunderland City Council
Suffolk County Council
Surrey County Council
Sutton County Council
Swansea City and County
Swindon Borough Council
Tameside Metropolitan Council
Telford and Wrekin Council
Thurrock Council
Torbay Council
Torfaenan
Tower Hamlets
Trafford Council
Vale of Glamorgan
Wakefield Council
Walsall Council
Waltham Forrest Council
Wandsworth County Council
Warrington Borough Council
Warwickshire County Council
West Berkshire Council
West Northamptonshire Council
West Sussex County Council
Westminster Council
Wigan Council
Wiltshire Council
Windsor and Maidenhead
Wirral Council
Wolverhampton City Council
Wokingham Borough Council
Worcestershire County Council
York Council

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# Local Authorities and Independent Advocacy for Older People

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*Appendix 02*

## **Letter to Local Authority**

Adult Social Care Services

XXXXXXXXXX  
XXXXXXXXXX  
XXXXXXXXXX  
XXXXXXXXXX

DATE 2024

Dear Adult Social Care Team,

### **Informal Independent Advocacy for Older People**

I am writing to bring to your attention the work of our charity the Older People's Advocacy Alliance (OPAAL) and the work that we are doing to promote independent advocacy for all older people, irrespective of their circumstances.

As you are no doubt aware, we have an ageing population, where people are living longer, but perhaps not always in the best of health in their later years. The health and social care system relies heavily on older people having family and friends to support them as they age, but as I am sure you can appreciate, there are a great many instances where this support is simply not available, or those individuals are not the right people to support the older person in the choices they wish to make.

Our mission is to champion the rights of all older individuals as the experts on themselves, and to alleviate any anxiety they may have about losing their autonomy and joy in later life. We work to develop easy and safe ways for older people to speak up about their needs and wants, which leads to happier and healthier older people.

As you may already know, there is NICE Guidance (NG227) on advocacy services for adults with health and social care needs which was issued in November 2022. OPAAL very much welcomed this guidance. The further challenge, however, is how to ensure that health and social care providers, and others who interact with older people, understand how they can signpost older people to independent advocacy as required.

An important part of our mission is to raise awareness of advocacy and to ensure that independent advocacy is understood and accessed where necessary. Examples of our successes include that in 2023 we successfully influenced The Royal College of Chiropractors to introduce the concept of independent advocacy into their training regime, along with measures to enhance the inclusivity of older people in chiropractic services and to provide greater reach in terms of the appropriate referrals that they can make. We are also in talks with LawWorks, who are a charity committed to enabling access to justice through free legal advice through a network of over 200 free legal advice clinics across the England and Wales.

Where we continue to struggle to make any inroads, however, is with the network of care homes and care services in the UK. We do very much understand the challenges that these organisations are facing in terms of funding, staffing and rising demand for their services. We also wholeheartedly believe that the vast majority of these organisations share our mission to ensure that older people have a happy and fulfilling later life.

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# Local Authorities and Independent Advocacy for Older People

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*Appendix 02 (cont.)*

We want to share with you the results of a unique independent advocacy service commissioned by Sandwell Metropolitan Borough Council since 2013, as part of their monitoring of standards of care.

Staff and volunteers from Sandwell Advocacy visit a variety of care settings, within the Sandwell area, including care homes, day centres, extra care housing schemes and womens' refuges. They listen, empower and enable people to have a voice and contribute in the completion of a monitoring questionnaire relating to their care services. Information is collated and reported as feedback to the local authority Quality and Safety Team. Sandwell Advocacy can also provide information, signpost and make referrals to other services. They also follow up any actions raised during their visits. This could also include raising any concerns with the appropriate adult social care department as part of the safeguarding agenda. The questionnaires they complete cover a wide range of topics and the questions are all relevant to the setting in. The feedback they receive reflects how valued individuals feel when asked if they wish to contribute towards having their say.

Of course, not every local authority is in a position to offer this type of service, so we want to work collaboratively with care providers, so that they can easily and cost effectively meet the requirements for signposting to independent advocacy. With this aim we have produced a variety of free resources which:

- meet the NICE requirement to signpost older people to independent advocacy;
- provide free, basic training on what is formal and informal advocacy is and what to do when a need is identified; and
- provide free "advocacy checklists" on a variety of topics that enable older people to prepare and execute some of the more difficult conversations that may be necessary to make the changes that lead a happy and fulfilling later life.

We also have a direct support service for very complex cases that can be accessed by phone or by website.

It is a difficult truth, but one that we must acknowledge, that it can be very difficult to bring up issues, when we depend on the care of those that we must raise the very issues with.

We therefore have the following questions for you and your teams:

1. When engaging with service providers for older people, are your teams checking that staff/team members understand what independent advocacy is? And if they can identify when formal or informal advocacy is required?
2. On the identification of a need for formal or informal advocacy, what actions are the care providers taking that satisfy your teams that they are dealing with this circumstance appropriately?
3. What could OPAAL be doing to assist you in helping care providers to meet the requirement to provide signposting to formal and informal advocacy for older people?

If a member of your team would like to discuss any of these issues further, then I would be delighted to speak in more detail on the issues raised. In the meantime, I very much look forward to your considered response.

Yours sincerely,

Colette Isaaks  
Director, OPAAL