

Social Security Advocacy Service Standards

Scottish Government

October 2019

Definition of Advocacy

Q1 Do you agree with this definition of advocacy?

Age Scotland broadly agrees with the definition of advocacy outlined by the Scottish Government but we concur with the Scottish Independent Advocacy Alliance (SIAA) on their observation on the absence of the word 'independent' before the terms 'advocacy' and 'advocacy workers'. Age Scotland agrees that the definition should refer to 'independent advocacy' and 'independent advocacy workers' as this would ensure consistency with the wording of the Social Security Scotland Charter and the Social Security (Scotland) Act 2018 and would recognise the importance of the independent nature of the advocacy services provided.

Age Scotland recognises the particular concerns of people affected by dementia that the right to independent advocacy is dependent upon people self-defining as having a disability. It is widely acknowledged that many people with a diagnosis of dementia either find it difficult to accept such a diagnosis or do not recognise the condition as a disability. That being the case we would like to see the definition amended to include a more appropriate term such as 'disability or condition'

Q2 Is anything missing from this definition and, if so, what?

Age Scotland has no comments to make in relation to this question.

Principle - Independence

Q3 Do you agree with the principle of 'independence'?

Age Scotland is very supportive of the concept of independence and sees this as a fundamental principle in delivering person centred support.

Q4 Do you agree with the standards?

Age Scotland is concerned that the proposed definition of 'independence' which states that "advocacy services are independent if they are provided by a person other than the Scottish Ministers" (p6) is too broad and could allow advocacy services to be provided by organisations which provide other services related to social security. This could lead to conflicts of interest in relation to, for example, employment or healthcare issues if the person providing advocacy is also delivering other services. Age Scotland would, therefore,

urge that the definition of independence be much more explicit in preventing such conflicts of interest occurring.

Q5 Is anything missing from the standards and, if so, what?

Age Scotland has no comments to make in relation to this question.

Principle – Person Centred

Q6 Do you agree with the principle of ‘person-centred’?

Age Scotland is very supportive of person-centred approaches to service delivery and welcomes the Scottish Government’s commitment to this principle.

Q7 Do you agree with the standards?

In agreeing that the principle of a person-centred approach is crucial Age Scotland believes that this can only happen if people are genuinely listened to, their views are shown to have been taken into account and that the interests of the service user have been given precedence. We would, therefore, reiterate our belief that any potential conflicts of interest which arise in the delivery of advocacy must be guarded against.

Q8 Is anything missing from the standards and, if so, what?

Age Scotland notes that Social Security Scotland’s Charter recognises that “Social security is itself a human right and essential to the realisation of other human rights” and would urge the Scottish government to make clear what a ‘person centred’ principle means in relation to a rights-based social security system.

Principle – Accessible

Q9 Do you agree with the principle of ‘accessible’

Age Scotland fully endorses the principle of accessibility.

Q10 Do you agree with the standards?

Age Scotland agrees with the standards but would seek reassurance, especially in relation to people affected by dementia, that any additional costs involved in providing independent advocacy do not fall on the person seeking assistance.

Q11 Is anything missing from the standards and, if so, what?

Age Scotland has no comments to make in relation to this question

Principle - Trained

Q12 Do you agree with the principle of “trained”?

Age Scotland considers the principle of independent advocates being trained as vital to the delivery of appropriate support to service users

Q13 Do you agree with the standards?

Age Scotland has no comments to make in relation to this question

Q14 Is anything missing from the standards and, if so, what?

Age Scotland has no comments to make in relation to this question

Principle – quality assurance

Q15 Do you agree with the principle of ‘quality assurance’?

Age Scotland supports the principle of quality assurance.

Q16 Do you agree with the standards?

Age Scotland has no comments to make in relation to this question

Q17 Is anything missing from the standards and, if so, what?

Age Scotland has no comments to make in relation to this question

Additional comments

Age Scotland believes that the human-rights based approach which the Scottish Government stated was the basis of the Scottish Social Security system is fundamental to the effective delivery of such a service. However, the standards by which independent advocacy will be judged must not only be stated but be shown clearly in relation the **PANEL** principles (**P**articipation, **A**ccountability, **N**on-Discrimination, **E**mpowerment, **L**egality) which underpin any human-rights based approach.

These draft standards do not appear explicit enough to make such an assessment.

Want to find out more?

As Scotland’s national charity supporting people over the age of 50, Age Scotland works to improve older people’s lives and promote their rights and interests. We aim to help people love later life, whatever their circumstances. We want Scotland to be the best place in the world to grow older.

Our Policy, Communications and Campaigns team research, analyse and comment on a wide range of public policy issues affecting older people in Scotland.

Our work is guided by the views and needs of older people themselves.

Further information

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