



Independent Visitor Provision

This paper sets out the legislative framework for Independent Visitor (IV) Provision in England and Wales and key published research relating to this statutory service.

Legislative Framework

Children Act 1989

The role of the Independent Visitor (IV) was introduced as a statutory service for children looked after in the [Children Act 1989](#). The Act identifies the IV as an independent volunteer with a role to "visit, befriend and advise the child" (Section 23ZB). The legislation outlines that IVs should be made available to children who consent and it appears to be in their best interests. The 1989 Act was amended by the Children and Young Persons Act 2008 (see below); prior to this it prioritised the allocation of IVs to children with infrequent contact with family members.

[Children Act 1989, Section 23ZB](#)

Children and Young Persons Act 2008

The [Children Act 1989](#) was updated by the [Children and Young Persons Act 2008](#), which repealed paragraph 17 of the 1989 Act to replace it with Section 23ZB. This amendment requires local authorities to consider the appointment of an IV where it appears that it would be **in the child's interests to do so**, thus opening up eligibility beyond children with infrequent contact with family members.

[Children and Young Persons Act 2008](#)

The Children Act 1989 guidance and regulations. Volume 2: care planning, placement and case review (Department for Education, 2021)

IV services should follow the Department for Education's statutory guidance found in [Volume 2 of the Children Act 1989 Guidance and Regulations](#). The guidance states that the IV role **requires the child's wishes and feelings** should be ascertained in deciding whether or not an IV should be appointed. It states that the appointment should be considered as part of the development of the child's care plan and looked after child review process. In this way, **Independent Reviewing Officers** play a critical role ensuring that the appointment of an IV is considered for all children who would benefit from one.

[Volume 2: care planning, placement and case review](#)

Social Services and Well-being (Wales) Act 2014

The widening of eligibility criteria beyond children with infrequent contact with their family to best interests, was incorporated into the Social Services and Well-being (Wales) Act 2014 and came into effect in April 2016. Section 98 (1) confirms the role of the IV as someone who must visit, befriend and advise the child and repeats the 'best interests' criteria that had been introduced in 2008. When a local authority determines that it is appropriate to appoint an IV for a child, it must **explain the role of an IV to the child**, in a way that is appropriate to the child's age and understanding. It should also ascertain the child's wishes and feelings and only proceed with the child's consent.

[Social services and Well-being \(Wales\) Act](#)

Practice Standards and Good Practice Guide: Independent Visitors (Wales)

This statutory document sets out the practice standards and guidance for appointing IVs, for care experienced children and young people in Wales. The Standards were commissioned by the Welsh Government and build on practice standards developed by the NIVN working across England and Wales.

<https://socialcare.wales/cms-assets/documents/Practice-standards-and-good-practice-guide-Independent-visitors.pdf>

The document builds on the National Standards for the Provision of Independent Visitor Services (January 2016) developed by NIVN working across England and Wales but not endorsed by the UK Government.

Codes of Practice under the Social Services and Well-being (Wales) Act 2014

The Codes of Practice provide statutory guidance to support people and organisations working within the framework created by the Social Services and Well-being (Wales) Act 2014. They refer to the Regulations that specify factors which the authority should take into account in reaching a decision about appointing an IV (Part 6 Code of Practice (Looked After and Accommodated Children)). However, it remains that a local authority has a duty to appoint an IV where it appears to them to be in the child's best interests. The duty remains the same in Wales as it is for local authorities in England.

<https://www.gov.wales/sites/default/files/publications/2019-05/part-6-code-of-practice-looked-after-and-accommodated-children.pdf>

Published research

National Independent Visitor Data Reports (National Independent Visitor Network (NIVN), 2022, 2019, 2016)

Based on Freedom of Information requests, NIVN has published three reports to measure access rates to IV and draw on best practice examples and learning from regional and national activity. The reports make recommendations on improving and sustaining the reach, consistency and quality of IV services. The [Data Report 2022](#) includes findings for the first time on the extent of IV provision across Wales, as well as England.

[The National Independent Visitor Data Report 2022](#)

[The National Independent Visitor Data Report 2019](#)

[National Independent Visitors Network Data Report 2016](#)

Relationships for children in care: The value of mentoring and befriending (New Economics Foundation, 2014)

There is some existing research available that evidences the impact of IVs on looked after children's lives. The New Economics Foundation report '[Relationships for children in care](#)' outlines the case for investing in mentoring and befriending projects for children in care. The report demonstrated that IVs provide **stable, consistent and continuous relationships** for children in care, on the basis of IV match length which was on average three years.

[relationships-children-in-care.pdf \(neweconomics.org\)](#)

Independent Visitors: Children and Young People's Views. Reported by the Children's Rights Director for England (Ofsted, 2012)

This report by the Children's Rights Director (Ofsted), aimed to explore the views and experiences children looked after in relation to IVs. This study differs in terms of sampling from most research on IV because it involves the general looked-after population. As a result, the study offers insight into perspectives on IVs amongst children who do not have one. Most children without an IV were positive about the prospect of having one. Children surveyed who did have an IV expressed that their IVs **provide them with help and support and are someone to talk to**.

[Ofsted \(2012\) Independent Visitors: Children and Young People's Views](#)

Care matters: Time for change. (Department for Education and Skills, 2007)

This government White Paper sets out the steps it committed to take to improve the outcomes of children and young people in care. It includes a clear recommendation that **“all children in care who need and want them have access to independent visitors”** (p.12).

[Care matters: time for change - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Role, Relationship and Friend for Life: How Independent Visitors promote the Learning and Wellbeing of Looked After Children (Clancy, D, 2016)

This research study conducted as part of an educational psychology doctorate, aimed to identify key characteristics of IV relationships and explore how these relationships can contribute to educational and wellbeing outcomes. Qualitative interviews produced a detailed list of dimensions on which young people, IVs, and professionals felt IV relationships supported children and young people. These included **facilitating social connections and reducing isolation, among others.**

[Role, Relationship and Friend for Life: How Independent Visitors promote the Learning and Wellbeing of Looked After Children](#)