

# Agenda – Children, Young People and Education Committee

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Meeting Venue:	For further information contact:
<b>Committee Room 1 – Senedd</b>	<b>Marc Wyn Jones</b>
Meeting date: Wednesday, 10 February 2016	Committee Clerk 0300 200 6565
Meeting time: 08.45	<a href="mailto:SeneddCYPE@assembly.wales">SeneddCYPE@assembly.wales</a>

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## 08.45 – 09.00 – Private Pre-meeting

### 1 Introductions, apologies and substitutions

(09.00)

### 2 Follow-up Inquiry into Adoption Services in Wales – Evidence session 3

(09.00 – 10.00)

(Pages 1 – 27)

Children's Commissioner for Wales

Professor Sally Holland, Children's Commissioner for Wales

Rachel Thomas, Policy Officer

Attached Documents:

Research Brief

CYPE(4)-05-16 – Paper 1

### 3 Follow-up inquiry into Adoption Services in Wales – Evidence session 4

(10.00 – 11.00)

(Pages 28 – 72)

Welsh Government



Mark Drakeford AM, Minister for Health and Social Services  
Elizabeth Lockwood, Head of Children and Adults Placements Branch  
Alistair Davey, Deputy Director, Delivering Policy for Children and Adults

Attached Documents:

CYPE(4)-05-16 – Paper 2

CYPE(4)-05-16 – Paper 3

#### **4 Child and Adolescent Mental Health Services in Wales – Update**

(11.00 – 12.00)

(Pages 73 – 96)

Welsh Government

Mark Drakeford AM, Minister for Health and Social Services  
Jo Jordan, Director of Mental Health – NHS Governance and Corporate Services  
Sarah Watkins, Senior Medical Officer

Attached Documents:

Research Brief

CYPE(4)-05-16 – Paper 4

#### **5 Papers to note**

**Letter to the Minister for Communities and Tackling Poverty – Draft Budget 2016**

– 17

(Pages 97 – 99)

Attached Documents:

CYPE(4)-05-16 – Paper to note 5

**Letter from the Presiding Officer – Review of the Office of the Children's  
Commissioner for Wales**

(Pages 100 – 101)

Attached Documents:

CYPE(4)-05-16 – Paper to note 6

**Letter from the Children's Commissioner for Wales**

(Pages 102 – 103)

Attached Documents:

CYPE(4)-05-16 – Paper to note 7

**Letter from the Chair of Petitions Committee to the Minister for Education and Skills**

(Pages 104 – 118)

Attached Documents:

CYPE(4)-05-16 – Paper to note 8

**Letter from the Minister for Education and Skills – Draft Budget 2016 – 17**

(Pages 119 – 125)

Attached Documents:

CYPE(4)-05-16 – Paper to note 9

**Letter from the Chair of the Joint Committee on Human Rights to the Presiding Officer**

(Pages 126 – 127)

Attached Documents:

CYPE(4)-05-16 – Paper to note 10

**6 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the meeting for the remainder of the meeting and the meetings to be held on Wednesday 2 March and Wednesday 16 March**

(12.00)

**7 Follow-up inquiry into Adoption Services in Wales – Consideration of evidence**

(12.00 – 12.15)

## **8 Discussion on Committee legacy report**

(12.15 – 12.30)

Document is Restricted



# Comisiynydd Plant Cymru Children's Commissioner for Wales

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## Ymateb i Ymgynghoriad / Consultation Response

**Date / Dyddiad:** 17 November 2015

**Subject / Pwnc:** Follow-up Inquiry into Adoption Services in Wales

### Background information about the Children's Commissioner for Wales

The Children's Commissioner for Wales is an independent children's rights institution established in 2001. The Commissioner's principal aim, under the Care Standards Act 2000, is to safeguard and promote the rights and welfare of children. In exercising their functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC), as stipulated in regulation 22 of the Children's Commissioner for Wales Regulations 2001. The Commissioner's remit covers all areas of the devolved powers of the National Assembly for Wales insofar as they affect children's rights and welfare.

The UNCRC is an international human rights treaty that applies to all children and young people up to the age of 18. It is the most widely ratified international human rights instrument and gives children and young people a wide range of civil, political, economic, social and cultural rights which State Parties to the Convention are expected to implement. In 2004, the Welsh Assembly Government adopted the UNCRC as the basis of all policy making for children and young people and in 2011, Welsh Government passed the Rights of Children and Young Persons (Wales) Measure, which places a duty on Welsh Ministers, in exercising their functions, to have 'due regard' to the UNCRC.

This response is not confidential.

## Overview Question

What are your views in the Welsh Government's progress in respect of the 16 recommendations and the 25 'detailed actions' set out on pages 5-11 of the [Committee's report](#).

Overall the establishment of the National Adoption Service (NAS) and the regional adoption collaboratives has been a positive step; the initial set up of arrangements and services has taken place swiftly, to ensure effective services are being implemented across Wales. There has been positive progress in relation to a large number of the recommendations, particularly in relation to the earlier stages of the adoptive process, such as the recruitment and assessment of adopters. In my view focus and investment is also needed to ensure that post adoption support and services have a similar improvement in outputs and outcomes. This should improve the overall adoption journey and experience for children and their families, as set out in my responses to the five questions below.

## Question 1

What are your views on the recruitment, assessment and preparation of adopter parents?

Recruitment, assessment and preparation now sits with the Regional Collaboratives, all of which are now operational. It is positive to note from the NAS annual report that initial enquiries have increased by 27% since 2011-12 and that several of the regional collaboratives and voluntary agencies are responding to these enquiries within the targeted five working days<sup>1</sup>. It will be important for this target to be met by all of the relevant agencies in future, to ensure that prospective adopters do not lose interest or faith in the system at this early stage. The decision to adopt is a complex decision for the family and once a decision has been made to make an initial enquiry, the process needs to be supportive of these people whether or not then they decide to proceed with their application. Prospective adopters will feel "*discouraged*" by a poor response to their enquiries, as noted by Selwyn & Meaking in their interviews with adopters in Wales.<sup>2</sup>

The "Too old at 4?" national campaign<sup>3</sup> coinciding with National Adoption Week 2015, to increase awareness of the need for adoptive parents for older children, achieved national news and social media coverage which is a significant positive step. I would hope that more national campaigns and awareness raising will be considered in future to reach as wide an audience as possible.

I note that the average waiting time to be approved as an adopter in Wales is 9.4 months, which is above the Welsh Government target of 8 months. In some areas it takes as long as 13+ months so this should be looked at in more detail, to consider why the process is taking longer in these areas.

The Fostering Network has a Sons and Daughters campaign including resources and events, to recognise the impact of and their contribution to the success of foster placements with their

<sup>1</sup> <http://www.adoptcymru.com/en/news-and-events/annualreport>

<sup>2</sup> <http://gov.wales/docs/dhss/publications/150603adoptionreporten.pdf> page 13-14

<sup>3</sup> <http://www.adoptcymru.com/en/news-and-events/national-adoption-week>

family<sup>4</sup>. Adopters report that little preparatory work is offered for their birth children or existing adopted children<sup>5</sup> which places an additional pressure on them during what can be a difficult time. This might be an area where support could be offered, which would improve the experiences and perceptions of support of the family as a whole.

How could this be improved?

Timely response to the enquiries of all prospective adoptive parents and the provision of support and information during the process.

The NAS annual report states their aim to develop a system to address the length of time approvals are taking; the Committee may wish to adopt this as a recommendation.

## Question 2

What is your experience of and view of the matching process and support for the transition?

Adopters report that they are happier about the support received before the adoption order is made than post adoption order.<sup>6</sup> Many adopters report feeling “*abandoned*” or “*unsupported*” once the child has moved into their home, in part due to turnover of staff.<sup>7</sup>

The transition experience for children and infants is very varied and should be based on the needs of the individual child rather than rigid rules or customs of practice.<sup>8</sup>

How could this be improved?

Routine evaluation to be done with all service users to identify the positives and negatives of their experiences, to enable any changes in service delivery to be shaped by their expert views.

<sup>4</sup> <https://www.fostering.net/policy-and-campaigns/campaigns/sons-daughters#.VkXRjWdOdol>

<sup>5</sup> <http://gov.wales/docs/dhss/publications/150603adoptionreporten.pdf> page 15

<sup>6</sup> <http://www.adoptcymru.com/en/news-and-events/annualreport>

<sup>7</sup> <http://gov.wales/docs/dhss/publications/150603adoptionreporten.pdf> page 35

<sup>8</sup> ‘The children were fine’: acknowledging complex feelings in the move from foster care into adoption; Sophie Boswell and Lynne Cudmore. *Adoption & Fostering*, March 2014; vol. 38, 1: pp. 5-21.



### Question 3

Do you think there is sufficient information and support for children and young people including access to quality life-story work?

Life-story work is one of the main concerns for me. The NAS annual report stated that under 25% of children had life journey materials before their second adoption review<sup>9</sup>. This figure of course does not reflect the quality of those materials, merely the quantity. High quality life story work is essential for children, adopters and the birth family to contribute to the child's understanding of their family history and background and to make sense of the decisions that have been made on their behalf. The President of the Family Division, Sir James Munby, in a lecture in 2015<sup>10</sup>, noted that children are not routinely participating in court proceedings of which they are the subject and often the information available to them to understand the decisions and final judgments is not easily accessible so it is crucial that children are aided to understand the process and decisions in an age appropriate and supported manner.

How could this be improved?

It is encouraging to note that this is recognised by NAS to be a major concern which requires positive action, and that they recognise that life journey materials are very important to a child's long term well-being. Additional work and/or resources may need to be targeted in this area, and services procured if this cannot be delivered, as this is such a key area for each child and their family.

### Question 4

What post-adoption support for children, young people and families (including from social services, education, health and mental health services) is available and what more could be done in this area?

It should not be forgotten that adopted children are likely to have experienced abuse and/or neglect and will have been 'looked after' prior to their adoption. After Adoption describe adopted children as being "*among society's most vulnerable members*"<sup>11</sup>. There are some positive initiatives in place which recognise this link, such as priority school places for adopted children as is the case for looked after children. However there appears to be less recognition of the lasting impact that these early childhood experiences can have in relation to the child's longer term welfare. Selwyn & Meaking (2015) note that "*With a legacy of abuse and neglect, and a propensity for other risk factors known to compromise development, a substantial number of adopted young people do present with complex needs that endure through childhood, adolescence and beyond.*"<sup>12</sup>

Adopters report problems in accessing therapy and CAMHS services for their children<sup>13</sup>, as there is no priority access for an adopted child as there would be for a looked after child. During the

<sup>9</sup> <http://www.adoptcymru.com/en/news-and-events/annualreport>

<sup>10</sup> <http://www.swansea.ac.uk/media/Sir%20James%20Munby%20Annual%20lecture%202015.pdf>

<sup>11</sup> [http://www.afteradoption.org.uk/sites/default/files/attachments/position\\_statement\\_on\\_adoption\\_support.pdf](http://www.afteradoption.org.uk/sites/default/files/attachments/position_statement_on_adoption_support.pdf)

<sup>12</sup> <http://gov.wales/docs/dhss/publications/150603adoptionreporten.pdf>

<sup>13</sup> <http://www.adoptcymru.com/en/news-and-events/annualreport>

Selwyn & Meaking study, one adopter said *“you have to become an advocate, more than a parent and fight for everything. You have to fight for post adoption support, fight for CAMHS”*.<sup>14</sup>

Adopters also report difficulty in accessing support and funding in education, including statements of additional learning needs. Children themselves also report that their teachers don't know how to respond to them and doesn't understand what they have been through in the past. My office has also received calls to the Advice and Support Service regarding difficulty in accessing support services post adoption, including cases where the adoption has sadly broken down and the children have returned to local authority care.

Adoption breakdown can be a consequence of escalating physical violence and emotional difficulties, increasingly evident as the child goes through puberty and beyond.<sup>15</sup> It is therefore important that families are able to access support years after the adoption order is made<sup>16</sup>. This includes support for the child and support for the adoptive parents to be able to deal with the circumstances themselves and to offer the most appropriate support to the child alongside any professional intervention.

Proposals to prepare annual newsletters for example, to maintain contact with families, are welcome. Regional collaboratives should be able to demonstrate that these types of communications are actually reaching all families and I would suggest that they should also record whether such publications lead to additional contacts or enquiries, to monitor the effectiveness of the communications.

There is currently little information around the factors which may prevent birth parents accessing post adoption services, but in my view it should be recognised that birth parents may find it difficult to engage with services initially due to their own feelings of grief and loss. However these parents should not lose their right to access support services in the longer term on this basis. Many parents, particularly young people, will go on to have more children in the future and are likely to need some assistance to 'break the cycle' and to ensure better welfare outcomes for everyone.

Additionally there are increasing numbers of family court cases involving parents with learning difficulties and young parents who are themselves care leavers or even looked after. Research is ongoing in Wales around the care outcomes and experiences of the children of looked after children<sup>17</sup> but it should be recognised that these groups of parents will themselves have their own vulnerabilities and are likely to require additional support in order to access support services and to contribute to letterbox contact and life story work to ensure that this is done regularly and is meaningful for the child.

Local Authorities use different teams to provide post adoption contact and support; some align this with the adoption team and some with the Child and Family team. Whichever option is preferred, the workers providing such services need to have the relevant expertise and experience to relate to both the child and family members, to ensure a meaningful and

<sup>14</sup> <http://gov.wales/docs/dhss/publications/150603adoptionreporten.pdf> page 92

<sup>15</sup> <http://gov.wales/docs/dhss/publications/150603adoptionreporten.pdf>

<sup>16</sup> <http://www.adoptionuk.org/sites/default/files/articles/CardiffUniversityAdoptionSupportServicesMay2014final.pdf>

<sup>17</sup> <http://sites.cardiff.ac.uk/cascade/research/research-projects/>

supportive intervention. Now that services are provided on a regional basis I would expect regions to match up

How could this be improved?

Adoption UK currently have 350 adoptive family members in Wales. These family members receive regular newsletters, access to a dedicated helpline and invitations to support groups. This needs to be built upon by regional collaboratives to ensure consistent access to services and support for families across Wales.

More work will need to be done to engage with birth parents and families, to find out what would work for them and what they look for in terms of support and access to services.

Adoption UK note that adoption support services should be available to “*everyone affected by adoption*” and that this should be set out in legislation.<sup>18</sup>

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<sup>18</sup> [http://www.afteradoption.org.uk/sites/default/files/attachments/position\\_statement\\_on\\_adoption\\_support.pdf](http://www.afteradoption.org.uk/sites/default/files/attachments/position_statement_on_adoption_support.pdf)

## Question 5

Are there any other issues you wish to draw to the Committee's attention?

The closure of BAAF Cymru has been an additional factor in the set up and running of adoption related services in Wales. It is positive to note that the services and experienced staff have been retained but this is inevitably going to create additional responsibilities and financial implications for NAS. This would not have been factored in to the last annual report of NAS as the situation developed after their report was published.

Although the law and threshold tests for adoption remains unchanged, the case of Re B-S is reported by practitioners to be having a detrimental impact on the numbers of ADM "should be placed" decisions and of placement orders being sought and successfully obtained in recent years, and the most recent official figures also illustrate this<sup>19</sup>. Although the number of adoption orders granted has increased during this time, it is unclear whether this trend will continue in light of falling numbers of placement decisions and orders. Whilst it is an inherently delicate balancing exercise and it is right that the threshold for making an adoption remains high due to the permanent legal changes that an adoption creates and the impact on families and their rights, I am clear that adoption remains a positive option for a minority of looked after children. A recently published report about looked after children and young people's experiences of education notes at paragraph 5.19 that the children and young people they spoke to "*displayed an awareness of the stigmas that come with their status as 'looked after'. This status was understood increasingly as they grew in age, to be seen by others (peers and adults alike) as a problem, troubled, different, and unlikely to achieve much*".<sup>20</sup> On this basis there may also need to be greater links between the regional collaboratives, local authority children's services departments and the courts, to ensure that in care planning and taking permanency decisions for children, those involved take all factors into account including the child's experiences throughout their minority and beyond, to ensure the best possible well-being outcomes in each case.

Submitted by:



**Professor Sally Holland**  
**Children's Commissioner for Wales**  
**17 November 2015**

<sup>19</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/456193/ALB\\_Business\\_Intelligence\\_Quarter\\_4\\_2014\\_to\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/456193/ALB_Business_Intelligence_Quarter_4_2014_to_2015.pdf)

<sup>20</sup> <http://gov.wales/docs/caecd/research/2015/151111-understanding-educational-experiences-opinions-looked-after-children-en.pdf>

**PAPER TO THE CHILDREN, YOUNG PEOPLE AND EDUCATION COMMITTEE**  
**ADOPTION SERVICES IN WALES**

**Introduction**

1. The purpose of this paper is to provide written evidence in response to the Children, Young People and Education Committee's follow up inquiry into adoption services.
2. Following the previous inquiry, we have acted decisively to establish an improved strategic focus for adoption services in Wales and to provide financial support for key aspects of these reforms.
3. Taking a co-production approach, we have worked with a broad range of stakeholders to establish the National Adoption Service for Wales, reinforced in law by the issue of Directions following changes we made to primary legislation through the Social Services and Wellbeing (Wales) Act. Furthermore, we have
  - established the Wales Adoption Register, with reciprocal arrangements to the registers of the other three home nations;
  - put in place a performance management framework for adoption services in Wales and;
  - supported the development of a more strategic approach to the provision of adoption support services through targeted grant funding for this and other key service developments.
4. When BAAF closed unexpectedly in the summer we moved quickly to ensure that services were maintained seamlessly for service users, whilst capitalising on the opportunity to develop bespoke new arrangements for Wales that will deliver improved services. The new arrangements for the Wales Adoption Register in particular, which is now located with the National Adoption Service, are already providing benefits in improved management information and enhanced strategic impact, as well as providing the platform for trialling options for service improvement.

5. More broadly, we are acting to draw together a strategic policy framework to reduce the numbers of children and young people being brought into care, where it is safe to do so. Where they do become looked after, our aim is to ensure high quality placements that provide stability, nurture and a loving family life. We recognise and support the role of adoption as a highly successful form of permanence for those children and young people for whom it is the appropriate decision.

### **Governance and leadership arrangements**

6. The structure and governance arrangements for the National Adoption Service are based on the “functional model” that was originally proposed by the Expert Group of stakeholders and developed further in consultation with the Advisory Group that was brought together to establish the National Adoption Service. It was these co-produced arrangements that formed the basis for the Directions that we issued in March 2015.
7. Recognising that the statutory responsibility for providing adoption services rests with local authorities, the governance structure is built on an innovative local / regional / national model which gives clear lines of accountability whilst also delivering challenge and a platform for effective joint working.
8. Ultimate responsibility for performance of the National Adoption Service rests with the Governance Board, which draws together political leadership for the regional and national levels of the service, alongside a representative of the third sector organisations and the independent chair of the Advisory Group to provide additional challenge.
9. The Advisory Group brings together a broad range of stakeholders, including from those services which play a key and complementary role to social services in this field – particularly an education representative and three health representatives, one of whom is from the Child and Adolescent Mental Health

Service (CAMHS). It is also required to pay specific attention to the voice of those who use adoption services.

10. Both of these groups provide forums for powerful conversations about the performance of all aspects of the National Adoption Service, at national level. At a regional level, the collaboratives are required to have in place partnership agreements and management arrangements which include arrangements for working with Local Health Boards and NHS Trusts, and with local education departments, including representation from these services on the collaborative's management committee. This enables effective joint working and mutual challenge to take place at a regional level as well as nationally.
11. The Directions require that an annual progress report is submitted to Welsh Ministers on 30 June each year and an interim report on 31 December each year. Since the establishment of the National Adoption Service, I have used this requirement as the basis for regular 6-monthly progress meetings with the Director of Operations, the Chair of the Governance Board and the Chair of the Advisory Group. We use this opportunity to discuss in detail performance data and related issues, including any barriers to improving performance and how they could be unblocked.
12. I am aware that there remains a great deal of work to do, not least in tackling disparity between regions' performance in a number of key areas, and that it will take some time to address all the relevant issues. However, I am confident that a strong start has been made, as can be seen in the positive impact of the National Adoption Service across many of the key indicators and targets in its first year and onwards into its second. From the evidence of the reports submitted to me and the discussions I have held, I believe that our ambition to achieve real change is shared by the leaders of the service and that there remains a will to work together and challenge each other further to achieve the necessary progress rapidly.

## Post adoption support

13. We do not underestimate the challenges that adoptive families can face. Some, but not all, will require support, possibly multi-agency support, after an adoption order has been made. Research we commissioned from Cardiff University on adoption support, and Bristol University on adoption disruption, confirms that when support is required it needs to be timely, accessible, appropriate, informed, compassionate and professional. We recognise that post adoption support in Wales needs further improvement and this is an area on which we are focusing.
14. To support the adoption service in addressing this issue we have granted the following targeted funding:
  - National Adoption Service – £65,000 for the period 1 April 2015 to 31 March 2016 for the development of adoption support services, including devising a national model for these services (and therefore covering issues of responsibilities and entitlements). A further £15,000 will help to develop the National Adoption Service's communication with adopted children and adopters, including adoption support service pages on its website.
  - After Adoption and Adoption UK jointly - £564,477 over a three year period for *Adoption Support Wales – getting it right for every child*. This is a portfolio of activities delivered collaboratively between After Adoption, Adoption UK, the National Adoption Service, service users and stakeholders to strengthen, inform and improve the equity of adoption support across Wales.
  - St David's Children Society - £342,300 over a three year period to focus on a) the recruitment of prospective adopters for children who have been referred to the Wales Adoption Register, are aged four years and over, are part of a sibling group and/or have complex health needs, and b) targeted programmes of support to meet the needs and demands of those adopters.
15. We are of course aware that the Adoption Support Fund in England operates on a different scale and with a different approach. Recent evaluation of that scheme



points to some undoubted successes. One of the key points of learning in developing our own support services is to be mindful of the need to move away from spot purchasing and short term, local commissioning of these services and seek ways in which we can identify synergies, grow and apply expertise and maximise the impact of the available funding.

16. We have no immediate plans to ask the National Adoption Service to take on a role in assessing post adoption support needs, though we would be open to further discussion of this idea with partners. We recognise that the central team of the National Adoption Service is very small and that this issue would need to be taken into account as part of any consideration of this suggestion.
17. From April 2016, where it appears that a child may need care and support, the local authority must assess whether the child does have needs and what those needs are under the Social Services and Well-being (Wales) Act 2014.
18. The current Framework for the Assessment of Children in Need and their Families provides guidance to local authorities to ensure children and families are assessed appropriately. The principles and three domains (the child's developmental needs, parenting capacity and family and environmental factors) of this guidance are incorporated in the code of practice on assessments to support the Act and include guidance on areas such as emotional and behavioural development, stability and attachments.
19. We recognise that it is important to ensure that those who undertake assessments, provide support and review that provision are adoption aware. Equally important is ensuring that clear procedures are in place for individuals to challenge decisions made and raise issues of dissatisfaction.

## **Child and Adolescent Mental Health Service (CAMHS)**

20. The Committee will be aware of the concerns which have existed around the provision of CAMHS in general for some time. This is why Welsh Government established its service improvement plan, leading to the development of the NHS-led *Together for Children and Young People* programme, which was launched in February 2015. This initiative seeks to ensure that CAMHS works with its partners across local authorities, education, the third sector and elsewhere to ensure that the young person experiencing emotional and mental ill-health receives the most appropriate intervention, from the most appropriate source and in a timely fashion in line with the principles of prudent healthcare. A number of priority areas have been identified, and work is being taken forward to develop service specifications and recommended models of support for vulnerable children, including looked after and adopted children.
21. More generally, Welsh Government is supporting the work through the provision of additional CAMHS investment of £7.6 million announced in 2015. This represents a significant increase of around 18% on annual NHS CAMHS expenditure. The funding will enable the development of new services and a significant increase in the CAMHS professional workforce, including the expansion of the provision of psychological therapies as an alternative to medication. Examples are therapies which tackle attachment disorder and other issues affecting adopted and looked after children.

## **Education**

22. We recognise the challenges that face some adopted children in education. The Welsh Government has been working corporately to address this issue, across the education and social services portfolios. We have also been working with Adoption UK and the National Adoption Service to try to understand better how adoptive families can be supported in schools.
23. We have extended the terms and conditions of the Pupil Deprivation Grant (PDG) to include support for adopted children. The new arrangements allow the

regional education consortia and partners, including local authorities, schools, adoptive parents and adopted children, to develop interventions which will have a beneficial impact on all children. Our expectation is, however, that they will have a greater benefit for children who are or were 'looked after' and those who have been adopted from care.

24. As part of a final year evaluation we expect the consortia to work with local authorities, schools and families to understand the impact the grant has had on the learners it is designed to support.
25. As a means of raising awareness on adoption issues, we have produced a video for schools. Adoption status is not always shared by parents with their children's schools and this is of course a matter of individual choice. Where it is known, bespoke training on specific issues can be addressed at a local, cluster or regional level. This training may include positive classroom management and awareness of potential attachment and mental health issues. The funding set aside for bursaries can also be targeted for specific needs of groups or individuals as necessary.
26. The Welsh Government and Adoption UK are presently working together to develop a new bilingual, electronic booklet on raising the achievement of adopted children in school.

### **Life story work**

27. We recognise the central importance of quality life story work for children in the care system. It supports vulnerable children in understanding their past and preparing them for their future. For adopted children who may no longer have contact with their birth family, the work undertaken with them, and their life story book or box, are crucial in helping them to make sense of their life before adoption.
28. The provision of life story work for children in Wales is an area of shared concern. In discussion with Adoption UK, adoptive parents raised it as being an issue as

did professionals at staff events attended by the National Adoption Service during 2014-15. We know that, done well, it can be an effective way of reducing the potential for disruption of a placement.

29. From figures provided by the National Adoption Service, the percentage of children who had life story materials available before their second adoption review was:

- 23% for the period 2014-15
- 60% for the first quarter of the year 2015-16
- 38% for the mid year review 2015-16.

These figures are considerably lower than the target of 75%.

30. Delivering thorough, sensitively prepared life story work is demanding, especially when staff members are faced with competing priorities. However, improvement is needed and the National Adoption Service has identified this as a priority for action. It is one of the issues discussed at ministerial progress meetings with leaders of the National Adoption Service and one which I will wish to continue to monitor closely.



Gwasanaeth **Mabwysiadu** | National **Adoption**  
Cenedlaethol | Service

# MID YEAR REVIEW 2015-2016

## Achieving More Together / Cyflawni Mwy Gyda'n Gilydd

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## Introduction and overview

This report has been produced to provide an update on the National Adoption Service at the mid-point of the 2015/16 business year. The report fulfils the requirement in regulation 13(2)(d) of the 'Directions Powers' for a 6-month interim report by December 31<sup>st</sup> each year and contains the following::

- An analysis of the National Adoption Service Work plan for 15/16;
- Adoption in context – how adoption fits within the wider context of services to vulnerable children;
- A comment on the priorities for the rest of the year and beyond.

There are a number of places in this report where the performance of adoption services is referred to. There are however some highlights to summarise.

- Children with an adoption plan continue to be placed more quickly; so far this year we have seen a further 2.3 month reduction, to 14.3 months, in the average time between a child becoming looked after and being placed for adoption.
- Fewer children are waiting for a placement and fewer children are having their plan for adoption changed due to lack of placements. Levels of disruption remain low.
- A new indicator in relation to adoption support plans shows promising performance.
- Fewer children have been placed for adoption than at the same point last year. This is linked to court interpretation of a number of cases that were the subject of appeals in the High Court; this is resulting in fewer placement orders due to other permanence options being pursued for some children.
- 141 adopters have been approved so far this year; almost the same number as the same period last year. The average length of time it takes for an adopter to be approved has improved by a small margin to 9 months.
- The level of enquiries from prospective adopters is being maintained and increased numbers are receiving initial visits or attending information evenings although the average initial response time to enquiries, within 5 working days, to enquiries fell a little to 95%. The proportion of adopters not proceeding beyond an initial enquiry remains at around one third although reviews of this in two regions

and a VAA clearly indicate that this is primarily due to adopter choice rather than agency systems and processes.

- There is now much clearer evidence that the profile of the children that adopters wish to adopt does not match the profile of Welsh children waiting to be adopted.
- The performance of some aspects of service remains extremely challenging namely that related to 'life journey' materials for children and the service to birth parents; there are early signs of improvement but these are small and slow.

Another factor to note is that during the summer of 2015 the National Adoption Service was asked to take on the management of the Wales Adoption Register when the former provider went into administration. It was a considerable task to bring a functioning service into local government and involved transferring existing staff and IT systems in a very short space of time. We are pleased to say that this was achieved successfully with minimal disruption to service and with excellent support from our host authority.

There will be no significant changes to the priorities of the National Adoption Service for the remainder of this year. All the areas highlighted in the current plan need to be progressed although for some of these the information we now have enables us to specifically focus on certain features.

**Suzanne Griffiths**  
**Director of Operations**  
**National Adoption Service for Wales**

## Analysis of the National Adoption Service work plan

We feel we are making good progress in implementing the plan that was set for this year. There were six priorities in the plan; an update on each priority follows.

### Priority 1: **Recruit more adopters, including more adopters for sibling groups and older children.**

**Why it matters:** It will make sure we have the widest possible choice of adoption placements.

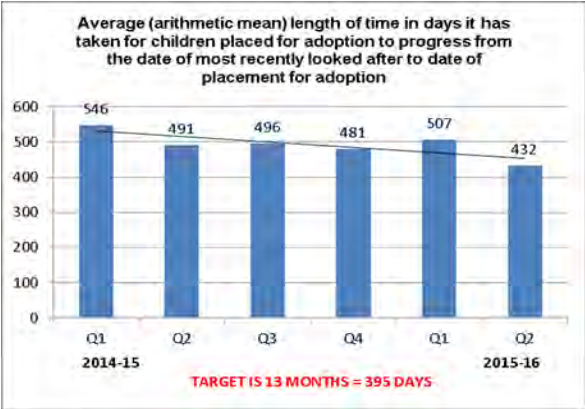
It will mean that children can be placed for adoption with minimum delay.

It will make sure all potential adopters get high quality training and assessment without unnecessary delays, wherever they live in Wales.

What we said we would do	What we have done so far?
<p>Look at everything from someone's first enquiry to their approval as an adopter. Then develop a model of best practice. And then use the model nationally.</p>	<p>We are working with our regional collaboratives, the voluntary adoption agencies and the Welsh Government Innovation Team to review processes and develop the best practice model for Wales. Some of the regional collaboratives were already looking at their recruitment process which has been a great help. The work is progressing well and is on target to be completed by the end of the year; it is taking account of recognised best practice in the field but most importantly is also being informed by adopters who are involved in the work.</p>
<p>Agree a national adopter recruitment strategy.</p>	<p>Our media and marketing subgroup have developed a National Marketing Strategy. The Welsh Government have provided grant aid to us to develop a suite of flexible tools and messaging to support this. We are about to commission the development of these tools which will be available for national and agency use over time.</p>

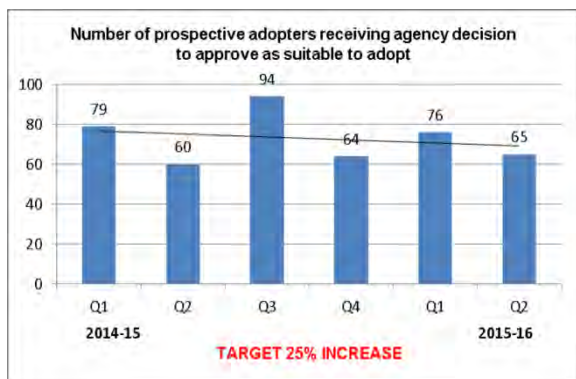


Think of different ways to market adoption, and use those different ways.	As above there is good progress so far in developing this although we foresee some challenges in co-ordinating the resources currently deployed to marketing in a different way.
Change the culture of organisations, and the way organisations do things.	This is a long term strategy and we have begun to make inroads into it by the work described above and in the work being done to meet our other priorities

What did we say success would be?	How are we doing?														
<p>The time between a child going into care and being placed for adoption is 13 months (or less).</p>  <table border="1"> <caption>Average (arithmetic mean) length of time in days it has taken for children placed for adoption to progress from the date of most recently looked after to date of placement for adoption</caption> <thead> <tr> <th>Period</th> <th>Days</th> </tr> </thead> <tbody> <tr> <td>Q1 2014-15</td> <td>546</td> </tr> <tr> <td>Q2</td> <td>491</td> </tr> <tr> <td>Q3</td> <td>496</td> </tr> <tr> <td>Q4</td> <td>481</td> </tr> <tr> <td>Q1 2015-16</td> <td>507</td> </tr> <tr> <td>Q2 2015-16</td> <td>432</td> </tr> </tbody> </table> <p>TARGET IS 13 MONTHS = 395 DAYS</p>	Period	Days	Q1 2014-15	546	Q2	491	Q3	496	Q4	481	Q1 2015-16	507	Q2 2015-16	432	<p><b>Timeliness in placing children for adoption continues to improve.</b></p> <p>The overall average length of time between a child becoming looked after and being placed for adoption has reduced further to an average of 14.2 months.</p> <p>This is a 12 month improvement since April 2014 and an in year improvement since the end of year figure for 2014/5 of 16.5 months.</p> <p>There are regional variations in how quickly children are on average placed; the Mid and West Wales Adoption Service and Vale, Valleys and Cardiff regions were achieving the target we set (of 13 months) at mid-year.</p>
Period	Days														
Q1 2014-15	546														
Q2	491														
Q3	496														
Q4	481														
Q1 2015-16	507														
Q2 2015-16	432														

**What did we say success would be?**

There are at least 25% more adopters.



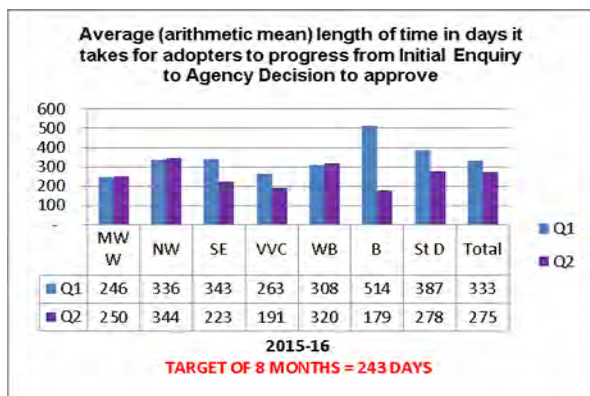
**How are we doing?**

**141 adopters had been approved by the mid-year point.**

This is a very similar number to that approved in the same period last year.

This and the fact that there has been a similar level of enquiries to the same period last year, would indicate that we are likely to achieve a similar number of approvals as last year but not the increase we were seeking. Considering the recent down turn in numbers of children needing adoption, this should not impact on the availability of adoptive placements. It does concentrate our focus on recruiting adopters for children with additional needs, sibling groups and older children who are currently waiting for adoption placements

Average time - first enquiry to approval of adopters is 8 months or less.



**The average length of time it takes for an adopter to be approved has improved further by a small margin.**

The mid-year average was 9 months, compared to 9.4 months for 2014/15 and our target of 8 months.

There are significant variations from quarter to quarter and between agencies that are being examined; we anticipate that in future the best practice model will also help reduce these.

At the mid-year point a number of agencies were within or near to the target; Mid and West Wales, South East Wales, Vale Valleys and Cardiff and Barnardos.

<p>There are fewer sibling groups and older children waiting for adoption.</p>	<p>There are indicators of progress on this but a better measure is likely to be at the end of a full year when we can more confident about the data on this from the Wales Adoption Register.</p> <p>At the mid-year point the Wales Adoption Register was showing 31 children for whom there was no or a very limited potential match; all part of a sibling groups or older. This compares to the end of March 2015 when there were 62 children on the Wales Adoption Register available to be matched of which three quarters were part of a sibling group and over half aged between 5 and 8 years.</p>
<p>We have agreed and use the best practice model for the recruitment of adopters.</p>	<p>As above this work is progressing</p>
<p>We have agreed a multi-media recruitment campaign.</p>	<p>As above this work is progressing</p>

**What has been happening around Wales about this?**

**Vale, Valleys and Cardiff's** regular programme of information evenings and training are focussing upon the needs of older children and sibling groups. The region has also undertaken an audit of their approved adopters. The profiles of the children currently awaiting placement do not match their current adopters so they are planning to change their approach to recruitment.

**Western Bay** is on target to achieve a 30% increase in the number of adopters approved; attributed to harnessing increased awareness of adoption through the media, an improved website and use of more social media as well as combining the strong reputations of the three adoption services. The regions pre approval training has also been expanded to include a 4th day which looks at support needs and services with contributions from the medical advisor and adopters. This has resulted in more adopters for older children, sibling groups and children with complex needs.

**St David's Children Society** has specifically targeted recruitment activity to those children who wait the longest for families – sibling groups and older children - through the website, National Adoption Week 'Opt to adopt' campaign and clear messaging. They have also have revised their information booklet for prospective adoptive families and have specifically targeted training (brothers and sisters).

## Priority 2: More children are placed without delays.

**Why it matters:** It means we have got better at matching children with potential adopters.

It means the adoption process is working more smoothly. This includes improving how social workers work together.

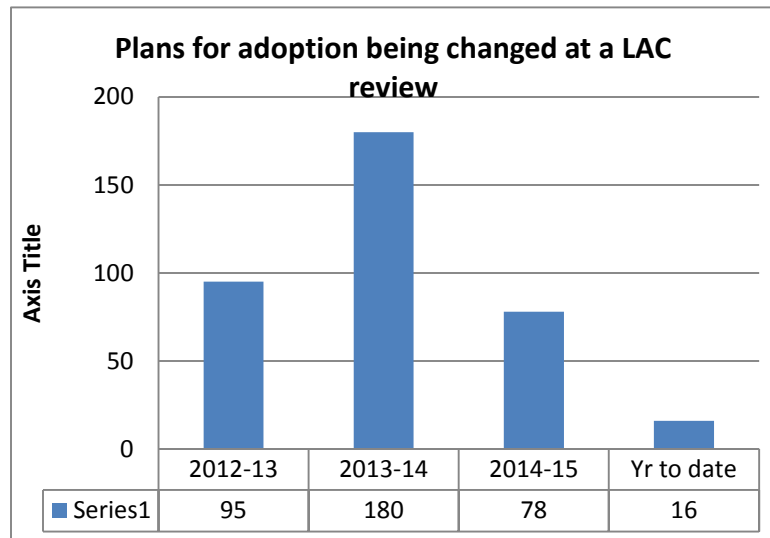
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What we said we would do	What we have done so far?
<p>Agree and use a national way to find children an adoptive family.</p>	<p>The work on this best practice model is nearing completion. We are putting the final touches to it which includes ensuring that it is fully up to date with the provisions in the new Social Services and Well Being Act (Wales). After a final round of agency consultation we will be seeking to implement it as soon as practicable.</p> <p>Alongside this we have been ensuring that agencies have available to them all appropriate tools / mechanisms to support them in the family finding task. So as well as reviewing use of magazines that have traditionally been used we are currently piloting the use of an on-line system called 'Adoption Link'.</p> <p>Elsewhere we refer to the fact that over the summer we were asked to take on management of the Wales Adoption Register; this is obviously also key tool for family finding in Wales. We need to work on ensuring this is used effectively alongside thinking about its future in a review that is planned.</p>
<p>Work with local councils to help them plan for children's long term futures.</p>	<p>All of the work we are doing is contributing to this. Additionally however the National Adoption Service is involved in work, being led by Welsh Government, aimed at improving outcomes for children. We are a member of the Strategic Steering Group and involved in relevant task groups so this will inform any other work we do directly with local councils.</p> <p>We have also been working with Welsh Government to influence the content</p>

of the regulations and codes of practice that sit under the Social Services and Well-being Act (Wales) 2014 so that the implications for adoption services are clear and included in the codes of practice where they need to be. Some, but not all, of our recommendations have been included and we continue to work on this.

What did we say success would be?	How are we doing?																					
<p>There is a NAS Family Finding process for all children in Wales who need an adoptive family.</p>	<p>As above work on this is well advanced</p>																					
<p>No more than 4 out of 10 children wait more than 6 months from a decision that adoption is the best option (a "should be placed" decision) to their match with approved adopters.</p> <div data-bbox="191 852 926 1360"> <table border="1"> <caption>% of children matched who have waited longer than 6 months (or 3 months for a relinquished child under 6 months) to progress from date of SBP for adoption decision to date of agency decision to approve match</caption> <thead> <tr> <th></th> <th>MWW</th> <th>NW</th> <th>SE</th> <th>VVC</th> <th>WB</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>40%</td> <td>56%</td> <td>80%</td> <td>65%</td> <td>50%</td> <td>60%</td> </tr> <tr> <td>Q2</td> <td>44%</td> <td>50%</td> <td>58%</td> <td>50%</td> <td>32%</td> <td>47%</td> </tr> </tbody> </table> <p style="text-align: center;"><b>2015-16</b> <b>TARGET IS 40%</b></p> </div>		MWW	NW	SE	VVC	WB	Total	Q1	40%	56%	80%	65%	50%	60%	Q2	44%	50%	58%	50%	32%	47%	<p><b>We are achieving a gradual reduction in this with the mid-year average figure at 47%.</b></p> <p>This compares to year - end performance for 2014-15 of 67.49%. There are quarterly as well as regional variations.</p> <p>42 children waited longer than 6 months during quarter 2 which is the lowest quarterly figure since April 2014 and represents a 39% reduction since then.</p> <p>Western Bay achieved the target of 40% in quarter 2 while Mid and West Wales were also close to it.</p>
	MWW	NW	SE	VVC	WB	Total																
Q1	40%	56%	80%	65%	50%	60%																
Q2	44%	50%	58%	50%	32%	47%																

We have halved the number of children whose plan for adoption is changed.



**Fewer children are having their plans for adoption changed.**

This has been the case for less than 20 children so far this year.

We have found that where this happens it is usually because a suitable adoptive placement cannot be found although for a small number of children it because a good alternative for them has been found through another means e.g. a Special Guardianship order. There currently are no discernible regional trends in when this occurs.

Indications are that if the rate at which this is happening stays as it is the target to reduce this by at least half will be met.

**What has been happening around Wales?**

**North Wales** has achieved a significant decrease in the number of children waiting for placements this has made it easier to match newly referred children quickly.

**Vale, Valleys and Cardiff, Western Bay** and **Mid and West Wales** are involved very early on in planning for children so both regions are building up a good knowledge of the needs of the children likely to require placement and regular meetings consider all children waiting against the available adopters before looking outside the region.

In **Vale Valleys and Cardiff** a designated officer in each local authority secures any necessary agreement for external funding thus avoiding delay. The Region also co-ordinates the 'should be placed for adoption' process on behalf of the four local authorities enabling them to streamline the child referral and decision making

process.

**Western Bay** has seen a reduction of the time taken to identify links for children with complex needs and in sibling groups being placed in a timely manner. In addition, there are some excellent good news stories where children with complex needs have, after a number of years without links have been linked and placed.

Managers in **Mid and West Wales** take the lead in constantly promoting the importance of timescales alongside good practice.

**South East Wales** has been able to 'fast track' some assessments for adopters that meet the needs of children with very specific needs e.g. sibling groups so these children have waited a shorter time than usual.



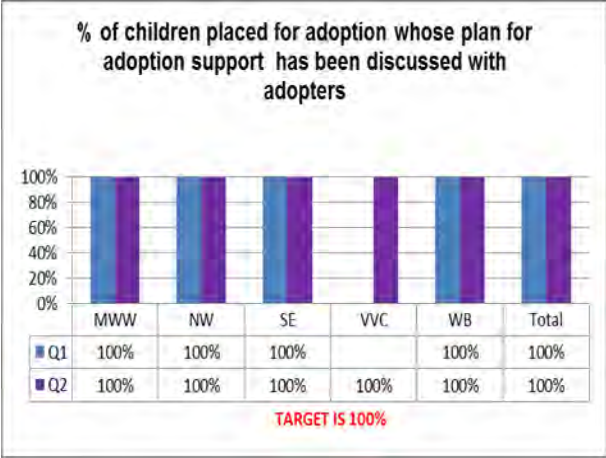
### Priority 3: Better adoption support

**Why it matters** It will make good outcomes likely for all adopted children and help families where extra help is needed.

What we said we would do	What we have done so far?
<p>Do what is says in our framework for thinking about adoption support services.</p>	<p>An overarching strategy has been agreed which provides for the development of a three tier service to adopters across Wales, consisting of universal services, targeted services and specialist services.</p> <p>It is an area of the adoption service that we are working hard on nationally and locally. All of the regional collaboratives are working to develop services within the overall framework and, supported by a Welsh Government grant, we recently announced an initiative to offer all new adopters this year a chance to join Adoption UK, a support organisation run by other adopters providing a range of peer support services. Alongside this Adoption UK will be providing training for us to develop the skills of social workers and adopters in managing more difficult behaviour. In doing these two things we hope we are ensuring that there is some universal support available plus something more specialist thereby plugging some immediate gaps while we work on everything else.</p> <p>We are also looking at some of the models of best practice in provision of support services with a view to considering whether any of these can be developed in Wales over time.</p> <p>There are however examples of good practice both within the voluntary sector, St David's Children Society and in the regional collaboratives, Mid and West Wales for example which are in line with the overall approach and are informing it.</p>

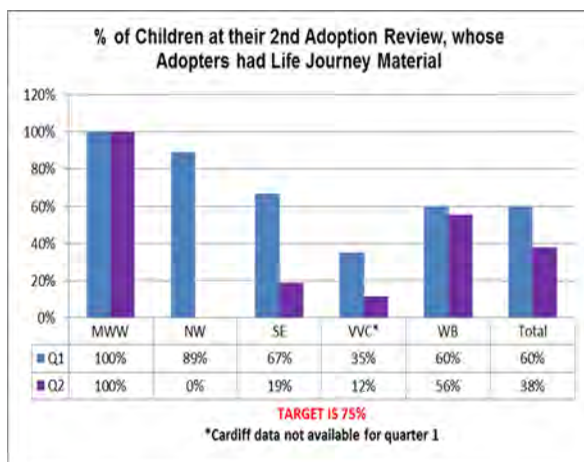
<b>What we said we would do</b>	<b>What we have done so far?</b>
<p>Make sure everyone knows what has already been agreed about adoption support</p>	<p>What is already being provided has been mapped across Wales and we are in the process of making this information widely available so adopters and children and young people know what is actually there for them at the current time. This is posted on the National Adoption Service website and agencies are working with us to draw adopter's attention to it.</p> <p>We are currently scoping the potential to develop a data base of adopters that can be used to keep in touch with all adopters who desire this and be the mechanism for keeping in touch, provision of information and updates about services.</p> <p>We also plan to develop the National Adoption Website to create a section about adoption support services.</p>
<p>Make it easier to get an assessment for adoption support services</p>	<p>As part of the consideration of models for Wales, we will be reviewing where, and by whom, assessments for adoption support services are done. This will have a particular focus on new requests when a child is a bit older and come back for some support. This is with a view to developing proposals for the future consistent management of these.</p>
<p>Make sure adopters are treated consistently in terms of financial support</p>	<p>We are mid-way through a review of the use of financial allowances which will also provide proposals for a more transparent and fair use of these across Wales.</p>

<b>What we said we would do</b>	<b>What we have done so far?</b>
Listen to what adopters and children and young people are telling us about their priorities	<p>We continue to engage with adopters and adopted children and young people so that we know what these are.</p> <p>We are aware that adopters are watching the levels of investment that are happening in other parts of the UK, particularly just across the border in England and asking why the same isn't happening in Wales. It is difficult to provide a justification for this. Unfortunately this is not something the National Adoption Service can address but our focus is ensuring we are using the resources currently available in the best way.</p>
Agree plans to develop support for adopted children and their parents from health and education services	<p>We have focussed so far in ensuring that these services are represented in discussions nationally and regionally so that we can work with them in the future. We have also been investing in creating good relationships with the relevant parts of Welsh Government to influence policy direction etc. Success in this has varied so far and we know that there is more work to do to develop and focus this. Some good initiatives are however in hand nationally and regionally.</p> <p>We know that the support from medical advisors to adopters during matching is developing very well and the links made with CAMHS services nationally and in some regions provide a promising platform for the future. Some regions have developed good links with psychology services and are piloting schemes which show promising outcomes.</p> <p>With the help of one of the VAA's, the education department in Welsh Government is developing materials to help schools understand their adopted children better and has extended a grant schemes to cover adopted children. Some regions have developed good links with looked after children education co-ordinators as a result of which better support to those children who go on to be adopted is being developed.</p>

What did we say success would be?	How are we doing?																					
<p>All children placed for adoption have been assessed for adoption support services, there is a plan in place, and the plan has been discussed with the adopters</p>  <p><b>% of children placed for adoption whose plan for adoption support has been discussed with adopters</b></p> <table border="1" data-bbox="212 732 772 829"> <thead> <tr> <th></th> <th>MWW</th> <th>NW</th> <th>SE</th> <th>VVC</th> <th>WB</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>100%</td> <td>100%</td> <td>100%</td> <td></td> <td>100%</td> <td>100%</td> </tr> <tr> <td>Q2</td> <td>100%</td> <td>100%</td> <td>100%</td> <td>100%</td> <td>100%</td> <td>100%</td> </tr> </tbody> </table> <p>TARGET IS 100%</p>		MWW	NW	SE	VVC	WB	Total	Q1	100%	100%	100%		100%	100%	Q2	100%	100%	100%	100%	100%	100%	<p><b>Initial indications are that performance is positive in terms of these plans being put in place.</b></p> <p>This is a new measure was agreed to give some indication of this important aspect of the service, albeit just for new placements, while other more comprehensive measures are developed.</p> <p>We should, by the end of the year, have some qualitative information available from the Wales Cohort Study being conducted by Cardiff University which will help us understand how effective the support provided by these plans is. We already know from research that the way these plans look is not helpful.</p>
	MWW	NW	SE	VVC	WB	Total																
Q1	100%	100%	100%		100%	100%																
Q2	100%	100%	100%	100%	100%	100%																
<p>There is a system for adopters to stay in contact with adoption services, if this is what the adopter wants</p>	<p>As outlined above we are currently scoping the potential to develop a data base of adopters to do this.</p>																					
<p>A newsletter, at least once a year, to all adopters.</p>	<p>The media and marketing group is working on a template and mechanism for this at the current time. News and Events across Wales are being collated, published and promoted on our website. This will be developed into a newsletter linked to the database of adopters.</p>																					

Adopters say it is easy to get information about adoption support services.	We will need to ask adopters about this when some of these initiatives are in place.
We have reviewed ways to get an adoption support assessment	This review is included in the work on adoption support models which is currently being commissioned.

<p><b>What did we say success would be?</b></p> <p>At least 3 out of 4 children placed for adoption have life journey materials before their 2nd adoption review.</p>	<p><b>How are we doing?</b></p> <p><b>Performance in relation to the provision of 'life journey' materials remains in need of considerable improvement.</b></p> <p>The framework measures the availability of life journey materials at the 2nd adoption review. This is itself later than best practice guidance which says that this should be made available over time and be completed by this point. The vital importance of this to children and parents in supporting transition and settling within a new family is well known.</p> <p>At 38% at the mid-year point there is some improvement on 23% last year but performance remains short of the target of 75% and Q1 performance which was 60%.</p> <p>There are ongoing issues with this definition and data collection that we are working to resolve alongside improving practice.</p>
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<p><b>What has been happening around Wales?</b></p> <p><b>South East Wales Adoption Service</b> has a number of Initiatives on-going to improve this area of service. These include an open afternoon/ information sharing session event with the local authorities' independent reviewing officers, bringing consistency to the five local authority adoption planning meetings, raising</p>
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awareness at the preparation training and scoping out the potential to deliver training on this to child care social work teams and foster carers. This region has specific CAMHS and psychology time available to children in need of support pre and post adoption.

Improving adoption support is an important element of the **Mid and West Wales** business plan; it is anticipated that aided by their new management committee which has Health, Education and VA representatives they will move to implement the strategy for adoption support that has been agreed. The region is also currently piloting, in one local authority, a scheme to refer all children with a 'should be placed' decision to a service offering psychology input and an emotional needs panel for children. This service is also available for post adoption support and provides a range of services to support the carer, adopter and services involved with the child to work within an individualised plan to meet each child's emotional needs.

Two managers at **Vale Valleys and Cardiff** have completed Dyadic Developmental Psychotherapy (DDP) training and the region currently has a play therapy student on placement providing direct work with some children. The region also facilitated a support group for adoptive families with speakers and discussion on NVR for the first time. A fun day for adoptive families was held in July, with another planned for December and a monthly toddler group has been maintained which is well received.

One of **Western Bay's** local authorities have developed an Attachment Aware School Project using Kate Cairns Associates, providing whole school training in trauma and attachment. The region can also access Video Interaction Guidance (VIG) intervention for children who meet the criteria; an intervention through which a trained practitioner uses video recordings of interactions with the family to enhance communication and relationships. Generally the harmonisation of provision across Western Bay has resulted in more access for adopters and children to groups that meet their needs and the region is developing a regional 'Talk Adoption' group for young people in partnership with After Adoption Wales. A staff member from After Adoption has been seconded to the service for six months; this has provided a valuable resource for the adoption support function but also the opportunity to strengthen working relationships with this VAA.

**Adoption UK** has been helping the NAS to make the adoption support which is available more widely understood and accessible to those who need it by creating an adoption support flyer and a calendar of

support events for use on the NAS website. Adoptive families are telling AUK that whilst the process for recruiting and assessing adopters and placing children with them has improved since the NAS began, there is still much to be done in the area of post adoption support for those new families and for the families created in the more distant past.

Research has identified that some adoptive families find that their children struggle with their 'big' emotions and that aggression and child to parent violence is something that parents may need to address.

**Adoption UK** is currently delivering workshops across Wales for parents and professionals to raise awareness about this difficult subject and is developing a 10 session training programme based on Non Violent Resistance techniques which will be available to families from 2016.

**North Wales** offers the 'Safe Base' training in partnership with After Adoption to their adopters.

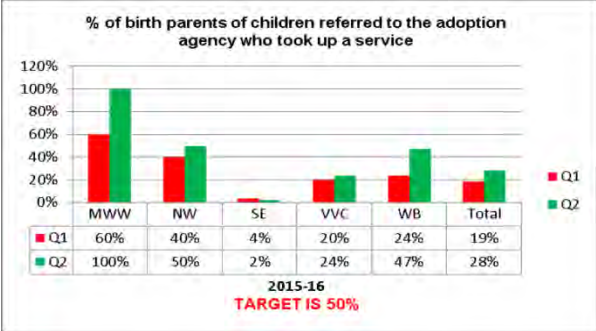
## Priority 4: Listen to and work with children and adults who use adoption services

**Why it matters** It helps us to know whether high quality adoption services are consistently provided in Wales

What we said we would do	What we have done so far?
<p>Agree how to do this locally and nationally, and then do it</p>	<p>A strategy for engagement with adopters and adopted children &amp; young people for this year was agreed very early on and is being implemented. Some nationally led events have occurred and others are planned for the second half of the year.</p> <p>A key part of this strategy is to work with regions and VAA's to develop ongoing arrangements for the longer term to ensure that there is consistent ongoing engagement. There are already good arrangements in place in some regions and VAA's.</p>

What did we say success would be?	How are we doing?
<p>We have involved people who use adoption services at the national level</p>	<p>We have been working with adopters who have been prepared to tell us their stories and, in some cases be filmed. This helped us with the publication of the Annual Report and keeps the case studies on the website interesting and new.</p> <p>Others have volunteered to be involved in or consulted about the development work that we are doing through our subgroups.</p> <p>We have also been working with VAA partners and the regional services to plan further events for the second half of the year.</p>



<p>We have held at least one event to listen to, learn from and work with adopters.</p>	<p>A meeting with a group of adoptive fathers was held during the summer. Other events with adopters are being planned for the second part of the year.</p>																					
<p>We have held at least one event to listen to, learn from and work with young people.</p>	<p>An event will be held in the Autumn.</p>																					
<p>We have agreed how people who use adoption services will be involved in the running of the five regional collaboratives and the five national adoption voluntary organisations.</p>	<p>This work is in progress</p>																					
<p>A full strategy for how to listen to, learn from and work with people who use adoption services</p>	<p>This work is in progress</p>																					
<p>Every birth parent is offered counselling. Make sure at least half of the birth parents accept the offer of counselling.</p>  <table border="1" data-bbox="191 1057 783 1386"> <caption>% of birth parents of children referred to the adoption agency who took up a service</caption> <thead> <tr> <th>Region</th> <th>Q1</th> <th>Q2</th> </tr> </thead> <tbody> <tr> <td>MWW</td> <td>60%</td> <td>100%</td> </tr> <tr> <td>NW</td> <td>40%</td> <td>50%</td> </tr> <tr> <td>SE</td> <td>4%</td> <td>2%</td> </tr> <tr> <td>VVC</td> <td>20%</td> <td>24%</td> </tr> <tr> <td>WB</td> <td>24%</td> <td>47%</td> </tr> <tr> <td>Total</td> <td>19%</td> <td>28%</td> </tr> </tbody> </table> <p>2015-16 TARGET IS 50%</p>	Region	Q1	Q2	MWW	60%	100%	NW	40%	50%	SE	4%	2%	VVC	20%	24%	WB	24%	47%	Total	19%	28%	<p><b>The service to birth parents remains in need of improvement.</b></p> <p>301 birth parents have been referred to adoption services so far this year; in Q2 96% of these had been offered a service and 28% took this up. There is variation on a quarter to quarter basis and between regions.</p> <p>Numbers of birth parents being offered a service has improved and is close to the target but take up remains low and short of the target of 50%.</p> <p>There are also some issues with this definition and data collection that we are working to resolve alongside improving practice.</p>
Region	Q1	Q2																				
MWW	60%	100%																				
NW	40%	50%																				
SE	4%	2%																				
VVC	20%	24%																				
WB	24%	47%																				
Total	19%	28%																				

**What has been happening around Wales?**

**North Wales** continues to send out questionnaires to all adopters involved in all aspects of the adoption process on an annual basis and when they attend panels. This information is collated, used in the annual review and for improvement.

**St David's Children Society** achieve consultation through a number of ways: adoptive parent (25%) representation on Board of trustees (Chair and member) and are Adoption panel members; adoptive parents contribute to website design /content, newsletters and information literature as well as contributing to delivery of training /preparation courses and the recruitment strategy.

**South East Wales** have birth parent support groups which are very well attended.

The **Vale, Valleys and Cardiff** service to birth parents has improved significantly in that it is now offered on two occasions to birth parents upon referral to the service. Take up of the counselling remains low but there is a clearer system to monitor this and an opportunity to look at ways to improve the service.

## Priority 5: Doing better overall

**Why it matters** It will help us consistently provide high quality adoption services are in Wales

What we said we would do	What we have done so far?
Make sure we know how and when to use data and information	<p>We have put a lot of effort into being able to use effectively the data we have in the Adoption Performance Management Framework. This has included looking at how this complements data that is collected by others and making arrangements to work with them and use this data.</p> <p>We are continually developing this nationally and have used the data in annual reports and at other times when the spotlight has been on adoption services e.g. when our annual report was published and when we took over the Wales Adoption Register.</p>
Develop better data	This is linked to the above and our work with the regions and the VAA's to support them with data collection and use. A workshop was held to ensure that data analysis and reporting was consistent; we also agreed to change how some measures were collected. We recognise that there is more work to do on this and we are considering how we can do this so that there is effective performance measurement in all parts of the National Adoption Service.
Think of ways to measure what is achieved, and not just what is done	We haven't started looking at this yet but are watching with interest the pilot of the Welsh Government Outcomes Framework in 3 local authority children's services departments. This will inform how we begin to develop an outcomes approach for adoption services.
Support the work of the Wales Adoption Register	Our original intentions to work closely with the register, ensure our data was consistent and produce some joint publications were overtaken by us being asked to manage the Register when the organisation that previously managed it went into administration. It was a considerable achievement that the service was able to complete the transfer 'in' of

	<p>the Register, with the complexities brought by IT systems, data security and TUPE for staff within a 5 week period, with minimal disruption to service.</p> <p>The register has been managed by us since September 4<sup>th</sup> 2015 and we are working on ensuring this it is used effectively alongside thinking about its future in a review that is planned.</p>
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<b>What did we say success would be?</b>	<b>How are we doing?</b>
At least 4 reports a year. The reports are easy to read and use.	<p>Reports have been produced to show performance at Q1 and Q2 for the consideration of the Advisory Group and Governance Board. This is in addition to the annual report and this mid-year report that are provided to Welsh Ministers.</p> <p>Production of reports also takes place at regional and agency level for the purposes of Management and Trustee Boards.</p>
There is a system for collecting and analysing local and regional information.	This is in place through the Aspireview Performance Measurement System and some additional data collection that has been agreed.
We have a plan for when the Aspireview contract ends.	This work is in progress. We now know more about the system's capabilities in order to exploit them fully and are aware that on the longer term horizon are the developments of the Wales Community Care Information System (WCCIS) that will support local authority adoption services. Our plan will need to ensure that we are able to take advantage of this major national development alongside having minimal disruption.

**What has been happening around Wales?**

**Vale Valleys and Cardiff** is unique in having a Joint Committee which meets twice a year to complement the Management Board which meets bi-monthly and is fully compliant with the membership required by the Directions Powers. The Joint Committee secures the on-going commitment of elected members.

**St David's Children Society** has commenced a comprehensive review of internal systems re data collation.

## Priority 6:                   The National Adoption Service is well run

**Why it matters**           It means local councils, adoption agencies, health and education can work together well

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<b>What we said we would do</b>	<b>What we have done so far?</b>
Make sure the national and regional arrangements for running the service are working	There have been 3 Advisory Group meetings and 1 Governance Board meeting up to the mid-year point. All the regional collaborations have established management committee arrangements that have also all met at their agreed frequency. The subgroups that do much of the work of the service have met as needed to undertake the work that is allocated to them.

<b>What did we say success would be?</b>	<b>How are we doing?</b>
The legal rules for running the service at the regional and national level are being followed.	<p>As above the governance arrangements are established and operating.</p> <p>In line with the regulations a conflict of interest protocol has been agreed for the Advisory Group and Governance Board; this is being put in place.</p> <p>The annual report was published on time and made available to</p>

	<p>Welsh Ministers as required.</p> <p>The central elements of the National Adoption Service currently has a fixed budget; it has been challenging to undertake all the tasks required of us within that and we have only recently began to commence some more significant pieces of development work following receipt of a grant from Welsh Government. The budget report for the mid-year point is attached as an appendix.</p>
<p>The voluntary sector, health, education and others are fully involved at the regional and national level</p>	<p>For the most part this has been very successful but there remains some work to do to make this fully functional and there are different challenges nationally and regionally.</p> <p>The relationships nationally with the Health Service and the Voluntary Adoption Agencies in Wales are worthy of note in that both are represented by three 'seats' on the Advisory Group. The current vice chair of the Advisory Group is a manager in one of the voluntary adoption agencies. The Voluntary Adoption Agencies are also represented on the Governance Board by two agencies sharing the role.</p> <p>This is replicated at regional level where these agencies are also included in the membership of the partnership or management board for each regional collaborative; it is acknowledged that these relationships at regional level are less well established and need to develop over time to maximise the impact on service delivery.</p>

**What has been happening around Wales on this?**

Each Region's management committee or partnership board has met on a regular basis. The Directions require representation from the Voluntary Adoption Agencies and are as follows:

- Mid & West Wales Adoption Service – Afa Cymru
- North Wales Adoption Service – After Adoption
- South East Wales Adoption Service – Barnardo's
- Vale, Valleys & Cardiff – St David's
- Western Bay – Adoption UK.

Progress is being made in relation to health and education representatives being identified but this work in progress.

Agenda items at the meetings cover a wide range of topics and include:

- Partnership agreement;
- Performance and activity information;
- Budget;
- Training;
- Sharing good practice and developments across the region
- Information from NAS;
- Priorities for and progress of business plans;
- Changes in operational practice to improve performance;
- Staffing;
- Restructures;
- Adoption panel;
- ADM decision making;
- Adoption allowances.

## Adoption in context - other important performance information

This mid-year review of Adoption Service performance comes just after the publication of the Welsh Government statistics for 2014/15, and that of the other UK administrations, in respect of looked after children and adoption. This provides a valuable opportunity to set performance within this wider context.

2014/15 saw a further reduction in the overall numbers of looked after children in Wales at year end.

When children cease to be looked after it is important that this is because permanence with parents who can continue to provide good outcomes is available – whether this is within the child's birth family or by other means including adoption.

The focus in Wales has been on ensuring that adoption is considered as a permanence option when a child cannot return to birth family and ensuring that placements are available for those children for whom it is the plan. There has been a further increase in the number of children adopted in Wales and in the percentage that of the looked

### Numbers of Looked After Children & Children Adopted in Wales



	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Looked After Children	5,160	5,410	5,720	5,765	5,755	5,615
Children Adopted	230	255	245	330	345	380
%	4%	5%	4%	6%	6%	7%

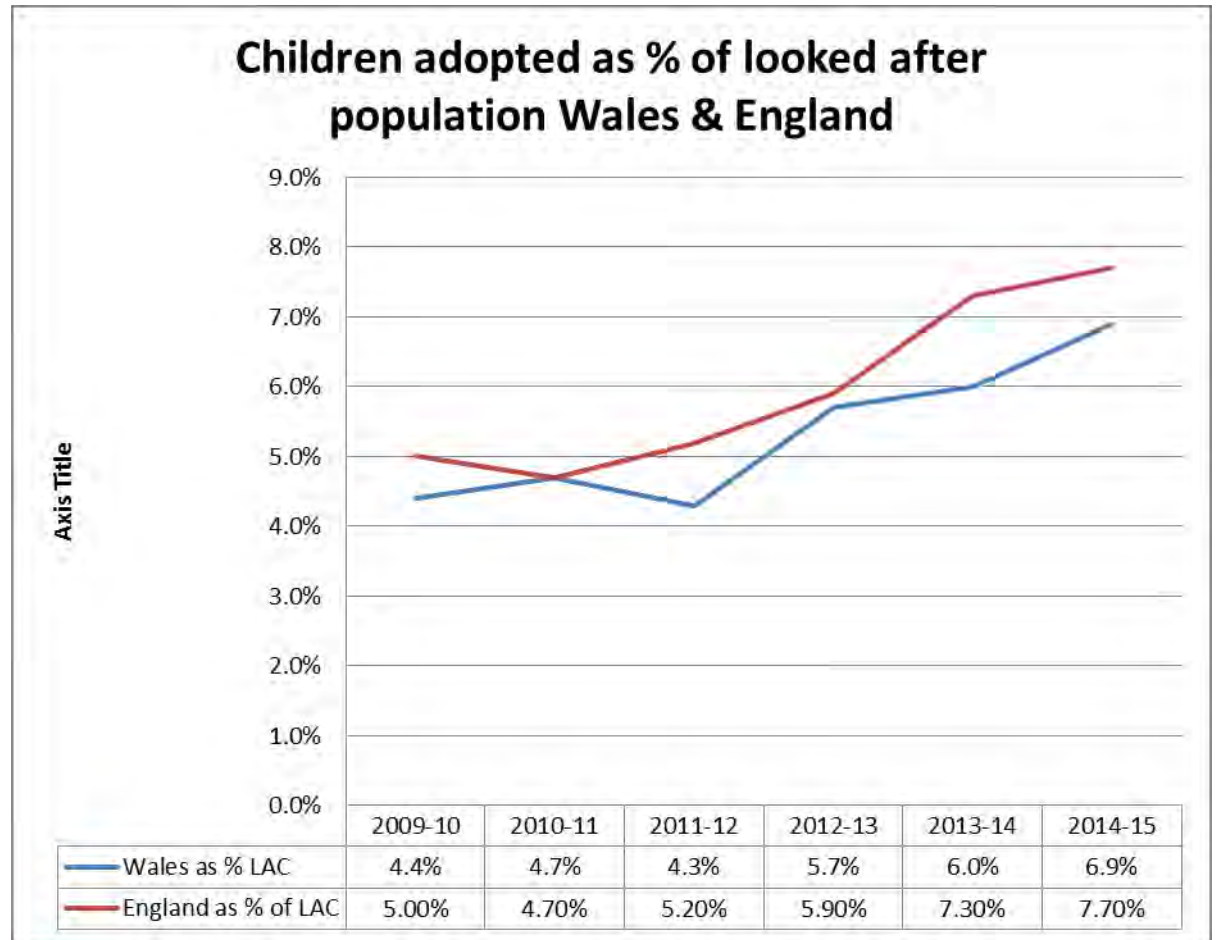


after population that this represents, continuing an upward trend for Wales.

The published government data allows us to compare the proportions of looked after children adopted in Wales and England.

There is an upward trend in both countries over the last 6 years, likely as a result of the focus within government policy on increasing the use and availability of adoption although the nature of the policies and the levels of investment have differed between Wales and England.

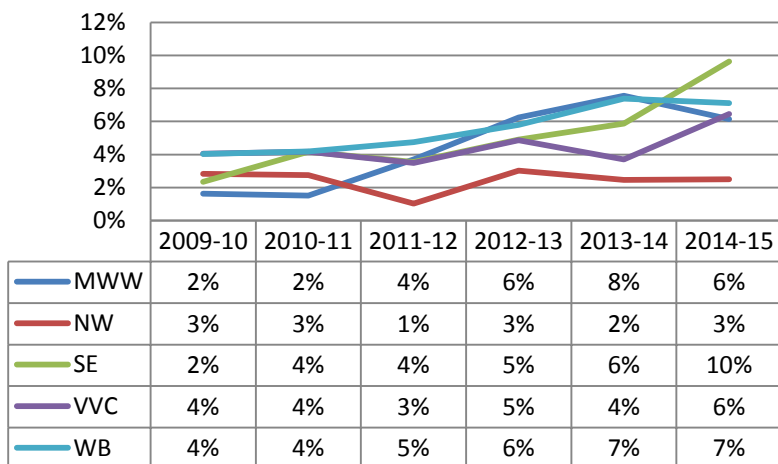
There is no 'right' proportion; adoption is only right for those children for whom it is agreed through detailed and careful consideration.



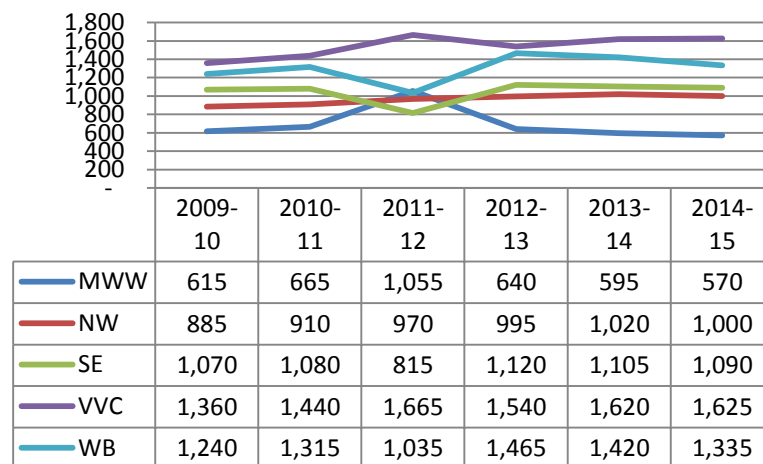
The overall increase in the use of adoption in Wales is not evenly distributed. The differences in the overall percentage of children adopted in the areas that now form the regional collaboratives can be seen in Graph A below. Clearly this relates to differences in practice in their constituent local authorities over time albeit set against the backdrop of a Wales and UK wide focus on increasing the use of adoption.

There has been an increase in the use of adoption in all but one area although there has been a recent down turn in its use in one other and it has levelled off in another. The latter is almost certainly due to local policies in some authorities focusing on early intervention, prevention and family support in a different way long before children become looked after.

**Graph A: Children adopted as % looked after population each regional area**



**Graph B: Regional area LAC population trends**



The trend in proportions of children adopted in each regional area does not appear to bear a strong relationship to the changes over time in their aggregate looked after population (Graph B) although the 3 regions where usage of adoption has reduced or stayed the same have a similar recent pattern in numbers of looked after children.

The variation is however something for the Welsh Government to consider in the context of its emerging strategy for looked after children alongside the National Adoption Service and partners considering the practice issues.

We know there is a need to develop adoption support services to better support the children and families who need some extra help.

Working on the figures for the last 18 years we have estimated that there are about 4,300 adopted children under the age of 18 in Wales.

Research tells us that about 2/3rds of children placed will need a level of support at some stage although only 1/3rd likely to need ongoing services for periods of time.

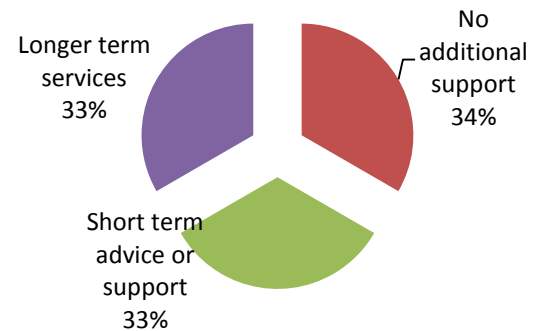
We can use these figures to plan the services we need.

As noted above there were 383 children adopted in Wales last year – 6.8% of the looked after population.

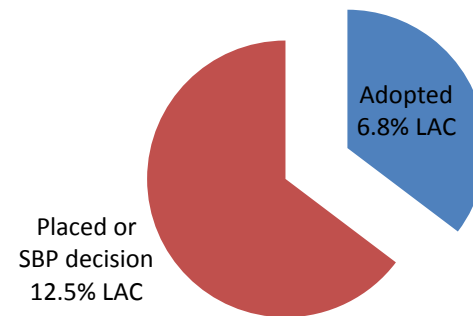
In addition to this, at the end of the year there were a further 386 children who had been placed for adoption and were awaiting the final adoption order plus 316 children who were subject to a 'should be placed' decision who had not yet been placed. This equates to a further 702 children who were being actively worked with by adoption services at the end of the year - a further 12.5% of the looked after population at the year end point.

When you consider other children on early referral to adoption services and children receiving adoption support it is likely that at any given point adoption services in Wales are working with more than 1,000 children.

### Adoption Support estimates



### Children being worked with by Welsh adoption services 2014/15



We know that there are fewer children being considered for adoption currently. A number of Appeal Court decisions in adoption cases linked to adoption has impacted on the number of placements orders being made by the courts. This is a UK issue and although the figure is currently lower than in England, Welsh courts made 20% fewer placement orders in 2014/15; this equates to circa 80 children. Some of the impact of this would have been seen in 2014/15 placements and orders granted but we can still expect adoption services in Wales to place fewer children this year.

There is an increase in other permanence options being considered for children, where a return to birth family is not possible; an increased use of special guardianship, kinship and stranger foster care even for relatively young children. Whilst adoption is not necessarily the right plan for all looked after children there is a need to guard against these changes in practice having unintended consequences of steering children for whom adoption would be the most appropriate plan into other permanence options that do not provide them with what they need. Recent research on disruption rates (Selwyn et al 2015) shows that other permanence options do not necessarily provide the durability and positive outcomes that adoption can.

## What are the priorities for the rest of the year and beyond?

There will be no significant changes to the priorities of the National Adoption Service for the remainder of this year. The focus in all the areas highlighted in the current plan need to be progressed although we can focus some of these more specifically for the remainder of the year.

### **Priority 1: Recruit more adopters, including more adopters for sibling groups and older children.**

We now have much better information with which to be much more confident about our recruitment activity and how we need to target this to the children that we have coming through the system. We also know that numbers of children with plans for adoption is reducing at the moment.

We are very aware that we now need to move quickly into different recruitment practice and messaging. This will need to support targeted recruitment of adopters where this is needed but also recognise that there are children with a range of needs still coming into the system. We need to develop and put into place a coherent strategy that encompasses targeted recruitment across Wales in a way that exploits the strengths of the various providers, ensures that we can meet the needs of all children who require and adoption placement alongside ensuring that all prospective adopters have accurate and up to date information about the needs of the children who are, or may be in future, available.

This is alongside finalising and implementing the best practice model for recruitment.

### **Priority 2: More children are placed without delays.**

We need to maintain the positive focus in regions on this alongside finalising the work on the best practice model and implementing that.

**Priority 3: Better adoption support**

We are very conscious that although there is a lot of work going on most adopters may not have seen a significant difference yet and adoption support needs to be the main priority for the rest of this year and into next year. We can use the figures we have and research findings to develop services.

We have to change the culture around adoption support from one which assumes that parents don't and probably shouldn't need help to one which accepts that support will be needed for some children as a response to the ongoing impact of the children's early life experiences. What goes with this is making this support easily accessible, when needed, by universal, targeted and specialist services that are 'adoption aware'. Recent research (Selwyn et al 2014 and 2015) has shown us what needs to improve and the current research in the Wales Adoption Cohort study will help us keep a contemporary eye on how change is impacting on new adoptive families.

**Priority 4: Listen to and work with children and adults who use adoption services**

We need to use the planned events in the second half of the year to influence the detail of the development plans nationally and regionally.

**Priority 5: Doing better overall and Priority 6: The National Adoption Service is well run**

We need to carry on doing what we have been doing and fully implement our plans

**2015-16 National Adoption Service Budget –  
Month 6**

	<b>Budget Allocated</b>	<b>Position Statement at Month 6 Actual &amp; Committed Expenditure</b>	<b>Variance</b>
<b>Total Staffing</b>	<b>230,762.32</b>	<b>227,071</b>	<b>- 3,691.10</b>
<b>Total Other Costs</b>	<b>41,238</b>	<b>44,929</b>	<b>3,691.10</b>
<b>Total Cost</b>	<b>272,000</b>	<b>272,000</b>	<b>-</b>

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**Evidence paper on Child and Adolescent Mental Health Services to the Children, Young People and Education Committee**

Introduction

The Committee requested this paper to inform its follow-up scrutiny of Child and Adolescent Mental Health Services (CAMHS). The Committee intends to examine the work of the NHS led *Together for Children and Young People Programme*. The Committee met with Programme representatives in May and October 2015 and also received a written update from the Programme Chair in December 2015. Since the Minister for Health and Social Services last appeared before Committee to discuss CAMHS, he has also provided regular updates, including the announcement of additional CAMHS investment; prescribing practice for young people with mental health problems; and general updates on *Together for Children and Young People*.

The Programme is being chaired by Carol Shillabeer (Chief Executive of Powys Teaching Health Board) and includes the following work-streams:

- Resilience, Early Years and Wellbeing, seeking to develop an all Wales training module for professionals in relation to mental health and resilience; a directory of staff professional training for early identification and intervention of children's mental health; and a 'Measuring Wellbeing' toolkit for schools and services.
- Early Intervention and Enhanced Support, seeking to develop a directory of local primary mental health services for children; and service specifications, recommended models of support for vulnerable children.
- Neurodevelopmental, co-morbid mental health and Learning Disabilities, focusing on the needs of those with attention deficit hyperactivity disorder and autistic spectrum disorders, looking to develop an integrated diagnostic/assessment support package and a common pathway for adoption across Wales.
- Specialist CAMHS Pathway, looking at an all Wales Baseline Variations Audit; and a first edition of a National Quality and Delivery Framework for Specialist CAMHS.
- Care Transitions, seeking to develop a 'Transition Pack' of resources for professionals and service users.
- Workforce, Education and Training, linking to the other work-streams and seeking a multi-professional, cross agency, national Core Competencies and Training Framework and a Continuous Professional Development Framework for CAMHS professionals.

The Welsh Government is actively involved in the programme and is pleased that Professor Dame Sue Bailey has agreed to continue in her role providing expert advice and scrutiny throughout 2016.

The Programme Chair has been clear that the substantial service changes and developments sought cannot be achieved overnight, and this is a three year initiative. However, progress has been made since the launch of the programme – for example more clinical staff have already been appointed, additional beds have been opened in our inpatient units, and Community Crisis Intervention Teams have now been rolled out across Wales.

This paper provides further detail on progress over the past 12 months and informs the Committee of some wider developments that impact on CAMHS more broadly.

### Additional CAMHS funding

The investment of £7.65m annually in CAMHS announced in May 2015 is the most significant investment for years, representing almost an 18% increase in NHS CAMHS expenditure. It will support the delivery of the Together for Children and Young People Programme goals and the next phase of the Mental Health Strategy Delivery Plan. Health board proposals for the use of the additional resources have been agreed and recruitment of specialist staff is underway. In total there will be over 130 whole time equivalent (wte) new specialist posts and new services developed such as the dedicated neurodevelopment services. There will also be additional administrative support. Once all staff are in post this will have resulted in a 33% uplift from the figures in the 2015 CAREMORE CAMHS audit

This programme of work is not just about expanding the current workforce however it is about growing the workforce of the future. The funding enables health boards to target young, newly qualified and lower grade staff with a view to training and developing them as future CAMHS leaders and manage succession planning.

### Increasing capacity in primary care

Improving provision in primary care is central to normalising the young person's care and treatment. They can receive care close to home, in surroundings they are familiar with, building relationships with their general practice staff and avoiding labelling and stigmatisation. The quicker young people are seen in primary care mental health settings, the less likely it is they will need to be seen by more specialist secondary care mental health teams. Aligned with this work is the introduction (in October 2015) of reduced waiting time targets for therapeutic interventions in local primary mental health services, reducing from 56 to 28 days. All LHBs are expected to make progress towards meeting this more stringent target by the end of March.

To further support this approach, new CAMHS investment was provided to specifically bolster primary care provision. Health board plans have now been agreed and they are in the process of recruiting. In total health boards will spend £794,000 annually, creating almost 17 new wte posts in primary care support services across a range of specialisms.

### Specific support for neurodevelopmental conditions

Referrals for young people with neurodevelopmental conditions, formed a significant and increasing proportion of referrals to specialist CAMHS in recent years. At the end of September 2015 health boards report 2,200 ASD/ADHD referrals on their CAMHS and paediatric service waiting lists. Young people who have long-term problems such as ADHD or autism need a different approach with access to specialist assessment and management within a multidisciplinary team. With the support of the additional £2m funding all Health boards are planning to either provide a bespoke service or increase

capacity in existing services to ensure children and young people receive tailored support. Health boards are in the process of recruiting over 30 additional staff across a range of specialist professions such as speech and language therapy and psychology, with additional expertise from both paediatrics and CAMHS to meet the demand for these services more appropriately.

### New Crisis Care Concordat

To improve the way in which organisations support people who may, due to their mental state, have involvement with the Police, in December 2015 Welsh Government launched the Crisis Care Concordat. Signed by the Welsh Government, police forces, the NHS, councils and other agencies it commits organisations to working together to intervene early and, if possible, reduce the likelihood of people posing a risk to themselves or others as a result of a mental health condition. Key to this is reducing the use of police custody for people experiencing mental health problems. For children and young people it also commits to:

- People under 18 who experience a mental health crisis should never be held in police custody unless in exceptional circumstances.
- If a young person under 18 is detained under section 135 or 136 of the Mental Health Act and taken to a police station for assessment, a case review will be held within seven days to determine whether this could have been avoided in order to learn from that incident.

In addition to those who present under section 136 of the Mental Health Act, young people also present in crisis to Emergency Departments (ED) following an incident of self-harm or overdose. To improve provision for all young people who present in crisis, whether at an ED or via the police, health boards were asked to target funding at improving their response. Proposals have now been agreed and recruitment is underway. Funding of £2.7m has been agreed and will see the recruitment of over 40 wte specialist staff and associated administrative support.

### Improving access

In order to ensure there was rapid progress in improving access to treatment, alongside the recruitment of additional staff and remodelling of services, LHBs have been asked to target funding this year to run additional CAMHS clinical sessions. Health boards report that at the end of December 2015 they have provided an additional 139 sessions with more planned by 31 March 2016. These additional sessions are expected to have accelerated assessment and access to treatment for over 600 children and young people.

To further improve consistency and timeliness of assessment Welsh Government has set the expectation that all urgent referrals to CAHMS should be undertaken within 48 hours

Welsh Government has also reduced its target for routine assessments by CAHMS specialist services which are to be undertaken in 28 days rather than 16 weeks. All LHBs are expected to make progress towards meeting this target by the end of March.

As part of the introduction of the 28 day target and the additional investment in new neurodevelopmental services health boards have also been asked to stratify waiting lists. This will distinguish between those with long-term problems presenting to the new neurodevelopmental services, (in line with paediatric waiting times) and those who present to specialist CAMHS.

### Inpatient provision

In recent years the Welsh Government has invested £42m in developing CAMHS inpatient units. Since November health boards have been able to identify additional resources to increase bed availability with the opening of the second high care ward in south Wales, providing an additional three places for young people with the most acute needs. This means many more young people now receive their care in Wales close to home, family and friends. However, there will always be a need for some, due to the severity of their condition or other factor, to be placed outside Wales in specialist units which serve the whole UK. As capacity and expertise within Wales increases placements outside Wales have decreased.

With additional investment, we have made progress over the past two years in reducing the number of children and young people who are required to be placed outside of Wales. The number of existing placements outside NHS Wales at April 2015 was 20. As of January 2016 there were only 11 which is record low. Of these 11, eight require secure care and six of these are placed in Wales in the private sector in Ebbw Vale.

In order to better support children and young people during their treatment and enable better planning for discharge from hospital we have also provided £56,000 to fund a dedicated social work post within the south Wales inpatient unit, working with the 16 local authorities it serves. This role is currently undertaken by clinical staff and creating this post will free clinician time to concentrate on providing treatment.

### Supporting Families

Since June 2015 the Welsh Government's Discretionary Assistance Fund (DAF) has provided assistance to cover the travel and accommodation costs of families of young people receiving CAMHS inpatient treatment. Between June and December 2015 the DAF made 32 awards, totalling £8,014. For those with mental health problems maintaining family contact can be a crucial and integral part of their treatment and the recovery process. As some young people may receive inpatient treatment for a considerable time this initiative has enabled families, which may have struggled financially, to maintain regular contact with their children.

### Medication and access to psychological therapies

Psychological therapies are and always have been integral to provision of CAMHS with all practitioners, not just psychologists, drawing on psychological skills and understanding to manage children. Improving access to talking therapies as an alternative to medication is a key component of the additional

CAMHS investment. Following approval of health board proposals £1.042m annual funding has been agreed, creating 18.8 wte specialist posts.

Welsh Government also asked Swansea University to undertake an analysis of prescribing antidepressants, ADHD medication and antipsychotics in children and young people. The first two reports have been received and shared with the Committee. In response to some of the conclusions in the antidepressant report a Welsh Health Circular has been issued to general practitioners, CAMHS clinicians and pharmacists. This reiterates national prescribing guidance for depressive illness in children and young people. The Welsh Medicines Resource Centre has also been asked to produce a bulletin and online case study to update primary care prescribers on the use of medicines and other technologies in the treatment of depression in adolescents. The final report on antipsychotics has just been received and will be forwarded to the Committee shortly.

### Together for Mental Health Strategy Delivery Plan 2016-19

The Committee will be aware the consultation on the new delivery Plan for the period 2016-19 commenced in January<sup>1</sup>. It sets out the key actions which will be implemented by the Welsh Government, the NHS, social services and partner agencies in the statutory and third sectors over the next three years. In line with the previous Delivery Plan (2012-16) the needs of children and young people remain at the heart of the Plan, including:

- A range of commitments across education, including one to consider the findings of the review on differing approaches to supporting emotional wellbeing of children in primary schools in the development of policy.
- Commitments to implement activity arising from the Together for Children and Young People Programme.
- Commitments to ensure young people who present in crisis and detained by the Police receive timely and appropriate care in settings which recognise and meet their needs.
- Actions to support the delivery of the funding we are investing in the development of neurodevelopmental services.

### Eating Disorder Framework for Wales

The Together for Mental Health Strategy Delivery Plan (2012-16) committed Welsh Government to reviewing provision of inpatient provision for people with Eating Disorders. The final report was received during 2015 and covered Tier 4 (inpatient) eating disorder provision for all-ages. For CAMHS this showed positive results, confirming that the CAMHS inpatient units already have experience and expertise in managing eating disorders, with approximately 40% of CAMHS admissions related to an eating disorder. It also stated that due to the investments made in staff and training, the vast majority of young people can now be successfully managed in Wales by generic mental health services.

Following this work it was agreed that a refresh of the all-ages Eating Disorder Framework for Wales, published in 2009, should be undertaken. Public

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<sup>1</sup> <http://gov.wales/consultations/healthsocialcare/delivery-plan/?lang=en>

Health Wales have been leading this work and engaged extensively with service users, including CAMHS users and their carers. The final refreshed Framework is due to be submitted by Public Health Wales imminently and we have reflected the need for health boards to deliver the revised Framework in the 2016-19 Strategy Delivery Plan currently out to consultation.

### Talk to Me 2

Talk to Me: the National Action Plan to Reduce Suicide and Prevent Self-Harm was issued in 2009. In July 2015 a refreshed and refocused Talk to Me 2 and supporting action plan was launched. It promotes, coordinates and supports plans and programmes for the prevention of suicidal behaviours and self harm at the national, regional and local levels in the period up to 2019. It also identifies groups of people who are especially vulnerable, including children and young people with a background of vulnerability, and sets out the care they should receive, provided in the right place at the right time. It aims to deliver six key objectives through the fulfilment of 16 priority actions over the five year period. Progress reports from the National Advisory Group on Suicide and Self Harm will be made annually from April.

### Counselling Guidance

Local authorities are required to make reasonable provision for independent counselling services for children and young people aged between 11 and 18 and pupils in Year 6 of primary school. In January 2016 Statistics for Wales issued Counselling for Children and Young People, 2013/14 (Experimental Statistics) (SDR42016). This showed that 10,537 children or young people received counselling services in 2013/14 and that 86% did not require onward referral after completion of counselling. Of those who did require onward referral CAMHS was the most common onward referral (5%).

During 2015 the Ministers for Health and Social Services, and Education and Skills agreed to develop guidelines for local authority counselling services and CAHMS on collaborative working. These would enable the respective organisations to support each others role in providing emotional wellbeing services to children and young people, identify good working practice and ensure consistency. The consultation on the draft guidelines closed during December and the results are currently being considered. The final guidelines are expected to be issued during the spring.

Lesley Griffiths AM  
Minister for Communities and Tackling Poverty  
Welsh Government  
Cardiff Bay

26 January 2016

### **Draft Budget 2016–17**

Dear Minister

Thank you for attending the Children, Young People and Education Committee's meeting on 21 January to discuss the draft Budget, and for providing the requested information in advance of the budget meeting.

Your priorities across your portfolio are clearly set out in your submission to the Committee. Within these priorities you have identified a number of key areas that have a direct impact on children and young people.

The Committee welcomes the Welsh Government's investment in the early years, in particular support for children from the most disadvantaged households. It is, however, essential that funding decisions are sufficiently evidence based, and unfortunately it is not clear how the decision was reached to allocate what amounts to almost 36 per cent of your total resources on two specific programmes (Flying Start and Families First).

One of the Committee's main concerns is whether there is sufficient monitoring information which can evidence the value for money for investments specifically intended to benefit children and young people. In particular:



- Whether the monitoring systems currently in place can evidence improved outcomes for children and their families, and in turn whether the data you have means you can show you are achieving the intended outcomes and therefore the value for money of the investment.
- That the Department remains in a position where it cannot quantify the number of children benefiting from all four Flying Start entitlements and that the take up rates of the Flying Start ‘speech and language entitlement’ is defined ‘as a course offered to an individual parental figure who attended the first session’.
- Whilst we welcome your decision to include an outreach element to Flying Start, we are concerned that there is no system in place to assess its value for money. An evaluation of this important element would enable informed decisions about whether to scale up the current approach to outreach or whether alternative approaches are needed.
- We also note that there is no system in place to monitor the attainment of the cohort of children who have benefited from Flying Start on their journey through primary and secondary school and in the important transition between the two phases. We would welcome feedback on future discussions you may have with the Minister for Education and Skills to explore the potential for monitoring such individual level pupil outcomes for Flying Start beneficiaries, and the possibility of taking this forward in the short and longer term.

We note the Social Mobility and Child Poverty Commission’s view in its most recent State of the Nation Report, December 2015, in which it says that it ‘is concerned that there are too many overlapping programmes and that resources are spread too thinly’ and that ‘there are many children and families living on low incomes who do not receive services’.

We also note that there are an increasing number of children in Wales living in families experiencing in-work poverty. More robust monitoring and evaluation is needed to inform whether the Minister is getting value for money from investment in a range of individual programmes across the portfolio.





The Committee believes that there is a need to look at how the range of policies across your portfolio fit together, and how they can be used to achieve the best possible outcome for children and young people. The availability of more comprehensive data will inform decisions to be made in the Fifth Assembly about whether there is a need re-prioritise funding across your whole portfolio to a smaller number of programmes to achieve the scale of change needed.

The Committee has previously welcomed the Welsh Government's stated commitment to children's rights and its incorporation of the UNCRC into domestic law in Wales through the Rights of the Child and Young person Measure 2011. As Minister with overall responsibility for children and young people, the Committee wishes to express disappointment that a standalone Child's Rights Impact Assessment for the Draft Budget has not been made available to us.

The Committee appreciates some of the merits of an Integrated Impact Assessment. However the lack of a standalone and transparent Child's Rights Impact Assessment means it is more difficult to identify how the Welsh Government's allocation of resources will impact on all children and young people, and on individual groups within that population.

We welcome your agreement to provide further detail as to the formula which will be used to apportion the reduction in the Families First allocation across the 22 authorities. The Committee would welcome the receipt of this information as soon as possible in order to inform the Assembly's final debate on the Welsh Government's Draft Budget 2016-17.

I am copying this letter to the Chair of the Finance Committee to help inform its overarching scrutiny of the Draft Budget.

Yours sincerely



Ann Jones AM  
Chair, Children, Young People and Education Committee

Cc: Jocelyn Davies AM, Chair of the Finance Committee



Ann Jones AM  
Chair  
Children, Young People and Education Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

Your ref:  
Our ref: PO1147/RB/NG

29 January 2016

Dear Ann

Thank you for your letter of 10 December asking for my views on the recommendations of the Review of the Office of the Children's Commissioner for Wales.

An important overarching point raised by the Review relates to the appointment and accountability of the Children's Commissioner. I have made representations about the perception of independence and transparency concerning the Commissioner's appointment on several occasions. I have concluded that there is a fundamental flaw in lines of accountability if the final approval for the appointment of the Commissioner responsible for scrutinising its work is a matter for Government alone.

For this reason, I have consistently argued that the Children's Commissioner should be appointed by and be accountable to the Assembly, not the Welsh Government. It is a view shared by an increasing number of people including Sally Holland, the Children's Commissioner. This would not only make the recruitment process rigorous and transparent but also make the lines of accountability clear which is crucial to the delivery of effective scrutiny.

I consider that exploring the benefits of introducing a single Act to establish a firmer and clearer statutory footing for the appointment and accountability of all Commissioners in Wales could usefully be the subject of an early committee inquiry in the Fifth Assembly.

The Review recommended a more formal structure for scrutinising the Children's Commissioner, supported by training and more detailed budget estimates to assist Members in this task. You will appreciate that these are matters for my successor and other Members of the Fifth Assembly. I hope that the new Business Committee will explore this further in their consideration of the committee system for the Fifth Assembly, and that the committee(s) responsible for scrutiny of the Children's Commissioner will ask for, and receive, all the information they need, including detailed budget estimates.

I am proud of the work undertaken by the Assembly's education and youth engagement team over the past five years to champion and promote children's rights. In doing so, we have forged new working relationships with the children and youth sectors in Wales. I would suggest that the recommendation that children and young people should be at the heart of the Children Commissioner and Welsh Government's work should also apply to the Assembly.

With best wishes.



**Dame Rosemary Butler AM**  
**Presiding Officer**

By e-mail

19 January 2016

Dear Ann Jones

**Life in Residential Care: exploring the experiences of Welsh looked after children and young people**

I am writing to inform you of my intention to report on the experiences of looked after children and young people in residential care homes, consistent with my remit derived from the Care Standards Act 2000 and the Children's Commissioner for Wales Act and Regulations 2001. I will be looking into children and young people's experiences of placements within residential care to consider how effective they are in safeguarding and promoting the rights and well-being of children and young people.

Aims for the project:

Enabling Welsh children and young people living in residential care to share their experiences of the care they receive; and

Exploring the rights of children and young people in residential care and their perspectives on how these are realised, including:

Participation: how children and young people are involved in decision-making about their care plans, as well as everyday decisions about their lives and within their home;

Protection: how children and young people are kept safe while living in residential care; and

Provision: adequacy of provision in residential care including planning for independence, access to education and health services, therapeutic interventions and leisure and cultural activities.

The project will be conducted using the following methods:

An initial consultation phase meeting with a large number of key stakeholders including young people and professionals, to identify the key rights issues facing young people in residential care. (This phase was undertaken during the second half of 2015).

Meet and listen to the experiences of around 50 children and young people living in a range of residential care settings across Wales. This may also include Welsh children and young people who are residing in homes based in England.

Evidence exchange with key stakeholders to draw themes and issues arising together.

-2-

Additionally, the project will be informed by ongoing quantitative studies on placement trends and patterns, including analysis conducted by CSSIW, CASCADE and the Care Council. Their work includes consideration of numbers of looked after children and their placement journeys, and a reflection of the workforce in residential care.

The project will not include the following –

Respite placements

Placements in the secure estate

Boarding school placements (education arrangements rather than social care placements)

The project team will select a broad sample of homes to visit, based upon information provided by CSSIW on all registered children's homes, in order to ensure a wide range of provision and perspectives are included within the research. Residential care homes will be invited directly and asked to confirm whether the young people in placement are willing to engage in the project. Written information will be shared with children, young people and residential homes to assist with their decision making.

Interviews with children and young people will take place in group settings or individually as desired, following a standardised and structured format. All staff involved in the project have an enhanced DBS check and are experienced in working with and listening to the views of children and young people. The fieldwork will take place during the first quarter of 2016 with the evidence exchange to follow. A report of the findings will be published later in 2016.

Thank you in anticipation for your cooperation and commitment. Please contact my office should you require further information and wish to discuss this work.

Yours sincerely



**Sally Holland**  
**Children's Commissioner for Wales**

Cynulliad Cenedlaethol Cymru  
Senedd Deisebau

# Agenda Item 5.4

National Assembly for Wales  
Petitions Committee

Huw Lewis  
Minister for Education and Skills  
Welsh Government  
Tŷ Hywel  
Cardiff Bay  
CF99 1NA

27 January 2016

Dear Huw

## **Petitions about allowing children leave of absence from school during term time (Petitions P-04-576 and P-04-606)**

Thank you for your letter of 15 December (your ref HL/02362/15) about the above petitions with which you enclosed your letter of 11 December to Directors of Education and Regional Education Consortia. The Petitions Committee considered your response at our meeting on 19 January. The Committee also had available to it your more recent letter to all head teachers in Wales on this issue.

The Committee has asked me to thank you for your positive and constructive engagement with it on this issue. Members felt that your actions have gone a considerable way toward clarifying and resolving this issue.

At the meeting, we also considered further comments from the petitioners concerned, which I enclose for your information. I would be grateful if you could let me know if there are any matters in their comments that would continue to give you cause for concern or that your actions so far may not address. The Committee agreed to ask that it is kept up to date on any responses you receive to your letters from local authorities and regional consortia.



**Cynulliad Cenedlaethol Cymru**  
Bae Caerdydd, Caerdydd, CF99 1NA  
SeneddDeisebau@cynulliad.cymru  
www.cynulliad.cymru/SeneddDeisebau  
0300 200 6565

**National Assembly for Wales**  
Cardiff Bay, Cardiff, CF99 1NA  
SeneddPetitions@assemblywales  
www.assemblywales/SeneddPetitions  
0300 200 6565

I am copying this to Ann Jones AM, the Chair of the Children and Young People's Committee, for information.

I would be grateful for an early response.

Yours sincerely

*William*

William Powell AM/AC  
Chair/ Cadeirydd



William Powell AM  
Chair- Petitions Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

12<sup>th</sup> January 2016

Your ref: P-04-576 and P-04-606

Dear William,

Thank you for forwarding the letter dated 15<sup>th</sup> December from Huw Lewis. We are reassured to hear that Mr Lewis has taken action to write to the Regional Consortia and Local Councils. However, we are concerned that those Consortia and Councils are still be clever with wording.

I received the attached correspondence from ERW concerning the situation in Carmarthenshire. This states that head teachers have the discretion, but generally will not be allowing any time out for family holidays or routine appointments. The part we don't have visibility on is the correspondence to head teachers applying pressure to ensure they are not allowing any absence, regardless of circumstances.

I would also be extremely keen to see the responses received by the Minister from the Regional Consortia and Local Councils. Also, the Minister mentioned he will be writing to the Head Teachers across Wales and I would be keen to know when this will happen and what the content of that letter will be.

Kind Regards,

Bethany Walpole-Wroe and Helen Weedon  
Let Children in Wales Have a Family Holiday During Term Time



Gofynner am / Please ask for:

Gareth Morgans

Llinell Uniongyrchol / Direct Line:

01267 246450

E-bost Uniongyrchol / Direct E-mail:

EDGMorgans@sirgar.gov.uk

Dyddiad / Date:

4-11-15

Dear Parent/Carer,

## SCHOOL ATTENDANCE

I write to thank you for supporting our efforts to improve school attendance in Carmarthenshire and to ask for your cooperation in continuing to improve attendance in the interest of our children and young people.

School attendance is a priority for us in Carmarthenshire and the ERW region<sup>1</sup> and a common approach to improve school attendance is being used. However, you can be assured that any changes and decisions made are in the best interests of the child.

Having looked at school attendance in Carmarthenshire for 2014/15 we have seen significant improvement.

	<b>2013/2014 Attendance</b>	<b>2014/2015 Attendance</b>
Primary Schools	<b>95%</b>	<b>95.2%</b>
Secondary Schools	<b>93.9%</b>	<b>94.2%</b>

All of us continue to work hard to improve standards and outcomes for our children and young people and I know you're aware that there is a clear and direct relationship between regular school attendance and pupil achievement. We have seen improvements in standards across the region this year, from the Foundation Phase to Key Stage 4, and I know that some of this is due to improved school attendance.

Although there has been substantial progress this year we need to continue to address this issue in the interests of our children and young people. To ensure further improvement I would like to remind you of the following.

- *The Welsh Government and ERW expect all pupils to attend school at least 95% of the time.*
- *Missing school jeopardises the learner's chances of fulfilling his/her potential as regular attendance improves the chances of being successful at school.*

<sup>1</sup> ERW is the regional education consortium comprising Carmarthenshire, Ceredigion, Neath Port Talbot, Pembrokeshire, Powys and Swansea.

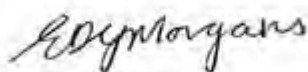
- *It should be noted that, although headteachers have the discretion to grant leave of absence during term time, schools **will not normally authorise family holidays or routine appointments**<sup>2</sup> taken during term time.*
- ***If your child has unauthorised absence or your child is consistently late, your school may request that the local authority issues you with a penalty notice.***

Again I would like to thank you for your continued support to ensure that your child's attendance is the best it can be.

You can do this by making sure your child is in school on time and by not arranging family holidays or routine appointments during term times. However, if you are having difficulties with your child's attendance, please talk to your school who can arrange support for you.

I am confident that we can work together to further improve school attendance and ensure that Carmarthenshire pupils reach their full potential.

Yours sincerely,



Gareth Morgans, Chief Education Officer

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<sup>2</sup> By routine appointments we refer to periodic assessments such as dental check-ups, occasional optical examinations, non-urgent doctor consultations, etc, where parents/ guardians are able to influence the timing of appointments.

Dear Helen Weedon,

I write to respond to your e-mail sent to ERW Admin on the 17<sup>th</sup> December, 2015.

Improving school attendance has been a priority in Carmarthenshire since our 2012 Inspection by ESTYN which cited it as a recommendation- ***R2 improve attendance in primary and secondary schools.***

Since 2012 we have worked with parents and schools to ensure that we reduce absences and increase attendance levels to enable our learners to have the best chance to succeed. This has included-

- Remodelling and extending our Education Welfare Service
- Introducing a Team Around the Family approach to support parents with improving school attendance
- Setting Local Authority and school level targets and requesting Action Plans from all schools.
- Issuing guidance in respect to improving attendance and authorising absences
- Working as a region on this agenda.

The improvements, through collaboration between schools, parents and Local Authority, have been significant-

Sector	Absence level 2011/12	Absence level 2014/15
PRIMARY	<b>6.3%</b>	<b>4.8%</b>
SECONDARY	<b>8.9%</b>	<b>5.9%</b>

Earlier this year I asked schools to circulate a letter to thank parents for their continued support with this key agenda and to reiterate the importance of good school attendance- I attach a copy.

There is clarity in respect to where the responsibility for agreeing to absences lie i.e. the school's Headteacher. The guidance issued by each LA/ERW did challenge schools on its processes and procedures in authorising absences and we have seen improved and more rigorous systems being developed when considering requests for absence. This is evidenced by the data included above.

All schools are engaged with improvement attendance as during ESTYN inspections school attendance is a key indicator which affects the school's performance. We have recently seen such comments as those noted below which have affected a school's overall performance-

- *Attendance levels over the last four years have been lower than the average for the family of schools. This has placed the school in the lower 50% of similar schools during this period and in the bottom 25% in three of the last four years.*
- *Pupils' attendance levels are lower than those at other schools. This has placed the*

*...pupils' attendance levels are lower than those at other schools. This has placed the school among the bottom 25% of similar schools over the last three years.*

- However, pupils' attendance rate has been consistently lower than the median over the last three years in comparison with levels in similar schools.*

All schools therefore are considering school attendance and working towards further improvements and this will include sharing effective practice, celebrating improved attendance and challenging absences.

If you require any further information please contact Mrs Bethan T James, Service Manager (copied into this e-mail).

Yours sincerely,

**Gareth Morgans, B.Ed., M.Sc.**



**Prif Swyddog Addysg,  
Adran Addysg a Phlant,**

Adeilad 2, Parc Dewi Sant, Heol Ffynnon Job, Caerfyrddin, Sir Gaerfyrddin, SA31 3HB

**Chief Education Officer**

**Department for Education & Children,**

Building 2, St David's Park, Jobs Well Road, Carmarthen, Carmarthenshire SA31 3HB

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Hi Gareth,

Diolch am yr ateb. My children attend school in Carmarthenshire.

Kind Regards,

Helen

On 5 Jan 2016, at 12:09, Gareth Morgans  
<[EDGMorgans@carmarthenshire.gov.uk](mailto:EDGMorgans@carmarthenshire.gov.uk)> wrote:

Dear Helen Weedon,

Your e-mail below addressed to ERW has been forwarded for my attention as Chair of the Support for Learning Board which oversees the work of ERW's

Attendance Group.

I believe that the respective Local authority should reply to your e-mail- can you please advise me of the Local Authority where your child/children attend school?

Diolch,

Gareth Morgans, B.Ed., M.Sc.

Prif Swyddog Addysg,  
Adran Addysg a Phlant,  
Adeilad 2, Parc Dewi Sant, Heol Ffynnon Job, Caerfyrddin, Sir Gaerfyrddin, SA31  
3HB

Chief Education Officer  
Department for Education & Children,  
Building 2, St David's Park, Jobs Well Road, Carmarthen, Carmarthenshire SA31  
3HB

**From:** [webmaster@carmarthenshire.gov.uk](mailto:webmaster@carmarthenshire.gov.uk) [<mailto:webmaster@carmarthenshire.gov.uk>]

**Sent:** 17 December 2015 13:37

**To:** ERW Admin

**Subject:** ERW website - contact form

**Name:** Helen Weedon

**Email:** [REDACTED]

**Message:**

Hi, Recently at an evidence session at the Welsh Assembly, the Minister for Education and Skills, Huw Lewis said that only the head teachers have the discretion to allow or deny a request for absence from school. He also stated: "Local authorities that give the impression they can override that are wrong or that they can provide some sort of barrier between a head teacher who is reluctant to make a decision and the parent, in other words, take the buck, are also wrong." However, ERW has advised all councils within its jurisdiction not to allow any absence at all that clearly goes against the Minister's intentions. Please could you tell me whether this will be rectified and whether head teachers will indeed be allowed to authorise absence during term time if they deem it to be appropriate.

Many thanks, Helen Weedon

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[REDACTED]

Mae'r e-bost hwn ac unrhyw atodiadau yn gyfrinachol ac wedi'u bwriadu at ddefnydd yr unigolyn y'u cyfeiriwyd ato/ati yn unig. Os derbyniwch y neges hon trwy gamgymeriad, rhowch wybod i'r sawl a'i hanfonodd ar unwaith, dilwch y neges o'ch cyfrifiadur a dinistriwch unrhyw gopïau papur ohoni. Ni ddylech ddangos yr e-bost i neb arall, na gweithredu ar sail y cynnwys. Eiddo'r awdur yw unrhyw farn neu safbwyntiau a fynegir, ac nid ydynt o reidrwydd yn cynrychioli safbwynt y Cyngor. Dylech wirio am firysau eich hunan cyn agor unrhyw atodiad. Nid ydym yn derbyn unrhyw atebolrwydd am golled neu niwed a all fod wedi'i achosi gan firysau meddalwedd neu drwy ryng-gipio'r neges hon neu ymyrryd hi.

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**P-04-606 Ensure Schools Exercise Their Statutory Powers Under Regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 Without Interference or Bias. Correspondence: Petitioner to the Committee 11.01.16**

Dear Petitions Committee,

Many thanks for your correspondence of 23rd December and the copies of letters from the Minister for Education and Skills relating to these petitions. As requested, please find attached our response to this correspondence.

Warm regards,  
Jane Douglas  
Pembrokeshire Parents Want A say

**PEMBROKESHIRE PARENTS WANT A SAY**  
**pembspwas@gmail.com**

William Powell AM  
Chair - Petitions Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

11<sup>th</sup> January 2016

Dear William,

Many thanks to you, and to the Petitions Committee, for raising the concerns of our petitioners with the Minister for Education and Skills.

We welcome the Minister's letter of 11<sup>th</sup> December 2015 to Directors of Education and Educational Consortia which confirms the position in Wales regarding family holidays in term time. However, this letter and his

subsequent letter to you on 15<sup>th</sup> December have not fully addressed the concerns of our petitioners.

## **1) THE IMPLEMENTATION OF RESTRICTIONS ON TERM TIME HOLIDAYS BY LEAS**

The Education Regulations concerning holidays in term time<sup>1</sup> and the Regulations concerning fixed penalty notices for regular non-attendance at school<sup>2</sup> are two separate pieces of legislation dealing with two separate issues.

There is NO reference to family holidays in the Penalty Notice Regulations yet from 2013–2016 Educational Consortia across Wales used the implementation of Penalty Notice Regulations as an opportunity to advise schools against authorising absences for family holidays. These attempts to limit the statutory powers of head teachers and the Penalty Notices issued to many families in Wales as a result are potentially unlawful.

## **2) TERMINOLOGY “REGULAR NON-ATTENDANCE AT SCHOOL”**

The Minister confirms that fines issued under the Penalty Notice Regulations “are intended ...to tackle regular non-attendance”, however the lack of a common definition of “regular non-attendance” has led to inequities across Wales.

The DfE defined the threshold for “persistent absence” as absence of 20% or above until July 2011 when it reduced this threshold to 15% and then reduced it again in September 2015 to 10%. In Wales, Penalty Notice Legislation refers to “regular non-attendance” but fails to define this clearly. This results in a situation where local authorities decide the threshold for themselves with one local authority now proposing to issue penalty notices for absences of only 3% in a year (6 days of absence in one 12 week period)<sup>3</sup>. This is clearly beyond any recognised definition of “persistent absence” or “regular non-attendance”, it is inconsistent with the spirit of the Penalty Notice Regulations but yet it is occurring.

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<sup>1</sup> The Education (Pupil Registration) (Wales) Regulations 2010.

<sup>2</sup> Education (Penalty Notices) (Wales) Regulations 2013

<sup>3</sup>

[http://www.pembrokeshire.gov.uk/content.asp?nav=101,988&parent\\_directory\\_id=646&id=32083&Language=](http://www.pembrokeshire.gov.uk/content.asp?nav=101,988&parent_directory_id=646&id=32083&Language=)



**ACTION 1:** In the interest of equity could the Minister please ensure that LEAs in Wales have a clear and common definition for “regular non-attendance” for the purposes of issuing FPNs and that for this purpose, attendance percentages are calculated over a rolling 12 month period.

### **3) TERMINOLOGY “SPECIAL CIRCUMSTANCES”**

We welcome the Minister’s clarification that “exceptional circumstances” only apply to absences for family holidays of 10 days or more. However some local authorities have also been using the terminology “special circumstances” with regard to authorising family holidays of fewer than 10 days (City and County of Swansea Council, Pembrokeshire County Council). This terminology has no basis in the relevant Regulations but has arisen due to a reference on p.22 of the Guidance on School Attendance Codes June 2010<sup>4</sup> which states “Schools can only agree to absence for a family holiday if they believe there are **special circumstances** which warrant it.” (**my emphasis**).

**ACTION 2:** Could the Minister please confirm that there is no requirement that “special circumstances” must apply to authorisation of family holiday absences.

**ACTION 3:** Could the Minister please ensure that the Guidance on School Attendance Codes is amended to reflect the Regulations regarding family holidays.

### **4) SUPPORTING SCHOOLS**

The Minister has asked LEAs to “provide clear information for parents and schools which is compliant with the law”, however local guidance and policies also may need changing.

**ACTION 4:** Could the Minister require all Head Teachers to ensure that their Attendance Policies are fully compliant with the Regulations and Guidance and do not include wording which implies any restriction or recommendation against the exercise of the statutory powers set out in the Education Regulations. It might be helpful if examples were provided to Head Teachers

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<sup>4</sup> <http://dera.ioe.ac.uk/565/1/100628attendancecodes4ien.pdf>

to help make application of their discretion more clear. We attach some potential examples.

#### **5) ACCOUNTABILITY OF LEAS AND EDUCATIONAL CONSORTIA**

With regard to the families who may have been fined due to misapplication of the Regulations, the Minister states in his letter to you that “it is for the judicial system to decide whether parents have been dealt with fairly and lawfully”. However, the Minister fails to acknowledge that the costly nature of legal proceedings will exclude the vast majority of Welsh families from seeking redress through our judicial system.

The evidence of widespread misapplication of the Regulations in Wales by LEAs and Educational Consortia over the past two years also suggests that their systems for ensuring that they are compliant with the law and accountable to those who are affected by their policies are not robust.

**ACTION 5:** We ask the Minister to commission an independent review to examine how Educational Regulations have been so widely misapplied across Wales and to identify and address the flaws in systems which have allowed this to happen unchecked over the years 2013–2016.

**ACTION 6:** We ask the Minister to provide a route for families to be reimbursed for fines issued due to misapplication of the Regulations which does not require the families to incur legal costs. We would consider the reimbursement of all fines, in areas where recommendations against the authorisation of absence for family holidays were in place, to be an appropriate and prudent action.

Yours sincerely,

Jane Douglas  
Pembrokeshire Parents Want A Say

## HEADTEACHERS DISCRETIONARY POWERS TO AUTHORISE ABSENCE FOR FAMILY HOLIDAYS – SOME EXAMPLES

Linda Screen

Pembrokeshire Parents Want A Say

January 2016

### EXAMPLE 1:

Rhiannon is 9. Her parents have requested 6 days authorised absence from school at the end of term time for a family holiday. She has a regular attendance record at other times apart from 5 days of sickness absence when she had chicken pox after which she made-up the work missed helped by her parents. The HT decides to authorise the absence and ensures that school provides information on the topics that will be missed.

No of Days requested = 6

Absence is authorised as this lies wholly within HT discretionary powers.

### EXAMPLE 2:

Seren is 15. Her attendance is below 90% after 5 days authorised absence for a holiday in January, a period of sickness, and a few late mornings. Seren's parents have requested a further 10 days leave for a family holiday in June. The HT speaks with class teachers about Seren's attendance and with this in mind and the unexceptional nature of the request the absence is refused.

No of Days requested = 15

HT has discretionary powers ONLY if there are exceptional circumstances. In this instance the HT did not find exceptional circumstances so did not authorise.

### EXAMPLE 3:

Tomos is 12. His younger brother has an ongoing health problem and has been offered a new treatment abroad. Tomos' parents have requested leave of 3 weeks so the family can travel with both of their children to access the treatment and whilst overseas also take time for a family holiday. There are

no other family members staying at home to care for Tomos during the absence and his brother's illness has prevented them from holidaying together previously. The HT decides that this is exceptional circumstances and authorises an absence of 15 days but asks that Tomos take school work with him and make up the work he will miss.

No of Days requested = 15

HT has discretionary powers ONLY if there are exceptional circumstances. In this instance the HT finds that there are exceptional circumstances and authorises.

Eich cyf/Your ref  
Ein cyf/Our ref: MA-P-HL-0462-16

Ann Jones AM  
Chair, Children, Young People and Education Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

2 February 2016

Dear Ann,

Thank you for your letter of 19 January following the budget scrutiny session by the Children, Young Person and Education Committee on 13 January. I have set out below responses to the issues raised in your letter which incorporates the additional information requested at the Committee meeting.

### **Prioritisation and aligning objectives with spend**

Whilst difficult funding decisions have had to be made, as I stated in the Committee my priorities for Education remain unchanged - to raise standards in literacy and numeracy and breaking the link between deprivation and educational attainment. There is also a continued focus on the priorities for Government – Jobs and Growth, Educational Attainment, Supporting Children, Families and Deprived Communities and Health and Wellbeing.

The Welsh Government's overall budget and its duration are mainly set by the UK Government. Over the past few years we have been given only short term, reducing budgets. We have, therefore, had to plan accordingly and react to circumstances as they are presented to us.

I have reviewed my budgets against my priorities and within the MEG budget envelope. We have worked with the sectors that have faced cuts to minimise the impact of those cuts wherever possible. Sectors will have completed scenario planning on future budget movements so that they can plan their activities, with the same constraints faced by Welsh Government. Your specific point on New Deal is answered later in this letter.

#### *2015-16 Resource DEL underspend*

The department was forecasting an underspend at period 8 which relates to non cash provision for Student Loans. It is the result of the introduction of the StEP forecasting model by BIS; the change in the discount rate from 2.2% to 0.7% by HM Treasury and also the freezing of the repayments threshold at £21k for Students with Plan 2 loans. This is expected to change again by the year end following revised forecasts of loans given out by the Student Loans Company.

Excluding the non cash the near cash was £2.1m underspent, this was due to a number of transfers that will be actioned at second supplementary budget. We are expected a break even forecast for period 10.

### **Targeting Funds at Deprivation**

As I said in Committee there are differences in the criteria of the pupil deprivation grant in Wales and the pupil premium in England therefore direct comparisons should be avoided where possible.

When the PDG was introduced as part of the Budget Agreement 2011 it provided support for all eligible children of statutory school age, i.e. from the age of 5 so not all children received funding in their reception year. As part of the Budget Agreement 2014, the scheme was extended to under 5s with an additional £3.8m in both years covered by the two-year Budget Agreement. This additional funding provided £300 for each 4 year old in reception. In line with our commitment to ensure that those most disadvantage children have access to high quality early education in their early years we chose to split the additional Early Years funding across children in as wide a range of provision as possible rather than concentrate it on those just in school settings.

### **Schools Challenge Cymru**

The outcomes of Schools Challenge Cymru continue to be monitored on a school by school basis including the needs of those schools going forward. Decisions about the longer term future of the Programme will be for the next Government.

### **Tripartite Programme of Reform**

#### *Physical literacy programme for schools*

Since 2001, the Welsh Government has invested nearly £30m to support delivery of PE – including over £3.6m in PLPS, and the £26m for the Physical Education and School Sport Project (PESS) which was led by Sport Wales and ended in 2014. The extensive range of resources and case studies developed through these initiatives will continue to be available to schools.

The key legacy from this work will be the sharing of good practice and case studies identified, which will be promoted via Hwb and our other networks, and publication by Sport Wales of the draft Physical Literacy Framework.

Moving forward our Pioneer Schools will consider the Physical Literacy Framework in the context of developing the new Curriculum for Wales and specifically the Health and Wellbeing Area of Learning and Experience (AoLE) to ensure alignment with the future direction of Successful Futures.

As a member of the Curriculum for Wales Strategic Stakeholder Group, there will be good opportunity for Sport Wales to share its unique knowledge and experience in helping to shape delivery of any further support Pioneer Schools may identify to support delivery of Health and Well-being within the curriculum.

#### *Techniquet*

Welsh Government officials are currently discussing draft 2016-17 delivery plans with Techniquet for their core Government funding. We expect delivery will continue to focus

on existing priority areas over the years ahead; including provision for disadvantaged communities, secondary level provision, and girls in STEM.

It should be noted that Techniquest does not deliver the school curriculum. Techniquest provides valued activities for learners and teachers which enrich the science and mathematics curriculum. Schools already have a number of options in this regard, as there are a number of STEM stakeholder organisations delivering excellent activities for schools in Wales. Many of these are not in receipt of core Government funding.

My officials will continue to work with Techniquest to ensure their schools provision remains a priority for our core funding throughout their business transformation process.

#### *New curriculum*

The figures I quoted in Committee are very early estimates of the funding required for the following two years of curriculum reform. We are determining the future costs as the work with Pioneer Schools evolves and that the estimates for future years are just that - estimates. Funding requirements will continue to be reviewed and future budgets reprioritised if necessary. The next Minister covering the education portfolio will be fully briefed to enable him/her to make appropriate decisions about future funding required to deliver the new curriculum and practitioner support.

### **Continuous Professional Development for teachers (the New Deal)**

#### *New Deal*

The New Deal was designed to support changes to the culture and framework within which education workforce identify and undertake professional learning to enhance their practice using existing resources and budgets. In his report, "Successful Futures" Graham Donaldson was clear that we need to support the workforce through the New Deal to enable them to develop their pedagogy and leadership practice to meet the expectations of the new Curriculum. The additional £5.65 million has been allocated to support Pioneer School working through the New Deal to develop the workforce for the new Curriculum so it is to cover additional aspects of the New Deal.

#### *Education Workforce Council (EWC)*

The predecessor to the EWC, the General Teaching Council was funded on the same basis as we are proposing for the EWC. However, sound financial management and in year monitoring of expenditure has meant that we have avoided any adverse impact on the remainder of the BEL through meeting any shortfall. We will continue to work closely with the EWC to ensure that this position continues.

#### *Initial Teacher Training (ITET)*

Some of the reform agenda for ITET is common with the developments required for the preparation for the new Curriculum through the New Deal. This includes priorities such as boosting research capacity, and greater involvement between ITET provision and our leading schools. This work has been built into the projected costs of the New Deal Pioneer programme but the benefit will support both the New Deal and the ITET reforms. We are confident that the reform programme can be met within the planned budgets.

### **Education Improvement Grant**

The rationalisation process which led to the introduction of the Education Improvement Grant (EIG) in April 2015 looked at a number of grant funding streams and their desired

objectives and not surprisingly the majority had a shared focus on improving the teaching and learning in the classroom and on our national priorities for schools.

In rationalising a number of individual grant funding streams and establishing the Education Improvement Grant for Schools, those legacy grants have in effect ceased. It will take time to transition into the new arrangements, but we must support the sector to think of the legacy elements in the context of the new EIG. That is why we are adapting our monitoring arrangements and expectations to reflect our key focus on improving educational outcomes for all learners.

We have an enviable national data set which tracks performance measures at the end of each key stage, and a wealth of information captured by consortia challenge advisers in their engagement with schools which informs business plans and target setting.

Schools, Local Authorities and their consortia are held to account in a number of ways, including by the Welsh Government in our review and challenge events, by Estyn in its inspections of schools, local authorities and the forthcoming inspections of consortia; through the national school categorisation system which determines the support schools should receive; through the national performance data we routinely publish; through the business planning cycle for the National Model (which goes through local authority regional advisory boards, joint committees and head teacher groups); and of course locally by parents, guardians, and our communities.

#### *Gypsy and Traveller learners*

The EIG continues to include provision for the support of ethnic minority and gypsy and traveller children. The flexibilities in the EIG enable local authorities to direct funding to areas of need and we know there is excellent work going on around Wales in regard to supporting young people from Gypsy and Traveller backgrounds. In addition to these new grant arrangements, the Welsh Government has recently – working with Show Racism the Red Card – launched a new education resource to help settle Gypsy, Roma and Traveller children in school and will shortly be delivering training events to improve these learners experience of education through the use of the resource.

Whilst some activities supported through the EIG have been in place for longer, such as the Foundation Phase, we must be clear that the EIG and the Pupil Deprivation Grant (PDG) are both Welsh Government grants and are both additional to the core funding provided by local authorities for schools. There is no suggestion that the PDG is plugging a gap in the EIG, but there is a close relationship between the PDG and some of the activities which the EIG support and they contribute to the whole package of support that is available to schools to help them deliver the necessary improvements for our learners.

#### **Welsh Language**

The £740k reduction to the Welsh in Education BEL will be achieved by reducing spend on the Welsh for Adults programme by £500k and the Twf project by £200k. The remaining £40k is achieved from savings made in the delivery of the Welsh language diagnostic tool.

The establishment of the new Welsh for Adults National Entity last year has led to a sea change in the way the area is administered, leading to efficiency savings which should reduce the impact of the cut. We are confident that this will help to protect front line services. The present Twf contract comes to an end in March 2016. The project will be re-contracted and modified in response to new requirements in the field, and this gives us the opportunity to reconsider how the service is provided in order to make efficiency savings. For instance, marketing activity in relation to the new “Twf – Cymraeg i Blant” contract will



become part of the Welsh Language Division's remit, in order to reduce expenditure and ensure the work is central to our plans to market the Welsh language.

The difficult decisions made enabled us to protect areas which supported the statutory education sector, such as practitioner training and the development of Welsh-medium teaching resources.

The three-year evaluation of the Welsh-medium Education Strategy is nearing completion which will influence future policy development from 2016 onwards. The outcome of this evaluation could have an impact on the future budget expenditure and requirements from 2017-18 onwards, that and a redirection of funding in year is a matter for the next Government.

## **Further Education**

The draft 16-17 budget shows no change in budget from 2015-16 and this will allow post-16 providers a period of stability and protect post -19 Basic Skills/ Additional Learning Needs provision as well as the statutory 16-18 provision.

We are also protecting those in greatest need of our help by focusing our adult learning provision on the delivery of adult numeracy, adult literacy, English for Speakers of Other Languages ESOL, digital literacy, and discrete provision for learners with moderate or profound learning difficulties.

Welsh Government officials are working closely with the post -16 sector to evaluate available options and to minimise the impact of any reductions on learning. This will be the case for any sector that may be impacted by reductions in funding. Also where possible Further Education Institutions are running part time courses on a basis of full cost recovery.

It is important that we offer a blend of vocational, academic and digital learning, informed by our Regional Skills Partnerships knowledge of their local areas. We need to ensure that we make best use of all our providers, 6<sup>th</sup> forms, Further Education, Work Based Learning and Adult Community Learning, playing to the strengths of each one, and being sufficiently flexible to respond to changes to the needs of industry.

We have a number of skills programmes being delivered as part of our skills implementation plan which are specifically targeted at helping unemployed people into work.

### *Financial contingency fund*

The most recent evaluation of the scheme was carried out between July and December 2012 and was published in July 2013. It can be found at the following link:

<http://gov.wales/statistics-and-research/evaluation-financial-contingency-fund/?lang=en>

## **Higher Education**

I recognise the important role of the Coleg Cymraeg Cenedlaethol in improving Higher Education provision for Welsh speakers. Although it is for HEFCW to determine how it allocates its resources, I will encourage HEFCW to continue to support the Coleg and Welsh-medium learning within the higher education sector at a level which maintains the current momentum.

My remit letter to the Council is currently being prepared and will issue in the next few weeks. However, I can say now that it will provide a strong steer to the Council on how the reduction in its funding should be applied including a continued focus on widening access initiatives such as part-time provision. I will expect the Council to have regard to those priorities in determining how it will allocate its resources.

The proposed reduction of £20m in HEFCW's revenue budget for 2016-17 is relatively small when compared with annual turnover of the sector of over £1.3bn. Furthermore, the reduction in HEFCW's funding will be balanced by an increase in the student support budget within the Welsh Government. A significant proportion of this funding will still be received by Welsh institutions. Welsh institutions which continue to gain considerably in terms of their income as a result of our tuition fee policy which among other things has allowed tuition fees to rise almost threefold since 2011-12. Since 2015-16 there has been an expectation that they will use some of this additional income to support vulnerable students and that they will take responsibility for funding activities that were previously funded by HEFCW through specific funding streams because the wider outcomes are important to Wales.

## **Impact Assessments**

### *Welsh Language impact assessment*

As I set out in the evidence paper, I again this year completed a line by line review of the budget. As part of this I considered the impact on Welsh Language of the options that I looked at. No separate impact assessment has been carried out on this budget as consideration has been given throughout the process.

This budget supports the Welsh Language Education Strategy, this is not just supported by the Welsh in Education budgets but from across the portfolio, for example: uplifts in FE funding for Welsh Medium, testing and examination in Welsh, Welsh Language GCSE support materials, continuing support for Coleg Ceneadleathol, Welsh for Adults, the modern foreign language policy of English and Welsh plus one.

### *Children's Rights*

As with Welsh Language Children's Rights are something that I have considered throughout the process of setting this budget. We are lucky in Wales that we are able to give children the life chances that they deserve.

Some examples are literacy and numeracy programmes supporting articles 28 and 29, encouraging young people to reach the highest level of education of which they are capable and developing each child's talents and abilities to the fullest.

Our work with third parties supports article 3, that all organisations concerned with children should work towards what is best for each child.

Our Welsh Language work supports articles 2 and 30, children should be treated fairly regardless of language and have the right to practice their own culture, language and religion.

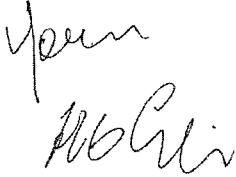
### *Wellbeing of Future Generations Act*

The principles and goals within the Act have been considered when setting this draft budget. Education and specifically the focus that this budget brings on literacy, numeracy and reducing the impact of deprivation on attainment enables people to fulfil their potential. Lower attainment levels have significant implications for

economic development and also impacts on individual wellbeing if people don't have the skills they need to succeed socially and economically.

The four purposes of education set out in Successful Futures and a Curriculum for Wales – A Curriculum for Life align directly with the goals set out in the Act for long term economic, environmental and social wellbeing.

I hope this response is sufficient to provide clarification on your points raised.

A handwritten signature in black ink, appearing to read 'Huw Lewis', written in a cursive style.

**Huw Lewis AC / AM**

Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills

## Agenda Item 5.6



## Joint Committee on Human Rights

Committee Office · House of Commons · London · SW1A 0AA

Tel 020 7219 2797 Email [JCHR@parliament.uk](mailto:JCHR@parliament.uk) Website [www.parliament.uk](http://www.parliament.uk)

From Rt Hon Harriet Harman MP, Chair

Rosemary Butler AM  
Presiding Officer  
National Assembly for Wales  
Cardiff Bay  
CN99 1NA

27 January 2015

Dear Rosemary,

I am writing to draw your attention to a letter I have sent to the Lord Chancellor following a recent visit by the Joint Committee on Human Rights to Edinburgh. During this visit, the Committee's attention was drawn to the need to ensure that the Scottish Parliament and the other devolved institutions, along with their committees and other relevant public bodies, are given a full opportunity to contribute to the Government's forthcoming consultation on its proposal to repeal the Human Rights Act and replace it with a British Bill of Rights.

You will see from my letter to Mr Gove that the JCHR has sought assurances from him that "no part of the consultation period will overlap with the period where purdah applies or the Scottish Parliament will be dissolved". I added that "clearly this will be a matter of importance not only for Scotland but also for Wales and Northern Ireland".

If the National Assembly for Wales or any of its committees wish to submit views on this matter, or on the Government's proposals, to the JCHR, I and my colleagues would be most happy to receive them, before or after the launch of the Government's consultation.

Yours sincerely,

Rt Hon Harriet Harman  
Chair of the Joint Committee on Human Rights



# Joint Committee on Human Rights

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From Rt Hon Harriet Harman MP, Chair

Rt Hon Michael Gove MP  
Lord Chancellor and Secretary of State for Justice  
102 Petty France  
London  
SW1H 9AJ

20 January 2015

Dear Michael,

I am writing following the visit last week of the Joint Committee on Human Rights to Edinburgh. The Committee took the opportunity to meet with the Scottish Parliament's European and External Relations Committee, the Scottish Human Rights Commission, representatives from NGOs, academics and lawyers to discuss, amongst other things, the Government's proposal to repeal the Human Rights Act and replace it with a Bill of Rights.

We are concerned to ensure that the voice of Scotland is fully heard as you consider how to take this proposal forward. It is not just that they need to have their say, we need to be able to hear from them to benefit from their views and experience.

It is now under 10 weeks till the commencement of purdah in respect of the Scottish Parliament election, when the Scottish Parliament will be dissolved. The Scottish Parliament has, through its European and External Relations Committee, considered the issue of the the potential implications for Scotland of the repeal of the Human Rights Act and its replacement with a British Bill of Rights in some considerable depth. Your consultation would undoubtedly benefit from their contribution. But bearing in mind the delay in publication of the consultation document it might be the case that they would not be able to comment as the consultation will overlap with purdah. This would clearly inhibit the possibility of taking note of, and learning from, the specific and different cultural traditions – particularly of Scotland and Northern Ireland.

We note your previous promise to us to engage with the devolved administrations and consult with all citizens of the United Kingdom, in your letter dated 27 November. Accordingly, we would like to seek your assurances that no part of the consultation period will overlap with the period where purdah applies or the Scottish Parliament will be dissolved. I would ask for a response at your earliest opportunity as clearly this will be a matter of importance not only for Scotland but also for Wales and Northern Ireland.

Yours sincerely,

Rt Hon Harriet Harman  
Chair of the Joint Committee on Human Rights

cc. Rt Hon Oliver Letwin MP