

**Julie Morgan AS/MS**  
**Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol**  
**Deputy Minister for Health and Social Services**

MA/JM/1782/20



Llywodraeth Cymru  
Welsh Government

Lynne Neagle  
Chair  
Children, Young People and Education Committee  
Welsh Parliament  
Cardiff Bay  
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8 June 2020

Dear Lynne

Thank you for your letter of 12 May to the Minister for Education and I following our recent attendance at sessions at the Children, Young People and Education Committee. I am aware that the Minister for Education is also providing you with a response so I shall address the issues which fall under my portfolio, accepting that there may be some cross-over between the two.

Before turning to the points raised in your letter, I am conscious there were some actions that the Minister for Health and Social Services and I agreed to undertake immediately following the meeting. I have addressed the points, for which I have responsibility, in the note annexed to this letter. The Minister will provide a separate response to the Committee on the report on unexpected deaths once we have considered the information we receive from the NHS Delivery Unit.

The Welsh Government is in regular contact with Heads of Children's Services, Third Sector Partners and with the regional Safeguarding Boards who are working in innovative ways to support children and young people and to safeguard children at risk during this time. We have been assured that Children's Social Services are in contact with all the children and young people they support. The nature and frequency of the contact they have with families is informed by regularly reviewed risk assessment, with face-to-face visits and/or virtual contact as appropriate on a case-by-case basis. Overall, authorities have reported a steady state in relation to the majority of their services and workforce stability.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

To support local authority social services departments and their partners we published Operational Guidance for Children's Social Services on 21 April. We set out in this guidance that where it is felt that physical sight of a child is necessary because of the level of risk for the child, these should happen following Public Health Wales guidance on social distancing or PPE as appropriate. The guidance also sets out that statutory safeguarding visits to see children on the Child Protection Register should continue to be carried out at least every 10 working days. If following a risk assessment a decision is taken that this requirement can be met through remote/virtual contact for some children on the Child Protection Register, this decision must be agreed by a manager and the rationale for it must be recorded. We have been clear that all cases should be subject to a review of risks on a frequent basis and at least once per week. The intention of this advice is that face-to-face contact with children at risk should be maintained wherever possible with remote contact as an exception subject to risk assessment.

There was a marked reduction in safeguarding referrals relating to children at risk during the start of the lockdown period. We have published a webpage on reporting concerns and a Written Statement and two press releases have also been issued to encourage that everyone reports concerns. At the same time, the Safeguarding Boards and local authorities have issued messages to practitioners and public facing communications to encourage the reporting of concerns. The Welsh Government also continues to provide funding to the NSPCC Childline and to fund the MEIC helpline so that children can talk to someone if they are being harmed. Information from Heads of Children's Services and the Safeguarding Boards assures us that the rate of safeguarding referrals in relation to children at risk is steadily increasing.

In England the UK Government have made temporary changes to ten sets of children's social care regulations to allow greater flexibility for local authorities and providers during COVID-19, via Statutory Instrument 445. We are concerned about the impact of such changes on safeguarding and on children's rights, so we have no plans to amend regulations in Wales. Local authorities have not been calling for Welsh Government to make amendments to regulations, indeed from feedback so far, local authorities are keen to manage services within the flexibilities they have and as per Welsh Government guidance.

On 14 May we published our refined definition of 'vulnerable children' for the purposes of attending an educational or childcare setting (<https://gov.wales/vulnerable-children-and-young-people-coronavirus#section-40031>). We have set out the expectation for children and young people with a social worker, the expectation of children with a statement of SEN and the additional flexibility for other vulnerable children on the edge of receiving care and support if they are known to be vulnerable by the school or family support services. This discretion should be determined on a case by case basis by the school and local authority.

Since 11 May we have published the statistics for attendance at educational settings on a weekly basis (<https://gov.wales/attendance-local-authority-settings-during-coronavirus-covid-19-pandemic-11-15-may-2020-html>). There has been a sustained increase in vulnerable children and young people attending provision in schools. However, we continue to work with local authorities to increase the attendance at hubs for vulnerable children and ensure they are supported through the most appropriate means for their needs.

In addition we have started collecting data from local authorities on a weekly basis in relation to children's social services during lockdown. These are answered either by a traffic light response or if it is an increase, decrease or static in comparison to the week or the year before. Local authorities are asked to provide a snapshot of their services on the day they complete the return.

As we move forward to increased operation in schools the provision for vulnerable children will remain a priority and these considerations are at the forefront of our work.

Early intervention and support services, for example Flying Start and Families First moved swiftly to a new operating model following lockdown. While some face to face support is available, this is rightly limited by the requirements of social distancing; with support provided through a range of means including online, social media, group chat facilities, video and phone calls. Services have been innovative in their approach to ensuring that families receive support during this time.

I agree that steps to support our children's mental health and well-being remain key for all of us and welcome the Committee's continued focus on support for both the physical and mental health and well-being of our children and young people.

I note the Committee intends to hold a session for key stakeholders to discuss physical and mental wellbeing on 9 June and I await further correspondence on your findings

I want to reassure the Committee that the Rights of Children and Young People as set out in the United Nations Convention on the Rights of the Child (UNCRC) continue to be at the heart of decision making within the Welsh Government especially during these unprecedented times.

In respect of the Coronavirus Bill, it is correct that a Children's Rights Impact Assessment (CRIA) was not undertaken as part of the preparation of this Bill, given that the Bill was produced by the UK Government and passed through the UK Parliament. As such, UK Government impact assessments were relied upon, one of which was the family test. A summary of impacts document was also prepared in respect of the Bill which has been published on the UK Parliament's website (<https://publications.parliament.uk/pa/bills/cbill/58-01/0122/Coronavirus%20Bill%20Impact%20Assessment%20final%203.pdf>).

We, along with the UK Parliament, have had to move very quickly to reduce the transmission of the Covid-19 virus in Wales. Article 6 of the UNCRC, the right of life, has been at the forefront of our actions during this public health emergency.

The most important safeguard for the rights of children was the commitment made, and put into law, that the regulations would be reviewed every three weeks, meaning in practice they are subject to continual review. This has allowed any disproportionate impacts identified to be addressed at speed.

As we move forward and through this pandemic, Welsh Government officials are making sure that work being undertaken following the initial Coronavirus Act 2020 assesses the impact on children's rights as set out in the UNCRC. We expect any Regulations or Directions for Wales made under the Coronavirus 2020 Act will, so far as possible, be subject to the full range of impact assessments required in Wales.

We also need to recognise that one size does not fit all, impact assessments around Covid-19 decisions have had to be flexible with officials applying a common-sense approach and exercising judgement on whether decisions are relevant to children and young people and the likely extent of the effect on them. As a result slightly different practices have been undertaken.

For example, one approach in the Education Directorate was to develop an overarching Covid-19 Integrated Impact Assessment (IIA) based on all decisions originating from the decision to bring forward the Easter holidays. A small IIA group was convened consisting of the decision makers and a template developed to interview each of the decision makers. The content of these templates forms part of the evidence base of the IIA. The Childcare team have had one official lead on the IIA but taking a similar overarching IIA approach based on the decision to suspend the childcare offer prioritising provision of childcare for the children of critical workers and vulnerable children. Education and Childcare have been working together so their IIAs are broadly similar in style.

I am also mindful of our current difficulties in engaging with children and young people on decisions which have affected them due to the pandemic. Decisions have needed to be taken at speed to keep children and young people safe and, therefore, Article 12 has not been engaged.

To help address this I asked for a survey to take place to actively seek the views and opinions of children and young people on Covid-19 and the changes that have arisen because of the pandemic.

‘Coronavirus and Me’, was developed in partnership with the Children’s Commissioner for Wales, Children in Wales, the Youth Parliament/ Senedd Ieuenctid and with strong input from children and young people themselves. It is already providing rich data on what is important to children and young people. It has received more than 23,700 responses.

We are the first of the UK Governments to actively seek the opinions of children and young people. Through this online survey, we are hearing and listening to the views and opinions of children and young people in relation to this pandemic. Responses to each survey question (all related to specific Articles within the UNCRC), will be a rich source of information for specific policy teams within Welsh Government and will help inform ongoing Covid-19 decision making.

This crisis has undoubtedly impacted on children and young people, and we have needed to take some tough decisions about balancing keeping children safe against the impact of lockdown restrictions. Despite these difficulties I have been reassured how high children’s rights has sat on the agenda. Protecting children’s rights and supporting children during this time have been a driving force in the Welsh Government, which is why I look forward to the Committee’s publication of its inquiry into children’s rights in Wales report in due course.

As a part of our response to the virus we have made a range of support available to businesses across Wales, including childcare providers. There are a range of schemes, tailored at different parts of the economy, and we do appreciate that navigating them can be confusing. We provided guidance on what support is available to childcare providers on our website to help with this (<https://gov.wales/support-childcare-providers-coronavirus-covid-19>)

Given the range of operating models across the sector not every setting will be able to access every scheme. We have been speaking with the sector umbrella bodies about their concerns, and are taking those into consideration in our thinking about how and when to enable the sector to restart. While decisions around that will be driven by the data and evidence regarding the virus and its transmission, we recognise that the financial sustainability of individual settings will be key to both when and how they can begin to increase their operations.

Future arrangements for the Childcare Offer and the Coronavirus Childcare Assistance Scheme are also intrinsically linked to decisions around restarting the sector, and we are mindful that settings will need clarity on this as soon as possible.

The UK Government's decision to extend the Coronavirus Job Retention Scheme is also a factor in our thinking and we are pressing for more details on how this will work as services start to recover. The childcare sector in particular needs a flexible approach to the ability to furlough staff.

I hope the committee finds this information helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julie', is positioned below the text 'Yours sincerely'.

**Julie Morgan AS/MS**

Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol  
Deputy Minister for Health and Social Services

## Children, Young People and Education Committee: 5 May 2020

### Action points recorded by the Clerk:

*The Minister for Health and Social Services agreed to write to the Committee once the report on unexpected deaths during the start of the Covid-19 pandemic in Wales was available and the Welsh Government had had an opportunity to consider the report.*

- The Minister for Health and Social Services to respond separately.

*The Deputy Minister for Health and Social Services agreed to provide information on how much of the support provided by the Welsh Government through the Third Sector COVID-19 Response Fund and the Third Sector Resilience Fund administered by WCVA is being targeted to children and young people. The Deputy Minister also agreed to clarify what funds available for third sector services were continuity of existing work and what is additional funding.*

- Our new £24m Third Sector COVID-19 Response Fund provides support based on the needs of Third Sector organisations. Officials are working with WCVA to ensure that the funds can be accessed by all organisations across Wales providing vital services.
- As at 22 May we had supported a number of organisations identifying as supporting either children & families or youth:
  - Voluntary services Emergency Fund – 10 organisations have applied for £425k of support, of these 4 have been paid totalling £3238k
  - Third Sector Resilience Fund – 5 organisations have applied for £214k

*The Deputy Minister agreed to provide the reporting timescales for the recently announced task and finish group with carers' representatives which is considering the specific needs of a broad range of carers during and following the Covid-19 pandemic.*

- With regard to the reporting timescales we have set up a small group, whose work is time limited, with membership agreed with the Wales Carers Alliance. Its purpose is to share the concerns of carers, including young carers and young adult carers during the current coronavirus situation. Three national carers' organisations, including Carers Trust Wales which leads on representing young carers, are working with officials to agree relevant / appropriate actions. There are no formal reporting timescales as the group meets weekly to consider progress on agreed activity, discuss evidence of new concerns emerging from carers' feedback, and will assist with planning of future agenda items for the Carers' Ministerial Advisory Group.
- The primary mechanism for consideration of and discussion of issues affecting all ages of carer is the Carers' Ministerial Advisory Group (MAG) created in mid-2018. It brings together representation from across statutory bodies, the independent Commissioners, local health boards, national carers' organisations, academia, Social Care Wales and others, including Welsh Government officials. The Chair of the group is Mr Arwel Ellis Owen, appointed in January 2020. The group most recently met on 23rd April and I

intend to hold another meeting in the next couple of months, which will include looking into how we can work with the membership to further help and support young carers.

- The Engagement group, which will work alongside the Carers MAG, held an initial introductory meeting of a majority of its new members in mid-January. The Terms of Reference of this group have been drafted but have not yet been formally reviewed and agreed by members. Young carers are key members of this group, with representatives drawn from the Young Carers Network, plus Carers Trust Wales' Youth Council. Officials are in discussions with Carers Trust Wales about planning for the next meeting of this group.
- Following a competitive bidding exercise in 2019 funding totalling £8.2m has been awarded to support 32 projects through the first year of the three year Social Services Third Sector Grant 2020-23. Grants have been awarded on an indicative basis for 2021-22 and 2022-23 and will be confirmed when Welsh Government budgets for those years are agreed. Of the 32 projects being supported, nine with a grant value of 30% of the available funding, identified in their application that their project would benefit Children and Young People. A further six projects will support Children and Young People as part of a wider client group for their projects. This means that over 50% of the grant funding will support projects that benefit Children and Young People either wholly or in part.
- The Welsh Government continues to provide funding of £550,000 in 2020-21 to fund the "Active Offer" element of the National Approach to Statutory Advocacy for Children and Young People (NASA) to enable local authorities to provide a national consistent approach to advocacy support.
- The ChildLine service provides a free, confidential 24 hour service to young people until the age of 19 in the UK. The Welsh Government has provided a contribution of £90,000 in 2020-21 to support the NSPCC to deliver the ChildLine project, which supports the Welsh Government's strategic agenda for social services.
- MEIC is a Welsh Government funded confidential, anonymous, and free bilingual helpline service for children and young people up to the age of 25 in Wales providing information, useful advice and support need and are open 8am - midnight, 7 days a week, by phone, SMS text and instant messaging. The Welsh Government has provided funding of £535,989 to continue the service to March 2021.
- Welsh Government are currently in discussions with Pro-Mo Cymru who deliver MEIC to establish if anything is needed to ensure that the MEIC service is able to fully meet the needs of young people in Wales for the immediate response to Covid-19.