

Petitions Briefing: Cardiff Children's Services

Y Pwyllgor Deisebau | 04 Hydref 2021
Petitions Committee | 04 October 2021

Reference: SR21/837-11

Petition Number: Petition P-06-1199

Petition title: Place Cardiff Children's Services into special measures and conduct an urgent independent review

Text of petition:

Cardiff Social Services and in particular Children's Services are in complete meltdown. A recent inspection by CIW has been described as a whitewash with staff being told "to toe the party line". Families are being failed and torn apart, children are being removed from loving parents and victims of domestic abuse then forced to have contact with the abuser.

1. Summary

- The Social Services and Well-being (Wales) Act 2014 ('the Act') gives the Welsh Ministers powers to intervene in local authority social services. It



also requires local authorities to publish Annual Reports about their social services functions.

- Under the Act's Code of practice in relation to measuring social services performance, 'each local authority must have arrangements in place to collect and return the data on the statutory performance measures'. It should in theory be possible to compare these children's social services performance measures across Welsh local authorities.
- However it appears that only data at an all Wales level is currently being published about social services performance measures relating to children. The StatsWales website states that this is due to not all local authorities being 'able to provide fully completed returns, due to issues with implementing or preparing for the new Welsh Community Care Information System computer system'.
- Care Inspectorate Wales (CIW) is the independent regulator of social care and childcare in Wales. Its role includes reviewing the performance of local authorities in their delivery of social services functions. It carries this out through a combination of inspection and performance evaluation activity.

2. Powers of intervention

Part 8 of the Social Services and Well-being (Wales) Act 2014 ('the Act'), sets out information about the grounds on which the Welsh Ministers may intervene in local authority social services and sets out their powers in this regard.

- Section 150 of the Act sets out the grounds on which the Welsh Ministers may intervene in a local authority's exercise of its social services functions. The section contains three grounds, namely that the local authority:
 - a) has failed or is likely to fail in the exercise of a duty that is a social services function;
 - b) has acted or is proposing to act unreasonably in the exercise of a social services function; or
 - c) is failing or is likely to fail to perform a social services function to an adequate standard
- Section 151 of the Act permits the Welsh Ministers to give a warning notice to a local authority if they are satisfied any of the grounds in section 150 exist and sets out further details in this regard.
- Section 152 provides the Welsh Ministers with a power to intervene in a local authority's exercise of its social services functions if a warning

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notice has been given and the authority has not taken the required action and sets out further details in this regard.

The Welsh Government has issued a range of Codes of Practice for the Social Services and Well-being (Wales) Act 2014. Depending on the nature of concerns set out in the petition, these may include:

- Code of Practice on general functions
- Code of Practice on the role of the director of social services
- Code of practice in relation to measuring social services performance
- Code of Practice Local Authority Adoption Services
- Code of Practice on Local Authority Fostering Services

Performance measures under the Act

2.1. The Social Services and Well-being (Wales) Act 2014 introduced a new performance measurement framework for local authorities in relation to their social services functions. These measures replaced all existing performance measures for local authority social services that were required by the Welsh Government.

When exercising social services functions, local authorities must act in accordance with the Code of practice in relation to measuring social services performance (issued under section 145 of the Act) and must have regard to any relevant guidelines contained in it. It says that:

In measuring whether the quality standards are achieved, each local authority must have arrangements in place to collect and return the data on the statutory performance measures detailed in this code of practice to the Welsh Government from May 2017 onwards.

The quantitative data stated in this code of practice must be submitted annually and reflect a full financial year's worth of data (the first year will detail the financial year April 2016 to March 2017). In relation to social services, quantitative data is numerical and can be transformed into statistics.

It goes on to say:

Without an understanding of the difference care and support has made to people's well-being, it is impossible to fully understand the effectiveness or to identify opportunities for improvement.

All Wales data is [published in respect of social services performance measures about children](#). The Welsh Government publication says that **only data at a 'Wales level' has been published**, because

While extensive efforts have been made to gather reliable and accurate information from local authorities, 2016-17 and 2017-18 data remains imperfect. Not all local authorities have been able to provide fully completed returns, due to issues with implementing or preparing for the new Welsh Community Care Information System (WCCIS) computer system.

The Social Services all Wales performance measures for children for the year 2018-19 are the latest year published and a provisional date for updated statistics is stated as being September 2020. The 2018-19 statistics are as follows:

Performance Measure	Performance Measure
PM24. The percentage of assessments completed for children within statutory timescales ⓘ	88.9
PM25. The percentage of children supported to remain living within their family at 31 March ⓘ	64.7
PM26. The percentage of looked after children returned home from care during the year ⓘ	9.6
PM27. The percentage of re-registrations of children on local authority Child Protection Registers ⓘ	5.1
PM28. The average length of time for all children who were on Child Protection Registers during the year (days) ⓘ	253.3
PM29a. Percentage of children achieving the core subject indicator at Key Stage 2 ⓘ	58.3
PM29b. Percentage of children achieving the core subject indicator at Key Stage 4 ⓘ	10.9
PM30. The percentage of children seen by a registered dentist within 3 months of becoming looked after ⓘ	59.5
PM31. The percentage of children looked after at 31 March who were registered with a GP within 10 working days of the start of their placement ⓘ	90.6
PM32. The percentage of looked after children who have experienced 1 or more changes of school, during a period or periods of being looked after, which were not due to transitional arrangements, in the year to 31 March ⓘ	10.0
PM33. The percentage of looked after children on 31 March who have had three or more placements during the year ⓘ	9.2
PM34a. The percentage of all care leavers who are in education, training or employment at 12 months after leaving care ⓘ	53.5
PM34b. The percentage of all care leavers who are in education, training or employment at 24 months after leaving care ⓘ	50.7
PM35. The percentage of care leavers who have experienced homelessness during the year ⓘ	11.5

3. Local Authority Social Services Annual Reports

The 2014 Act requires that a local authority must prepare and publish an annual report about the exercise of the social services functions of the authority in respect of that year.

Cardiff Council's Children and Young People Scrutiny Committee considered the [Social Services Annual Report 2020-21](#) at its scrutiny meeting in July 2021.

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Previous Cardiff Council reports can be found on this [Local Authority Social Services Annual Report](#) webpage and the 2019-20 report in these [papers](#).

4. Inspection of a local authority's social services performance

Care Inspectorate Wales (CIW) is the independent regulator of social care and childcare in Wales. Its role includes reviewing the performance of local authorities in their delivery of social services functions. It carries this out through a combination of inspection and performance evaluation activity.

The most recent publication is the CIW [Cardiff Council risk based inspection report](#) which covers inspection activity in November and December 2020 which looked at:

- How well the local authority is discharging its statutory functions to keep people safe and promote well-being during the pandemic.
- How well the local authority was providing early help, care and support and seamless transitions between services for disabled children and their families
- What the local authority is doing to prevent the need for children to come into care; and are children returning home to their families quickly enough where safe to do so.

Prior to that the CIW [Local authority annual performance review letter 2019/20](#) covered the period April 2019 - March 2020. It included 'annual focused activity undertaken in children's services on 25 and 26 February 2020'.

The previous report on the [Inspection of Children's Services: City of Cardiff Council](#) was published in 2016.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.