

Senedd Cymru | Welsh Parliament

Y Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and Education Committee

Gwasanaethau i blant sydd wedi bod mewn gofal: archwilio diwygio radical | Services for care experienced children: exploring radical reform

Ymateb gan Cymdeithas Llywodraeth Leol Cymru | Evidence from Welsh Local Government Association (WLGA)

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## About Us

The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities and the three fire and rescue authorities are associate members.

The WLGA is a politically led cross-party organisation, with the leaders from all local authorities determining policy through the Executive Board and the wider WLGA Council. The WLGA also appoints senior members as Spokespersons and Deputy Spokespersons to provide a national lead on policy matters on behalf of local government.

The WLGA works closely with and is often advised by professional advisors and professional associations from local government, however, the WLGA is the representative body for local government and provides the collective, political voice of local government in Wales.

## Background and Context

In looking to respond to the Committee's inquiry exploring radical reform of current services for children looked after and care leavers it is important to first consider the context that children's services have been working within for some time.

There continues to be significant demand for children's social care and the complexity of needs is escalating in response to the multi-faceted challenges children face in their day to day lives. This is coupled with workforce shortages and ongoing issues with placement sufficiency. We are still seeing the wider impact of the Covid pandemic and the changes that it has brought about. The associated increases in poverty due to unemployment or over-stretched family finances, domestic abuse, isolation, increased anxiety, substance misuse, family breakdown and homelessness, all linked to the impact of the pandemic and on-going cost of living crisis, is putting many children and families under immense pressure and strain. These issues will continue to have an impact upon people's mental health and well-being, resulting in more families and children requiring services across the spectrum of need.

Evidence reflects that over the last decade the number of children in the care system in Wales has increased significantly. The reasons why children become looked after and their needs while in the care system are complex and multifactorial. Recent years have also seen an increase in expenditure on Children's Services at a time when Councils spending power has reduced. This demonstrates the commitment that has been made by local authorities to meet the demands being placed on services. However, this is becoming unsustainable, with most local authorities now anticipating significant overspends on their children's services budgets.

This has meant that services for the care and protection of vulnerable children are now, in many areas, being pushed to the edge. The huge financial pressures councils are under, coupled with the spike in demand for child protection support, mean that the limited funding councils have available is increasingly being taken up with the provision of urgent help for children and families already at crisis point, leaving very little to invest in early intervention. Hence a spiral of uninterrupted and increasing need for services is driving a mounting complexity of challenges for the most vulnerable children.

We therefore welcome the opportunity to feed into the Committee's inquiry, providing an opportunity to examine the issues being experienced and the actions required to place children's services on a sustainable footing. Making sure that we have a system in place able to provide the care, support and protection to children, young people and their families need when they need it, whilst also ensuring that we promote equality and tackle any discrimination.

WLGA has previously highlighted a number of key areas where significant pressures are being experienced in relation to children's services in Wales, these include:

**1) External demands and complexities** – The on-going impacts of welfare reforms and a decade of austerity has amplified the pressures on families which have since been exacerbated by the COVID-19 pandemic and the cost of living crisis. Increased public awareness and reporting of potential abuse, the impact of poverty and deprivation on families and a lack of funding to help families early on before problems escalate all contribute to this. There is also an increased awareness and understanding of issues such as Child Sexual Exploitation (CSE) and criminal exploitation and an increase in the number of initiatives that are aimed at early identification and intervention such as the evidence based work in respect of Adverse Childhood Experiences (ACEs), Flying Start and Families First.

**2) Placements** - The increasing complexity of cases and the growing numbers of children coming into care are negatively impacting on both the availability of appropriate placements and the cost of placements. An ageing foster carer population and the increasing costs of providing residential care has a significant impact on the sector.

The significant challenges in providing the right placements for children in care have become even more apparent as a result of the pandemic. The need is even more acute for those with complex needs. It is clear the current market model is not delivering sufficiency. There is more that can be done to re-balance and re-shape the care placement market, so that there is a mixed economy of service provision and placements, which actually meet the real and present needs of children in care today.

**3) Mental Health Services** – There needs to be an even greater focus on the strategic ambition and support given to children's mental health, currently there remain too many examples of children with complex needs being unable to access the specialist integrated services, accommodation, treatment and support that they need. Mental health care provision is not working for all children and young people in Wales, with services delivered too rigidly and many young people who need support missing out on the care they need because they do not meet certain criteria. Access to specialist children and adolescent mental health services (CAMHS) has been a longstanding issue, where despite some very committed work by individuals within health, local authorities continue to face a challenge in sourcing health services to offer sufficient priority to the emotional and mental health needs of children in care and care leavers. This results in the burden of responsibility being placed on local authority children's social services. An integrated response in which all partners and agencies recognise and play their part is essential.

**4) Legislation and work with the Courts** - Recent years have seen a substantial increase in the number of care applications that have been made, with a significant increase in the number of children subject to care proceedings. Increasing expectations from legal judgements add to an already challenging environment.

**5) Workforce** - Child and family social work is significantly challenged by high turnover and vacancy rates and in some instances leading to an over-reliance on agency staff, with demand for permanent, experienced social workers outstripping supply.

Councils continue to do their best in very difficult circumstances and respond to the growing financial challenges in children's social care, including reducing costs where they can and finding new ways of working. However, it is close to the point where there are very few savings left to find without having a real and lasting impact upon crucial services that many children and families across the country desperately rely on.

WLGA has previously articulated a number of key asks of Welsh Government which need to be considered and addressed if we want to truly reform our social care services, both for children's and adult services. These include:

1. Welsh Government need to be bold, brave and ambitious for the future role of social care and in investing significantly to transform future delivery models that put choice and good quality services, available when needed, and with citizens at the heart of a reformed, high value, sustainable, seamless health and social care system.
2. Addressing workforce issues are critical; short, medium and long term strategies and plans are needed. This is more than just increasing pay to the level of the Real Living Wage, with the need to go beyond this – parity of esteem (including parity of pay, terms and conditions) with NHS workers, career development opportunities and how to make best use of existing staff are key issues, as well as a strategic approach to developing the workforce needed for the future, both in terms of capacity and skills. We need to maximise all opportunities to grow, develop and enhance the skills of the workforce.
3. Long-term sustainable funding is absolutely critical for the future. It is appreciated that social services has been relatively protected during the period of austerity, and recent settlements

for local government have been welcomed, however, the level of investment has not kept pace with the increased demand for services, nor the increasing complexity of care required (including effects of recent direct and indirect harm from Covid-19). There is also a need to move away from short-term funding or grants which undermine the sustainability of core services, particularly early intervention services. To be able to make the type and level of transformation needed there is a need for certainty of increased investment levels to enable local authorities to both plan for and reform services based on sustainable funding.

4. There needs to be an increased focus and investment on prevention and early intervention services. We must move to more upstream interventions and approaches to support families at earlier stages, preventing escalation of issues and the need for crisis responses. Such an approach will lead to better outcomes and experiences for families and less pressure on social services as a whole (and likely also leading to less children coming into care).
5. Parity and better integration with health – valuing social care services in their own right is important, but social care must also be treated as an equal partner to and with health, where health bodies fully understand, recognise, undertake and honour their responsibilities as they interact with social care, with less arguments about who pays for care. This requires parity when budget decisions are made. There is support for more integrated work with health, particularly primary and community-based services, but this must be on equal terms.

The challenges facing our social care system have been well documented in recent times and while much of the focus has been on adult services the challenges of: inadequate funding; an undervalued workforce; a provider sector battling with increasing pressures; and an agenda for integration in which the needs of the NHS tends to dominate are just as relevant for children's services.

These issues were all evident before the pandemic and have only been exacerbated since. We therefore support the need for transformational change, although we recognise this will mean different things to different people. There is therefore a need to be clear what it is we mean by transformation and reform and what we are actually seeking to achieve. In one sense and given where we are starting from, a model of social care that is far more person and child-centred, preventative, co-produced and funded adequately and sustainably to be so, would in itself feel radically different to the current system.

Below we highlight what we believe our overarching priorities for children's services are, focussed around the key priority areas of: workforce; investment and sustainable funding; and a greater focus on prevention and early intervention. Taken together these can help support us to better build a system where services are more effectively designed and resourced to provide the preventative, universal and early help services children, young people and families need in order to receive the practical, emotional, educational and mental health support they need, as and when they need it.

## **1. Workforce**

The greatest strength of the children's social care system lies in its workforce. Maintaining a stable, high-quality workforce is central to the delivery of effective support for children and families, but recruiting and retaining social workers remains a big challenge for councils across the country.

Councils consistently highlight challenges in securing a sufficient, stable workforce with existing pressures exacerbated by the cost of living crisis, which is seeing more social workers leave to join agencies where they can receive higher rates of pay (and more flexibility as to when they work). Councils are working closely with key partners including Welsh Government and Social Care Wales in response to this situation and identifying what more needs to be done to improve the recruitment and retention of all those in the children's workforce.

We also know that children's social workers and the wider workforce do not receive the public recognition that their colleagues in health and education often receive and they deserve. Recruitment and retention is not helped by a public perception of the child protection system as a service that consistently fails the children it is charged to protect. As such there is a need to consider how we can all work together to improve public understanding of these vital roles – it is essential that we avoid creating such a negative working environment that good social workers, managers and senior leaders are driven away from the profession as a result of low morale and disillusionment. Local and national government must do more to showcase the excellent work of social work teams across the country, and support councils to recruit and retain high quality social workers.

In addition, caseloads remain a big concern, and tackling this is made more difficult by the combination of reduced funding and increased demand that we highlight as part of this submission. Indeed, coordinated action on many of these issues would make a big difference to the experience of social workers across the country, from a council-wide commitment to children's services that takes account of issues such as back office support and good quality HR, to a better understanding of how to most effectively help children and families, through to more resources to invest in those programmes and interventions.

Local government is fully committed to responding to the workforce challenges and indeed believe that this is the priority in being able to provide the children and family services we would all aspire are delivered. As part of this we are keen to continue to work with government to consider all actions we can take, recognising the pace and urgency in which we need to respond.

## **2. Investment and Sustainable Funding**

In the lead up to this year's draft budget, local government undertook an assessment of council's spending pressures, many of which have escalated significantly over the current financial year. This work included updating our estimates of the pressures in 2023-24 and 2024-25, based on local authorities' medium-term financial plans. Cumulatively, the pressures building up in the system are starting to look potentially catastrophic, with the assessment demonstrating that councils are already facing a potential gap of £802 million over the next two years due to cost pressures (and inflationary and increased energy prices) which will inevitably have an impact on the capability and capacity of councils to deliver services.

Just for social services local authorities identified that they were facing an overall financial pressure of £95.2m in the current financial year, with both adults and children's services facing inflationary and demand pressures and an estimated total cumulative pressure of £407.8m for 2023-24 and 2024-25. Despite our ambition and vision for social services, it should be noted that these financial pressures are just to 'stand still', significant investment will be required if we want to truly place social care on a sustainable footing for the future.

The children's services estimated cost pressures reflects high-cost bespoke care. This is in high demand, but supply of appropriate services is low. As a result, one council has seen a 25% increase in the average cost of placements in the last 12 months. The high placement costs for care reflects a lack of availability, making commissioning placements a challenge and many of the placements for children with complex needs are court directed and outside the control of councils. One council reports that the numbers of unborn children's names being placed on the Child Protection Register and entering Public Law Outline (PLO) process have doubled. This requires increased recourse to mother and baby placements, which are both expensive and insufficient in availability.

Councils continue to highlight challenges finding appropriate placements for children and young people. In particular, a lack of provision for children with complex needs in fostering and residential placement settings was referenced, with this driving up costs. Councils also reported that children and young people presenting with more complex and challenging behaviour is leading to increased demand for residential care placements.

The Welsh Government's Programme for Government makes a commitment to 'eliminate private profit from the care of looked after children'. We recognise that this a priority commitment for Ministers and one which requires the involvement of a range of partners and expertise to deliver it. For their part local authorities are supportive of the intent behind this commitment. We do however need to make sure that the actions and plans put in place to address this priority ensure that we are able to take this forward safely, without destabilising either current placements or the work that is underway in developing suitable local and regional supply of appropriate placements. There are already signs in some areas that progression of this commitment is having a destabilising impact on availability of residential provision and this is of concern to local authorities given the challenges and costs that are already in existence in this area.

There remains a need to ensure that there are the right placements for children in the right places, so that those who cannot stay with their parents grow up in a safe, stable and loving home. This requires significant investment and it is essential that this also builds on the work that has already started such as through both the National Adoption Service and Foster Wales, ensuring that these initiatives are adequately resourced and supported to achieve their ambitions.

The overarching challenges to local government funding have been well evidenced, with council spending power falling significantly over the last decade and more. While councils have fought to protect and increase spending on children's social care to keep children safe, increasing need has forced a shift in spending from preventative and early help support to spend on urgent child protection services. Councils consistently highlight their frustrations at having to cut positive services in order to balance budgets each year.

There is also a need to consider the wider implications of public and voluntary sector funding reductions over the last decade for children's services. This includes but is not limited to:

- High caseloads and staff reductions across statutory safeguarding partners;
- the impact of welfare reform on families, lone parents and those with disabilities;
- challenges facing wider council services that support families, including housing, leisure and financial safety nets.

Councils have also reported challenges associated with grant funding and additional in-year funding allocations – short-term funding does not support long-term planning. Short-term specific grants come with separate and individual accountability and reporting obligations, with authorities having minimal discretion over how the grants are used and over what period they can be spent. They are also subject to change which can make long-term planning difficult. We retain the belief that funding must be provided in a way that allows local authorities flexibility to best meet local demand and needs, focussed on improving outcomes for children, young people and their families and helping to ensure that children who leave the looked after system have properly planned and supported exits so that they also achieve their outcomes.

Welsh Government must ensure councils have appropriate funding to meet both the increasing demand and pressures in the short-term as well as long-term. Sustainable funding to invest in preventative, universal and early help services so children, young people and families receive the practical, emotional, educational and mental health support they need, as soon as they need it is needed. The reality is that any reform of our existing system cannot happen without genuinely transformational investment. Spend on children's social care by council's has risen by millions of pounds each year just to meet growing demand and complexity and so the Government must make the required investment into the system as a matter of urgency.

### **3. Early Intervention and Prevention**

Any approach that looks to reform the services we provide for children, young people and their families has to be framed around a family-based approach in which we have effective services and systems in order to intervene early, effectively and prevent needs from escalating. We have long been advocating for making sure we can give children and families the right support at the right time, including investment in preventative and early help services. This needs to consider how both central and local government, as well as our wider partners provide good and effective leadership, and funding, for the early intervention and prevention agenda, enabling a holistic approach.

As part of this it is essential that in considering any reforms the role of wider partners in supporting children and families is given far more consideration. The focus of discussions around reform have been on children's services, but all partners at a local and national level must keep a strong focus on the needs of children, young people and families, where we know that effective child safeguarding arrangements rely on joint working across a number of different agencies. Improving the lives of children and young people and delivering high quality support that meets children's needs is not just a job for children's services, but a responsibility owned by the whole council and shared with the wider public and voluntary sector. Many of the issues that make the biggest difference to the lives of children and families, such as the availability of safe, affordable and comfortable housing, good education, good health and local employment prospects, are outside

the remit of the children's services department and it is therefore vital that the whole council is engaged in this agenda.

This sense of shared ambition for children must be replicated across all partners, with all agencies working together in the interests of children and families. For example, there are numerous interdependencies across health and children's services, including: meeting the increasing emotional and mental health needs of children, young people and families, with concerns over access to Children and Adolescent Mental Health Services (CAMHS) in particular; and securing appropriate accommodation for children and young people, particularly for those with the most complex needs. There are also concerns that vulnerable children are falling out of the line of sight of social care and health services due to workforce shortages in areas such as health visitors, meaning that there are missed opportunities to provide early intervention or support. Joint working with police and education is also essential in multi-agency safeguarding and so it is critical that all partners both recognise and play their role in meeting the needs of children and young people - these relationships across agency partners need to be reflected in any radical reform programme.

Similarly, there should be a golden thread running through the business of government, with every department considering how their activities will impact on children and families. A genuine commitment to hearing and acting upon the wishes of children and young people will also be central to this, and greater devolution from national to local level will give councils the tools they need to draw services together and deliver on this vision.

The recent analysis of local government pressures referred to earlier identified that councils are receiving higher levels of referrals for early help / intervention services, with COVID-19 having an impact on children and family's stability, development and security. One local authority has reported a 300% increase in contacts at the front door of children's services compared with pre-pandemic levels, while another's current waiting list for allocation into early help is about 200 families. Along with increased volume of cases there has been an increase in complexity of need which require specialist interventions / workers.

It is well understood that early help can play an important role in catching issues early and preventing problems from escalating. But meeting the increasing demand for high need services appears to be forcing councils to move funding away from early help services. Local areas need more support to ensure that the early help they do provide is as effective as possible. It is vital that commissioning is well matched to local need so that children and families are able to access the support they need when they need it, to prevent further unsustainable increases in the number of children and families reaching crisis point.

We retain a firm belief that investment in preventative services must be a core priority for Welsh Government, in line with the philosophy of both the Social Services and Well-being Act and the Wellbeing of Future Generations Act and in terms of sound budgetary policy. Many preventative services in local government, such as leisure centres, parks, youth work and community facilities are provided at the discretion of local councils. Unfortunately, in recent years it is these services that have faced the brunt of cuts to local authority budgets as statutory services such as education and social services have been protected - it is imperative that we stem the decline of local preventative services and that we find a way to make some significant investment into new and



existing preventative services. Stronger investment in early help is vital to ensure that children and families can access the support they need when they need it.

Councils have long highlighted the challenges in delivering universal and early help services in the context of increasing need and reduced funding and have raised significant concerns about the implications of not being able to support children and families before they reach crisis point. There needs to be greater focus on enabling children, young people and families to access the help they need, when they need it, and we urge the Government to work with councils and the wider children's sector to deliver on this vision. Such an approach will lead to better outcomes and experiences for families and less pressure on social services as a whole (and likely also leading to less children coming into care). However, this requires significant investment into new and existing preventative services; this was also a key message in the recent report from the expert group 'Towards a National Care and Support Service for Wales'.

Investment in family help will ultimately improve children's outcomes and reduce spending later on, through keeping more children safely with their families, promoting reunification, ending repeat and intergenerational cycles of care, reducing occurrences of significant harm and countering the impact of deprivation.

## **Other areas of importance**

In addition to these overarching priorities it is important to recognise that there will be other actions required to support the reform of our existing system. Highlighted below are some of these further actions, though this submission does not attempt to provide an exhaustive list of the actions that could be taken across the system.

The Programme for Government commits to "strengthen public bodies in their role as 'corporate parent'". Councils support the principle that greater ownership of corporate parenting responsibilities is required across the whole public sector, beyond just councils, to deliver improved outcomes for care experienced children. This requires effective leadership at all levels (both political and professional) across all organisations, to enable delivery of an improved Wales public sector response to the needs of care experienced children. Key partners in this include health, education, housing and the police, but equally important are Welsh Government (officials and Ministers) and Members of the Senedd. For example, both will play a critical role in how we can support children's social workers – here leadership is key if we are to retain and attract a children's social work workforce to deliver the radical reforms that will be proposed.

We also need to recognise the impact of inspection regimes and court process. These can create a constant pressure and expectations and impact on practice when staff are under a high level of scrutiny. We know that the inspectorate remains committed to working with councils to improve support for children and it is essential that regulators are fully engaged in any reform agenda.

It is vital that children's social care remains open to critique and constant self-reflection and there is a need for local and national government to develop a better understanding of 'what works' and 'what good looks like' for children's services. It is crucial that we are not left in a position where the strength of our existing system is assessed almost exclusively by inspection results or by focussing

on certain indicators, but that councils strive to deliver services that children and young people consider outstanding, rather than focusing purely on achieving the regulators grade.

## **Conclusion**

We know that outcomes for children with experience of children's social care are often worse than those of their peers, and we must continue to strive for improvement. However, we must also recognise that thanks to the dedicated work of those in children's social care, health, the police and partner organisations, Wales remains one of the safest places in the world to grow up. Many children in care also have very good experiences, with children in foster care often reporting feeling safe and well looked after and educational outcomes that improve the longer a child is in care. In working to improve outcomes across the system, we must be careful to retain and build on our strengths too.

We are at a critical junction in children's services and now is an opportunity on multiple fronts to realise the change that is needed to make the whole system not only sustainable but more importantly, better serve those it is designed for; children, young people and their families. Whilst there is much focus on the idea of 'radical reform' the fundamental challenge in front of us is that currently the foundations needed to support a strong and sustainable system simply are not there. Whether it's sufficiency of the workforce, funding, appropriate preventative services or placements there is simply not enough headroom in the current system.

These challenges all point to the need for a change which reflects the range of issues that councils have been raising for some years, including the need for significant investment both for services and in the workforce to deliver sustainable change and improvement, challenges around placement sufficiency and the need for government departments and partner organisations to work better together. We have also been advocating for making sure we can give children and families the right support at the right time, including investment in preventative and early help services, looking far beyond just the role of children's services. Therefore, we believe the priority has to be responding to and resolving these deep-seated challenges, this in itself would constitute radical reform of our existing system.