

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 Arolygiaeth Gofal Cymru | Evidence from Care Inspectorate Wales



Dear Jayne Bryant MS,

Services for care experienced children: exploring radical reform

Thank you for your letter of 30 January 2023 inviting Care Inspectorate Wales (CIW) to provide written evidence as part of the Committee's inquiry into services for care experienced children.

We have provided responses to the requests in the annex to your letter below, commenting, where we have been able to do so, on the three aspects of the enquiry. We have also outlined priorities for radical reform of services for safely reducing the number of children in the care system as requested in the public consultation.

(1) Local Authority children's service and fostering services:

The extent to which local authority children's services are currently able to deliver their legislative requirements, commenting specifically and separately on all three aspects of our inquiry: before care, in care and after care.

We have seen examples of successful joint working at a strategic and regional level to drive forward the prevention agenda with children and families benefitting from a range of established early help and preventative services. Local authorities are, however, experiencing increasing lack of capacity regarding early help provision. This is due to the combined impact of the pandemic and budget pressures with increasing demand and complexity of needs of children and families. This brings with it the risk of more intensive support being required to help children and families.

Greater understanding of the effectiveness of early intervention preventative services is needed along with strengthening step up and step down arrangements between early

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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.

intervention and managed care services. Local authorities would benefit from being more open about their challenges and more effectively sharing learning with each other. There is a need for better analysis of factors influencing children becoming looked after; the effectiveness of early intervention and preventive services; what works and what makes a difference would assist in planning effective targeted support services for children and families at the earliest opportunity.

The provision of services by local authorities and the National Adoption Service to families requesting support to prevent breakdown is an area in need of strengthening. Aftercare and support are also limited when adoptions break down, creating a negative experience for children.

Local authority children's services strive to deliver their legislative responsibilities but increased demand and referral numbers in children services is creating pressures and a risk of statutory responsibilities not being met. We see much positive practice, with the voice of the child at the centre of decision making and children and young people involved in their plans and reviews. However, there is a need to strengthen opportunities for children's views to be sought consistently and recorded. Despite some good practice, we have also seen inconsistency regarding the frequency Independent Safeguarding Reviewing Officers maintain contact with, and seek the opinions of, children looked after. Increased scrutiny and challenge of children and young people's care plans during the reviewing process by independent reviewing officers could help deliver this improvement.

Our national review of care experienced children in 2019 found local authorities recognise the priority of actively directing resources to the safe reduction of children becoming looked after, including children placed out of local authority area. However, too little resource is focused on the delivery of responsive services for those families who were at risk of becoming or were already involved with statutory child protection systems and legal proceedings.

For young people who are leaving care, finding appropriate, safe accommodation can be challenging. Accommodation can often be deferred to children's services as its responsibility and there needs to be greater multi agency accountability. Choices are often limited and whilst some local authorities prioritise care leavers for access to the housing register, others do not do this sufficiently. Despite the difficulties young people have experienced in life, it is positive to see some, through support of personal assistants for example, go on to gain new skills to live independently, access higher education and jobs.

Support from personal advisors is highly valued by care leavers but capacity is often limited. There is a need to review the role of the personal advisor service to help address issues of loneliness and isolation amongst care experienced children and young people, and to support their well-being needs. Pathway plan reviewing requires attention with more clarity and profile in the review process, this should be led by an independent reviewing officer (IRO) or equivalent role, but this is inconsistent. The transition process, addressing all the challenges of moving towards independence therefore does not always have the focus it requires.

(2) Workforce:

The robustness of the local authority children's services workforce. commenting specifically on your evidence about staff pressures, turnover, the latest position on the appropriateness of caseloads commenting specifically and separately on all three aspects of our inquiry: before care, in care and after care.

Workforce is a persistent and underpinning problem in providing a quality service to children and families. Recruitment and retention pressures in social care are significant. Recruitment to children's social work roles has been particularly challenging.

Workforce deficits regarding social worker recruitment, retention and absence has resulted in the loss of experienced staff and an increasing dependence on a newly qualified and agency workforce. We are particularly concerned about the use of 'managed' teams in which all staff are agency workers which, whilst bring some stability, can have a negative impact when the contract ends, not least for continuity for children and families. We are also concerned about the lack of experience of some social workers involved in child protection. In addition, the use of agency workers has an adverse impact on local authority budgets.

It is difficult to comment on the appropriateness of caseloads generally as there is not a fixed number to benchmark against because this depends on the specific role of the team and the needs of individual children in social worker's caseloads. Maintaining effective oversight of workloads, workflow and the quality of practice and ensuring a sufficient, qualified and competent workforce to meet statutory duties remains a challenge. For example, in a recent performance review of a local authority, practitioners shared concerns about the impact of a high caseload, due to a lack of staff, on their ability to carry out their work effectively. We have emphasised the importance for managers to ensure caseloads are manageable, with practitioners having sufficient capacity to complete their work and we are seeing evidence of measures to help address this.

There is a need to make the social work profession more attractive, with greater recognition of the complexity of the work social workers undertake. This includes increasing the number of social workers and retaining them to provide children with better continuity to enable development of stable relationships. This in turn would help ensure social workers have manageable workloads.

Local authorities are committed to workforce well-being, with strategies focused on recruitment, retention and supporting staff. Examples include 'grow our own' through sponsorship or formal qualifications. Practitioners have told us they appreciate the support of managers and colleagues. Managers and staff have demonstrated an ability to adapt to changing circumstances. Despite feeling tired, staff feel their contributions are valued and morale is generally good. Our '*Let me Flourish*' review (2021) highlighted a dedicated, committed workforce where the majority of practitioners surveyed reported manageable caseloads. Efforts made by local authorities to support staff well-being was noted. We have continued to see evidence of a commitment towards staff well-being in local authority children services in our recent performance review activity undertaken.

(3) Placements:

The quality, care, and availability for children living in residential care homes and foster placements in Wales. Unregistered care homes for children in Wales, the extent to which they are used and the level of concern you have about their use.

Most local authorities were struggling to meet their sufficiency duties and find suitable placements to meet the needs of children and young people. This adversely affects placement choice, permanency and stability and consequently outcomes for children. The ability to secure the right placement at the right time for children is an increasing problem for local authorities.

We recognise the increasing complexity and numbers of children and young people requiring support. This includes children requiring support at younger ages because of the emotional and behavioural impact of adverse childhood experiences. Homes for children in residential care and foster care are difficult to access for those with the most complex needs. Access to therapeutic support for children must be a multi-agency responsibility, including funding. Limited access to timely mental health support is often a key issue in placement breakdown.

Our national review of care homes for children (2018-19) found many children in care homes receive good quality care and support. Children achieve the best outcomes where services use recognised and holistic models of care which include therapy and education and we recommended providers who are not delivering their service through an evidence-based model of care should consider developing a more coherent approach to care and support for children.

There is a shortage of foster carers, especially for older children. This results in children having to be cared for in care homes. This impacts on sufficiency of care home placements as discussed below. An example of positive practice is the MyST (My Support Team), a multi-agency partnership approach model which works with foster carers to avoid placement breakdown and help children who are looked after remain in their local communities. Recruitment, development and support of foster carers to enable them to take on an increasingly professional and challenging role is essential.

Whilst there may be sufficient capacity in terms of numbers of registered care home placements in Wales, this does not mean a service is able to meet the needs of individual children alongside those who already live at the home. As a result, CIW has seen an increasing number of children living in unregistered services. Such services are illegal and do not have the safeguards in place that come with registration. It is often the case local authorities are directly operating these services, redeploying their own staff or using agency workers. Accommodation includes Air B&Bs which we have seen result in multiple moves for children from one premises to another. At times these placements have been outside of the child's local area, and many are unable to meet their therapeutic and/or care needs. In each case CIW considers if the threshold for criminal investigation and prosecution is met, whilst recognising the local authority's duty of care to the child.

The most common reason for a move into an unregistered service has been placement or family breakdown and the potential risks to these children will always remain a top priority for us. We are aware some local authorities have sought to address this by, for example, developing small group home facilities to mirror family life. However, the current situation highlights the insufficiency in range and choice available to meet children's needs.

Lack of appropriate local residential care, including short breaks, is also an area of concern for disabled children and their families which we identified as a priority area for improvement in our 'Let Me Flourish' national review.

(4) Advocacy Services:

Commenting specifically and separately on all three aspects of our inquiry: before care, in care and after care: including parental advocacy, edge of care advocacy and independent professional advocacy. Any comments you have about the availability of residential visiting advocacy.

The Chief Inspector's annual report 2021/22; CIW's National Overview Report of Assurance Checks (2021); and CIW's 'Let me Flourish' review have highlighted the importance of the consistent availability of independent advocacy for children and young people. There is an identified need for the offer of advocacy for children looked after, disabled children and their families to be strengthened and actively promoted. This includes repetition of advocacy offered as children progress through their care journey.

Our 'Let me Flourish' report found opportunities for the development of self-advocacy required strengthening, as well as practitioners understanding of the value and function of independent professional advocacy.

During our review of care homes for children we spoke to children who told us they were aware of their rights, including how to complain and we saw some good examples where children were supported to make a complaint and seek support from advocacy services. We found in some services the arrangements for advocacy support for some children was good, with regular visits by Tros Gynnal and the National Youth Advocacy Service (NYAS). However, a number of children did not receive advocacy support for a variety of reasons, including they were not aware of the advocacy arrangements; they had refused support; or were not clear what arrangements were in place. We recommended providers and placing authorities should ensure advocacy arrangements are well promoted to ensure all children have equal access, including disabled children.

In our recent performance review activity we have seen positive examples of practitioners considering the need for advocacy and people being encouraged to access advocacy services. We have also seen local authorities being proactive in promoting the advocacy offer and of children and their families benefitting from informal advocacy support. Ensuring an offer of advocacy is recorded in a child's social care records needs strengthening to enable the local authority to clearly demonstrate they are meeting their statutory duties.

(5) Concerns and enforcement:

The latest information on the level and nature of concerns raised with Care Inspectorate Wales as relevant to all three aspects of our inquiry and any trends you wish to draw to our attention in this regard. Any enforcement activity that you feel is relevant to our enquiry.

We have seen an increase in the number of concerns raised with us over the past two years. In the last year alone there has been a 23% rise, with one of the most significant

increases relating to care homes for children (44%). Recent analysis of concerns received regarding local authorities indicates most have related to children's services, with key themes relating to safeguarding, human rights and the quality of services received.

We have received 173 concerns in the past six months relating to care homes for children, fostering and secure accommodation services. People contacting us are mainly concerned about care, support, leadership and management in regulated services. We have also seen a significant rise in the number of concerns raised about staffing levels in services and concerns raised by staff. When concerns are raised with us we will either discuss the issue with the Responsible Individual and/or carry out an inspection, depending on the nature of the concern and our knowledge of the service.

Regarding the quality of regulated services, we report on strengths and areas for improvement. The majority of registered services for children operate in accordance with regulatory requirements or, where improvement is required, this is at a level deemed minor to moderate which does not place children at significant risk of harm or of not achieving their personal outcomes. Where we identify serious concerns, we issue a priority action notice (PAN). Currently, 108 (out of 269) registered care homes and one (out of 22) registered fostering services, have open PANs where we have identified failures in meeting regulations requirements. These are closely monitored in accordance with our improvement and enforcement process.

(6) Corporate parenting:

Your views on the extent of support from agencies other than those you inspect in terms of supporting care experienced children. For example, we note the comments in your Annual Report that CIW (Care Inspectorate Wales) 'identified there was insufficient mental health support for children' and that there is a 'misunderstanding and miscommunication about roles between Children and Adolescent Mental Health Services (CAMHS) and the local authority.

We find the best performing local authority children's services are those where there is clear corporate understanding and ownership of responsibilities to ensure children have the best possible outcomes.

Ensuring positive outcomes for children in need of care and support is a multi agency responsibility. Too often we see local authority children's services struggling to deliver its statutory duties because of lack of support from key partners. This is nowhere more important than in safeguarding and child protection. We will be producing a national report on the strengths and areas for improvement arising from our current work programme on Joint Inspections of Child Protection Arrangements in 2024.

Corporate and multi-agency working is also essential for prevention and early intervention support and is an area that requires strengthening. Children's services alone cannot provide effective support or deliver the wide-ranging interventions needed by children and families. We have seen some local authorities developing their own therapeutic services, particularly for children looked after, to ensure they are able to access the support they need. This has included employing psychologists and behavioural therapists to support formulation and trauma informed practice in teams.

Our programme of assurance checks undertaken during 2020/21 and the Chief Inspector's annual report 2021/22 highlighted the insufficient mental health support for children and young people across Wales. The demand for mental health support for children and young people has been increasing in recent years. *Children and Young People: Is there a Mental Health Crisis* (May 2022) ([Children and young people: is there a mental health crisis? \(senedd.wales\)](https://www.senedd.wales/child-and-young-people-is-there-a-mental-health-crisis/)) highlights the disproportionate impact of the pandemic on children and young people's emotional well-being and mental health. Many children and young people have experienced stress, anxiety and loneliness with a focus more on reaction rather than prevention. Despite this, access to Child and Adolescent Mental Health Services (CAMHS) remains challenging with high thresholds and waiting lists for support followed by short interventions, then support being withdrawn at times where the risks to the child's safety are high.

Priorities for radical reform of services for safely reducing the number of children in the care system:

We propose the following priorities for consideration, we have chosen to focus on before care reform:

Before care

1. Services provided to children and families require a whole system family therapeutic intervention approach, this should be based upon multi-disciplinary support. There should be change so there is explicit clarity on accountability, with statutory responsibilities to lead multi-agency working. This needs to be legislatively driven, as to date how well services work together is variable and often dependent on local relationships.
2. There should be a national (Wales) campaign around therapeutic parenting, which all early intervention/prevention work should be anchored on. This does not mean being prescriptive but providing guidance and assurance that all early intervention services have a focus on trauma. If this does not have a strong legislative footing, there is too much opportunity for services to opt out of this approach. Children and Families Policy Division had a 'give it time' parenting campaign, it may be beneficial to reflect on evaluation of that campaign. It would be beneficial to review models of good practice that are used at an early intervention stage. A re-focus on areas of high deprivation targeting is required.
3. Think POVERTY in every policy- we know children are so much more likely to come into care if they live in areas of high deprivation (we have data relating to super output areas that should be better utilised). We should make support more targeted by using such data. There should be a re-emphasis on how best to do this, building on Flying Start (and other) initiatives.

In care

1. Address sufficiency issues as a matter of urgency
2. Ensure all foster and residential services have a clear therapeutic approach to create consistent, nurturing care-this should be available throughout childhood for care experienced children.

3. Accelerate development of multi-agency and professional model of care which focuses on therapy, education and care, to manage complex needs and risks and prevent the need for children to be looked after.

After care

1. Improve accommodation options and availability for young people leaving care.
2. Consider how PA role could be expanded to ensure best possible support for young people leaving care.

The Committee may be interested to note CIW is currently carrying out the following work which will contribute to collective understanding of strengths and areas for improvement in services for children in Wales:

- National Review of care planning for children and young people subject to the Public Law Outline pre-proceedings (to date the summary reports for Neath Port Talbot has been published January 2023)
- Joint Inspection of Child Protection Arrangements
- Rapid Review of decision making in relation to child protection

Yours sincerely

Gillian Baranski
Chief Inspector
Care Inspectorate Wales