

## CYPM26 Welsh Local Government Association (WLGA)

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Senedd Cymru | Welsh Parliament

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

**Plant a phobl ifanc sydd ar yr ymylon | Children and Young People on the margins**

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

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### **Welsh Local Government Association - The Voice of Welsh Councils**

The Welsh Local Government Association (WLGA) is a politically led cross party organisation that seeks to give local government a strong voice at a national level.

We represent the interests of local government and promote local democracy in Wales.

The 22 councils in Wales are our members and the 3 fire and rescue authorities and 3 national park authorities are associate members.

### **We believe that the ideas that change people's lives, happen locally.**

Communities are at their best when they feel connected to their council through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows communities to thrive.

**Our ultimate goal** is to promote, protect, support and develop democratic local government and the interests of councils in Wales.

### **We'll achieve our vision by**

- Promoting the role and prominence of councillors and council leaders
- Ensuring maximum local discretion in legislation or statutory guidance
- Championing and securing long-term and sustainable funding for councils
- Promoting sector-led improvement
- Encouraging a vibrant local democracy, promoting greater diversity
- Supporting councils to effectively manage their workforce



## **Introduction:**

This paper responds to the call for evidence by the Senedd's Children, Young People and Education Committee's inquiry into Children & Young People on the margins.

1. Local government provides a range of services either directly or indirectly (e.g. via the commissioning of services for children and young people and/or for or with adults as parents/carers) for children and young people, a great deal of which focuses on prevention and/or early intervention. Examples of these include schools, school support staff, inclusion services (behaviour support, education psychology, education welfare), youth work, play services, libraries, leisure centres, children and youth support services. Other, more specialist/acute provision includes social care, social work, housing & homelessness. Local government also provides a great deal of support, guidance and advice to third sector organisations e.g. by offering buildings at low or no cost and safeguarding advice.
2. Given the extremely challenging public sector funding situation, services and the work-force delivering services are coming under increasing strain, with less money at the same time as ever increasing demand. As well as a reduction in capacity across services, there is a recruitment and retention crisis compounding an already challenging scenario. All of these factors impact on the ability of local government services to effectively engage with children, young people and their families/carers to either avoid them finding themselves on the margins of services and/or when they find themselves in difficult circumstances, carrying out the intensive work necessary to overcome barriers to accessing even basic provision.

## **Context:**

3. As previously described, local government services are on the front line of provision for children and young people and are acutely aware of the challenges facing them. Section 28 of Children Act 2004 (the 2004 Act) imposes a duty on local authorities and other bodies such as the local police body, local health boards, NHS Trusts, probation boards and youth



offending teams to ensure that their functions are discharged having regard to the need to safeguard and promote the welfare of children.

4. Despite numerous preventative/mitigating factors, some children continue to live on the margins of society, face multiple disadvantages, and are excluded from full participation in all that life has to offer. Some ‘risk factors’ present include a society which has become more complex and more challenging, may push some families, children and young people to the margins of their community and/or service provision, putting some at increased risk of a decline into poverty, disengagement from services (whether through lack of trust, disillusionment or for cultural reasons) and/or criminal exploitation. Although examples are relatively rare and extreme, conditions (cost-of-living crisis, limited services to protect and safeguard potential victims) can mean that some children and young people go without much needed support.
5. When a child or young person has reached the point of ‘missing’ or criminalisation, it is imperative that this is identified immediately and that all services work together to ensure they are found and that relevant support is put in place. Of course, the prevention of any child going missing or being exploited is infinitely more desirable.
6. There are a number of factors which can play a part in children and young people going missing or being exploited, some of which have already been outlined. As well as failure of protective factors such as parental, community, support services, etc. being compromised, geography can play also a part, e.g. some localised areas of urban conurbations with poorly lit, dense areas of buildings and population, socio-economically deprived areas and/or rurality can present particular conditions which may be more favourable for such circumstances to occur. However, services and organisations must continue to work closely and innovatively to avoid this happening and, if it does, to respond immediately and effectively.

### **Education and schools:**

7. As a devolved power, Wales has been able to shape its own Education system, which has seen a greater **focus on children’s rights** and the recent development of a more inclusive curriculum with an increased



focus on wider skills development, designed to better prepare our children and young people for the demands of modern society. However, as the education system in Wales has diverged from that in England, there remain services (some of which education providers such as schools and the youth work sector work closely with) which are not devolved such as Policing and Youth Offending Services, which can cause some challenging incongruences and unnecessary complexity.

8. As a universal service, the vast majority of children and young people (at least between the ages of 4-16) are registered at a school. This provides excellent opportunities for developing and maintaining positive relationships with children, young people, their families/carers. Schools provide safe spaces for children and young people as well as nurturing environments where they can learn and develop a wide range of academic and non-academic skill sets. However, due to a wide range of societal, family, community and other external factors beyond their control, some children and young people find themselves pushed to the margins of society, making them more vulnerable than the majority population. Where this occurs, **robust identification and support mechanisms** need to be in place to intervene as early as possible.
9. Often, when more acute interventions are called on, this is often too late and many children and young people are on a trajectory which may see them further pushed to the margins of services/society. Schools play a crucial role in identifying children and young people at risk of disengaging. This includes awareness of and access to a wide range of services which may need to be called on to provide more intense interventions. These might include local government inclusion services (Education Welfare, Education Psychology, Behaviour Support Services etc.), voluntary sector organisations, police, social services, Housing etc. In order to identify issues which may lead to disengagement, **teaching and non-teaching staff need appropriate ongoing training/professional learning opportunities** which should be accessible both at national, regional and local level and via specialist organisations as/when appropriate.
10. The *Framework for a Whole School Approach to Mental Health & Emotional Well-being* is now well embedded in schools. This statutory guidance supports and complements the new curriculum, especially the Health & Well-being Area of Learning and Experience. The guidance states



that “*the school alone cannot meet all the needs of what is a complex population of young people, whose needs will vary as they progress through infancy to adolescence and early adulthood. It is not about medicalising well-being; rather it is about taking account of the continuum of need. Primarily it is about building resilience and ensuring preventative action.*”<sup>1</sup> The framework requires schools to address the mental and emotional well-being needs of all children and young people, as well as staff.

11. Further, all young people aged 11-18 in Wales are entitled to **School & Community based counselling**. This service, independent of schools and co-ordinated by local authorities, is available by referral from school staff, parents, carers or by self-referral.
12. Many schools are community focused (“*A **community-focused school** is one that goes beyond traditional education to provide a range of services and activities that benefit not only its pupils but also their families and the wider community. These schools create an atmosphere where everyone feels welcomed, actively participates, and belongs...Essentially, they serve as hubs that connect education with the broader community, fostering collaboration and mutual support.*”<sup>2</sup>), which makes them a focal point for the community and can put them in a strong position for joined up service provision.
13. Having already referenced local authority inclusion/education support services, the 22 councils in Wales also have responsibility for the oversight of **special schools, home educated children and young people and those attending education other than at school (EOTAS – including Pupil Referral Units)**. Although many children and young people who are educated at home are in safe, caring and nurturing environments and receiving an appropriate education relevant to their age and ability, this is not always the case. Also, many in the EOTAS population, although there due to a range of reasons, may be more vulnerable due to the circumstances which may have been a catalyst for requiring such specialist provision.

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<sup>1</sup> [WG42005 \(gov.wales\)](http://gov.wales/WG42005)

<sup>2</sup> [COMMUNITY FOCUSSED SCHOOLS \(gov.wales\)](http://gov.wales/COMMUNITY_FOCUSSED_SCHOOLS)



14. Whilst youth work is also a universal education provision, it offers a different approach to formal education. With its **non-formal education approach, youth work** plays a crucial and valued role in supporting young people from all backgrounds and abilities. Youth workers are particularly skilled at engaging with young people aged 11-25, many of whom are reluctant to engage with other services. This is often due to the voluntary nature of the relationship, where the ‘power’ rests with the young person. Youth work takes place in a variety of settings including on the streets, in youth clubs, schools and hospitals.
15. At local level, the Welsh Government’s **Youth Engagement & Progression Framework** (YEPF) “...*is built around the early identification of young people aged 11 to 18 who are at risk of becoming not in education, employment or training (NEET) or homeless, understanding their needs, putting appropriate support and/or provision in place and monitoring their progression.*” It is based on a collaborative approach with a number of relevant partners (such as schools, Careers Wales, voluntary sector organisations, colleges of Further Education) and co-ordinated by local government Engagement & Progression Co-ordinators (EPC’s). The YEPF is based on 6 core components – early identification; brokerage; monitoring progression; provision; employability and employment opportunities and accountability. Each local partnership has developed a **vulnerability profiling tool** (VAP) to identify young people at risk of disengaging.

## Children’s Services

16. 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.

17. 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.
18. 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.
19. We also know that children in some circumstances are more likely to go missing than their peers. Children looked after are three times more likely to go missing than other children<sup>3</sup>. Children placed outside their local area are at particular risk of going missing.<sup>4</sup> It is estimated that 60% of suspected child victims of trafficking in local authority care go missing.<sup>5</sup> We know that children with multiple missing episodes and those who go missing for prolonged periods are at high risk of child sexual exploitation and/or criminal exploitation and may be trafficked while they are missing.

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<sup>3</sup> The Children’s Society (2011), *Make Runaways Safe*, p.7

<sup>4</sup> <https://www.childrenssociety.org.uk/sites/default/files/appg-absent-inquiry-final-report-may-2016.pdf>

<sup>5</sup> House of Commons, Home Affairs Committee (2009) *The Trade in Human Beings: Human Trafficking in the UK Sixth Report of Session 2008–09, Volume 1* London: House of Commons



20. In addition, we have seen recent policy decisions which have further exacerbated some of the challenges councils face. The mandatory National Transfer Scheme (NTS) has resulted in increasing numbers of Unaccompanied Asylum Seeking Children (UASC) being placed in Wales. Every council in Wales is taking part in the NTS and has placed young people to the best of their ability, but the difficult circumstances in which these young people are placed continues to cause concern. Although the number is reducing, Welsh Councils are continuing to place a high number of UASC in out of county/country placements, resulting in social workers having to travel long distances to support these young people, with concerns around appropriate safeguarding measures and issues around ‘move-on’ accommodation when young people have established a ‘local connection’ in an area. This creates significant challenges for the social workers involved in providing the appropriate care and support to young people, building a rapport with the young person and ensuring appropriate safeguarding measures are met. When young people have been placed in Wales, there have been instances of them going missing as they do not feel their needs can be met in the area, especially in rural parts of Wales and this continues to be a cause for concern with councils across Wales.
21. This all underlines the importance of multi-agency working, improving placement planning, the quality of care homes and the skills and training levels of staff in children’s homes, as well as looking at the practice of placing children far away from their homes and how to better involve children themselves in their care.
22. Recent high profile scandals have also increased our understanding of the likelihood of risk of child sexual exploitation (CSE) and the wider understanding of the imperative to act to protect children and young people at risk of sexual exploitation has increased referrals. Whilst it is important to acknowledge the good work being done in Wales to address the issue, we also need to ask what more can be done to safeguard children in our communities. This is a particular challenge in the context of increasing demands on Councils and our partners for children’s social care services and within the context of significantly reduced budgets.
23. It is difficult to be certain about the true nature and scale of CSE in Wales as definitions and perceptions have changed, but we can be certain





it is happening in Wales as it is in other parts of the UK. It is not limited to any particular geography, ethnic or social background. More children and young people are also being identified as being at significant risk of CSE. As CSE is predominantly a hidden issue and, historically, very few survivors speak out about their abuse, it is still difficult to predict the true scale of the problem. Often CSE victims do not realise the abusive nature of their relationship with perpetrators and may feel complicit in the abuse as they believe they are being rewarded in some way. Some are also reluctant to speak out about their abuse for fear of being criminalised or not believed. We know from research that boys are less likely than girls to disclose experiences of CSE making it more difficult to detect.

24. Emerging interactive technologies are also providing new opportunities for perpetrators to groom children online making it even harder to measure prevalence accurately. Children can be manipulated and groomed into developing relationships with well organised perpetrators. They use sophisticated methods to steer victims into engaging in inappropriate sexual chat, sexual activity over a webcam or posting indecent images of themselves, often without any initial gain or payment. These exploitative relationships can quickly run out of control for young people who, having compromised themselves online, can be threatened and blackmailed. Online relationships can also have serious off-line consequences particularly when children and young people are encouraged to meet up with people in the real world who they first met online.
25. Councils play a crucial, statutory role in safeguarding children, including tackling child sexual exploitation. This cannot be done alone and requires the cooperation of the wider community and our partner agencies. It requires effective inter-agency working to develop and implement co-ordinated activity, using local evidence and information, appropriately shared. Such collaborative working should target preventative measures, for example, by reducing risk taking behaviour by children and young people, as well as supporting the victims of CSE.
26. In WLGA's previous submission to the Committee's inquiry radical change for care experienced children we highlighted what we believe our overarching priorities for children's services are, focussed around the key priority areas of:



- **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.
  - **Investment and sustainable funding** - 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. 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.
  - **A greater focus on prevention and early intervention** - 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.
27. Taken together we believe 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.
28. Whilst there has been much focus on the idea of ‘radical reform’ of children’s services 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 is 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.

## Wider Policy

29. As a children’s rights focused country, Wales makes every effort to ensure that no child goes missing or becomes vulnerable to exploitation. As part of joint efforts to ensure this does not happen, many of the functions and structures which local government has been given responsibility for and/or wider contribution to have been described in this paper. However, no single organisation can do this on its own, which is why a co-ordinated/partnership approach is essential.
30. In this context, the Welsh Government has recently enacted the Socio-economic duty (SED) within the Equality Act. As the committee will be aware, this places enhanced duties on local councils to make more explicit their considerations of the impact of socio-economic inequality within decision making. Demonstrating due regard to the SED has mostly been done through councils creating additional sections to pre-existing Equality Impact Assessment frameworks.
31. As the committee will also be aware, in September 2022 Audit Wales published [Equality Impact Assessments: more than a tick box exercise? \(audit.wales\)](#), which outlines a number of recommendations for Welsh Government to take forward to make Impact Assessments (and thereby the consideration of the SED) more effective. To date it has not been made clear how or when these recommendations will be taken forward, but these recommendations were welcomed by local government who acknowledge the potential value EIAs can play within governance across the public sector. **An effective Welsh-EIA framework could support marginalised communities and support the public sector’s consideration for intersectional identities.**

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