

Correspondence relating to the report on radical reform of care experienced children



Llywodraeth Cymru  
Welsh Government

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Minister for Social Care

Our ref: CYPE/PC0424  
Welsh Parliament,  
Naomi Stocks  
Clerk to the Children, Young People and Education Committee

15 April 2024

Dear Naomi,

I write in response to the previous Chair's letter of 11 March 2024 to the previous Deputy Minister for Social Services about Newport City Council's vote to recognise care experienced as a protected characteristic when making decisions and planning services.

I am aware of the Committee's former inquiry into services for care experienced children: exploring radical reform and its report "If not now, then when" and specifically the recommendation for the Welsh Government to lobby the UK Government to amend section 4 of the Equality Act 2010 to add 'care experienced' as a protected characteristic. As you highlight changes to the Equality Act (2010) are a matter that is outside the Welsh Government's legislative competence.

Through our work to take forward the Transformation Programme for Children's Social Services in Wales and our work directly with care-experienced children and young people through our Summits we recognise the stigma which can be felt by some care-experienced children and young people in their day to day lives. It is also through these conversations that we are aware that there are differing views and potential unintended consequences, especially reinforcing existing stigma for some care experienced young people, when assigning a protected characteristic. I am committed to continuing to listen to care experienced children and young people as well as older care experienced people to understand the range of views.

The letter of 11 March asked three questions about Newport City Council's recent passing of a motion to recognise "care-experienced" as a protected characteristic. Please find responses to those questions below:

**Question 1:**  
**What are your views on the motion passed by Newport City Council?**

The Welsh Government supports Newport's motion to include "care-experienced" as a protected characteristic as part of its role as a corporate parent, to ensure care-experienced children and young people have the same opportunities as other children and young people. However, when implementing this policy the local authority will need to be aware

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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.

there are differing views on this issue and potential unintended consequences of assigning care experienced as a protected characteristic, referred to earlier.

**Question 2:**

**In passing its motion, Newport City Council has taken steps to reduce the stigma and discrimination that care experienced people face above and beyond being a signatory to the Welsh Government's Corporate Parenting Charter. Does the Welsh Government believe that the voluntary Corporate Parenting Charter alone is sufficient to eradicate the stigma that care experienced people face?**

The Charter is part of an extensive work programme which is being undertaken to enhance and extend corporate parenting across all public and private bodies across Wales.

We will be using legislation to strengthen the guidance for local authorities and local health boards through a dedicated chapter on Corporate Parenting within the Part 6 Code of Practice (Looked after and accommodated children) under the Social Services and Well-being (Wales) Act 2014. The chapter will set out their duties in their role as corporate parents and support a strengthened strategic approach to corporate parenting. We will be engaging with all stakeholders in the development of the chapter and will be sharing the draft with care experienced children and young people to get their input.

**Question 3:**

**The Council motion explicitly references our Committee's recommendation that the Welsh Government lobby for care experience to become a protected characteristic under the Equality Act 2010. The Welsh Government rejected that recommendation. Will the Welsh Government reconsider its response if other Welsh councils join Newport in taking action "to treat care experience as a protected characteristic until such time as it may be introduced by legislation"?**

We noted that the Council's motion referred to the Committee's recommendation as well as its support for the Corporate Parenting Charter. The Committee will appreciate that Welsh Government needs to represent the voice of all care experienced children and young people and with the differing views around the issue of assigning a protected characteristic, we need to continue the conversation around this. I therefore plan to seek the views of care experienced young people and stakeholders on this matter later in the year and will follow the work of Newport closely as part of this consideration.

I thank you for your correspondence and I look forward to working with the Committee to take forward transformation of children's social services in Wales and supporting care-experienced children and young people in Wales.

Yours sincerely,



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