

If not now, then when?

Radical reform for care experienced children and young people

May 2023



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Radical reform for care experienced children and young people

May 2023



About the Committee

The Committee was established on 23 June 2021. Its remit can be found at: www.senedd.wales/SeneddChildren

Current Committee membership:



From left to right: James Evans MS (Welsh Conservatives); Sioned Williams MS (Plaid Cymru); Laura Anne Jones MS (Welsh Conservatives); Committee Chair: Jayne Bryant MS (Welsh Labour); Buffy Williams MS (Welsh Labour); Ken Skates MS (Welsh Labour).

The following Member also contributed to this inquiry.



Jayne Dodds MS
Liberal Democrats

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Chair's foreword

Some people are said to be 'voiceless', or that they need to be 'given a voice' by someone in a position of power. But that isn't usually true. The problem is that their voices aren't always listened to.

During the past year, we have spoken to many young people from across Wales with direct experience of our care system. Those young people most certainly have a voice, and they had an awful lot to say.

And their collective voice is getting louder. The number of people with direct experience of the care system is growing. Shockingly, the number of children looked after in Wales has increased by 22.9% between 2013 and 2022.

The care experienced community is diverse. But everyone within that community shares the experience of their families being broken apart. Much of what we heard from young people was deeply personal, resonating with the pain and trauma they had experienced throughout their lives. As a result, some of this report makes for deeply uncomfortable reading.

We have listened to many young people with experience of the care system. But we could not speak to everyone. We do not claim that the views set out in this report are representative of all care experienced children and young people. We know that there may be many more positive experiences of care than we heard during our inquiry.

Nevertheless, we believe that what we heard from young people paints an accurate picture of the care system in Wales as a whole. We believe this because what we heard from young people is consistent with the other evidence we have gathered: from organisations working directly with care experienced people, from inspectors and regulators, and from whatever data that we could find, or that was submitted to us.

All this evidence told us that around a quarter of children in care will have had 2 or more placements in the last year alone. That fewer than 1 in 5 children looked after will achieve 5 or more A* - C grades at GCSE, including English/Welsh and maths. That up to 1 in every 4 care experienced children will be homeless at the age of 18. And that around a quarter of care experienced parents will have at least one of their own children taken off them.¹

¹ These statistics are set out in more detail, with references, in the relevant sections of the report.

Anybody claiming that the state is doing its corporate parenting job well should consider whether they would be happy for their own child to be cared for by that system. Whether *any* good parent would want that for their own child.

We do not believe that they would. Corporate parents in Wales must do much, much better.

My fellow Committee members and I would like to place on record our most sincere and heartfelt thanks to everybody who engaged with this inquiry. Most of all, we would like to thank the care experienced children and young people who shared their views with us. It has been an honour and a pleasure to meet so many wonderful and impressive young people. What you told us will stay with us forever, and will drive us to push for improvements to the care system throughout the Senedd.

I hope that you feel that this report shows that we have listened to you. I hope you feel that it reflects the ambition that you have for yourselves and for your families.

And, more than anything, I hope that it leads to the radical reform that you deserve.

Jayne Bryant MS

Chair of the Children, Young People and Education Committee

Cross-cutting reforms

RADICAL REFORM #1: Legislate to place a duty on local authorities to calculate **maximum safe caseloads for children's services social workers**, and to take all reasonable steps to maintain those maximum caseloads for all children's social workers, using the legislative approach of the Nurse Staffing Levels (Wales) Act 2016 as a template.

RADICAL REFORM #2: Make 'care experience' a **protected characteristic** under section 4 of the Equality Act 2010.

RADICAL REFORM #3: Give **corporate parenting** a strong legislative footing by giving a range of public bodies, including but not limited to local authorities, specific corporate parenting duties and expanding their duties in relation to care experienced children and young people by:

- amending the Social Services and Well-being (Wales) Act 2016 to specify which public bodies are corporate parents, and what specific duties all corporate parents are subject to;
- providing a statutory entitlement to trauma-informed therapeutic care for all care experienced children;
- giving care leavers priority in housing allocations and give care experienced people up to the age of 25 "priority need" status when homeless; and
- placing duties on the newly formed Commission for Tertiary Education to promote tertiary education to care experienced people.

RADICAL REFORM #4: Place formal **data collecting duties** on all relevant public bodies, third sector and independent providers to collect comprehensive data on at least an annual basis relating to the care system, and at least quarterly relating to the social care workforce.

The data should be verified and published by the Welsh Government - at least annually for data relating to the care system, and quarterly for data relating to the social care workforce - for policy development, implementation and evaluation purposes.

RADICAL REFORM #5:

The statutory right to **intensive, wrap-around edge-of-care support for all care experienced birth parents** to reduce the risk of children being removed from their care, including specialist parental advocacy to navigate the social care and family courts systems.

The support should be modelled on evidence-based services such as NYAS' Project Unity, and should be available from the 12-week scan of pregnancy (or the earliest point after 12 weeks at which a viable pregnancy is confirmed).

If a child is ultimately removed from their birth parents, the support should continue beyond the child's removal to support the birth parents to come to terms with their loss.

RADICAL REFORM #6:

Extend across the country and on a universal basis successful **edge of care services**, such as Barnardo's Baby & Me, which have been shown to increase the chance of children being able to stay with their birth parents.

RADICAL REFORM #7:

Subject to a successful full evaluation, **roll out the problem solving court model** (The Family Drug and Alcohol Court model, or 'FDAC') across Wales.

RADICAL REFORM #8:

The statutory right to an 'active offer' of an **independent support worker when the child is placed on the child protection register** or made subject to pre-proceedings to support them to access early intervention services and navigate the social care and family court system.

If a child is ultimately removed from their birth parents, the support should continue beyond the child's removal to signpost the birth parents to services that can help them come to terms with their loss.

RADICAL REFORM #9:

Give children in care and care leavers **a statutory right to long-term advocacy support** via an assigned advocate on an 'opt-out' basis.

An advocate would be assigned to each child when they enter the care system to provide long-term advocacy support across a range of issues, and continue until the child ceases to be a 'care leaver'.

Children and young people could opt-out (and then opt back in later) if they wish.

RADICAL REFORM #10:

Mandate all foster carers to register directly with Social Care Wales, in line with other roles that have significant daily contact with children, and create **a national register of all fostering placements and approved foster carers** across both the local authority and independent sectors.

RADICAL REFORM #11:

Extend the threshold for statutory support provided to all care leavers by the local authority from 21 to 25, as is currently provided to care leavers in education or training.

RADICAL REFORM #12:

Amend the Social Services and Well-being (Wales) Act 2014, fostering regulations and codes of practice and guidance relating to **When I am Ready** to extend the age limit for all young people who wish to participate in the scheme to 25, and to remove the financial and operational barriers that foster carers face when providing When I am Ready services.

Recommendations

Recommendation 1. The Welsh Government should introduce legislation using the legislative approach taken for the Nurse Staffing Levels (Wales) Act 2016 to place a duty on local authorities to calculate maximum caseloads for children’s social workers that enable effective, relationship-centred social work, and to take all reasonable steps to maintain those caseloads for all children’s social workers.
.....Page 37

Recommendation 2. The Welsh Government should begin consultation immediately on a comprehensive workforce sufficiency plan to inform the development and implementation of legislation on maximum caseloads of children’s social workers. The sufficiency plan should draw and build on the findings of recently completed reports into the social care workforce, and include consideration of:

- routes into social work, including apprenticeships and other forms of vocational routes to qualification;
- pay, terms and conditions, including the feasibility and benefits of extending flexible working;
- career pathways, including how to retain front-line practice alongside progression into management or specialisation as a way to retain caseload experience and prioritise contact time with families; and
- a potential national approach to the pay and conditions of social workers, such as that which oversees the pay and conditions of teaching staff in Wales, to ensure consistency and harmonisation across local authorities.Page 38

Recommendation 3. The Welsh Government should lobby the UK Government to amend section 4 the Equality Act 2010 to add ‘care experience’ as a protected characteristic.Page 43

Recommendation 4. As part of umbrella reforms to corporate parenting (see radical reform #3), the Welsh Government should introduce legislation making specific provision relating to corporate parenting. The legislation should:
..... Page 45

Recommendation 5. As part of umbrella reforms to corporate parenting (see radical reform 3), the Welsh Government should introduce legislation to give all care experienced children the right to a specialist therapeutic mental health

support service. They should have a statutory right to have their needs assessed at intervals and to have those needs met. That service should be available from the point at which they are removed from their birth parents to at least the point at which they cease to be defined as a care leaver. It should be separate and independent from existing mental health services, and specialise in trauma-informed mental health support..... Page 49

Recommendation 6. The Welsh Government should set out in statutory guidance, or otherwise, requirements for relevant public bodies, third sector and independent providers to routinely gather and publish data on all aspects of the care system in addition to that currently published, including the data gaps highlighted in this report. Stakeholders including academics must be consulted as a matter of priority to inform what’s needed. The guidance should be sensitive to the concerns of many care experienced people about their care status and the stigma they face, and set out best practice data protection guidelines accordingly. The data should be verified by the Welsh Government, and be published in an accessible format at least quarterly where it relates to the social care workforce, and at least annually for all other data. Page 54

Recommendation 7. The Welsh Government should introduce legislation to give all care experienced birth parents a statutory right to intensive, wrap-around support to reduce the risk of children being removed from their care. The support should include specialist parental advocacy to navigate the social care and family courts systems, and should be modelled on evidence-based services such as NYAS’ Project Unity. The support should be available from the 12-week scan of pregnancy (or the earliest point after 12 weeks at which a viable pregnancy is confirmed). If a child is ultimately removed from their birth parents, the support should continue beyond the child’s removal to support the birth parents to come to terms with their loss.Page 60

Recommendation 8. The Welsh Government should ensure universal, nationwide access to successful edge of care/early intervention/preventative services, such as Barnardo’s Baby & Me, which have been shown to increase the chance of children being able to stay with their birth parents. Until local authorities are able to recoup the long-term cost benefits of these services the Welsh Government should develop a long-term, national, sustainable funding model for them, recognising their potential for financial benefits across different public service bodies..... Page 68

Recommendation 9. The Welsh Government must work with local authorities, members of the judiciary and other relevant stakeholders to roll-out a consistent FDAC model across Wales, subject to a successful evaluation of the Cardiff and Vale of Glamorgan pilot. Page 69

Recommendation 10. The Welsh Government should introduce legislation to give birth parents a statutory right to an ‘active offer’ of an independent support worker when the child is placed on the child protection register or made subject to pre-proceedings to support them to access early intervention services and navigate the social care and family court system. If a child is ultimately removed from their birth parents, the support should continue beyond the child’s removal to signpost the birth parents to services that can come to terms with their loss.
.....Page 72

Recommendation 11. The Welsh Government should commission an independent review into the efficacy and availability of parenting assessment placements. The review should consider the ethics, utility and value for money of both residential placements and parent and child foster placements, and identify what changes can be made to improve the process for families, and any barriers that need to be overcome to take those steps. The independent review should report no later than December 2023. Page 78

Recommendation 12. The Welsh Government should introduce legislation to provide children in care and care leavers a statutory right to long-term, independent advocacy support on an ‘opt-out’ basis. Each child should be assigned an advocate when they enter the care system to provide long-term advocacy support across a range of issues, and continue until the child ceases to be a ‘care leaver’. Children and young people could opt-out (and then opt back in later) if they wish, but must have an allocated advocate or provider at all times during their time in care. Page 83

Recommendation 13. The Welsh Government ensure that every child in a residential care home in Wales should have access to both residential visiting advocacy and individual advocacy by:

- revising the arrangements in place under the Regulation and Inspection of Social Care (Wales) Act 2016 to make the provision of residential visiting advocacy in each and every children’s home (by a contracted registered advocacy provider) a requirement for registration as a provider of children’s care homes in Wales.
- working with other UK governments as necessary to ensure that every child domiciled outside Wales but placed in a Welsh residential care home is offered an individual advocate.Page84

Recommendation 14. The Welsh Government should work with Social Care Wales to fund and deliver (including to legislate as needed) a national register of foster carers, to be held by Social Care Wales. The register should set out details of foster carers’ approval status, approval review date, local authority location,

number of placements, and whether they are a local authority or independent provider. The development of that register should be carried out alongside key stakeholders, such as the Fostering Network, and should involve thorough consultation with foster carers and fostering services providers across Wales.

..... Page 89

Recommendation 15. The Welsh Government must ensure that a review of the '4Cs' online database is undertaken, involving key stakeholders and frontline practitioners, to identify and implement improvements to the database to streamline the placement commissioning process.....Page 90

Recommendation 16. As soon as possible, and no later than December 2023, the Welsh Government should consult with Estyn and other key stakeholders to examine the most recent attainment results relating to care experienced children, ascertain the extent to which schools are following the Welsh Government's guidance as set out in its 2017 document 'Making a Difference', the barriers that schools face in implementing that guidance, and set out how the Welsh Government and others will improve the school experiences of care experienced children..... Page 106

Recommendation 17. The Welsh Government should consult care experienced children and young people, kinship carers, third sector organisations, local governments and others to better understand the extent to which kinship care is being increasingly used as an alternative to placing children in foster or residential care, the experiences of children in kinship care, and the support needs of kinship carers. As part of that work, the Welsh Government should explore the potential of amending by regulations the criteria that kinship carers are required to meet to be entitled to the same financial support as foster carers. Page 107

Recommendation 18. The Welsh Government and the Association of Directors of Social Services must jointly publish no later than December 2023 an action plan setting out how they will prevent the use of illegal, unregistered accommodation in Wales. The action plan must include an analysis of the number of times it has been used in the last 24 months, with clear timescales and funding allocations to develop safe alternatives. Page 108

Recommendation 19. The Welsh Government should carry out and publish an analysis of the use of unregulated accommodation across Wales for children in care and care leavers up to the age of 21. The analysis should identify the numbers of children and young people in unregulated accommodation, and clearly break that down between accommodation that it considers to provide quality accommodation and support (such as supported accommodation which

is required to meet housing standards), and accommodation that does not (such as bed and breakfasts, AirBnBs, hostels, etc.). The analysis should further break down that data into the age and legal status of the children and young people to clearly indicate how many are subject to care orders and how many are care leavers. Once complete, the Welsh Government should set out its policy position in relation to unregulated accommodation, including the action it intends to take alongside local authorities to reduce the use of inappropriate unregulated accommodation in Wales..... Page 109

Recommendation 20. The Welsh Government should carry out an immediate analysis of the use of Deprivation of Liberty Orders across Wales for the past 24 months, broken down by local authority which has responsibility for the child, age of the child and the length of the order, and which should be published no later than December 2023. The Welsh Government and the Association of Directors of Social Services should jointly publish no later than December 2023 an action plan setting out how they will reduce the use of Deprivation of Liberty Orders in Wales. The action plan must include clear timescales and funding allocations.

..... Page 109

Recommendation 21. In its response to this report, the Welsh Government should respond to the concerns raised by NYAS Cymru in oral evidence on 15 February 2023, and by the Children’s Society in their written response to our consultation, in relation to incidents of children missing from care. In doing so, it should set out clearly its expectations of local authorities, the police, and other statutory partners in their response to incidents of missing children, and its views on their calls for statutory return home interviews..... Page 110

Recommendation 22. The Welsh Government should introduce legislation to raise the upper threshold for all of the support offered to care leavers until they are 21 (as set out in sections 103 to 118 of the Social Services and Well-being (Wales) Act 2014, associated regulations, guidance and codes of practice, including the When I am Ready scheme) to 25 for category 3, category 5 and category 6 care leavers..... Page 116

Recommendation 23. The Welsh Government should amend section 108 of the Social Services and Well-being (Wales) Act 2014 and regulations, guidance and the code of practice relating to the When I am Ready scheme to:

- extend the age limit for all young people who wish to participate in the scheme to 25; and

- remove barriers to the scheme, including the potential for foster carers' approval to be removed; the reduction in payments to fosters carers; and
- consider how young people could enter the scheme and receive all of the support available to them without being required to enter into tenancy agreements with their foster carers.Page119

Recommendation 24. The Welsh Government should carry out a review alongside care experienced young people and other key stakeholders to ascertain how When I am Ready can be extended to young people in residential care, the barriers to that extension and what actions can be taken to overcome those barriers. The review should report no later than December 2023.Page 119

Recommendation 25. As part of umbrella reforms to corporate parenting (see radical reform 3), and as part of its planned reforms of housing legislation, the Welsh Government should bring forward legislation to;

- Amend the Housing Act 1996 to provide that care experienced people have the highest priority in housing allocation.
- Amend the Housing Act 1996 to state that 'local connection' should be disregarded for care experienced people at their election.
- Amend the Housing (Wales) Act 2014 to ensure that care experienced people over the age of 21 retain "priority need" status when homeless.
- Amend the Housing (Wales) Act 2014 so that care experienced people facing homelessness cannot be referred to another local authority due to 'local connection' if they do not wish to be.Page 124

Recommendation 26. The Welsh Government must carry out a review of the support offered to young people by Young Person's Advisors. The review should consider:

- the concerns set out in this report relating to Young Person's Advisors and the pathway planning process;
- the likely impacts on the collective workload of Young Person's Advisors of the reforms set out in this report (particularly those relating to upper age limit for support for care leavers and those relating to opt-out advocacy services for children in care and care leavers); and
- any action required as a result.Page 131

Recommendation 27. As part of umbrella reforms to corporate parenting (see radical reform 3), the Welsh Government should amend the Tertiary Education and Research (Wales) Act 2022 to:

- impose a duty to promote tertiary education to care experienced people; and
- add a mandatory registration condition relating to the promotion of the participation, retention, reduction of attainment gaps and support for care experienced people.Page 133

1. Background

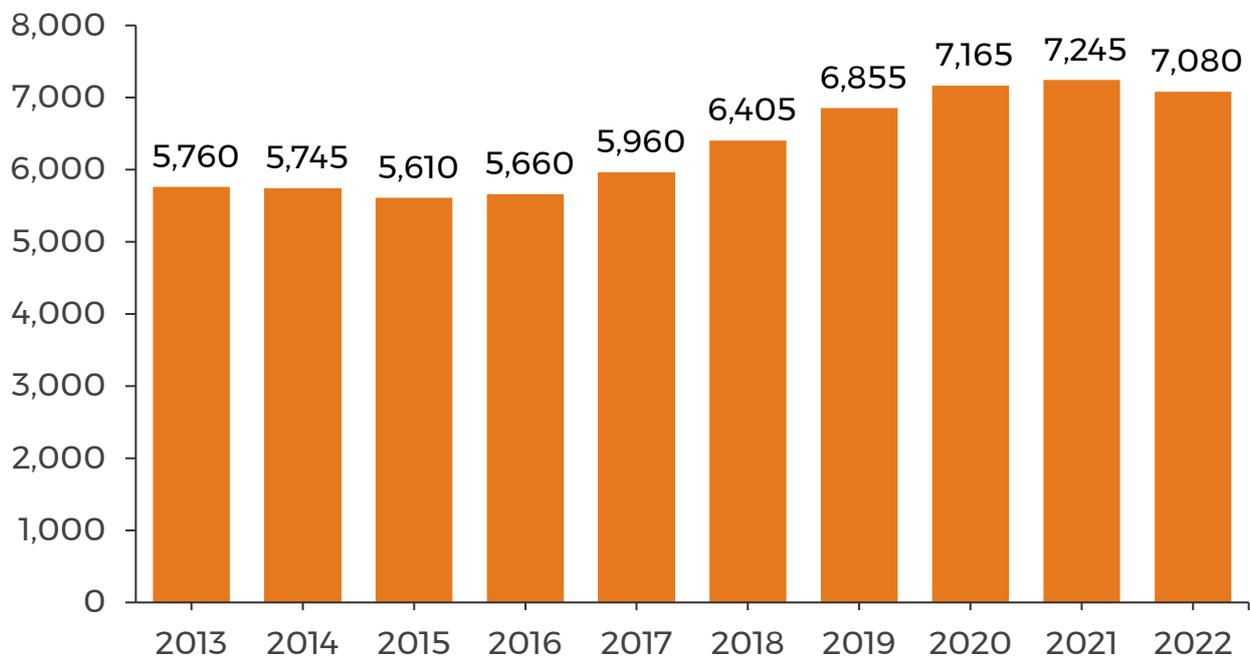
The care system at a glance

The number of children looked after

1. As at 31 March 2022 there were 7,080 children looked after in Wales, which compares to 5,760 on 31 March 2013, an increase of 22.9%. In 2021 there were 7,245 looked after children in Wales, the highest number recorded since 2003. Between 2021 and 2022 there was a fall of 165 looked after children, representing a decrease of 2.3%.

Figure 1.1 Children looked after at 31 March.

Source: StatsWales, 'Children looked after at 31 March by local authority, gender and age'

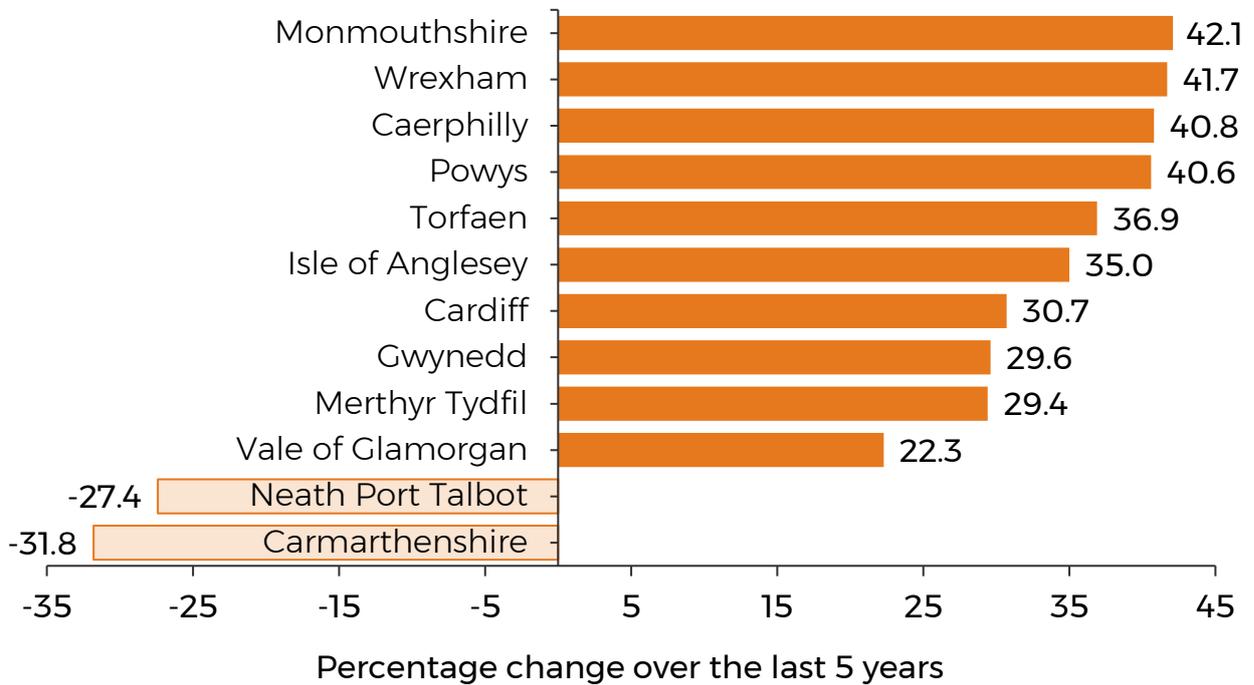


Comparing local authorities' care rates

2. Looking at the number of looked after children aged under 18 per 10,000 population by local authority as at 31 March 2022, Torfaen has the highest rate of 209 and Carmarthenshire has the lowest rate of 45 looked after children per 10,000 population aged under 18. In England the number of looked after children per 10,000 population aged under 18 increased from 64 per 10,000 in 2018 to 67 per 10,000 in 2021.

Figure 1.2 Local authorities with increasing and decreasing rates of care selected for comparison (WCPP Report 2021).

Source: *Wales Centre for Public Policy, 'Children's social services and care rates in Wales: A survey of the sector', 11/03/22*

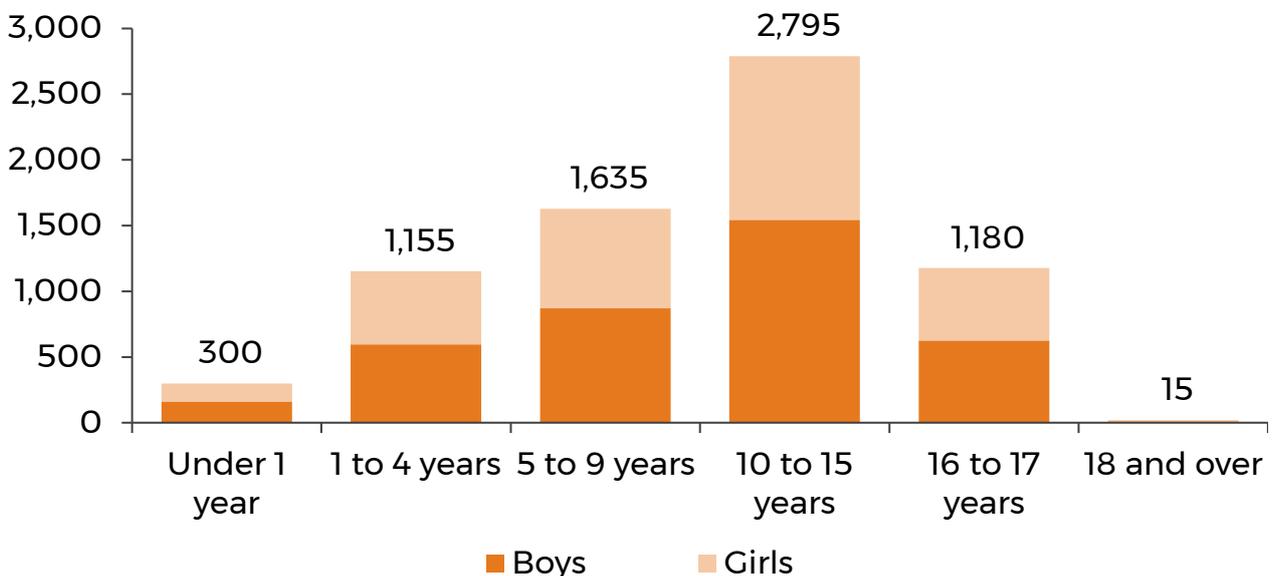


Gender and age

3. Boys make up 53.7% of the total number of looked after children. Over half (56.4%) of all looked after children are aged 10 or over.

Figure 1.3: Percentage of children looked after at 31 March by gender and age

Source: *StatsWales, 'Children looked after at 31 March by local authority, gender and age'*

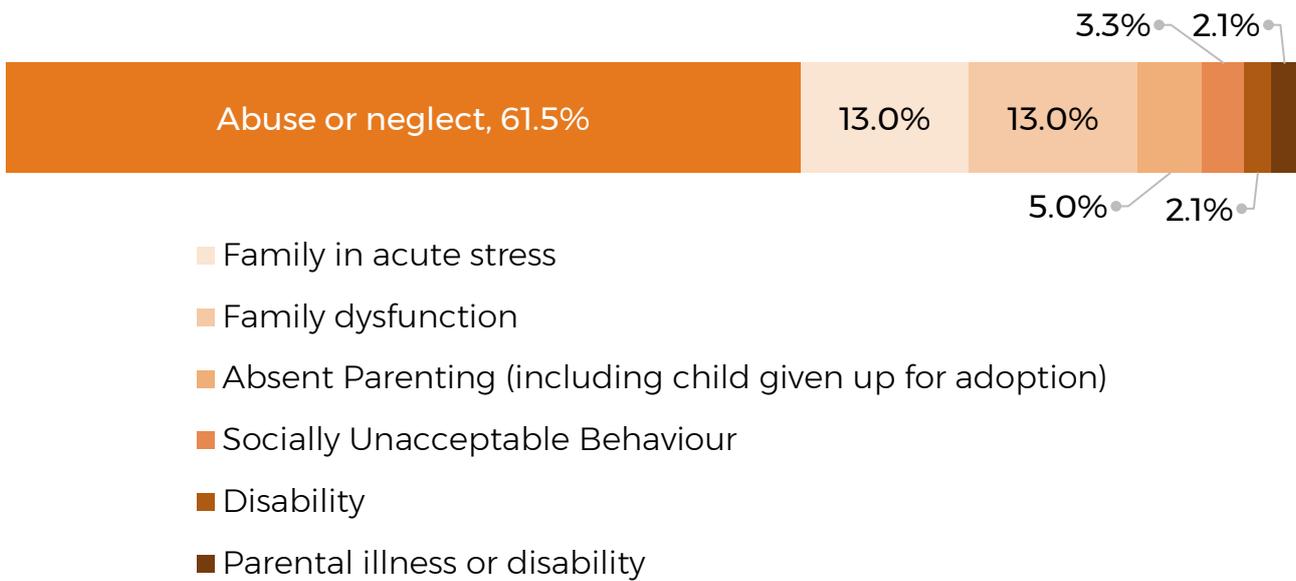


Reasons for children needing to be looked after

4. Data on children starting to be looked after by need for care shows that abuse or neglect was the reason 61.5% of children (1,040) started to be looked after followed by family in acute stress (13.0%, 220) and family dysfunction (13.0%, 220).

Figure 1.4: Percentage of children starting to be looked after by need of care in Wales; 2021-22. Source:

Source: *StatsWales*, 'Children starting to be looked after during year to 31 March by local authority and need for care'



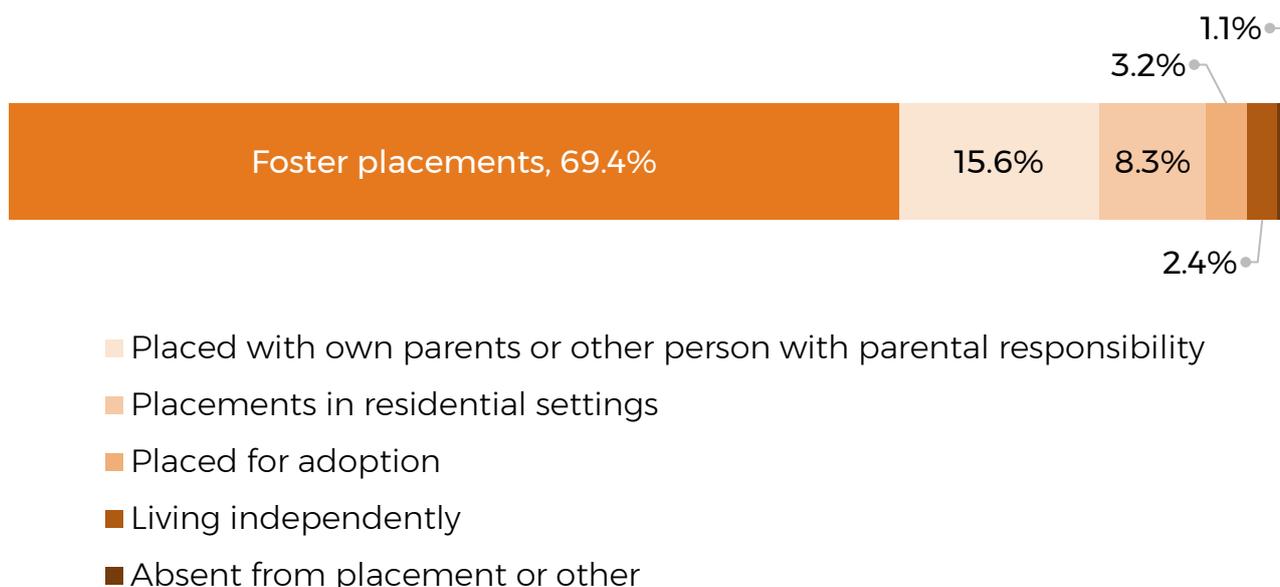
Excludes adoption disruption which was less than 5 children (0.3%).

Type of placement

5. Of the 7,080 looked after children in 2022, the majority (69.4%) were in foster placements, followed by placed with own parents or other person with parental responsibilities (15.6%) and 8.3% were in placements in residential settings.

Figure 1.5: Children looked after at 31 March by placement type; 2022

Source: StatsWales, 'Children looked after at 31 March by local authority and placement type'

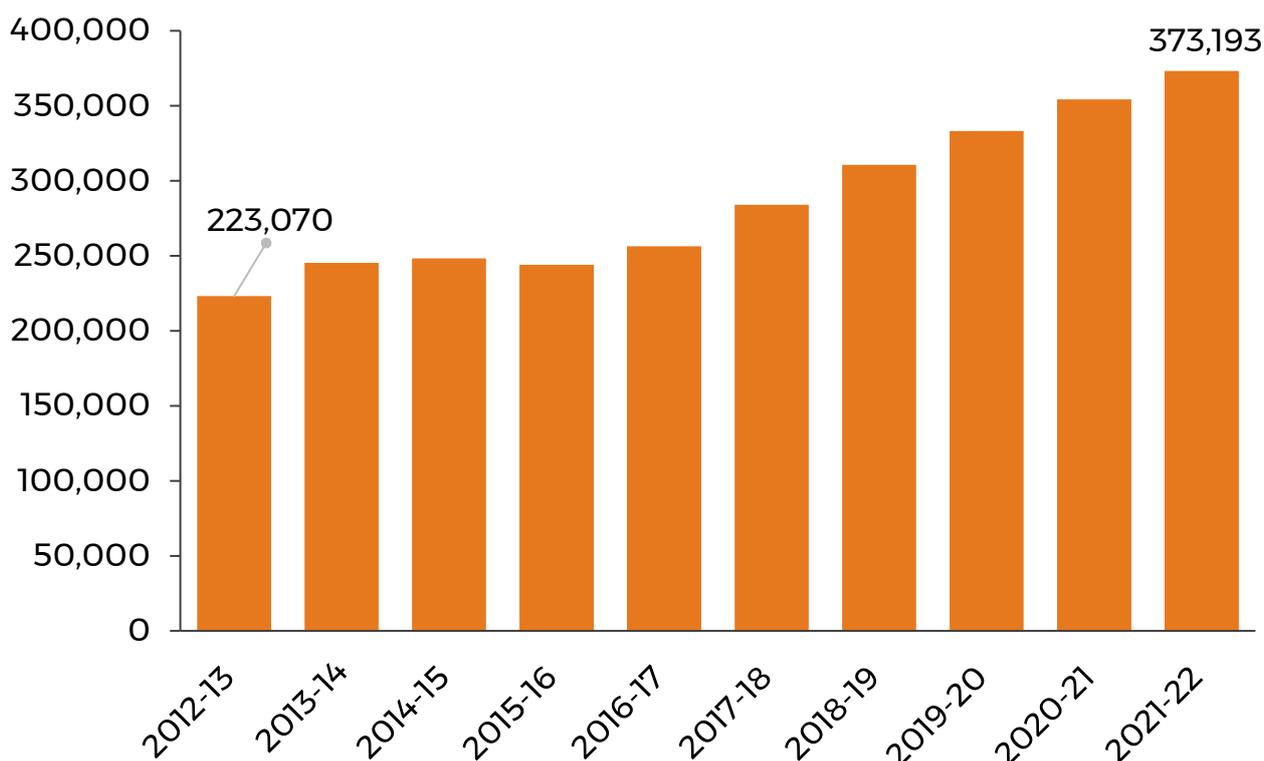


Social services revenue expenditure on looked after children services

6. Data from 2012-13 to 2021-22 shows that expenditure has increased by 67.3% in cash terms to £373 million in 2021-22. In real terms (taking inflation into account) expenditure increased by 40.7% between 2012-13 and 2021- 22.

Figure 1.6: Total social services revenue expenditure on looked after children services; 2012-13 to 2021-22 (£ thousand).

Source: StatsWales, 'Social services revenue outturn expenditure by client group (£ thousand)'



The Welsh Government's commitment to "explore radical reform"

7. Article 20 of the United Nations Convention on the Rights of the Child says that "a child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State".²

8. Looked after children are high on the political agenda following the First Minister's personal commitment to reduce the number of children in care.³ Welsh Government's Programme for Government includes a series of relevant and far reaching commitments:

- Prevent families breaking up by funding advocacy services for parents whose children are at risk of coming into care.
- Provide additional specialist support for children with complex needs who may be on the edge of care.
- Explore radical reform of current services for children looked after and care leavers.
- Eliminate private profit from the care of children looked after.
- Fund regional residential services for children with complex needs ensuring their needs are met as close to home as possible and in Wales wherever practicable.
- Strengthen public bodies in their role as 'corporate parent'.
- Continue to support and uphold the rights of unaccompanied asylum-seeking children and young people.
- Support our national Fostering Wales scheme.⁴

9. We wrote to the Welsh Government to ask for more information about their commitment to explore radical reform. We received some detail in their January 2022 response:

"Radical reform of services for looked after children and care leavers

² United Nations, 'Convention on the Rights of the Child'

³ Mark Drakeford, 'Mark Drakeford for leader', November 2018, page 31

⁴ Welsh Government, 'Programme for Government - Update', January 2021, pages 3 & 9

Our White Paper on Social Care Futures touched on opportunities for reform of children's services as part of wholesale reform of social services. We want to deliver a new vision and ambition for children's services, based on more consistent practice, less risk adverse practices and more restorative approaches being prescribed and adopted across Wales. The development of a National Framework for Social Care and the establishment of a National Office provides an opportunity to drive transformation and reform of children's services at a national level.”⁵

10. On 10 May 2023, the First Minister and care experienced children and young people representing Voices from Care Cymru signed a 'joint declaration'.⁶ Welsh Government states that the “declaration outlines the Welsh Government’s commitment to putting the voice of children and young people at the heart of the transformation of children’s services” and that it “comes as the Welsh Government is radically transforming children’s services in Wales”.⁷ Welsh Government says:

*“Delivering the Vision will be one of our main priorities – one of the things that is most important to us – in the next four years”.*⁸

Our inquiry

11. We launched our inquiry in July 2022 to look at what the Welsh Government was doing to deliver its commitment in the Programme for Government to “explore radical reform of current services for children looked after and care leavers”. The aim of our inquiry was to set out top line priorities for policy areas where change is needed and which would make the biggest difference to the lives of children and young people, in the absence of clarity from the Welsh Government about what that radical reform would look like.

12. We considered priorities for radical reform in the following three stages of the care system:

- Before care: Safely reducing the number of children in the care system
- In care: Quality services and support children in care

⁵ Welsh Government, [Letter from the Deputy Minister for Social Services to the Chair of the Children, Young People and Education Committee](#), 17/01/22

⁶ Welsh Government, ['Radical Reform Summit: Declaration'](#), 18/05/23

⁷ Welsh Government, ['Children and young people lead radical reform of care services in Wales'](#), 10/05/23

⁸ Welsh Government, ['Radical Reform Summit: Declaration'](#), 18/05/23, page 9

- After care: On-going support when young people leave care

Consultation

13. The Committee launched a call for written evidence on 06 October 2022. The consultation received 47 responses, and closed on 17 February 2023. We also received 9 additional pieces of evidence in response to specific requests for information. All consultation responses and the additional pieces of evidence have been published.⁹

Engagement with children, young people and professionals

14. Between November 2022 and February 2023 we held 10 series of face-to-face meetings across Wales with care experienced children and birth parents who have had, or are at risk of having, a child removed.¹⁰ In early 2023 we held a series of stakeholder events with children, young people and professionals,¹¹ and one private evidence session with care experienced young people.¹²

15. On 24 February, Senedd officials set up a stall at Voices From Care Cymru's 'Proud To Be Me' event. Attendees were asked to write down ideas for radical reform of the care system on postcards and to post them into a ballot box.¹³

Formal evidence gathering

16. We heard from 13 panels of witnesses between 18 January and 9 March 2023.

Navigating our report

17. We have broken down our findings into 4 chapters: the three stages of the care system (before care, in care and after care), plus one cross-cutting chapter. The cross-cutting chapter considers issues that are relevant to the care system as a whole.

18. Within those chapters, some issues have their own sections (e.g. 'The cycle of care' in the 'Before care' chapter), whereas some appear as sub-sections within the 'Other important issues' sections (e.g. 'Schools' in the 'In care' chapter). If an issue has its own section that means that we received a high volume of evidence about it, containing particularly strong or consistent calls for reform. It does not

⁹ Welsh Parliament, 'Services for care experienced children: exploring radical reform'

¹⁰ Children, Young People and Education Committee (CYPE), 'Engagement findings', March 2023, page 21

¹¹ CYPE, 'Findings of stakeholder events', March 2023

¹² CYPE, 'Transcript from the session with young people on 18 January 2023'

¹³ CYPE, 'Proposals for radical reform: From attendees at Voices from Care's 'Proud To Be Me' event', February 2023

mean that we think that those issues are more important than the issues that do not have their own section.

19. We have identified what we believe to be 12 ‘radical reforms’. These appear in grey boxes throughout the report. One of those radical reforms - the third, about corporate parenting - is particularly far-reaching. It affects a number of different public services, such as support for mental health, housing, and tertiary education. The constituent parts of this radical reform appear in detail in the relevant sections of the report.

20. The report also contains 27 recommendations to the Welsh Government. These recommendations include the specific actions that are required to give effect to our 12 radical reforms. They also include specific actions to give effect to some other changes that we are calling for in this report that we do not believe are necessarily ‘radical’, but that are important nonetheless. Together, they set out a suite of ambitious reforms to improve the lives of care experienced children and young people and their families.

2. Cross-cutting

Reforms to improve the lives of care experienced children and young people that cut across the different stages of the care system.

The social care workforce

Caseloads

21. Overwhelmingly, we heard that children's services social workers' caseloads are too high. Care experienced young people told us time and time again that they struggled to get the support they needed from their social workers because high caseloads meant that they weren't able to spend enough time with each individual child or young person. Examples of stories we heard from children in care include:

- One young man who wanted to go on a rugby tour, but after 4 months of trying he hadn't been given sign-off to go by his social worker. In the end he had to go to court to get permission.¹⁴
- One young man who was supposed to spend time with his birth parents on his birthday for each of the last 8 years. However, he had never been able to have that time with them because social workers had failed to show up on the day itself or failed to process the request in time.¹⁵
- Some care leavers went to extreme lengths to get social workers' attention. Some had committed crimes, some had self-harmed, and others had attempted suicide. One young person told us that you've "got to make a statement to make something happen."¹⁶

22. One foster carer told us that all she hears about is how social workers have high caseloads. But, to children, that just sounds like they don't matter, that they're not important enough to be worthy of social workers' time.¹⁷

23. Many professionals also felt that social workers' caseloads are too high. Some professionals told us that most social workers have a caseload of around 35

¹⁴ CYPE, 'Findings of stakeholder events', March 2023, page 24

¹⁵ CYPE, 'Findings of stakeholder events', March 2023, page 24

¹⁶ CYPE, 'Engagement findings', March 2023, page 21

¹⁷ CYPE, 'Findings of stakeholder events', March 2023, page 24

families, and some have 50+.¹⁸ The Association of Directors of Social Services wrote that, for them, “The most radical reform that could be realised in this area is a reduction in workload for our social workers”.¹⁹ In a recent survey, the British Association of Social Workers asked its members to select the three biggest challenges they faced in the workplace. Of the 80 members working in Wales who responded, 53.75% cited the demands of administrative tasks, 46.25% reported workload, and 79.22% stated they could not complete their work within their contracted hours.²⁰

24. We heard that high caseloads have significant implications for the work that social workers can carry out and the time and space to build positive relationships with birth parents.²¹ Care Inspectorate Wales told us that, in a performance review of a local authority, practitioners shared concerns about the impact of a high caseload on their ability to carry out their work effectively.²² The MacAlister review in England came to similar conclusions, noting that “High caseloads and unnecessary bureaucracy have long been recognised as barriers to helping families”.²³

25. We heard from different groups of professionals, including social workers, that a caseload of between 12-16 might be a manageable average for front-line social workers.²⁴ The Association of Directors of Social Services told us that “if I were to go back to Newport this afternoon and say, ‘You’ve all suddenly got case loads of 12,’ we would be in a wholly different place in terms of the relational social work that we then build with children, young people and families.”²⁵ However, there was a general consensus that that it would be very difficult - if not impossible - to set one fixed number for all children’s services social workers because of variables such as the role of the team; the different levels of support needed by children and families at different times; a practitioner’s knowledge and experience; and practicalities, like how far away the young person is from the social worker.²⁶

¹⁸ CYPE, ‘Findings of stakeholder events’, March 2023, page 3; CYPE, ‘Engagement findings’, March 2023, page 5

¹⁹ Written evidence, CEC 38 Evidence from Association of Directors of Social Services (ADSS)

²⁰ Written evidence, British Association of Social Workers (BASW) (Additional information)

²¹ CYPE, ‘Findings of stakeholder events’, March 2023, page 2; CYPE, 02/02/23, Record of Proceedings (RoP), paragraphs 53 & 56

²² Written evidence, Care Inspectorate Wales (additional information)

²³ The independent review of children’s social care, ‘Recommendation Annexes’, May 2022, page 156

²⁴ CYPE, ‘Engagement findings’, March 2023, page 5; CYPE, 02/03/23, RoP, paragraph 29; CYPE, 09/03/23, RoP, paragraph 169

²⁵ CYPE, 09/03/23, RoP, paragraph 169

²⁶ CYPE, 02/03/23, RoP, paragraph 29; Written evidence, Care Inspectorate Wales (additional information)

26. The majority of young people and many third sector professionals were in favour of legislation that placed a cap on the caseloads of social workers.²⁷ The Fostering Network argued passionately for a legislative cap:

“I think it has come to the point where it is absolutely critical for our workforce pressures that we legislate social work caseloads. We don’t have anything in place to cap or prevent a social worker from having up to 40 or 50 families on their caseloads. That’s the reality. We could do something about that. If we ensured that our social workers had limited numbers of families to be able to focus on and do their job to the best of their ability, then we would, I think, make a significant step towards addressing some of those pressures and those consistent changes, day to day.”

They went on to argue that capping caseloads would make social services a better place to work, and therefore a more attractive career.²⁸

27. However, the British Association of Social Workers argued that the complexity of calculating a cap would make it unfeasible.²⁹ More widely, the Social Work Task Force, tasked with taking forward the recommendations made in Lord Laming’s 2009 review of child protection following the death of Peter Connelly in London, acknowledged the “very strong evidence that the absence of effective management of workload makes practitioners feel de-skilled, lowers their morale and can lead to poor health”. However, it concluded that “the imposition of a single ceiling on caseload size would be inappropriate and would not succeed.”³⁰

28. We asked the Deputy Minister for Social Services (‘the Deputy Minister’) for her views on bringing forward legislation for social workers’ caseloads in a similar way to how the Nurse Staffing Levels (Wales) Act 2016 sets out a regulatory framework for health boards to calculate and enforce nurse to patient ratios.³¹ In

²⁷ CYPE, ‘[Engagement findings](#)’, March 2023, page 10

²⁸ [CYPE, 02/02/23, RoP](#), paragraphs 53 & 56

²⁹ [CYPE, 02/03/23, RoP](#), paragraph 29

³⁰ Social Work Task Force, ‘[Building a safe, confident future](#)’, page 18

³¹ The Nurse Staffing Levels (Wales) Act 2016 provides for a framework to set safe nurse staffing levels on certain acute care and paediatric wards. The Act imposes a duty on local health boards and NHS trusts in Wales (“the Health Bodies”), when considering how many nurses are required to meet all reasonable requirements, to have regard to the importance of providing sufficient nurses to allow nurses time to care for patients sensitively. The Act also places a duty on Health Bodies to calculate nurse staffing levels; to take all reasonable steps to maintain those staffing levels; and to make arrangements for informing patients of the nurse staffing level. The Act specifies the method that must be used to calculate nurse staffing levels. The Welsh Ministers must issue guidance about the duty to calculate nurse staffing levels and the method of calculation and the Health Bodies must have regard to that guidance. Each Health Body to which the duty to calculate nurse staffing levels applies must submit a nurse staffing levels report to the Welsh Ministers every three

response, she spoke about work commissioned by Social Care Wales on the terms and conditions of social workers:

“... this work identifies that, where they don't already exist, case-load policies should be considered for social workers in local authorities. Although, really, at an operational level, the complexity of those cases should also be considered, because you could have a very, very complex case that would require much more input, perhaps, than another case. So, I don't think it's just a matter of numbers in terms of management... we will obviously be looking at what they say.”³²

Recruitment and retention

29. Some of the organisations that advocated lower caseloads acknowledged that we need more capacity in the social care workforce.³³ However, recruitment and retention of social workers was the most commonly raised concern throughout our inquiry. Barnardo's wrote that:

“Wales is facing a social care crisis across the sector that is already having significant effects on the landscape, with a recruitment and retention crisis that is seriously hampering the sector's ability to respond to major change.”³⁴

30. Statistics from Social Care Wales set out that the number of vacancies in children's social care increased in 2022 by 38.3% to 639, over 50% of which were vacancies for qualified social workers.³⁵ Care Inspectorate Wales told us that “Recruitment and retention pressures in social care are significant”, and highlighted recruitment to children's social work roles as “particularly challenging”.³⁶ The Association of Directors of Social Services wrote that “many local authorities are putting out fires linked to vacancy rates, increased demand with increased caseloads and budget cuts”.³⁷ We heard similar stories from many others, including from care experienced young people and birth parents.³⁸

years and the Welsh Ministers must prepare and publish a summary of such reports and lay the reports before the Senedd.

³² CYPE, 09/03/23, RoP, paragraphs 317-318

³³ Written evidence, Social Care Wales (additional information); Written evidence, CEC 6 Steve Phillips

³⁴ Written evidence, CEC 19 Barnardo's Cymru

³⁵ Written evidence, Social Care Wales (additional information)

³⁶ Written evidence, Care Inspectorate Wales (additional information)

³⁷ Written evidence, CEC 38 Evidence from Association of Directors of Social Services (ADSS)

³⁸ CYPE, 'Findings of stakeholder events', March 2023, pages 2-3; Written evidence, CEC 1 Voices From Care Cymru; Written evidence, CEC 10 Individual

31. Recruitment and retention challenges translate to a high turnover of social workers. Some of the young people we spoke to told us that they were supported by so many different social workers that they couldn't remember the names of some of them. They told us they came and went, meaning they had to re-tell their stories time and time again. One young person told us "I spend my whole life speaking to new people every day." Another told us that she's had so many social workers they don't even say goodbye to her anymore.³⁹ Some young people told us that high social worker turnover meant that the relationships between them and social workers were more likely to be unstable or lack trust. We also heard that social workers leaving regularly can increase children's feelings of abandonment.⁴⁰ One care experienced young woman told us that:

"When you're in such a vulnerable position I think your relationship with the social worker is probably one of the most important relationships you can have—for that to be something that is inconsistent I think is a big problem."

32. Welsh Youth Parliamentarian Rosie Squires agreed, stressing that "we really do need to prioritise social services, for example, or having that one person that stays consistent throughout."⁴¹

33. Professionals told us that if children have frequent changes of social worker their relationships with statutory services and the quality and timeliness of the support they receive are likely to suffer.⁴² TACT Cymru told us that some social work teams "are running at 30 per cent", which "has massive implications for the services you get".⁴³ CAFCASS Cymru wrote that recruitment and retention problems can have caused "unacceptable" delays for children and young people during pre-proceedings and during proceedings, and impact on the quality of the care proceedings work.⁴⁴ The Right Honourable Sir Andrew McFarlane, President of the Family Division, explained the impact of social worker turnover on the assessment process:

"... if you have to change the social worker in the middle of a process of assessment, it either has to start again, or the new social worker has to form relationships with the people who are being assessed and certainly go back a stage or two, and it's much less satisfactory. It draws the process out, and, for the

³⁹ CYPE, 'Findings of stakeholder events', March 2023, page 24

⁴⁰ CYPE, 'Engagement findings', March 2023, page 4; CYPE, 'Findings of stakeholder events', March 2023, page 7

⁴¹ CYPE, 'Transcript from the session with young people on 18 January 2023', page 3

⁴² Written evidence, CEC 36 Public Health Wales; CYPE, 02/02/23, RoP, paragraph 24

⁴³ CYPE, 02/02/23, RoP, paragraph 21

⁴⁴ Written evidence, CEC 46 CAFCASS Cymru

family and the young people, it's a presumably profoundly unwelcome thing to have to have this change.”⁴⁵

34. The Association of Directors of Social Services shared these concerns about recruitment and retention. They told us that “the key to delivering any of this work, to keeping families together, to making sure that children are properly cared for while they’re in care, is making sure we’ve got a workforce where we don’t have gaps”, adding that “we have fantastic staff who do a great job; we just do not have enough of them to deliver against an aspirational agenda from the Welsh Government and our own local authorities.”⁴⁶

Agency workers

35. Local authorities’ dependency on agency workers is a sign of the recruitment and retention challenges facing children’s social care. Social Care Wales told us that dependency on agency staff is a “key concern”. They estimated that in 2022 49% of all children’s services staff were agency workers, with 85.6% of those agency workers filling vacancies for qualified social workers.⁴⁷ The Welsh Local Government Association highlighted challenges posed by high turnover and vacancy rates, which in some instances leads “to an over-reliance on agency staff, with demand for permanent, experienced social workers outstripping supply.”⁴⁸ Care Inspectorate Wales wrote that workforce deficits have resulted in “the loss of experienced staff and an increasing dependence on a newly qualified and agency workforce.”⁴⁹

36. We heard that the use of agency workers can have a negative impact on the quality of services provided to children and young people and their families. Some foster carers and professionals told us that they have noticed more agency workers recently, which makes relationship-building challenging.⁵⁰ The Association of Directors of Social Services acknowledged the “wider challenge” of using agency workers, and that having an agency workforce overseeing particularly complex child protection cases such as unregistered placements (see page 99) is “one of the enormous challenges”.⁵¹

37. Stakeholders also told us that agency staff are expensive and can strain local authorities’ budgets.⁵² The Deputy Minister acknowledged those financial

⁴⁵ CYPE, 08/02/23, RoP, paragraph 124

⁴⁶ CYPE, 09/03/23, RoP, paragraphs 17 & 142

⁴⁷ Written evidence, Social Care Wales (additional information)

⁴⁸ Written evidence, CEC 44 Welsh Local Government Association (WLGA)

⁴⁹ Written evidence, Care Inspectorate Wales (additional information)

⁵⁰ CYPE, ‘Findings of stakeholder events’, March 2023, page 25

⁵¹ CYPE, 09/03/23, RoP, paragraphs 94-96 & 127

⁵² See: Written evidence, Social Care Wales (additional information); Written evidence, Care Inspectorate Wales (additional information); CYPE, 09/03/23, RoP, paragraph 170

challenges. She told us that Social Care Wales has funded work led by the Association of Directors of Social Services to review the cost of agency workers and to make recommendations to local authorities in Wales about how they can improve their use of agency staff. She added that Social Care Wales has also commissioned research to understand why social workers would want to work for an agency. The Welsh Government committed to updating us on developments relating to those pieces of work as they become available.⁵³

Children and young people's reflections on working with social services

38. The workforce challenges facing children's social services appear to be having an impact on social workers' relationships with families. Many of the care experienced young people and birth parents we spoke to felt that some social workers didn't have the right values or attitudes to form positive relationships with vulnerable people. Some told us that some social workers lacked empathy, and it can feel like they are going through a tick-box exercise when they interact with them. Others suggested that the attitudes of social workers can vary enormously, possibly because of the culture within a local authority or a specific team. One young person and the staff who worked with her also suggested that 'newer' social workers seemed to be more caring and nurturing. Some participants suggested you might have a 'personality clash' with the social worker who has been assigned to you, which made it very hard to trust them.⁵⁴ Voices From Care Cymru told us that, overall, young people report to them that "values and skills were more important than formal training. They said what they needed most from staff was empathy, understanding, and patience."⁵⁵

39. However, we did hear some positive stories about social services from care experienced young people. These invariably involved social workers taking the time to get to know the young person, and building positive relationships with them. One participant said that whenever she rang her social worker when she was upset, she would come round and meet her or go for a walk and a chat.⁵⁶ Another told us about one social worker who took the time to get to know her as a person. She felt that her relationship with that social worker, and the outcomes of that relationship, were much more positive as a result. She told us that the social worker "realised I was not just the person who was described on a piece of paper. It took one person to take a chance on me."⁵⁷ One birth parent who had been able to keep her child told us that social workers gave her a chance to prove herself. She was worried that her experiences with social services from when she

⁵³ CYPE, 09/03/23, RoP, paragraphs 312 & 315

⁵⁴ CYPE, 'Engagement findings', March 2023, page 5

⁵⁵ Written evidence, CEC.1 Voices From Care Cymru

⁵⁶ CYPE, 'Engagement findings', March 2023, page 21

⁵⁷ CYPE, 'Engagement findings', March 2023, page 5

was a vulnerable child would count against her, but that wasn't the case.⁵⁸ One birth mother mentioned how her social worker helped her to enrol for a course while she was pregnant.⁵⁹

Barriers to a career in children's social work

40. We were keen to understand why the social care workforce is so overstretched: why too few people choose social work as a career, why some social workers choose to work for agencies, and why many decide to leave the profession entirely.

41. Pay and other conditions of employment were the most commonly cited reasons. The Family Division Liaison Judge for Wales told us that social workers can walk from public employment to working for an agency and get a significant increase in pay.⁶⁰ We heard that people working for an agency can earn "as much as a third again or double what you can earn in a substantive post in a local authority".⁶¹

42. Others, including the Deputy Minister, told us that pay and conditions can be inconsistent between local authorities, which can cause staff movement and contribute to workforce instability.⁶² This was also a key finding of the MacAlister review, which recommended:

*"... the introduction of new national pay scales that would increase social worker pay as they progress through and beyond the Early Career Framework. These pay scales are expected to address the discrepancies in how social workers are paid through the local government pay scales, reduce competition between local authorities, and incentivise social workers to remain in post so children and families do not have multiple social workers."*⁶³

43. We also heard that a lack of flexible working might be a barrier. Social Care Wales told us that the initial findings of their ongoing research with agency workers indicates that "Flexibility in how many hours worked, what kind of work they did, where they did it and when, was the most important factor for most

⁵⁸ CYPE, 'Findings of stakeholder events', March 2023, page 2

⁵⁹ CYPE, 'Engagement findings', March 2023, page 13

⁶⁰ CYPE, 08/02/23, RoP, paragraph 89

⁶¹ Written evidence, Social Care Wales (additional information); CYPE, 09/03/23, RoP, paragraph 118; CYPE, 02/03/23, RoP, paragraph 21

⁶² CYPE, 'Proposals for radical reform: From attendees at Voices from Care's 'Proud To Be Me' event', February 2023, page 5; CYPE, 09/03/23, RoP, paragraphs 159 & 303

⁶³ The independent review of children's social care, 'Recommendation Annexes', May 2022, page 165

agency workers we spoke to. This generally overrode the downsides of agency working”.⁶⁴ The British Association of Social Workers made similar points.⁶⁵

44. We also heard that the challenging nature of social work can as be a barrier to a career in social work. The Association of Directors of Social Services told us that:

“Social work isn’t the easiest job in the world. We’ve talked about the risks that we’re managing; we’re talking about driving around with children in a car while somebody at the office is trying to find a placement, making decisions within 24 hours when they come through the front door, working with partners, balancing competing demands of children, parents and siblings. It’s an enormously difficult job, but it’s also really rewarding.”⁶⁶

45. Some third sector professionals and birth parents told us that social workers experience abuse and threats of violence when carrying out their work.⁶⁷ The British Association of Social Workers told us that social workers have raised concerns to them about the impact of bullying and harassment from colleagues, as well as from the families they support.⁶⁸ In a survey of their 80 members working in Wales, 62.5% had experienced verbal abuse within the previous 12 months whilst working with people, and 28.75% had received threats of physical violence.⁶⁹ We heard numerous calls for more support for social workers and a strong focus on staff wellbeing.⁷⁰

46. We heard from other stakeholders that public perceptions of social workers needs to improve. In the same British Association of Social Workers survey, social workers working in Wales rated the public’s current perception of social workers on a scale of 1 (poor) to 10 (excellent). The average rating was 2.98.⁷¹ The Association of Directors of Social Services stressed that undermining social work is damaging to the workforce, and called for more acknowledgement and celebration of the positive and rewarding work social workers undertake.⁷² Barnardo’s spoke to us about the “the demonisation of social work staff within our

⁶⁴ Written evidence, Social Care Wales (additional information)

⁶⁵ CYPE, 02/03/23, RoP, paragraph 21

⁶⁶ CYPE, 09/03/23, RoP, paragraph 122

⁶⁷ CYPE, ‘Engagement findings’, March 2023, pages 3 & 27

⁶⁸ CYPE, 02/03/23, RoP, paragraph 11

⁶⁹ Written evidence, British Association of Social Workers (BASW) (Additional information)

⁷⁰ Written evidence, CEC 41 Evidence from Hywel Dda University Health Board; CYPE, ‘Proposals for radical reform: From attendees at Voices from Care’s ‘Proud To Be Me’ event’, February 2023, page 5

⁷¹ Written evidence, British Association of Social Workers (BASW) (Additional information)

⁷² CYPE, 09/03/23, RoP, paragraphs 25, 118 & 158

media”⁷³, and the British Association of Social Workers observed that “you very rarely have a media story of a social worker doing a great job.”⁷⁴ We discuss the significant pressures that social workers face in relation to risk on page 72.

47. Entry into social care careers, and career pathways once qualified, can also be barriers for some people. Action for Children argued that it “was wrong to turn the social work qualification into a degree” and that “we’re not focused on quality practice”.⁷⁵ Others made similar points, stressing the importance of the right approach and values over the right qualifications,⁷⁶ or proposing alternative vocational or apprenticeship routes to get people with different experiences into social work.⁷⁷ Senior social workers suggested that, once qualified, social workers should be able to retain front-line casework while they move into specialist or managerial roles.⁷⁸ This was also a key finding of the MacAlister review:

“The conventions that pull social workers away from direct work with children and families as they gain more experience, also need to be challenged. This is in part about career progression and ensuring promotion does not mean that the most experienced social workers have the least contact with families.”

The review recommended that the requirements to be a registered social worker should include the need to spend at least 100 hours a year in practice.⁷⁹

48. In 2020, Health Education and Improvement Wales (HEIW) and Social Care Wales launched an all-age joint workforce strategy for health and social care. A number of other plans and reports feed into that strategy. Read together, the plans set out a series of high level ambitions about the workforce, alongside more specific actions to realise those ambitions, including: a review of the current terms and conditions for social workers; making sure all eligible social work students receive a bursary; and publishing a report looking at the qualifying pathways into social work.⁸⁰

⁷³ CYPE, 08/02/23, RoP, paragraph 49

⁷⁴ CYPE, 02/03/23, RoP, paragraph 62

⁷⁵ CYPE, 09/03/23, RoP, paragraph 125

⁷⁶ CYPE, 02/02/23, RoP, paragraph 200

⁷⁷ CYPE, 02/03/23, RoP, paragraph 38

⁷⁸ CYPE, 02/03/23, RoP, paragraph 53; CYPE, 09/03/23, RoP, paragraphs 125 & 170

⁷⁹ The independent review of children’s social care, ‘Final report’, May 2022, page 183

⁸⁰ Health Education and Improvement Wales & Social Care Wales, ‘A Healthier Wales: Our Workforce Strategy for Health and Social Care’, 22/10/20; Social Care Wales, ‘Social work workforce plan: 2022 to 2025’, updated 25/09/22; Social Care Wales, ‘A Healthier Wales: a workforce strategy for health and social care delivery plan 2022 to 2023’, updated 25/09/22

49. The Association of Directors of Social Services summed up the evidence we heard:

“I think the solution is a workforce that’s trained, so let’s financially support people to train as qualified social workers. Let’s fill those vacancies, so we don’t have to spend the money on agency staff and on all kinds of hotchpotch things to fill gaps. Let’s speak proudly about the work that children’s social workers, foster carers, support workers do within our children’s services departments, so that they can feel recognised and valued by society for the work that they do, and let’s make sure that there are opportunities for experienced social workers to progress and remain in practice, so we don’t lose that experience to management roles.”⁸¹

50. The Deputy Minister has acknowledged to us that the social care workforce is “under stress.” She set out the following measures being taken by the Welsh Government:

- An attraction and recruitment campaign, WeCare.Wales, running online and on social media.
- A workforce development programme, managed by Social Care Wales, to engage with people who are already employed by local authorities to train further to qualify as a social worker.
- An increase of 50% to the undergraduate bursary and 91% to the postgraduate bursary, available to new and existing students from September 2022.
- The social services workforce grant, worth £45 million in 2023-24, which local authorities can spend as they see fit to address recruitment and retention challenges across the whole social service workforce, including children’s services.⁸²

Our view

RADICAL REFORM #1

Legislate to place a duty on local authorities to calculate maximum safe caseloads for children’s services social workers, and to take all reasonable

⁸¹ CYPE, 09/03/23, RoP, paragraph 170

⁸² CYPE, 11/01/23, RoP, paragraphs 107-111; CYPE, 09/03/23, RoP, paragraphs 307-310; [Written evidence, CEC 47 Welsh Government](#)

steps to maintain those maximum caseloads for all children's social workers, using the legislative approach of the Nurse Staffing Levels (Wales) Act 2016 as a template.

Rates of children going into care vary considerably across local authorities. Poverty is a key causal factor for care rates, but the variation cannot be explained by poverty alone.

One convincing explanation for differences in rates of care across local authorities is variations across local authorities' social care workforce. Heads of Social Services spoke powerfully about the transformational impact of a well-resourced workforce, compared to a workforce that is stretched and under-resourced. They spoke powerfully about the positive impact of a stable, vacancy-free workforce on the number of children entering the care system, and about opportunities that low caseloads bring for carrying out relationship-focused social work.

Care experienced young people and birth parents told us about the damage that can be done when social workers are overstretched.

When their cases are so high that they forget to say goodbye when they have to hand over the case to a different worker.

When young people have to tell their life story over and over again to each new social worker who takes on their case.

When agency workers work with children in care, rather than local authority-employed professionals with the opportunity to build long-term, positive relationships with them.

When children are told that their social worker's caseload is too high to give them the support they need, which makes them feel like they're not a priority.

And when children self-harm to get their social workers to pay attention to them.

These were not the stories of every child or young person we spoke to. And we know that there are many care experienced young people who we did not speak to who might have different views. But, unfortunately, these were the types of stories that we heard time and time again. They were not outliers.

The testimonies of social work leaders and young people's stories have convinced us that strengthening the social care workforce is key to reducing rates of children entering the care system, and improving the lives of those children for whom being in care is the right decision.

There is not universal support for a legislative cap on social workers' caseloads. We also acknowledge that further work will be needed to identify and mitigate any unintended consequences of a legislative approach - for example, ensuring that taking legislative action in relation to social workers' caseloads does not push workload to other social care staff. And we are not so naïve to believe that legislation will instantly fix the staffing crisis facing children's social care. The realities of the challenges facing the workforce, and the solutions to resolve it, are far more complicated.

But we do believe that the Welsh Government should acknowledge, in the most powerful way it can, that high caseloads are unsafe and are critically damaging children's social work. It should set out in the clearest way possible the levels of care that we aspire to give our care experienced children and young people, and the workplace conditions that social workers themselves need and deserve to do their work effectively.

We therefore call on the Welsh Government to introduce legislation modelled on the Nurse Staffing Levels (Wales) Act 2016 to place a duty on local authorities to calculate safe and manageable maximum caseloads for different groups of social workers, and to take all reasonable steps to maintain those maximum caseloads. In doing so, we are not calling for arbitrary legislative caps on caseloads. We are calling for a legislative acknowledgement that high caseloads have profound inter-generational implications for children and young people.

There are striking similarities between the challenges facing children's social care sector now, and the challenges facing the nursing sector when the Nurse Staffing Levels (Wales) Bill was introduced: high rates of vacancies, professionals leaving the workforce, dependency on agency staff, alongside a general consensus that low ratios of staff to service users have significant impacts on outcomes for those service users.

But the key similarity is that non-legislative action taken to date has not delivered the changes we all want to see. This includes action taken by local authorities themselves, which are, after all, the employers of social workers, and which must also take some responsibility for the workforce challenges facing children's social care.

Recommendation 1. The Welsh Government should introduce legislation using the legislative approach taken for the Nurse Staffing Levels (Wales) Act 2016 to place a duty on local authorities to calculate maximum caseloads for children's social workers that enable effective, relationship-centred social work, and to take all reasonable steps to maintain those caseloads for all children's social workers.

51. We have considered the workforce strategy for health and social care and its associated delivery plans and strategies. Although they make important and worthwhile commitments that touch on many of the concerns raised to us throughout this inquiry, we are not convinced that they alone will deliver the seismic change that is needed to the social care workforce.

52. A workforce sufficiency plan, created in full consultation with the workforce itself, and building on the work carried out to date, is absolutely fundamental to identifying and implementing changes that are needed to improve the sufficiency and stability of the social care workforce, and consequently to driving down caseloads. This plan will be central to the effective implementation of the caseload targets set the legislation we are calling for.

53. We therefore urge the Welsh Government to begin work at pace on a children's services workforce sufficiency plan to align with the policy intentions and timelines associated with our proposed legislation. The plan should be a key part of the consultation work to inform a future Bill, and should be amongst the first steps in working out what practical changes to social workers' qualifications, training, pay, and terms and conditions would be required to make safe caseloads a reality across Wales.

Recommendation 2. The Welsh Government should begin consultation immediately on a comprehensive workforce sufficiency plan to inform the development and implementation of legislation on maximum caseloads of children's social workers. The sufficiency plan should draw and build on the findings of recently completed reports into the social care workforce, and include consideration of:

- routes into social work, including apprenticeships and other forms of vocational routes to qualification;
- pay, terms and conditions, including the feasibility and benefits of extending flexible working;
- career pathways, including how to retain front-line practice alongside progression into management or specialisation as a way to retain caseload experience and prioritise contact time with families; and
- a potential national approach to the pay and conditions of social workers, such as that which oversees the pay and conditions of teaching staff in Wales, to ensure consistency and harmonisation across local authorities.

Discrimination, stigma and corporate parenting

The experiences of care experienced children and young people

54. Time and time again, children and young people with care experience told us that they are treated differently, in a negative way, to children without care experience. They feel this discrimination, or stigma, at different stages of their lives: at school, in sport or other extra-curricular activities, when staying overnight at a friend's house, when thinking about further or higher education, when finding work, or even when they need to travel.⁸³ Voices From Care reported similar findings from their work with care experienced children and young people, as did other academics and professionals.⁸⁴

55. Many care experienced birth parents felt that their experience of care was a key reason why their children were subject to child protection proceedings or removed from their care.⁸⁵ The Children's Commissioner for Wales and other professionals working with care experienced birth parents reported similar findings.⁸⁶ We discuss these concerns further in 'The cycle of care' on page 55.

56. Some care experienced parents also felt that they were treated differently because of their care status when they tried to advocate on behalf of their own children. One care experienced mother shared concerns with social services about how her children were being treated by their foster carer. But she felt that she was dismissed as 'difficult' because of her care status, and her concerns were ignored.⁸⁷ Another told us that having care experience affected how her child's school responded when her child was struggling, by assuming that she needed parenting classes rather than taking her concerns about her child seriously. The child was later assessed as having additional learning needs.⁸⁸

57. The Deputy Minister acknowledged that many care experienced young people feel stigma. She told us about the Welsh Government's work with young people representing Voices From Care on a joint 'declaration':

"[Young people representing Voices From Care] really feel that, because they're care experienced, they will not be treated the

⁸³ CYPE, 'Findings of stakeholder events', March 2023, pages 25-28; CYPE, 'Engagement findings', March 2023, pages 28-30

⁸⁴ Written evidence, CEC 1 Voices From Care Cymru, page 8; CYPE, 'Findings of stakeholder events', March 2023, page 14

⁸⁵ CYPE, 'Findings of stakeholder events', March 2023, pages 3 & 23; CYPE, 'Engagement findings', March 2023, pages 11-12

⁸⁶ CYPE, 17/11/22, RoP, paragraph 66; Written evidence, CEC 8 National Youth Advocacy Service (NYAS); CYPE, 'Findings of stakeholder events', March 2023, page 11

⁸⁷ CYPE, 'Engagement findings', March 2023, page 31

⁸⁸ CYPE, 'Engagement findings', March 2023, page 31

same as everybody else when they do have children themselves. And this came over very strongly, this issue of stigma, and that's one of the things they want us to address. And we will be making a declaration as a result of the summit, which the First Minister will sign, and we will pledge to do our utmost as a Government to do what the young people want."⁸⁹

Making care experience a protected characteristic under the Equality Act 2010

58. For many stakeholders, the only way to stop the discrimination that people who have experienced the care system face is by making care experience a protected characteristic under the Equality Act 2010. This would give care experienced people a legal route to challenge their treatment in certain situations - for example in relation to healthcare, education or when at work. We heard near universal support for this proposal, including from CASCADE researchers,⁹⁰ third sector organisations,⁹¹ Aneurin Bevan University Health Board,⁹² and from a range of young people themselves.⁹³ The MacAlister review in England also recommended that the UK Government should "make care experience a protected characteristic, following consultation with care experienced people and the Devolved Administrations." It argued that:

"Hearing testimony from care experienced people sharing the discrimination they have experienced, even from a very young age, it is clear that such discrimination can be similar in nature to other groups that have a legally protected characteristic under the Equality Act (2010)"⁹⁴

59. Amending the Equality Act 2010 to add a protected characteristic would require an Act of the UK Parliament. However, the UK Government was silent on the MacAlister review's recommendation in its response to the report.⁹⁵

60. When we asked the Deputy Minister for her views, she told us she was aware of the calls to make care experience a protected characteristic. She confirmed that the Welsh Government would not be able to change the law, but

⁸⁹ CYPE, 09/03/23, RoP, paragraph 215

⁹⁰ Written evidence, CEC 13 Children's Social Care Research and Development Centre (CASCADE)

⁹¹ Written evidence, CEC 29 Volunteering Matters; Written evidence, CEC 31 The Fostering Network

⁹² Written evidence, CEC 15 Aneurin Bevan University Health Board

⁹³ CYPE, 'Engagement findings', March 2023, page 9; CYPE, 'Proposals for radical reform: From attendees at Voices from Care's 'Proud To Be Me' event', February 2023, page 8; CYPE, 'Transcript from the session with young people on 18 January 2023', pages 19-20

⁹⁴ The independent review of children's social care, 'Final report', May 2022, pages 188-189

⁹⁵ Gov.uk, 'Minister Quince Oral Statement of children's social care review', 23/05/22

nevertheless told us that she was interested in our views on the matter and would “like to look at it further”.⁹⁶

Corporate parenting

61. Corporate parenting as a concept aims to promote collective responsibility across services and local authorities to safeguard the welfare and to promote the life chances of looked after children. The principle behind it is that a good corporate parent would seek the same outcomes for children in their care that a good parent would want for their own child. The Welsh Government sets out that local authorities “must act for the children they look after as an responsible and conscientious parent would act”.⁹⁷ However, unlike Scottish legislation⁹⁸, which lists numerous bodies and organisations as corporate parents and places specific legal duties on them, there is no explicit reference to corporate parenting in Welsh legislation.

62. Many of the views expressed to us by care experienced young people indicate that corporate parenting is not working as it should. This is evident in terms of care experienced children’s support from services like education, health and housing. Many young people told us stories about how they felt let down, or outright failed, by services they received from their corporate parents:

- Some young people told us that school teachers made it really obvious that they were in care. This singled them out for bullying, and meant that they never had a break from their experiences of the care system.⁹⁹
- Some care leavers told us that they had very little support to help them move on from foster placements, which can be a challenging transition.¹⁰⁰
- Some care leavers told us that they lacked the basic skills they needed to live independently, such as cooking, cleaning, shopping, and budgeting.¹⁰¹
- Some care experienced birth parents told us that the courts, social services and other professionals do not respect them or care about their

⁹⁶ CYPE, *09/03/23, RoP*, paragraph 354

⁹⁷ Welsh Government, ‘*Social Services and Well-being (Wales) Act 2014: Part 6 Code of Practice (Looked After and Accommodated Children)*’, page 70

⁹⁸ Legislation.gov.uk, ‘*Children and Young People (Scotland) Act 2014*’

⁹⁹ CYPE, ‘*Engagement findings*’, March 2023, page 24

¹⁰⁰ CYPE, ‘*Engagement findings*’, March 2023, page 26

¹⁰¹ CYPE, ‘*Engagement findings*’, March 2023, page 30

welfare – their focus is solely the child. One woman said: “We’re just objects.”¹⁰²

63. Overwhelmingly, the professionals and academics we spoke to felt that corporate parenting was not delivering for care experienced children and young people. We heard from the Association of Directors of Social Services, the Children’s Commissioner for Wales and others that not all corporate parents consistently understand and fulfil their corporate parenting duties or that financial pressures get in the way.¹⁰³ We heard numerous concerns about the transitions between children’s and adult’s services.¹⁰⁴ The Association of Directors of Social Services summarised the views of many:

“our care-experienced young people disproportionately go into services that are under immense pressure, such as child and adolescent mental health services, such as needing specific educational placements. That means that those with the most complex needs are being filtered into multiple systems that are under capacity, and that can really impact the cohesion of corporate parenting that young people are afforded. So, I suppose it’s about how those agencies fulfil their duties and then come together as corporate parents.”¹⁰⁵

64. We heard frequent calls for corporate parenting to be strengthened or given a firmer legislative footing.¹⁰⁶ The Welsh Local Government Association set out its support for an extension of corporate parenting across the whole public sector. They wrote that key partners include “health, education, housing and the police, but equally important are Welsh Government (officials and Ministers) and Members of the Senedd.”¹⁰⁷

65. The Deputy Minister also expressed support for strengthening corporate parenting. Her written evidence sets out that the Welsh Government intends to develop a “corporate parenting charter”, which it expects organisations and senior leaders to sign up to. Alongside the charter it will publish statutory guidance to

¹⁰² CYPE, ‘Engagement findings’, March 2023, page 19

¹⁰³ CYPE, 09/03/23, RoP, paragraph 131; CYPE, 17/11/22, RoP, paragraph 67; CYPE, ‘Findings of stakeholder events’, March 2023, page 9; Written evidence, CEC 12 Grwp Resilience

¹⁰⁴ Written evidence, CEC 35 Welsh Women’s Aid; Written evidence, CEC 39 Evidence from Children in Wales, with and on behalf of the National Children’s Charities Policy Group members; Written evidence, CEC 19 Barnardo’s Cymru

¹⁰⁵ CYPE, 09/03/23, RoP, paragraph 139

¹⁰⁶ Written evidence, CEC 13 Children’s Social Care Research and Development Centre (CASCADE); Written evidence, CEC 4 TACT Fostering; CYPE, 02/02/23, RoP, paragraph 173

¹⁰⁷ Written evidence, CEC 44 Welsh Local Government Association (WLGA)

ensure a better offer of support is provided to care experienced young people by all parts of the public sector.”¹⁰⁸

Our view

RADICAL REFORM #2

Make ‘care experience’ a protected characteristic under section 4 of the Equality Act 2010.

We heard stories from care experienced children and young people about how they had been treated differently, in a negative sense, to other children at every key stage of their lives. We were taken aback by how their care experience permeates almost every aspect of their lives, affecting them academically, professionally, and even as parents.

The discrimination and stigma that many care experienced people experience on a day-to-day basis is clearly one of their most significant challenges. Removing that barrier for them should be an absolute priority. We believe that a significant step change is required to ensure that public services and others treat care experienced people fairly. Ultimately, making care experience a protected characteristic is the only way that care experienced people will have legal recourse to challenge discriminatory behaviour and improve understanding of, and reduce the stigma associated with, care experience.

We understand that neither the Welsh Government nor the Senedd can make care experience a protected characteristic under the Equality Act 2010. We understand that this radical reform may take time to be realised. However, we are not alone in making this recommendation. Our hope is that calls for change from Wales, alongside the many others across the UK, will push the UK Government to take action.

Recommendation 3. The Welsh Government should lobby the UK Government to amend section 4 the Equality Act 2010 to add ‘care experience’ as a protected characteristic.

RADICAL REFORM #3 (part of umbrella reforms to corporate parenting)

Give corporate parenting a strong legislative footing by giving a range of public bodies, including but not limited to local authorities, specific corporate

¹⁰⁸ [Written evidence, CEC 47 Welsh Government](#)

parenting duties and expanding their duties in relation to care experienced children and young people by:

- amending the Social Services and Well-being (Wales) Act 2016 to specify which public bodies are corporate parents, and what specific duties all corporate parents are subject to;**
- providing a statutory entitlement to trauma-informed therapeutic care for all care experienced children;**
- giving care leavers priority in housing allocations and give care experienced people up to the age of 25 “priority need” status when homeless; and**
- placing duties on the newly formed Commission for Tertiary Education to promote tertiary education to care experienced people.**

We are convinced by the argument of providing a clear legislative basis for corporate parenting in Wales. However, this cannot be done by replicating and nominally extending corporate parenting duties more widely. The current system does not work. Extending current duties to other agencies is not good enough.

We are not convinced that the Welsh Government’s proposed corporate parenting charter will deliver tangible and meaningful change. The scale of what needs to be transformed is too great. It has no statutory footing, and we see no clear way by which public bodies can be held to account for delivery of the commitments they make in the charter, nor what enforcement action can be taken - and by whom - if they do not deliver on those commitments.

The Welsh Government has already published statutory guidance for corporate parents in the form of the Part 6 Code of Practice (Looked After and Accommodated Children). We are troubled by the remarkably consistent evidence we have received telling us that the good practice set out in the code is not being followed.

Instead, we urge the Welsh Government to take a similar approach to the Scottish Government by introducing legislation to extend corporate parenting to public bodies, including - but not limited to - local authorities, and to give those corporate parents specific duties to improve the lives of care experienced children and young people.

An overview of our proposed umbrella reform to corporate parenting is set out above. A specific recommendation setting out what the general duties of all corporate parents should be is set out below. We have set out further specific details and recommendations against the relevant sections in this report. See: mental health (page 45), housing (page 116), and tertiary education (page 124).

Recommendation 4. As part of umbrella reforms to corporate parenting (see radical reform #3), the Welsh Government should introduce legislation making specific provision relating to corporate parenting. The legislation should:

- set out which bodies are considered ‘corporate parents’, including at least local authorities, health boards, NHS trusts, the Welsh Ministers, the Children’s Commissioner for Wales, the Commission for Tertiary Education and Research, and other such bodies as the Welsh Government sees fit following consultation;
- set out the general duties imposed on all corporate parents, including at least duties to: prepare and publish plans relating to their work as corporate parents; to work collaboratively where it would safeguard or promote the well-being of the child or young persons to do so; publish reports on how they have exercised their corporate parenting responsibilities; provide reasonably requested information to the Welsh Ministers; and follow guidance or directions issued by the Ministers.
- align with further specific corporate parenting duties and recommendations against the relevant sections in this report. See: mental health (below), housing (page 120), and higher education (page 126).

Support for mental health

66. Our Fifth Senedd predecessor Committee’s ‘Mind over matter’ report concluded a “step change” was needed for universal mental health services. It emphasised that “emotional and mental health support for vulnerable children, including those who are looked after and adopted, needs to be improved significantly”.¹⁰⁹ Two years on, in 2020, the ‘Mind over matter’ follow up report found more progress was needed and that “access to psychological therapies must be improved for looked after and adopted children, who often struggle to access the therapeutic services they need.”¹¹⁰

67. We received an overwhelming volume of evidence expressing concerns about the mental health of care experienced children and young people. We spoke to many care experienced young people who have suffered with their mental health since early childhood. Some had been prescribed medication, others self-medicated with alcohol and drugs, some had self-harmed, and some had attempted suicide.¹¹¹ Different groups of third sector organisations told us that

¹⁰⁹ National Assembly for Wales, ‘Mind over Matter’, April 2018, page 87

¹¹⁰ Welsh Parliament, ‘Mind over Matter: two years on’, October 2020, page 38

¹¹¹ CYPE, ‘Engagement findings’, March 2023, pages 8-9; CYPE, ‘Findings of stakeholder events’, March 2023, pages 2; Written evidence, CEC 1 Voices From Care Cymru

mental health is one of the biggest challenges facing children and young people in the care system.¹¹² The NSPCC told us that care experienced children and young people have:

*“... much higher rates of mental health needs than the general population, including a significant proportion who have more than one condition. They are approximately four times more likely to have a mental health need than children living with their birth families”.*¹¹³

68. Other organisations shared similar views.¹¹⁴ The Association of Directors of Social Services agreed, writing that “Children who are looked after will have experienced forms of loss, abuse and neglect prior to entering the care system and these experiences will often stay with them for the entire lives”.¹¹⁵ The Deputy Minister also acknowledged the scale of the problem, telling us that that “Mental health comes up with young people all the time.”¹¹⁶

69. There was near universal agreement that current mental health services do not meet the needs of care experienced children and young people. We heard concerns and perceptions about long waiting lists,¹¹⁷ thresholds and criteria that don’t recognise the trauma that care experienced young people have gone through,¹¹⁸ poor transitions from children’s to adults’ mental health services,¹¹⁹ and mis-labelling mental health issues as behavioural problems.¹²⁰ We heard that mental health services for care experienced people are “dire” and that the system is “broken”. One project worker summed up the views of many:

*“We forget the nurturing side of it. We forget that they’re children.”*¹²¹

¹¹² CYPE, ‘Findings of stakeholder events’, March 2023, pages 2, page 15

¹¹³ Written evidence, CEC 42 National Society for the Prevention of Cruelty to Children (NSPCC)

¹¹⁴ Written evidence, Care Inspectorate Wales (additional information); Written evidence, CEC 25 CLASS Cymru; Written evidence, CEC 33 Llamau; Written evidence, CEC 2 Matthew Lewis

¹¹⁵ Written evidence, CEC 38 Evidence from Association of Directors of Social Services (ADSS)

¹¹⁶ CYPE, 09/03/23, RoP, paragraph 340

¹¹⁷ Written evidence, Care Inspectorate Wales (additional information); CYPE, 02/02/23, RoP, paragraph 34

¹¹⁸ CYPE, ‘Engagement findings’, March 2023, pages 8-9; CYPE, 02/03/23, RoP, paragraph 100

¹¹⁹ CYPE, ‘Engagement findings’, March 2023, page 26; Written evidence, CEC 16 Plattform

¹²⁰ CYPE, 02/02/23, RoP, paragraph 34; CYPE, 02/02/23, RoP, paragraph 34

¹²¹ CYPE, ‘Engagement findings’, March 2023; CYPE, 02/02/23, RoP, paragraph 34

70. We heard numerous and repeated calls from young people,¹²² organisations¹²³ and others¹²⁴ for care experienced children and young people to have a right to therapeutic support. Many of those stressed that the support should be available from when they enter the care system into early adulthood.¹²⁵

71. There was strong consensus that practitioners providing therapeutic support for care experienced children and young people must have a thorough understanding of the impact of trauma. Barnardo's urged us to look at young people as individuals, "not trying to shoehorn them into our models... What you need to do with these young people is to look at the trauma that is underpinning the behaviours that we see, the difficulties that they are having".¹²⁶ Other organisations - including health bodies such as Public Health Wales and Hywel Dda University Health Board - and young people themselves shared similar views.¹²⁷

72. The early trauma experienced by many looked after children was a striking feature in the evidence. This is set alongside the backdrop of evidence of significant problems in accessing specialist CAMHS or any therapeutic services for this group of children. Clinicians, frontline practitioners and foster carers were keen to stress that the early negative experiences and trauma experienced by many care experienced children can lead to significant emotional, behavioural, educational and developmental difficulties. In turn, the trauma can lead to children having very challenging behaviour, attachment difficulties, a lack of empathy and in some cases a form of learning difficulty.¹²⁸ Work undertaken by our predecessor Committee indicates that these experiences are sometimes very

¹²² CYPE, 'Engagement findings', March 2023, pages 9, 10, 25 & 32; Written evidence, CEC 1 Voices From Care Cymru; CYPE, 'Transcript from the session with young people on 18 January 2023', page 6

¹²³ CYPE, 'Engagement findings', March 2023, page 8; CYPE, 'Findings of stakeholder events', March 2023, page 11; Written evidence, CEC 30 Children's Commissioner for Wales; Written evidence, CEC 20 Action For Children; Written evidence, CEC 19 Barnardo's Cymru; Written evidence, CEC 42 National Society for the Prevention of Cruelty to Children (NSPCC); Written evidence, CEC 40 Children in Wales

¹²⁴ Written evidence, CEC 3 Individual; Written evidence, CEC 2 Matthew Lewis

¹²⁵ Written evidence, CEC 41 Evidence from Hywel Dda University Health Board; Written evidence, CEC 19 Barnardo's Cymru; Written evidence, CEC 42 National Society for the Prevention of Cruelty to Children (NSPCC)

¹²⁶ CYPE, 02/03/23, RoP, paragraph 190

¹²⁷ Written evidence, CEC 12 Grwp Resilience; Written evidence, CEC 35 Welsh Women's Aid; Written evidence, CEC 36 Public Health Wales; Written evidence, CEC 41 Evidence from Hywel Dda University Health Board; Written evidence, CEC 3 Individual; Written evidence, CEC 23 Rhian Carter; CYPE, 'Transcript from the session with young people on 18 January 2023', pages 18; Written evidence, CEC 1 Voices From Care Cymru; CYPE, 'Findings of stakeholder events', March 2023, page 19

¹²⁸ CYPE, 'Findings of stakeholder events', March 2023; page 15; Written evidence, CEC 2 Matthew Lewis

different from the non-looked after population and are not always best met through a medical model of mental health provision.¹²⁹

73. When we asked the Deputy Minister what the Welsh Government is doing to support care experienced children and young people with their mental health, she told us that social services is focusing on giving young people support early so they don't need to be on CAMHS waiting lists. She went on to highlight the Nurturing, Empowering, Safe and Trusted framework, "which is being implemented across Wales through the regional partnership boards. That's a framework for creating a child-centred whole-system approach to mental health and well-being services for all ages". She concluded by stressing that mental health "is an issue for all public services".¹³⁰

Our view

RADICAL REFORM #3 (part of umbrella reforms to corporate parenting)

Our work as a Committee to date has highlighted to us that the mental health support needs of many young people in Wales are not being met.

When we consider that care experienced children and young people may be four times more likely to have mental health support needs than other children, it is no surprise that we received such high volumes of evidence calling for more to be done to help them.

We also note that the early trauma experienced by many care experienced children can lead to significant emotional, behavioural, educational and developmental difficulties. We understand that this type of early trauma is unique to care experienced children and young people.

We would expect any good parent to provide as much therapeutic support as they are able to their own children. The state - which removed these children from their birth parents and in turn become their corporate parent - has a responsibility to do the same for care experienced children and young people. Everything that we have heard indicates that it is failing to do so. This is an abject failure of corporate parenting, and a clear indication to us that corporate parenting as it is currently conceived in Wales is not fit for purpose.

Our radical reform 3 sets out our overarching ambition for corporate parenting. It includes a statutory entitlement to trauma-informed therapeutic care for all care experienced children and young people.

¹²⁹ National Assembly for Wales, 'Mind over Matter', April 2018, page 114

¹³⁰ CYPE, 09/03/23, RoP, paragraphs 340-343

That therapeutic care must be an independent and separate service to existing services, such as CAMHS. Care experienced children must not be subjected to waiting lists for mental health services that cannot support them appropriately. This support must be provided by professionals with a deep understanding of the lasting impact of trauma. It must be available to every single care experienced child from the moment they enter the care system to - at the very least - when they cease to be defined as a care leaver. And it must be provided automatically, as a statutory duty of the child's corporate parents.

Recommendation 5. As part of umbrella reforms to corporate parenting (see radical reform 3), the Welsh Government should introduce legislation to give all care experienced children the right to a specialist therapeutic mental health support service. They should have a statutory right to have their needs assessed at intervals and to have those needs met. That service should be available from the point at which they are removed from their birth parents to at least the point at which they cease to be defined as a care leaver. It should be separate and independent from existing mental health services, and specialise in trauma-informed mental health support.

Data collection

74. The lack of robust data collected about various aspects of the care system, its workforce, and children with care experience has been a consistent theme across our evidence gathering.

75. At the outset of our inquiry, Senedd Research looked at the data available on all aspects of the care system, care experienced children, and workforce. Senedd Research considered the Welsh Government's Looked after Children/Children Looked After Census, which is based on anonymised individual child level data that is extracted from local authority administrative systems and returned electronically to the Data Collection team within the Welsh Government. This data is published annually. It also considered data from Social Care Wales, local authorities, and published statistics from third sector providers. These were collated and published in a statistical briefing.¹³¹

76. Senedd Research observed that there are significant data gaps in Wales. The volume of official data published in Wales about children in care has reduced over time. Some data, such as advocacy take up, is provided to Welsh Government but is not published. We have also noted there is much more data collected and

¹³¹ Welsh Parliament, 'Care Experienced Children: Statistical Briefing', January 2023

published in England than in Wales. In March 2023 we wrote to the Deputy Minister to bring a comprehensive list of missing data to her attention.¹³²

77. Our concerns were echoed in the evidence. Data is collected inconsistently, or is not collected transparently.¹³³ A Cardiff University researcher lamented that Wales is “lagging a step behind some of the research in England, because, in England, you can link up data at 19 between care-experienced young people and what their education and employment is at 19. We don’t have that data in Wales from 2016 onwards”.¹³⁴ Universities Wales suggested that the Welsh Government could provide verified data for care experienced children in the same way that it provides data on children in receipt of free school meals.¹³⁵ In its written evidence the Fostering Network wrote:

“Data collection is not consistent or transparent across Wales. Data collection is not aligned to the Social Services and Wellbeing Act expectations. Any radical reform should have a robust set of impact measurements implemented at the same time. If we are to have ambition for our care experienced population, we need to know what difference we are making and what more we can do.”¹³⁶

78. Some stakeholders who took part in a working group with Welsh and local government officials to look at improving the annual looked after children census data told us that there was very limited change as a result of the work.¹³⁷

79. The most significant gaps in published data that we have uncovered throughout the inquiry are set out below. Much of this data is routinely published and collected in England.¹³⁸

General

- Data about children looked after: offending rates, substance misuse, health and development outcomes, emotional and behavioural health, children missing without authorisation.

¹³² Welsh Parliament, ‘[Letter from the Chair of the Children, Young People and Education Committee to the Deputy Minister for Social Services](#)’, 30/03/23

¹³³ CYPE, ‘[Findings of stakeholder events](#)’, March 2023, page 9; [Written evidence, CEC 31 The Fostering Network](#)

¹³⁴ [CYPE, 02/03/23, RoP](#), paragraph 301

¹³⁵ [CYPE, 02/03/23, RoP](#), paragraph 306

¹³⁶ [Written evidence, CEC 31 The Fostering Network](#)

¹³⁷ CYPE, ‘[Findings of stakeholder events](#)’, March 2023, page 12

¹³⁸ Helen Hodges and Dan Bristow, ‘[Analysis of the Factors Contributing to the High Rates of Care in Wales](#)’, July 2019, pages 14-15

- Children’s social workforce: number of social workers, number of starters and leavers, vacancy rate of social workers, turnover rate of social workers, sickness absence of social workers, number of agency workers, average caseload.

Before care

- NYAS and CAFCASS Cymru told us there is no way to know for sure how many care experienced women are having children and how many of those children are going through child protection processes.¹³⁹ Data provided to the Petitions Committee found that at March 31 2022, a third of all care experienced parents in Swansea had at least one child removed from their care,¹⁴⁰ but when we asked for the same data on a national level the Association of Directors of Social Services told us it was unable to provide it.¹⁴¹
- The Family Division Liaison Judge for Wales told us that there are inconsistencies in how statistics about care orders are recorded: “for example, if there were three siblings, there were three separate cases, and so you’ve got to compare that with, if it’s another local authority, would it just be one case?”¹⁴²
- NYAS told us that ‘abuse’ and ‘neglect’ are merged as reasons why people are put in care. They should be separated, because neglect in particular relates to poverty.¹⁴³

In care

- Pre-16 education and outcomes: additional learning needs, destinations from school, absence from school, permanent exclusions and suspensions from school, type of school attended.
- Advocacy services: the numbers of children and young people who are taking up advocacy services compared to the numbers who are entitled to do so and other data relating to the provision of advocacy services.
- The Fostering Network told us that data collection does not enable analysis to understand “whether we are placing children where they

¹³⁹ CYPE, 02/02/23, RoP, paragraph 163; Written evidence, CEC 46 CAFCASS Cymru

¹⁴⁰ ADSS Cymru, ‘All Wales Heads of Children’s Services evidence to the Petitions Committee’, 18/05/22

¹⁴¹ ADSS Cymru, ‘Letter from the Chair of the All Wales Heads of Children’s Services (AWHoCS) - 16 February 2023’, 16/02/23

¹⁴² CYPE, 08/02/23, RoP, paragraph 130

¹⁴³ CYPE, 02/02/23, RoP, paragraphs 226-228

achieve permanence and stability, and in a well-matched placement that is aligned to their care and support plan.”¹⁴⁴

- Children’s Legal Centre Wales and Observatory on Human Rights of Children told us there is no data on the number of Deprivations of Liberty Order applications affecting Welsh children.¹⁴⁵
- NYAS and the Children’s Society told us that there is no robust data around missing children return interviews.¹⁴⁶
- The use of unregulated accommodation for children in care, distinguishing clearly between quality supportive regulated environments and other potentially inappropriate accommodation (such as bed and breakfasts, AirBnBs, etc.).

After care

- Leaving care: general statistics on young people leaving care, including longer term numbers in education, employment, training. Also missing is data relating to the number of young people who have left care who are homeless or in custody.
- Voices From Care told us we don’t know definitively whether the When I am Ready scheme is working because “because the data’s not there.”¹⁴⁷
- Universities Wales told us that developing effective interventions to support care experienced students in university is hampered because of a lack of reliable data.¹⁴⁸

80. However, CLASS Cymru cautioned that some care experienced young people may not want to share their care status.¹⁴⁹ This is consistent with the findings of our engagement work with young people, many of whom told us that they felt treated like a statistic or treated differently because of their care status, potentially due to the stigma and discrimination they experience (considered in more detail on page 39).

81. We asked the Welsh Government for their views on whether data collection in Wales was sufficiently robust, or whether gaps in data were hiding problems and preventing us from developing solutions. An official conceded that they were

¹⁴⁴ CYPE, 02/02/23, RoP, paragraph 41

¹⁴⁵ Written evidence, CEC 14 Children’s Legal Centre Wales and Observatory on Human Rights of Children

¹⁴⁶ CYPE, 02/02/23, RoP, paragraphs 226-228; Written evidence, CEC 43 The Children’s Society

¹⁴⁷ CYPE, 02/02/23, RoP, paragraph 222

¹⁴⁸ CYPE, 02/03/23, RoP, paragraph 345

¹⁴⁹ CYPE, 02/03/23, RoP, paragraph 307

“surprised” by data relating to care experienced birth parents, and that “it’s something that we do need to think about”. However, the Deputy Minister herself told us that:

“We have three annual data collections, two of which are at the individual level and cover all children receiving care and support, and another that focuses specifically on children who are looked after. There’s also a large data collection of local authority performance and activity, which includes over 50 data items on children specifically. [...] I don’t really think there is a lack of data in Wales, or that it’s hiding poor experiences, for example.”¹⁵⁰

Our view

RADICAL REFORM #4

Place formal data collecting duties on all relevant public bodies, third sector and independent providers to collect comprehensive data on at least an annual basis relating to the care system, and at least quarterly relating to the social care workforce. The data should be verified and published by the Welsh Government - at least annually for data relating to the care system, and quarterly for data relating to the social care workforce - for policy development, implementation and evaluation purposes.

Robust, accurate and reliable data about the care system is essential for monitoring, evaluation and policy development purposes.

Despite the Deputy Minister’s assurances, there are clearly significant gaps in the data routinely collected and reported in Wales. This is all the more frustrating when much - if not all - of the missing data is routinely published by the UK Government in respect of children’s care in England. The Welsh Government could - and should - be collating and verifying this data regularly drawing on the rich sources of data from local authorities, Social Care Wales, Care Inspectorate Wales and CAFCASS Cymru and those third sector organisations that receive significant amounts of public funding.

This lack of information about children’s experience in our care is masking the extent of very poor experiences in care. It may not be the Welsh Government’s intention to avoid publishing data to hide problems. But that is almost certainly the end result, as the Association of Directors of Social Services’ response to the Petitions Committee’s inquiry illustrates. And it is hard to see how inadequacies in

¹⁵⁰ CYPE_09/03/23_RoP, paragraphs 210 & 365

data collection in Wales do not negatively impact on academic research and, consequently, the evidence base informing policy development.

We understand the concerns of some care experienced children and young people about data being collected about them given the stigma they experience. We hope our proposals elsewhere in this report will raise awareness about care experience, and reduce the stigma that many children and young people are subjected to. But we believe that, gathered and processed sensitively and anonymously, robust data has the power to improve children's care, and the lives of the many children and young people who experience it.

Recommendation 6. The Welsh Government should set out in statutory guidance, or otherwise, requirements for relevant public bodies, third sector and independent providers to routinely gather and publish data on all aspects of the care system in addition to that currently published, including the data gaps highlighted in this report. Stakeholders including academics must be consulted as a matter of priority to inform what's needed. The guidance should be sensitive to the concerns of many care experienced people about their care status and the stigma they face, and set out best practice data protection guidelines accordingly. The data should be verified by the Welsh Government, and be published in an accessible format at least quarterly where it relates to the social care workforce, and at least annually for all other data.

3. Before care

Reforms to safely reduce the number of children in the care system.

The cycle of care

The proportion of care experienced birth parents who have their own children removed

82. We heard throughout our evidence gathering that a disproportionate number of care experienced young people have one or more of their own children taken into care.¹⁵¹ Academics and professionals attending a stakeholder event told us that the children of care experienced birth parents are often subject to child protection proceedings as soon as statutory services find out that the mother is pregnant.¹⁵² NYAS agreed:

“Unfortunately, one of the very clear things we’re hearing from all of our parents is that, as care-experienced parents, they are very vulnerable to the fact that, immediately, their babies are placed on the child protection register. What we feel is that that is already stacked against them. So, the minute they discover that they are pregnant, in whichever local authority, the fact is that it flags up that they are care experienced and their child is perceived to be at risk.”¹⁵³

83. NYAS also raised specific concerns about girls and young women who become pregnant while they are still in the care system. In their experience, *all* of the children of those young women subject to child protection proceedings. NYAS believed that there “is something fundamentally wrong about every single child who is born or not born to a care-experienced mother being subject to those proceedings.”¹⁵⁴

84. The limited data available (see page 49 above) suggests that parents who have experience of the care system are much more likely to have their child removed than parents who have not. Dr Louise Roberts from the Children’s Social Care Research and Development Centre at Cardiff University (CASCADE) gave

¹⁵¹ Written evidence, CEC 31 The Fostering Network; Written evidence, CEC 39 Evidence from Children in Wales, with and on behalf of the National Children’s Charities Policy Group members

¹⁵² CYPE, ‘Findings of stakeholder events’, March 2023, page 8

¹⁵³ CYPE, 02/02/23, RoP, paragraph 12

¹⁵⁴ CYPE, 02/02/23, RoP, paragraph 162

evidence to the Senedd's Petitions Committee. She summarised the findings of a five-year research study published in 2019 exploring the challenges faced by care experienced parents:

*"The research found concerning evidence in respect of outcomes and concerning levels of separation. I mentioned the Wales adoption study, and what we found from that was that one in four birth mothers were recorded as care leavers, and one in five birth fathers. I mentioned the snapshot of parents, and I've got the figures here. We identified 258 parents, 238 children and 44 ongoing pregnancies. I should say that only 20 out of the 22 local authorities worked with me on this phase. **We found 26 per cent of children to be separated from both biological parents.**" [Our emphasis]*

85. Dr Roberts added that without routinely collected data it is "hard to work out what these figures mean". Nevertheless, she stressed that as 1% of all children are recorded as being in care, 26% of children from care experience parents being in care is "confronting".¹⁵⁵

86. In response to a data request from the Senedd's Petitions Committee, the Association of Directors of Social Services gathered data about the number of care experienced parents who have children removed from their care in Swansea local authority specifically. 7 out of 21 care experienced parents (33%) in the local authority had had at least one child removed.¹⁵⁶ We subsequently asked the ADSS for national data to see if the picture in Swansea was representative of Wales as a whole. They told us that they do not gather this information.¹⁵⁷ CAFCASS Cymru told us that "Information about care experienced parents is not routinely captured by CAFCASS Cymru. However, we recognise the value in doing so and are considering ways in which we could do this going forward."¹⁵⁸

Challenges facing care experienced birth parents

87. According to many care experienced birth parents and third sector organisations that contributed to our inquiry, the rates of care experienced birth parents who have one or more children removed from their care demonstrates that statutory services as corporate parents have failed to give care experienced children the skills they need to be good parents. During our engagement activities, care experienced birth parents spoke to us angrily about cycles of care,

¹⁵⁵ Petitions Committee, 21/03/2022, RoP, paragraph 18

¹⁵⁶ ADSS Cymru, 'All Wales Heads of Children's Services evidence to the Petitions Committee', 18/05/22

¹⁵⁷ ADSS Cymru, 'Care Experienced Birth Parents', 16/02/23

¹⁵⁸ Written evidence, CEC 46 CAFCASS Cymru

and how they believed that the care system was failing them and their children. They said that social services were judging them to be ‘unfit’ parents because they hadn’t had positive parenting role models. Some young women pointed out to us that this meant they were penalised twice: first, as victims of decisions that social services themselves had made about their lives when they were in care (e.g. the impact on them of poor parenting role models that they were exposed to in foster placements), and second as prospective parents who wanted a different life for their own children.¹⁵⁹ One young woman told us that experience of the care system is being used as a “weapon” against care experienced parents.¹⁶⁰ Others, such as Voices from Care, shared those views:

“... we should never be at a point where we are questioning the parenting capabilities of the children in our care, because we haven’t given them skills to be good.”¹⁶¹

88. As well as failing to teach children in care parenting skills, we also heard that the care system removes sources of practical and emotional support from birth parents. This can count against them during court proceedings. Some care experienced mothers told us that they felt they were penalised for not having a support network around them. They felt that this was because they had been taken from their own parents and moved around a lot between placements as a child. Another care experienced birth parent told us that she doesn’t always have access to official documentation about her life, which she felt reflects poorly on her when she engages with statutory services as a birth parent.¹⁶²

89. Some care experienced parents told us that once they became pregnant, the system turned its attention away from them and towards the child, despite the duties that statutory authorities have in relation to them as care experienced children and young people. They felt that the courts, social services and other professionals do not care about their welfare. One mother told us that care experienced parents are “just objects”.¹⁶³ NYAS agreed, telling us that the “young parent disappears” once a child who is subject to a care order becomes pregnant.¹⁶⁴

Support for care experienced birth parents

90. Almost all the care experienced birth parents we spoke to called for intensive wrap-around support services for all care experienced parents. Many felt that

¹⁵⁹ CYPE, ‘[Engagement findings](#)’, March 2023, page 12

¹⁶⁰ CYPE, ‘[Findings of stakeholder events](#)’, March 2023, page 3

¹⁶¹ CYPE, [02/02/23, RoP](#), paragraph 166. For similar views see: [Written evidence, CEC 6 Steve Phillips](#)

¹⁶² CYPE, ‘[Engagement findings](#)’, March 2023, page 12

¹⁶³ CYPE, ‘[Engagement findings](#)’, March 2023, page 19

¹⁶⁴ CYPE, [08/02/23, RoP](#), paragraph 28

social services tends to step in at the point that a child is being taken away from them, rather than early enough to prevent the child being removed. The importance of early support for families was a recurring theme in our engagement work.¹⁶⁵

91. Representatives of public bodies made similar calls for support for care experienced parents to help them keep their children. Public Health Wales told us that:

“Care leavers should receive additional support during pregnancy and when they become parents so that healthy relationships can be established with their children to benefit both parents and infants.”¹⁶⁶

The Association of Directors of Social Services agreed that intensive wrap-around support services like Project Unity, Jig-So, and Baby and Me are “clearly having an impact on that group of children being able to remain in the care of their families”, and are a “really welcome development”.¹⁶⁷ However, NYAS told us that Project Unity only has five project workers working across the whole of Wales to work with over 300 young women, which is only “touching the surface”.¹⁶⁸

92. The evidence collected by the Petitions Committee during its 2022 inquiry into support for care experience birth parents was consistent with our findings. In its March 2023 report, the Committee made the following recommendation to the Welsh Government:

“The Welsh Government should update legislation to ensure all care experienced parents have a statutory right to an intensive, wrap around preventative support service to keep families together regardless of how recent their care experience. It should include specialist parental advocacy to navigate the social care and family courts systems and be modelled on evidence-based services such as Project Unity.”¹⁶⁹

93. During an evidence session with us, the Deputy Minister praised NYAS’ Project Unity and Barnardo’s Baby and Me specifically for playing a valuable role in care for care experienced mothers. She told us that the Welsh Government supported services like those being rolled out across Wales.¹⁷⁰ The ‘Radical Reform

¹⁶⁵ CYPE, ‘Engagement findings’, March 2023, page 11

¹⁶⁶ Written evidence, CEC 36 Public Health Wales

¹⁶⁷ CYPE, 09/03/23, RoP, paragraph 30

¹⁶⁸ CYPE, 08/02/23, RoP, paragraph 62

¹⁶⁹ Welsh Parliament, ‘Supporting care experienced parents’, March 2023, page 8

¹⁷⁰ CYPE, 09/03/23, RoP, paragraphs 198 & 202

declaration', signed by both the First Minister and children in care in May 2023, includes the following 'vision':

"Babies and children will never be subject to child protection action just because their mother or father is care experienced."¹⁷¹

94. Our radical reform below is a concrete step towards making these words a reality.

Our view

RADICAL REFORM #5

The statutory right to intensive, wrap-around edge-of-care support for all care experienced birth parents to reduce the risk of children being removed from their care, including specialist parental advocacy to navigate the social care and family courts systems. The support should be modelled on evidence-based services such as NYAS' Project Unity, and should be available from the 12-week scan of pregnancy (or the earliest point after 12 weeks at which a viable pregnancy is confirmed). If a child is ultimately removed from their birth parents, the support should continue beyond the child's removal to support the birth parents to come to terms with their loss.

Some of the stories that we have heard from care experienced birth parents have been the most harrowing and moving of our inquiry. We are infinitely grateful to those parents for sharing their stories with us. They will stay with us forever.

We are appalled that around 25% of all care experienced young people will have at least one child removed, when children in care represent 1% of the wider population. The removal of so many children from care experienced birth parents is a damning indictment of a care system that has failed children so terribly that, when those children grow up, the courts consider them to be unfit parents.

Services like NYAS' Project Unity provide specialist advocacy support, which is critically important for any parent navigating the care system. But they also provide holistic, intensive, family- and relationship-focused wrap-around support. It is *that* support that the parents we spoke to valued above all else.

We commend the Welsh Government for funding Project Unity on a national basis. It was an ambitious step in the right direction. But we agree with the Petitions Committee: it should go further, by making that type of support a

¹⁷¹ Welsh Government, 'Radical Reform Summit: Declaration', 18/05/23, page 5

statutory right for all care experienced birth parents. And it should start earlier - at 12 weeks of pregnancy. And if a child is ultimately removed from their birth parents, the support should continue beyond the child's removal to support the parents as they grieve.

If this seems radical, it shouldn't. It is no different to the support we would all expect any good parent to provide for their own children.

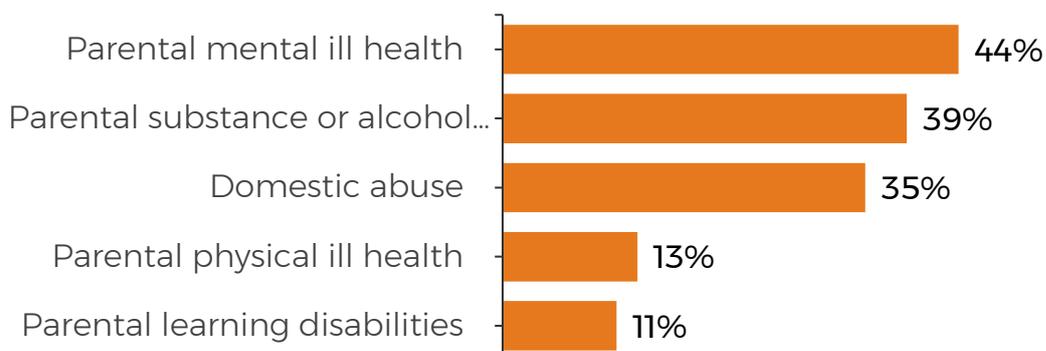
Recommendation 7. The Welsh Government should introduce legislation to give all care experienced birth parents a statutory right to intensive, wrap-around support to reduce the risk of children being removed from their care. The support should include specialist parental advocacy to navigate the social care and family courts systems, and should be modelled on evidence-based services such as NYAS' Project Unity. The support should be available from the 12-week scan of pregnancy (or the earliest point after 12 weeks at which a viable pregnancy is confirmed). If a child is ultimately removed from their birth parents, the support should continue beyond the child's removal to support the birth parents to come to terms with their loss.

Risk factors

Factors associated with children being taken into care

Figure 3.1 Parental factors of children looked after as at 31 March 2021.

Source: *StatsWales*, 'Parental factors of children receiving care and support by measure and year'



95. Research shows that domestic violence, substance misuse, mental health and learning disabilities are all part of the complex picture of why children in Wales are going into care.¹⁷²

96. However, during our evidence gathering poverty was the most commonly cited reason for children to be removed from their parents. Public health researchers at the University of Liverpool have found that in England, between

¹⁷² Helen Hodges and Dan Bristow, 'Analysis of the Factors Contributing to the High Rates of Care in Wales', July 2019, pages 4-5

2015 and 2020, a 1% increase in child poverty was associated with 5 additional children entering care per 100,000.¹⁷³ The Family Division Liaison Judge for Wales told us that poverty was the biggest challenge facing families, and that increasing poverty will lead to more children in care.¹⁷⁴ Care Inspectorate Wales urged us to “think POVERTY in every policy” [their caps], and Public Health Wales told us that “families living in poverty or experiencing economic shocks which are insufficiently mitigated against via welfare support, the risk of children being neglected, harmed or abused is increased”¹⁷⁵. The NSPCC wrote that:

“Poverty has been described as ‘the wallpaper of the social care system’, in that it is too big to tackle and too familiar to notice. Reducing poverty is an essential lever in the pursuit of ensuring families can stay together, when it is safe for the child to do so.”¹⁷⁶

Other organisations and individuals submitted similar views, with many urging the Welsh Government to take action to reduce or eliminate poverty to reduce rates of care.¹⁷⁷

97. Domestic abuse was also raised by many as a reason why children are taken into care. Some of the women we spoke to had experienced physical, emotional and sexual abuse by their child’s father, or by previous partners. These women felt that the domestic violence they experienced directly or indirectly contributed to their children being taken into care, and that statutory services do not understand the pervasive impact of domestic violence on women.¹⁷⁸ A recent survey of social workers and leaders in Wales found that 78.6% of respondents felt that domestic abuse was a driver of increasing care rates in Wales, more than any other factor.¹⁷⁹ Data provided to us by Barnardo’s Reflect project staff also shows that 75% of the mothers who had had children removed who they worked with had experienced domestic violence.¹⁸⁰ Welsh Women’s Aid told us that “Domestic abuse is a common reason why children enter the care system, and it is vital that

¹⁷³ Written evidence, CEC 9 Ms Davara Bennett, Dr Gabriella Melis, Prof David Taylor Robinson, Public health researcher, University of Liverpool

¹⁷⁴ CYPE, 08/02/23, RoP, paragraph 97

¹⁷⁵ Written evidence, CEC 36 Public Health Wales

¹⁷⁶ Written evidence, CEC 42 National Society for the Prevention of Cruelty to Children (NSPCC), page 8

¹⁷⁷ CYPE, 02/02/23, RoP, paragraph 176; CYPE, 02/03/23, RoP, paragraph 192 & 285; Written evidence, CEC 40 Children in Wales; Written evidence, Social Care Wales (additional information); Written evidence, CEC 19 Barnardo’s Cymru; Written evidence, CEC 16 Plattform

¹⁷⁸ CYPE, ‘Engagement findings’, March 2023, page 16; CYPE, ‘Findings of stakeholder events’, March 2023, page 4

¹⁷⁹ Wales Centre for Public Policy, ‘Children’s social services and care rate in Wales: A survey of the sector’, page 12

¹⁸⁰ Welsh Parliament, ‘Care Experienced Children: Statistical Briefing’, January 2023, page 9

intervention and prevention can happen at the earliest opportunity before a crisis point is reached”.¹⁸¹

98. Some of the evidence we received suggested that a family’s history with social services may be a significant factor in whether a child is removed. This view was particularly prevalent among care experienced birth parents.¹⁸² Some third sector professionals we spoke to suggested that if parents have one child taken into care, in their experience a second child is at a high risk of being taken into care too.¹⁸³

99. President of the Family Division Sir Andrew McFarlane told us that learning disability is “a pretty major factor” in families “failing to copy adequately or safely with their children.”¹⁸⁴ We heard compelling evidence from Learning Disability Wales that parental neurodiversity may also be a risk factor. They wrote that:

“People with a learning disability often are under special scrutiny compared to the rest of the population when they become parents. Many are often already in contact with social services and the challenges they face as parents are often treated as more significant. Stigma, stereotyping and negative societal attitudes towards people with a learning disability and their ability to parent safely also contribute to increased levels of scrutiny and high levels of child removal. As a result, people with a learning disability who have children will often live in constant fear of losing their children.”

They went on to argue that women with a learning disability are also at higher risk of being targeted by men with a history of domestic violence and/or child abuse, which disproportionately subjects them to higher risks of child removal associated with domestic violence, as noted above. Learning Disability Wales called on Welsh Government to publish and implement guidance it has already commissioned aimed at helping professionals support parents with a learning disability and to reduce the number of their children taken into care.¹⁸⁵

Edge of care early intervention services

100. Care experienced children have been high on the political agenda since the First Minister’s personal commitment in 2018 to reduce the number of children in

¹⁸¹ [Written evidence, CEC 35 Welsh Women’s Aid](#)

¹⁸² CYPE, ‘[Engagement findings](#)’, March 2023, page 12

¹⁸³ CYPE, ‘[Engagement findings](#)’, March 2023, page 13

¹⁸⁴ [CYPE, 08/02/23, RoP](#), paragraph 94

¹⁸⁵ [Written evidence, CEC 37 Learning Disability Wales](#)

care.¹⁸⁶ The Welsh Government has invested in recent years to support the Programme for Government commitment to “provide additional specialist support for children with complex needs who may be on the edge of care.”¹⁸⁷

101. We heard universal support from birth parents and professionals for services that work with families to provide help to overcome challenges like domestic violence, poor mental health, substance misuse and even to help mitigate the impact of poverty. Many, including birth parents, stressed that this type of support was crucial to reducing the numbers of children in care.¹⁸⁸ Some of the young women we met had their children returned to their care after receiving support. Others had been able to keep subsequent children in their care.¹⁸⁹

102. The evidence did not point to any one particular service model (although the existing schemes Barnardo’s Baby and Me and Jig-So in Swansea were both mentioned as particularly effective¹⁹⁰), but there was a general consensus that there should be a multi-agency approach, with partners across organisations working together to address the needs of each individual family.¹⁹¹ This should include support for fathers, who often struggle to find the support they need.¹⁹² We heard that, currently, these services are inconsistent across Wales, or not available at all in some areas.¹⁹³ We also heard calls for the services to begin early - certainly during the child’s early years, and even before the child is born.¹⁹⁴

103. There are a number of barriers to providing effective edge of care early intervention services to families across Wales. Unsurprisingly, we heard that funding was one - both the absence of funding entirely, and short-term funding, which the Children’s Social Care Research and Development Centre told us leads

¹⁸⁶ Mark Drakeford, ‘[Mark Drakeford for leader](#)’, November 2018, page 31

¹⁸⁷ Welsh Government, ‘[Programme for Government - Update](#)’, January 2021, page 3

¹⁸⁸ [CYPE, 17/11/22, RoP](#), paragraph 64; [CYPE, ‘Engagement findings’](#), March 2023, pages 4 & 18; [Written evidence, CEC 12 Grwp Resilience](#); [Written evidence, CEC 19 Barnardo’s Cymru](#); [Written evidence, CEC 8 National Youth Advocacy Service \(NYAS\)](#)

¹⁸⁹ [CYPE, ‘Engagement findings’](#), March 2023, pages 6-7 & 17; [CYPE, ‘Findings of stakeholder events’](#), March 2023, page 4

¹⁹⁰ [Written evidence, CEC 42 National Society for the Prevention of Cruelty to Children \(NSPCC\)](#); [CYPE, ‘Findings of stakeholder events’](#), March 2023

¹⁹¹ [CYPE, 09/03/23, RoP](#), paragraph 58; [Written evidence, CEC 20 Action For Children](#); [Written evidence, CEC 33 Llamau](#); [Written evidence, CEC 9 Ms Davara Bennett, Dr Gabriella Melis, Prof David Taylor Robinson, Public health researcher, University of Liverpool](#); [Written evidence, CEC 4 TACT Fostering](#)

¹⁹² [CYPE, ‘Engagement findings’](#), March 2023, page 20; [CYPE, ‘Findings of stakeholder events’](#), March 2023, page 4

¹⁹³ [Written evidence, CEC 31 The Fostering Network](#); [CEC 42 National Society for the Prevention of Cruelty to Children \(NSPCC\)](#); [Written evidence, CEC 13 Children’s Social Care Research and Development Centre \(CASCADE\)](#); [Written evidence, CEC 35 Welsh Women’s Aid](#)

¹⁹⁴ [Written evidence, CEC 41 Evidence from Hywel Dda University Health Board](#); [Written evidence, CEC 8 National Youth Advocacy Service \(NYAS\)](#); [Written evidence, CEC 16 Plattform](#)

to “interesting and promising projects [being] ‘bolt-ons’ to core services”.¹⁹⁵

However, the Association of Directors of Social Services stressed the importance of preventative services, arguing that “for every £1 spent to meet immediate statutory demand an additional £2 should be spent on preventative services to reverse the current position.”¹⁹⁶

104. Staff availability and training was also highlighted as a significant barrier.¹⁹⁷ The British Association of Social Workers highlighted that effective evaluation of early intervention schemes was also important, to ensure that the right service models could be rolled out across Wales:

*“there are some extraordinarily innovative approaches in different parts of Wales that are helping to support people and young people—the edge of care, for example... But, I wonder whether some of those services have the rigorous evaluation and research around them to be able to provide the evidence for those services being expanded or delivered in other areas ...”*¹⁹⁸

105. Flying Start is a Welsh Government programme that delivers universal support to early years families in the most deprived geographical areas in Wales. However it is not specifically targeted at families on the edge of care, nor is it available across Wales as a whole. We asked the Deputy Minister whether the Welsh Government would take action to rollout successful early intervention projects across Wales, and address the challenges associated with short-term funding. The Deputy Minister agreed that “we need more of these projects and we need them across Wales”. A Welsh Government official explained that they are planning a “best practice conference” in May or June 2023, to “build on what are some very strong programmes across Wales”, particularly [Barnardo’s] Reflect, and how we expand those going forward.”¹⁹⁹

‘FDAC’ - the problem-solving court

106. Family Drug and Alcohol Courts (FDAC) are an alternative to traditional care proceedings. It is a problem-solving approach that aims to support birth parents to overcome problems relating to substance misuse and other risk factors to prevent the removal of a child. Despite the name of the model, the

¹⁹⁵ Written evidence, CEC 13 Children’s Social Care Research and Development Centre (CASCADE); CYPE, ‘Engagement findings’, March 2023, page 10; CYPE, 08/02/23, RoP, paragraph 59

¹⁹⁶ Written evidence, CEC 38 Evidence from Association of Directors of Social Services (ADSS)

¹⁹⁷ Written evidence, CEC 26 Penny Jones, County Councillor; Written evidence, CEC 42 National Society for the Prevention of Cruelty to Children (NSPCC)

¹⁹⁸ CYPE, 02/03/23, RoP, paragraph 60

¹⁹⁹ CYPE, 09/03/23, RoP, paragraphs 201-208

multidisciplinary team supports families with other problems too, such as domestic abuse or poor mental health, and focuses on the underlying trauma leading to problematic behaviour.²⁰⁰ FDACs consistently can provide therapeutic support via a multidisciplinary team, alongside regular meetings with the same specially trained judge who presides over the case.

107. FDACs were originally piloted in London, and have since been extended to different areas in England. The Commission on Justice in Wales²⁰¹, What Works for Children’s Social Care²⁰² and the ‘Interim evaluation of the Wales FDAC pilot’²⁰³ have all identified that there have been many iterations of the standard FDAC model that have been developed over time. The Welsh Government commissioned the first Welsh FDAC pilot in 2021 to run for two years in Cardiff and Vale of Glamorgan.²⁰⁴

108. Evaluation of the FDAC pilot in Wales is ongoing. As of January 2023, the Wales FDAC has had 15 cases involving 23 parents and 19 children. 4 of those cases have concluded: 2 with reunification, 1 with placement of the child with a wider family member, and 1 with the child placed in long term foster care.²⁰⁵ Evaluations of FDACs elsewhere indicate that families involved are significantly more likely to retain care of their children and stop substance misuse compared to standard court proceedings.²⁰⁶ FDAC staff told us that they “see the benefits of FDAC already in our pilot prototype”.²⁰⁷

109. Anecdotal evidence also suggests that families that go through FDAC appreciate the ‘procedural fairness’ of the process, defined as neutrality, respect, understanding and voice. A sense of procedural fairness leads families to have a better relationship with, and more confidence in, statutory authorities, even if the child is ultimately placed into care. This has led to very few contested hearings.²⁰⁸ The model has the support of the Association of Directors of Social Services and key members of the judiciary.²⁰⁹

²⁰⁰ [CYPE, 08/02/23, RoP](#), paragraph 174

²⁰¹ The Commission on Justice in Wales, ‘[Justice in Wales for the People of Wales](#)’, October 2019 pages 193-196

²⁰² What works for Children’s Social Care, ‘[Family Drug and Alcohol Courts](#)’

²⁰³ Melissa Meindl, Meghan Hosch & David Westlake, ‘[An evaluation of the Family Drug and Alcohol Court in Wales pilot](#)’, August 2022, Appendix 3

²⁰⁴ Melissa Meindl, Meghan Hosch & David Westlake, ‘[An evaluation of the Family Drug and Alcohol Court in Wales pilot](#)’, August 2022, page 1

²⁰⁵ [Written evidence, CEC 11 Family Drug and Alcohol Courts \(FDAC\), Centre for Justice Innovation](#)

²⁰⁶ Melissa Meindl, Meghan Hosch & David Westlake, ‘[An evaluation of the Family Drug and Alcohol Court in Wales pilot](#)’, August 2022, page 5

²⁰⁷ [CYPE, 08/02/23, RoP](#), paragraph 181

²⁰⁸ [CYPE, 08/02/23, RoP](#), paragraphs 187-189

²⁰⁹ [CYPE, 09/03/23, RoP](#), paragraph 51; [CYPE, 08/02/23, RoP](#), paragraph 205

110. FDAC staff and Cardiff University researchers were clear that they wanted to see the model rolled out across local authorities.²¹⁰ However, there are barriers to national rollout, most notably funding. FDAC staff called for more central funding from Welsh Government, adding that funding should also come from social care, health, and police and crime because the “benefits are wide-ranging”.²¹¹ We also heard that the goodwill, capacity and engagement of the wider local multi-disciplinary team, including health professionals, has been essential to the pilot in Cardiff and the Vale of Glamorgan. Limitations in levels of multi-agency support across Wales could also be a barrier to future rollout.²¹²

111. The Welsh Government’s funded two-year pilot of FDAC in the Cardiff and Vale of Glamorgan area is in its second year of operation. The pilot’s funding ends in 2023 before the final evaluation, which is expected in January 2024. We asked the Welsh Government for its views on rolling out the FDAC model across Wales. The Deputy Minister told us that she is “absolutely convinced of the value of the problem-solving family court model... this is something that we are very keen to pursue.” She told us that “we’re looking at ways of extending the funding in order for the evaluation to be completed, and then, we will see what the evaluation says to see if we can make it serve a wider population in Wales.” An official added that they were learning lessons from England, which included some FDACs that were not as successful. He told us that “we know the evidence that this works, but you’ve got to make sure that you have the right number of cases, you’ve got to make sure that you get all the partner agencies, including health, very much heavily involved in this, and really seeing it as an investment.”²¹³

112. The ‘Radical Reform declaration’, signed by both the First Minister and children in care in May 2023, includes the following ‘vision’:

*“No child or young person will be taken into care unless everything possible has been done to help their family look after them well, unless there is an emergency”.*²¹⁴

Our recommendations below are concrete steps towards making these words a reality.

²¹⁰ CYPE, 08/02/23, RoP, paragraphs 179-181

²¹¹ CYPE, 08/02/23, RoP, paragraphs 201-202

²¹² CYPE, 08/02/23, RoP, paragraph 233

²¹³ CYPE, 09/03/23, RoP, paragraphs 221-222, 227 & 229

²¹⁴ Welsh Government, ‘Radical Reform Summit: Declaration’, 18/05/23, page 6

Our view

RADICAL REFORM #6

Extend across the country and on a universal basis successful edge of care services, such as Barnardo's Baby & Me, which have been shown to increase the chance of children being able to stay with their birth parents.

We note the overwhelming consensus about the impact of poverty on the rates of children entering the care system. Poverty is clearly a fundamental driver of family breakup. The causes of child poverty are complex and beyond this scope of this inquiry, and many of the levers to alleviate it do not lie with the Welsh Government. It would be remiss of us to ignore the impact of poverty, but we cannot address its causes in this report.

The evidence we received about the potential for effective early intervention services to reduce the rates of children entering the care system was compelling. We fully support the calls of the many individuals and organisations for holistic, family-centred and multi-disciplinary early intervention to address the underlying trauma that can lead to problematic family behaviours that could in turn, if unaddressed, lead to children being taken into care.

These edge of care services must be available to families across Wales as a key part of a national approach to keeping families together.

We recognise that robust evaluation plays an important role in understanding which services are effective, why, and how they could be rolled out more widely. We also recognise that not all services will be effective enough to be rolled out further, and this inevitably means that newer initiatives will need to be funded on a short-term basis. We also acknowledge that rolling out early intervention service across Wales may appear costly in the short-term, and that many local authorities and other public service bodies are struggling to meet their statutory obligations, let alone invest in preventative edge-of-care services.

But we believe that well-established services that have a proven track record of keeping families together, such as Barnardo's Baby & Me, are likely to be excellent value for money. They may not reduce the financial burden of children's care in the very short term, but they will in the longer term, reducing the staggering financial cost - not to mention the emotional trauma - of placing children in care. We urge the Welsh Government to develop an approach to funding these critical services that recognises the long-term savings that will be felt across different public services beyond children's services.

Edge of care services are critical to the effectiveness of other key interventions that depend on multi-disciplinary and multi-agency cooperation to reduce care rates, such as advocacy (see pages 69) and the FDAC model (see page 64). This radical reform is a key, central piece of the wider jigsaw of support for vulnerable families.

Recommendation 8. The Welsh Government should ensure universal, nationwide access to successful edge of care/early intervention/preventative services, such as Barnardo's Baby & Me, which have been shown to increase the chance of children being able to stay with their birth parents. Until local authorities are able to recoup the long-term cost benefits of these services the Welsh Government should develop a long-term, national, sustainable funding model for them, recognising their potential for financial benefits across different public service bodies.

RADICAL REFORM #7

Subject to a successful full evaluation, roll out the problem solving court model (The Family Drug and Alcohol Court model, or 'FDAC') across Wales.

What we heard about the potential for the FDAC model to significantly reduce the rates of children entering the care system is extremely promising. If the full evaluation demonstrates that to be the case, the model should be rolled out for that reason alone.

But we were also convinced by the other benefits too: birth parents' perceptions that the process is fair, that they are being listened to, and that they are being treated with respect and kindness. These values are at the heart of many of the radical reforms we set out in this report, following the conversations we had with vulnerable parents who, time and time again, told us that statutory services did care about them, or take the time to help them before placing their children in care. The benefits of procedural fairness are likely to extend to families' ongoing relationships with, and confidence in, statutory services, as children's first interactions with those services are more transparent, empathic and relationship-driven.

We will look with interest to the UK Government's feasibility study looking at applying this problem-solving court model more widely to other risk factors in family courts proceedings in England, which is due to make recommendations in 2024.

The courts system is reserved to the UK Parliament. However, we understand that this is not a barrier to rollout of the FDAC model. Although FDAC courts depend on the support of members of the judiciary and other reserved bodies, the model

relates more to support for families in courts than changes to the courts process itself.

So, subject to getting that support, and a successful evaluation of the pilot in Cardiff and the Vale of Glamorgan, we urge the Welsh Government to extend the model across Wales.

Unless there are compelling reasons to indicate otherwise, we believe that one consistent model of FDAC should be rolled out with the aim of delivering a coherent approach across Wales.

We recognise that the success of the FDAC model depends on the availability of high quality early intervention and family support schemes. We propose the full rollout of the FDAC model across Wales in the context of the suite reforms set out elsewhere in this chapter.

Recommendation 9. The Welsh Government must work with local authorities, members of the judiciary and other relevant stakeholders to roll-out a consistent FDAC model across Wales, subject to a successful evaluation of the Cardiff and Vale of Glamorgan pilot.

Being heard and advocacy for birth parents in the child protection system

113. One of the key messages from the birth parents we spoke to was that they are not listened to and that they are not involved in decision making throughout the child protection system: from pre-proceedings through to decisions about whether to permanently remove their child. We heard a number of stories about birth parents having to attend court proceedings remotely from the hospital just hours after giving birth.²¹⁵ Others told us that social workers and other professionals were dishonest with them, made referrals to social services without them knowing, or held secret meetings about them without them being able to attend.²¹⁶ Many told us that care proceedings confused them: they did not understand social services' decisions, they did not understand the terminology that was being used by professionals around them or the courts process itself.²¹⁷ We also heard that many birth parents struggle to get support for their own wellbeing, both during child protection proceedings and after, when social

²¹⁵ CYPE, 'Engagement findings', March 2023, page 14

²¹⁶ CYPE, 'Engagement findings', March 2023, pages 11 & 14; [Written evidence, CEC 12 Grwp Resilience](#)

²¹⁷ CYPE, 'Findings of stakeholder events', March 2023, page 2; CYPE, 'Engagement findings', March 2023, pages 11 and 13.

services and others close the case file and withdraw support, despite the birth parents' acute vulnerability after the loss of their child.²¹⁸

114. We heard universal support for parental advocacy services from birth parents. We heard that advocates helped birth parents we spoke to by:

- Helping birth parents understand their rights.
- Coming to court hearings and helping to interpret legal processes or terminology.
- Providing emotional and practical support to the young person.²¹⁹

115. Professionals working with birth parents agreed that birth parents at risk of having a child removed often need advocacy support programmes to help them engage with social services and the child protection process, or to access wider support services. Some told us that, very often things escalated too quickly and before they knew it they were in proceedings, at which point it was too late and the children went into the care system. Others told us that advocacy can empower parents and help to rebalance a perceived imbalance of power with statutory services.²²⁰ CAFCASS Cymru and the Association of Directors of Social Services also recognised the value of parental advocacy, welcoming the Welsh Government's commitment to provide more advocacy support for parents on the edge of care.²²¹

116. The Welsh Government's Programme for Government commits to "prevent families breaking up by funding advocacy services for parents whose children are at risk of coming into care".²²² However, at the moment, parental advocacy services are usually only provided to care experienced birth parents (see 'The cycle of care on page 55). Professionals working with birth parents told us this was a gap in advocacy support.²²³ We heard numerous calls for an independent support service to be offered to all birth parents, and for that support to begin when a child is placed on the child protection register. Learning Disability Wales wrote that "All parents should have access to an independent specialist advocate if their children

²¹⁸ CYPE, 'Engagement findings', March 2023, page 19; CYPE, 08/02/23, RoP, paragraph 23

²¹⁹ CYPE, 'Engagement findings', March 2023, pages 6-7 & 17; CYPE, 'Findings of stakeholder events', March 2023, page 4

²²⁰ CYPE, 'Findings of stakeholder events', March 2023, page 8; Written evidence, CEC 1 Voices From Care Cymru; Written evidence, CEC 13 Children's Social Care Research and Development Centre (CASCADE);

²²¹ Written evidence, CEC 38 Evidence from Association of Directors of Social Services (ADSS); Written evidence, CEC 46 CAFCASS Cymru

²²² Welsh Government, 'Programme for Government - Update', January 2021, page 3

²²³ CYPE, 'Engagement findings', March 2023, page 17

are the subject of child protection and/or care proceedings”. NYAS, Voices from Care and others agreed.²²⁴

Our view

RADICAL REFORM #8

The statutory right to an ‘active offer’ of an independent support worker when the child is placed on the child protection register or made subject to pre-proceedings to support them to access early intervention services and navigate the social care and family court system. If a child is ultimately removed from their birth parents, the support should continue beyond the child’s removal to signpost the birth parents to services that can help them come to terms with their loss.

The evidence we heard from birth parents was overwhelming. Birth parents are painfully aware of the imbalance of power between them and statutory services. They may not know what early intervention services are available to them to give them every chance of retaining their children, and many struggle to understand and navigate child protection processes and the courts. This is not surprising - these are complex and intricate systems, with difficult to understand legal terminology and formal processes, staffed by highly qualified and specialised professionals.

An independent support worker could help birth parents navigate that confusing environment, supporting them to understand their rights, what they need to do to give them every chance of keeping their children, and make sure that their voices are heard. These services can also be invaluable in signposting birth parents to sources of support, and can even provide emotional support themselves.

These are important elements of a wider network of support for vulnerable families which, when considered in the whole, will help to prevent some children being taken into care.

We therefore believe that independent support should be offered to all birth parents who are at risk of having a child removed. We believe that birth parents should be made aware of this support by way of an ‘active offer’, similar to the active offer of advocacy currently extended to children looked after. The active offer should be made at the point at which their child is placed on the child protection register or made subject to pre-proceedings (whichever comes first), to give the parents some opportunity to address social services’ concerns before

²²⁴ [Written evidence, CEC 37 Learning Disability Wales; Written evidence, CEC 8 National Youth Advocacy Service \(NYAS\); Written evidence, CEC 1 Voices From Care Cymru](#)

court proceedings. And it should extend to after a child is removed from their parents' care, if that is the outcome, to ensure that the birth parent is signposted to support to help them grieve and come to terms with that loss.

Recommendation 10. The Welsh Government should introduce legislation to give birth parents a statutory right to an 'active offer' of an independent support worker when the child is placed on the child protection register or made subject to pre-proceedings to support them to access early intervention services and navigate the social care and family court system. If a child is ultimately removed from their birth parents, the support should continue beyond the child's removal to signpost the birth parents to services that can come to terms with their loss.

Other important issues

Care proceedings

Pre-proceedings

117. Before any referral to the family courts, local authorities should follow the 'pre-proceedings' stage of the Public Law Outline.²²⁵ The Public Law Outline process takes place when the local authority is concerned about a child's wellbeing, but before the local authority has made an application to the court. The pre-proceedings stage is intended to provide an opportunity for targeted work with a family with the aim of preventing the child being removed permanently by the court. The Right Honourable Sir Andrew McFarlane, President of the Family Division, explained to us that a case that involves "a growing understanding of neglect and parents who are failing to cope for whatever reason" will properly involve an extended pre-proceedings phase. He highlighted the conclusions of the Public Law Working Group, which emphasised:

*"... the need for time to be spent in reconnaissance, in pre-proceedings assessment, in non-urgent cases, before a local authority either decided to come to court or decided that there was, in fact, something else they could do to support the children without coming to court. And that was a win-win either the case doesn't come or, when it does come, the assessments have been performed already, they're good enough for the court process..."*²²⁶

118. Sir Andrew McFarlane added that there is variable practice across local authorities in how they make use of pre-proceedings in England and Wales. Wales

²²⁵ Justice.gov.uk, 'Public Law Outline: Pre-proceedings'

²²⁶ CYPE, 08/02/23, RoP, paragraph 102

- and particularly Swansea - was “leading the way”. The Family Division Liaison Judge for Wales, Sir Nicholas Francis, agreed. He told us that care orders are made in far more cases in percentage terms in Wales than in England, indicating that pre-proceedings work is being carried out effectively by Welsh local authorities.²²⁷

119. A key element of pre-proceedings work can relate to social services’ attitudes to risk: whether they feel confident recommending for children to remain at home rather than bringing cases to court. In general, the birth parents we spoke to felt that the default position of many social services departments was to keep children away from their parents, rather than to keep families together.²²⁸ Views like these were particularly prevalent among care experienced parents. We heard on numerous occasions that birth parents are not allowed to go through the same learning curve that all parents do as they adjust to life with a baby. Many felt that they were criticised for the smallest of issues in a way that other parents would not be. One woman told us that “nothing I do is good enough - and my child has to pay for it.”²²⁹

120. We heard that different local authorities have different attitudes to risk, as a CASCADE researcher told us:

*“There are stark differences in the way that local authorities operate in things like their culture, the way they practice... the way they make decisions and judgments about risk, but also decisions about responses to risk.... So, for example, an organisation that has a leadership team that has a very strong position about a threshold decision, for example, or where a threshold should be for certain levels of intervention, that can permeate the organisation...”*²³⁰

The British Association of Social Workers made similar comments.²³¹

121. A potential driver of risk aversion is the consequences if social services do not make the decision to intervene to remove a child, and the child is subsequently harmed. In their June 2022 response to the England’s Independent Review of Children’s Social Care, the British Association of Social Workers made the link between unnecessary risk-aversion in social work and the public vilification of social workers:

²²⁷ CYPE, 08/02/23, RoP, paragraph 106

²²⁸ CYPE, ‘Engagement findings’, March 2023, page 4

²²⁹ CYPE, ‘Engagement findings’, March 2023, page 13

²³⁰ CYPE, 08/02/23, RoP, paragraph 253

²³¹ CYPE, 02/03/23, RoP, paragraph 57

“... social workers are very apprehensive about getting things ‘wrong’, which can fuel a tendency to over-investigate. This practice can be criticised, but it will be extremely hard to change while the media and politicians are so ready to condemn social workers and others when they make ‘mistakes’.”²³²

122. Some birth parents and their support workers told us that, in the aftermath of the death of Peter Connelly (sometimes referred to as baby P), there seemed to be a heightened risk aversion from some officials.²³³ However, whilst the Committee has heard extensive evidence about families being pre-judged, there are also recent high profile cases such as Logan Mwangi, Arthur Labinjo-Hughes, Star Hobson and Finley Boden where there are concerns that stronger intervention from social services might have prevented the death of a child. When we asked the Association of Directors of Social Services for their views, they told us that “We manage risk that, I think, very often is not understood... And that critique, that fear, is very real. I think it’s fair to say we all feel and live with that all of the time.”²³⁴

The Family Court

123. Once cases are referred to the family court, the case should be resolved within 26 weeks. Sir Andrew McFarlane told us “I think that’s the most significant aspect of a young person’s experience, that we just simply take too long... But addressing that, I think, is the principal feature that I want to highlight.” Sir Nicholas Francis told us that Wales has a better track record of completing cases within the 26 weeks than England. Nevertheless, the average, at 32 weeks, is still longer than the 26 week limit. He cited staffing shortages in local authorities and CAFCASS Cymru as reasons for delays.²³⁵ Some birth parents we spoke to also raised concerns about the length of care proceedings. We heard of one young mother who had been going through care proceedings since her baby was born two years ago, and still had no certainty if her baby was going to stay with her.²³⁶

124. There was relatively little evidence to suggest that the courts remove children unnecessarily.²³⁷ Some care experienced children and young people accepted that some children couldn’t stay with their birth parents and it was right to

²³² British Association of Social Workers, ‘[England’s children’s reviews address modest organisational issues, not massive capacity problems](#)’, June 2022

²³³ CYPE, ‘[Findings of stakeholder events](#)’, March 2023, page 6

²³⁴ [CYPE, 09/03/23, RoP](#), paragraph 24

²³⁵ [CYPE, 08/02/23, RoP](#), paragraphs 83-90

²³⁶ CYPE, ‘[Engagement findings](#)’, March 2023, page 14

²³⁷ However, one consultation response from Grŵp Resilience called for “end removal using ‘potential future emotional harm’ as a reason, only remove if in imminent physical danger.” See: [Written evidence, CEC.12.Grwp Resilience](#).

remove them.²³⁸ However, we also heard several times that a minority of birth parents believed social workers get a bonus for removing children. A professional told us that “it’s necessary to debunk the myth that authorities are just there to take children away”.²³⁹

125. We heard mixed views on whether the threshold for removing a child was approached differently in different courts across Wales. Sir Andrew McFarlane told us that, following discussions with colleagues who have worked in both jurisdictions, he was “quite reassured that there isn’t some systemic problem that’s peculiar to Wales that might account for any difference in figures.”²⁴⁰ However, some birth parents disagreed, telling us that, in their experience, different judges had different attitudes to risk.²⁴¹

126. The experience of attending court can be very difficult for some families. Some birth parents told us that they found it unnecessarily intimidating, and spoke about how difficult it can be to understand the jargon.²⁴² Professionals working with families on the edge of care agreed, telling us that knowing what to do when in the courtroom, like when to rise, is also confusing, and that some judges are seen as ‘kinder’ in their interactions with birth parents than others. We heard about birth mothers who had experienced court proceedings about their child only hours after childbirth, and the vulnerability of young women who had just given birth and the trauma of dealing with care proceedings in a hospital ward with “complete strangers” around them.²⁴³

127. We also heard about the challenges facing birth mothers in relationships where domestic violence was a key feature of the child’s removal and where the perpetrators attended court with them. In one instance, the mother was too young and too frightened to tell the truth in court, and felt that her perceived dishonesty contributed to her child’s removal.²⁴⁴ We consider how birth parents can be better supported on page 69.

Residential parenting assessment placements and parent and child foster placements

128. Some birth parents are asked to attend a parenting assessment placement, usually for 12 weeks, in a residential unit. During the placement, the parent(s) are closely observed by independent professionals, who will then report on the

²³⁸ CYPE, ‘Findings of stakeholder events’, March 2023, page 6, page 23

²³⁹ CYPE, ‘Engagement findings’, March 2023, page 4

²⁴⁰ CYPE, 08/02/23, RoP, paragraph 132

²⁴¹ CYPE, ‘Findings of stakeholder events’, March 2023, page 6

²⁴² CYPE, ‘Findings of stakeholder events’, March 2023, page 6

²⁴³ CYPE, ‘Engagement findings’, March 2023, pages 14-15; CYPE, ‘Findings of stakeholder events’, March 2023, pages 13-14

²⁴⁴ CYPE, ‘Engagement findings’, March 2023, page 16

standard of care provided to the child. The reports can be used as evidence in the courts. Parenting assessment placements may be offered by the local authority prior to proceedings being initiated, or the court itself may order a parenting assessment during proceedings.

129. Birth parents regularly raised concerns about residential parenting assessment placements. We heard that the centres allow very little privacy, and usually have 24 hour supervision, including CCTV in the bedrooms. Some young women told us that they experienced conflict and bullying from other residents, while others told us that placement staff failed to identify and support post-natal depression. One care experienced mother told us “It was horrible. One of the worst experiences of my life.” Birth mothers agreed that the placements gave them very little chance of keeping their child, and often took them away from their support networks, which then counted against them during court proceedings.²⁴⁵

130. Professionals raised similar concerns. We heard that there are very few placements in Wales, so birth parents can be sent far away from their support networks. The WLGA told us 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.”²⁴⁶

131. When birth parents come back from the placements it can be difficult to re-integrate them into the community. We heard that most birth parents have no choice but to give up their home accommodation when they move into a parenting assessment centre because they can’t afford to keep it. Where the parent is a social housing tenant, the local authority or housing association may want to end their tenancy.²⁴⁷

132. We heard more positive feedback about parent/baby foster placements, where a parent and a baby will stay with a foster parent, or vice versa, so that the parent can receive wrap-around help and advice on caring for their child. These placements can help parents to feel united with their baby and supported as new parents. There are very few such placements in Wales.²⁴⁸

²⁴⁵ CYPE, ‘Engagement findings’, March 2023, pages 14-15; CYPE, ‘Findings of stakeholder events’, March 2023, pages 4-5

²⁴⁶ Written evidence, CEC 44 Welsh Local Government Association (WLGA)

²⁴⁷ CYPE, ‘Engagement findings’, March 2023, pages 5-6

²⁴⁸ CYPE, ‘Findings of stakeholder events’, March 2023, page 9

Our view

Pre-proceedings

133. We acknowledge the significant challenges that social workers face when working with vulnerable families on the edge of care. This inquiry is framed by a drive at Welsh Government-level to reduce safely the numbers of children entering the care system. Rightly so. However, we understand the inherent tension between that headline policy and the reality faced by professionals who will live with the consequences if they do not seek to remove a child from their birth parents and a child is harmed - or worse - as a result. We do not underestimate the impact that demonising social workers in the media and elsewhere can have on social workers' willingness to take positive risks to keep families together, and on heads of children's services' willingness to promote a culture of healthy risk taking across their organisation in an appropriate and evidence based way. Neither do we underestimate the impact of that negative coverage on recruitment and retention across the social care workforce as a whole. These issues are intrinsically linked to workforce sufficiency challenges, as we discuss in the first chapter of this report.

Residential parenting assessment placements and parent and child foster placements

134. We are shocked by the experiences of many of the birth parents we spoke to who had been placed in a residential family assessment centre. We understand the potential benefit of a residential professional assessment of a parent's capacity to look after themselves and their child to inform court decisions. However, we are not convinced that these assessments need to be carried out alongside such extensive invasions of privacy. Despite being subject to inspection by Care Inspectorate Wales, the ethics of how some aspects of these independently run residential placements operate seem questionable. Based on what we heard, we are wholly unsurprised that some parents report that these placements are deeply traumatising. We are unconvinced that further traumatising young parents who may already be deeply vulnerable is the right way to support families to stay together, or build birth parents' trust in the child protection process more widely.

135. We also note the concerns of some birth parents and professionals that residential family assessment centres may have unrealistic expectations of new parents, and that - ultimately - birth parents have very little chance of leaving the centres with a positive outcome. We are astounded that many birth parents will be sent to centres long distances from their homes. This immediately excludes them from the emotional and practical support networks which we know are essential to all new parents. It's obvious what the huge impact of being forced to

moved so far away from support networks would have on anyone, especially young first time and often care experienced mothers. This perfect storm, outside birth parents' control, can lead to an assessment which may ultimately count against them during court proceedings. And as if the process isn't already difficult enough, we were shocked that birth parents may lose their social housing as a result of vacating their homes for 12+ weeks.

136. It is no wonder that some birth parents feel like the odds are stacked against them.

137. There were some indications that local parent and child foster placements may be a kinder, and more effective, way to support birth parents on the edge of care. Given what we heard about residential family assessment placements, we are disappointed to hear that very few such placements exist in Wales.

Recommendation 11. The Welsh Government should commission an independent review into the efficacy and availability of parenting assessment placements. The review should consider the ethics, utility and value for money of both residential placements and parent and child foster placements, and identify what changes can be made to improve the process for families, and any barriers that need to be overcome to take those steps. The independent review should report no later than December 2023.

4. In care

Reforms to improve the quality of services and support for children in care.

Being heard and advocacy for children in care and care leavers

Being heard

138. Many young people told us that, on the whole, young people in care are not listened to, or given an opportunity to be involved in decisions about their lives. Some said that this was particularly the case when they were younger.²⁴⁹ We heard similar sentiments repeated across our evidence gathering:

“Care experienced young people told us that they often do not feel listened to. They told us the adults did not always understand that it could be difficult for them to express their views and to tell the whole truth.” - Voice From Care

“Allow kids to express if they don’t like placements and move them.” - Attendee at Voices From Care’s Proud To Be Me event

“Let us share our feeling about placements.” - Attendee at Voices From Care’s Proud To Be Me event

“I would ask for more support, more educated and adults treat you as human rather than as if you would crumble.” - Attendee at Voices From Care’s Proud To Be Me event²⁵⁰

139. We heard that a child’s social worker will often be a key factor in whether young people’s views are taken into account. For some, their wishes and feelings were taken into account at a really young age. But for most young people that wasn’t always the case: decisions can be made “quickly and not explained at all.”²⁵¹ We often heard this view in relation to foster placements or accommodation preferences, from both young people themselves²⁵² and from professionals who work with care experienced children, such as Llamau:

²⁴⁹ CYPE, ‘Findings of stakeholder events’, March 2023, page 18

²⁵⁰ Written evidence, CEC 1 Voices From Care Cymru; Written evidence, CEC 1 Voices From Care Cymru; CYPE, ‘Proposals for radical reform: From attendees at Voices from Care’s ‘Proud To Be Me’ event’, February 2023, page 6

²⁵¹ CYPE, ‘Transcript from the session with young people on 18 January 2023’, pages 9-10

²⁵² Written evidence, CEC 1 Voices From Care Cymru; CYPE, ‘Proposals for radical reform: From attendees at Voices from Care’s ‘Proud To Be Me’ event’, February 2023, pages 2-3

"I don't think there is any choice at all, and that makes it really difficult for those young people, and those young people often feel that they've had choice taken away throughout their whole time in care, when the only choice that they've had is bringing a placement to an end themselves, perhaps by their behaviour."²⁵³

The 'active offer' of issue-based advocacy

140. Local authorities have a statutory duty to provide advocacy services to some groups of children, specifically 'looked after children', 'children in need' and 'care leavers'. This entitlement is communicated to them via an 'active offer', where their social worker actively refers them to their local advocacy provider. Issue-based advocacy is a short-term advocacy service that is available to young people to help them with specific issues or situations. It is not long-term; it will only exist for the time it takes to resolve the specific issue.

141. We heard general support for independent advocacy services, including from young people themselves. However, we also heard that the current advocacy model isn't working as well as it could. We heard that the active offer itself is often made just when a child has been removed from their birth parents, a traumatic time for children, and often an inappropriate point to discuss advocacy arrangements. We heard that in practice the active offer is made by a social worker handing the child a leaflet, and many children aren't aware of their entitlement to advocacy at all. The active offer should therefore be made on a regular basis throughout the child's time in care.²⁵⁴ Different groups of young people and professionals told us that care experienced children would benefit from more permanency from their advocate, and ideally would have one named advocate with whom they could develop a long-term relationship - an 'opt out' model.²⁵⁵ However, the Association of Directors of Social Services were less positive about this proposal:

"I'm not convinced that universal advocacy in the way that you're perhaps suggesting would necessarily solve that, because what you want is the workforce across the board, across all agencies, to be able to work effectively with families."

²⁵³ CYPE, 02/03/23, RoP, paragraph 122. See also: Written evidence, CEC 40 Children in Wales, page 4

²⁵⁴ CYPE, 02/02/23, RoP, paragraph 135; Written evidence, Care Inspectorate Wales (additional information); CYPE, 'Engagement findings', March 2023, page 22; Written evidence, CEC 39 Evidence from Children in Wales, with and on behalf of the National Children's Charities Policy Group members

²⁵⁵ CYPE, 'Engagement findings', March 2023, pages 7-9, 18 and 22; CYPE, 02/02/23, RoP, paragraph 140; CYPE, 'Findings of stakeholder events', March 2023, page 11

That would be what we should be aiming for, rather than another layer of translation, if you like.”²⁵⁶

142. We asked the Deputy Minister for her views on opt-out, rather than issue-based, advocacy for all children in care. She told us that “this is something that I think we do need to think about... really look forward to what the committee will recommend on this question of opt in and opt out.”²⁵⁷

Residential visiting advocacy

143. We heard specific concerns about advocacy services for children in residential care, which includes some of the most vulnerable children in the care system.²⁵⁸ Care Inspectorate Wales wrote that:

“... 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.”²⁵⁹

NYAS agreed, arguing that although advocacy “came out of the systematic abuse in children’s homes ... we still haven’t got that right 20 years later.”²⁶⁰ A 2019 report commissioned by Tros Gynnal Plant Cymru came to similar conclusions, stating that the concept of advocacy is “not widely known or understood by those who own or work in children’s homes provided by the private sector”, and that children in those homes may not receive the issue-based advocacy support they are entitled to.²⁶¹

144. An additional complication is that many children in Welsh residential homes are not from Welsh local authorities - up to 25% of children in Welsh residential homes were placed by English local authorities.²⁶² Those children would not necessarily benefit from advocacy entitlements or services extended to Welsh children. For example, English children do not have the right to an ‘active offer’ of issue-based advocacy.

²⁵⁶ CYPE_09/03/23_RoP, paragraph 39

²⁵⁷ CYPE_09/03/23_RoP, paragraphs 257-259

²⁵⁸ CYPE_02/02/23_RoP, paragraph 147; CYPE, ‘Findings of stakeholder events’, March 2023, page 14

²⁵⁹ Written evidence, Care Inspectorate Wales (additional information)

²⁶⁰ CYPE_02/02/23_RoP, paragraph 142

²⁶¹ Dr Anne Crowley, ‘Out of Sight - Out of Rights?’, November 2019, page 38

²⁶² Dr Anne Crowley, ‘Out of Sight - Out of Rights?’, November 2019, page 7

145. Some residential homes have assigned advocates for all children at the home to address these advocacy gaps. This form of advocacy is known as ‘residential advocacy’. The visiting advocate works to build a trusting relationship with the children and young people, answers any questions they may have about their care, helps to resolve disputes, and liaises with other advocacy services where required. However, although all local authority run residential homes have assigned advocates, only around 15% of private/voluntary residential homes do. To extend the reach of residential advocacy services, the TGP review recommends that “the provision of residential visiting advocacy in each and every children’s home by a contracted registered advocacy provider should be a requirement for registration as a provider of children’s care homes in Wales.”²⁶³

Our view

RADICAL REFORM #9

Give children in care and care leavers a statutory right to long-term advocacy support via an assigned advocate on an ‘opt-out’ basis. An advocate would be assigned to each child when they enter the care system to provide long-term advocacy support across a range of issues, and continue until the child ceases to be a ‘care leaver’. Children and young people could opt-out (and then opt back in later) if they wish.

We have discussed advocacy services elsewhere in this report in relation to the cycle of care (page 55) and advocacy for birth parents (page 69). The fundamental arguments for advocacy services for children in care are similar. Advocates can advise children, help to make sure their voices are heard, and provide emotional support. These benefits are more pronounced in the context of advocacy for children in care, who may struggle to get their voices heard both because of their care status *and* because they are children. Children in the care system have told us they feel powerless, and that they have no say in decisions about their lives. Making sure this group of children is heard is absolutely critical.

We understand the Association of Directors of Social Services’ concerns about bringing more professionals into a child’s life, and the potential complications of “another layer of translation”. As we have stated in relation to the social care workforce earlier in this report (page 35), we believe that driving down social workers’ caseloads will have transformational implications for the quality of their relationships with vulnerable children and families.

However, we have committed to prioritise the views of children and young people in our work. And they have told us, strongly, repeatedly, that on the whole,

²⁶³ Dr Anne Crowley, ‘[Out of Sight - Out of Rights?](#)’, November 2019, page 7

statutory services do not listen to them. They do not have enough of a say in the decisions that affect them, including life-changing decisions like where they live, who they live with, and where they go to school. And that they want at least one person with whom they can develop a long-term relationship, who is there to advocate for them, and to help them navigate a system over which they often have very little control. Until such time as social workers are able to do that for them, we must provide an alternative.

We therefore recommend that every child in care should have a statutory right to long-term advocacy on an opt-out basis via an assigned advocate at the point they enter the care system. The child does not have to take up the advocate's services; they may opt out (and opt back in again) at any time. But that statutory right should remain in place until the child ceases to be a 'care leaver'.

Recommendation 12. The Welsh Government should introduce legislation to provide children in care and care leavers a statutory right to long-term, independent advocacy support on an 'opt-out' basis. Each child should be assigned an advocate when they enter the care system to provide long-term advocacy support across a range of issues, and continue until the child ceases to be a 'care leaver'. Children and young people could opt-out (and then opt back in later) if they wish, but must have an allocated advocate or provider at all times during their time in care.

146. We are troubled by the concerns raised by stakeholders in relation to advocacy services for children in residential care, which includes some of our most vulnerable children. We believe that universal opt-out advocacy should address those concerns for Welsh-domiciled children. However, many children in residential homes who are not domiciled in Wales will not benefit from these reforms. These children need advocacy support too. And we recognise the benefits of an advocate who can take a broader overview of the residential home's care services as a whole, to reduce the risk of systematic abuses in such homes ever happening again.

147. Consequently, we endorse the recommendation made by Dr Anne Crowley in her report for Tros Gynnal Plant Cymru that the provision of residential visiting advocacy must be a condition of registration for residential care homes for children in Wales.

148. However, we still believe that every child in care should have an individual advocate. We therefore urge the Welsh Government to work with other UK governments as necessary to ensure that every child domiciled outside Wales but placed in a Welsh residential care home is offered an individual advocate.

Recommendation 13. The Welsh Government ensure that every child in a residential care home in Wales should have access to both residential visiting advocacy and individual advocacy by:

- revising the arrangements in place under the Regulation and Inspection of Social Care (Wales) Act 2016 to make the provision of residential visiting advocacy in each and every children’s home (by a contracted registered advocacy provider) a requirement for registration as a provider of children’s care homes in Wales.
- working with other UK governments as necessary to ensure that every child domiciled outside Wales but placed in a Welsh residential care home is offered an individual advocate.

Foster care

The availability and quality of foster placements

149. Foster care is the most common type of placement for care experienced children. As of 31 March 2022, 69.4% of children in care were in foster placements.²⁶⁴ However, the most commonly raised concern about placements was that there are not enough good quality foster placements. Care Inspectorate Wales told us that 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.”²⁶⁵ Organisations involved in fostering, such as TACT Cymru, The Fostering Network and the Welsh Local Government Association agreed, telling us that the financial implications of the pandemic, increasing costs of living, and the growing complexity and numbers of cases of children in care have all led to an increasing strain on fostering provision.²⁶⁶

150. We heard some positive experiences about foster placements from young people. One young woman told us that one foster carer was wonderful and changed her life for the better. We spoke to another young woman who had been with the same foster carer since she was a baby. She had stability and support throughout their childhood, and considered herself very fortunate compared to most other care experienced children. Another told us that “during care, it was my

²⁶⁴ StatsWales, ‘Children looked after at 31 March by local authority and placement type’, last updated November 2022

²⁶⁵ Written evidence, Care Inspectorate Wales (additional information)

²⁶⁶ CYPE, 02/02/23, RoP, paragraphs 9 & 14; Written evidence, CEC 44 Welsh Local Government Association (WLGA)

foster parents—that was the only consistent, stable relationship I had at that age”.²⁶⁷

151. But much of what we heard from care experienced young people was less positive. Many care experienced people told us that, in their view, at least one of their foster placements were of poor quality. Different people told us that one or more of their carers had been unprofessional, emotionally abusive, sexually abusive, or violent.²⁶⁸ And the ideas for reforms of the care system we received from children in care included:

“More nicer carers”

“allow kids to express if they don’t like a placement and move them”

“let us share our feeling about placements”

*“allowing the child/children to meet their foster carers at least 5 times before placing them in their care”.*²⁶⁹

Location and permanency

152. We heard calls for children to be placed as near as possible to where the child was taken into care, unless there was a serious risk to the child’s safety to do so. These calls came from both young people²⁷⁰ and professionals.²⁷¹ The Association of Directors of Social Services agreed:

*“Children need to be kept in their communities close to home, near to their families, so that we can promote them moving back home, sustaining and nurturing those relationships, so that they can improve over time, rather than them being broken down. They can maintain relationships with their peers, their schools and their activities. There’s not one children’s services department across Wales that will say that that isn’t an absolute priority. Finding those placements is difficult...”.*²⁷²

²⁶⁷ CYPE, ‘Engagement findings’, March 2023, page 23; CYPE, ‘Findings of stakeholder events’, March 2023, page 26; CYPE, ‘Transcript from the session with young people on 18 January 2023’, page 7

²⁶⁸ CYPE, ‘Engagement findings’, March 2023, page 23

²⁶⁹ CYPE, ‘Proposals for radical reform: From attendees at Voices from Care’s ‘Proud To Be Me’ event’, February 2023, page 6

²⁷⁰ Written evidence, CEC 1 Voices From Care Cymru

²⁷¹ Written evidence, CEC 39 Evidence from Children in Wales, with and on behalf of the National Children’s Charities Policy Group members; Written evidence, CEC 43 The Children’s Society

²⁷² CYPE, 09/03/23, RoP, paragraph 61

153. Unfortunately, much of the evidence that we received suggested that children were often placed far away from their home or previous placements because there weren't any quality placements in their local area.²⁷³ A shortage of placements close to the child's local area can mean the use of out of area placements that come at a much higher cost. The Fifth Assembly's Public Accounts Committee found in 2018 that the average cost of a local authority placement in 2018 was £23,327 a year compared to £43,378 for an Independent Foster Agency placement. At that time, Caerphilly was paying for the most expensive placement at a cost of £16,500 a week.²⁷⁴ The Welsh Government's commitment to legislate to 'eliminate private profit from the care of children looked after' is considered on page 97.

154. Different groups of participants agreed that there are lots of temporary arrangements for care experienced children. Others added that some of those short-term placements become long-term due to staffing and shortages of better placements, even when they are not suitable to meet the child's long-term needs.²⁷⁵ This, in turn, poses its own problems. The Children's Society submitted to us a comprehensive paper setting out its concerns about out of area placements, including that "Regulations for placing children in another local authority area are not being followed consistently across Wales" and "Information sharing practices between local authorities are varied and inconsistent".²⁷⁶

155. Another symptom of the shortage of quality, long-term foster placements is how often children are moved from one foster carer to another. Most of the care experienced young people we spoke to had moved between at least 5 foster placements during their childhood. One told us they had been moved 18 times, another had been moved 21 times. Often these moves were at very short notice, or no notice at all (one young woman told us that from an early age she always had a small rusk sack packed at the bottom of her bed with all her essentials in it – so that she could grab it and leave at a moment's notice), and sometimes far away geographically. In many cases changing foster placement involved moving schools and leaving newly established friendship groups. Young people, and the staff we spoke to, told us that this was really destabilising and distressing for them, especially as they had already experienced the trauma of being removed from their birth families.²⁷⁷

²⁷³ CYPE, *02/02/23, RoP*, paragraphs 19-20

²⁷⁴ National Assembly for Wales, '*Care experienced children and young people*', November 2018, pages 24-27

²⁷⁵ CYPE, '*Findings of stakeholder events*', March 2023, page 13

²⁷⁶ *Written evidence, CEC 43 The Children's Society*

²⁷⁷ CYPE, '*Engagement findings*', March 2023, page 22; CYPE, '*Findings of stakeholder events*', March 2023, page 20

156. Professionals agreed that long-term placements offer the best stability for young people. Action for Children told us that “We also think much more like an adoptive service than a fostering service. So, success for us is that our children stay with our families for the rest of their lives”. The Fostering Network also highlighted the importance of permanency:

“... we remove them from their family, where we take away the people who were meant to fight for them and protect them—. We do that and then we fail to offer an alternative that is better than that on lots of occasions, because we’re unable to create that permanency, to ensure the best possible match, because of the lack of provision that we have within the fostering sector.”²⁷⁸

Training, support and the professionalisation of foster carers

157. Some argued that foster carers need more support. Barnardo’s shared with us the findings of focus group discussion they carried out with care leavers, who suggested that “At the moment, the portrayed message is that caring and looking after children and young people is a rewarding and great experience... Caring has its challenges and this should be highlighted.”²⁷⁹ Aneurin Bevan University Health Board and an individual foster parent argued that foster care should be professionalised to make it more attractive, which would inevitably require “significant investment”.²⁸⁰ Others suggested that foster carers would benefit from more training, including on therapeutic approaches to foster care and on how to prepare young people for their lives after care.²⁸¹

Proposals for a national register of foster carers

158. Children’s Commissioning Consortium Cymru (referred to as the 4Cs) has developed an online database to help local authority commissioning teams to match children in their care with suitable foster placements. However, some professionals told us that the database isn’t working as expected. Rather than helping local authority placement teams identify suitable placements in the right location, the database has added a layer of bureaucracy, which has made the situation worse.²⁸²

²⁷⁸ CYPE, 02/02/23, RoP, paragraph 20

²⁷⁹ Written evidence, CEC 19 Barnardo’s Cymru

²⁸⁰ Written evidence, CEC 15 Aneurin Bevan University Health Board

²⁸¹ Written evidence, CEC 10 Individual; CYPE, ‘Proposals for radical reform: From attendees at Voices from Care’s ‘Proud To Be Me’ event’, February 2023, page 2; Written evidence, CEC 26 Penny Jones, County Councillor

²⁸² CYPE, 02/02/23, RoP, paragraph 61; CYPE, ‘Findings of stakeholder events’, March 2023, page 13

159. The Fostering Network called for a ‘National Register of Foster Carers’, which:

“... has the potential to make a significant difference in respect of the quality and availability of provision for children. A national register would bring foster carers in line within all other roles within the children’s workforce which are registered and regulated, improving the status of foster carers. A register would enforce a vital layer of safeguarding which does not currently exist. This lack of oversight poses a risk to the vulnerable cohort of looked after children. Creating a national register ensures complete transparency of the foster care workforce, their skillset, location, and their availability for the children who need them.”²⁸³

We received a similar proposal from an individual foster parent who responded to our consultation.²⁸⁴

160. The proposed register would be held by Social Care Wales, and would have two distinct benefits:

1. **It would improve safeguarding of children in care.** Foster carers approved by either local authorities or independent providers would be required to register with Social Care Wales, in line with other roles that have significant daily contact with children such as professionals working in children’s homes, secure units and other regulated care settings.
2. **It would improve the national overview of foster placements in Wales.** Foster carers would be required submit certain information to Social Care Wales, including their location and the number of placements they can provide. This would provide a national overview of all foster placements provided by registered foster carers.

161. We asked the Deputy Minister for her views on a national register of all foster placements. She told us that although the Welsh Government was “keen to explore” the proposal, which she acknowledged could ease bureaucracy and increase the status of foster carers. However, she suggested that it may not be high up on the Welsh Government’s list of priorities, and would require further consultation with foster carers before being taken further.²⁸⁵

²⁸³ Written evidence, CEC 31 The Fostering Network

²⁸⁴ Written evidence, CEC 7 Foster Parent

²⁸⁵ CYPE_09/03/23_RoP, paragraph 245

RADICAL REFORM #10

Mandate all foster carers to register directly with Social Care Wales, in line with other roles that have significant daily contact with children, and create a national register of all fostering placements and approved foster carers across both the local authority and independent sectors.

It is abundantly clear that there is a national shortage of quality, foster care placements. And that sometimes local authorities have no option but to send children outside their home area - which can carry additional safeguarding risks - or to placements they know aren't right for the child. This has huge consequences for children in care and places additional pressure on already stretched local authority finances.

We heard distressing evidence from some young people about trauma they experienced in foster care. We heard many cases of children who have been moved numerous times from one foster placement to another, and we heard about how destabilising those moves can be.

This is the context against which also heard that local authority placement teams have no way of knowing how many placements are available across the country, or where the placements are.

It is also the context against which, in a safeguarding loophole, foster providers do not need to register with Social Care Wales, unlike others who have daily contact with some of our most vulnerable children.

A Wales-wide register would provide a significant step forward to improve the national overview we have of foster placements.

We believe that this should be high up the Welsh Government's list of priorities. The proposals for a register of all foster carers, as outlined by the Fostering Network are sensible and logical. They alone will not give every child in care who needs one the high quality foster carer they deserve. But a national register would be a significant step in the right direction. We urge the Welsh Government to develop the register with the urgency it deserves.

Recommendation 14. The Welsh Government should work with Social Care Wales to fund and deliver (including to legislate as needed) a national register of foster carers, to be held by Social Care Wales. The register should set out details of foster carers' approval status, approval review date, local authority location, number of placements, and whether they are a local authority or independent provider. The development of that register should be carried out alongside key

stakeholders, such as the Fostering Network, and should involve thorough consultation with foster carers and fostering services providers across Wales.

162. We commend the intention behind the online database of fostering placements provided by the '4Cs'. However, the database is clearly not working as effectively as it could, and needs a thorough review and one which ensures the input of front line practitioners. Given the shortages of quality placements for children in care, this work should be carried out - at pace - alongside the establishment of a national register for foster carers.

Recommendation 15. The Welsh Government must ensure that a review of the '4Cs' online database is undertaken, involving key stakeholders and frontline practitioners, to identify and implement improvements to the database to streamline the placement commissioning process.

Other important issues

Schools

Education as a corporate parent

163. The Welsh Government's code of practice for looked after and accommodated children refers in detail to the responsibilities of education as a corporate parent:

"Local authorities are required to promote educational achievement as an integral part of their duty to safeguard and promote the well-being of the children they look after. This means that they must give particular attention to the educational implications of any decision about the child's overall well-being."

164. The code also says that:

"When deciding where to place a looked after child, a local authority should do everything possible to minimise disruption to the child's education. This means maximising efforts to arrange a care placement which enables existing educational provision to be maintained, where this is in the child's best interests."²⁸⁶

²⁸⁶ Welsh Government, 'Social Services and Well-being (Wales) Act 2014: Part 6 Code of Practice (Looked After and Accommodated Children)', pages 18-19

165. Local authorities must also make sure that every child they look after has an effective and high quality personal education plan (PEP).²⁸⁷

166. Historically, the Welsh Government has had a number of high profile policies and strategies which were intended to support the educational attainment of looked after children. The Pupil Deprivation Grant was extended to Looked After Children in Wales in 2013-14. From 2015-16, it has been allocated to regional consortia rather than at a school level. The Deputy Minister's written evidence also refers to the 'Virtual School' model:

*"The Virtual School approach aims to work with children who are looked after (and, in some cases, young people in post-16 provision) across a local authority as if they were in a single school, to raise educational attainment, improve attendance and improve educational stability. A Virtual School is an organisational tool which has been created for the effective co-ordination of support for this group at a strategic and operational level."*²⁸⁸

The Minister for Education and Welsh Language has previously set out for the Committee that the budget for the Virtual Schools model is £1.1m, and that the pilot will continue into its final year in 2023-24.²⁸⁹ The Deputy Minister told us that 'over the next year, an evaluation of the Virtual Schools Model will take place, looking at the implementation, impact and value for money of the pilot'.²⁹⁰

167. Despite these policies and ambitions, the attainment of care experienced children has historically been significantly lower than pupils eligible for free school meals and all pupils in 2017, 2018 and 2019.

²⁸⁷ Welsh Government, 'Social Services and Well-being (Wales) Act 2014: Part 6 Code of Practice (Looked After and Accommodated Children)', pages 18-19

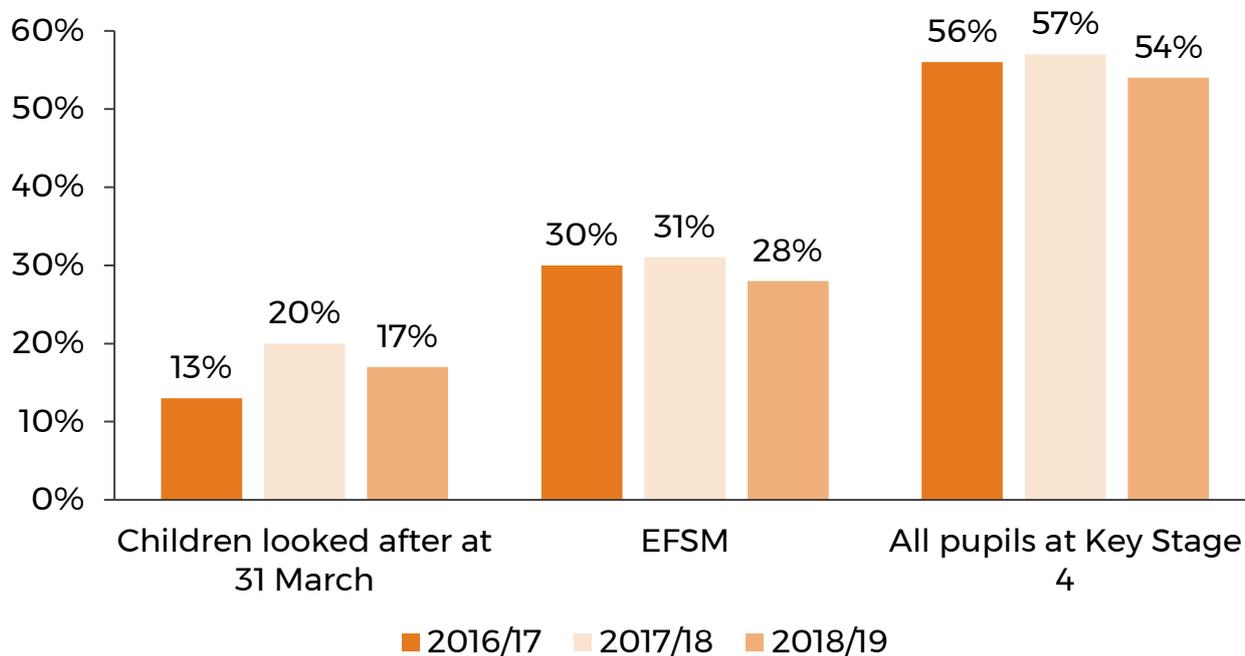
²⁸⁸ Written evidence, CEC 47 Welsh Government

²⁸⁹ Welsh Government, 'Letter from the Minister for Education and Welsh Language to the Chair of the Children, Young People and Education Committee', 19/12/22

²⁹⁰ Written evidence, CEC 47 Welsh Government, page 9

Figure 4.1: Percentage of children achieving the level 2 threshold including English/Welsh and Mathematics at key stage 4

Sources: StatsWales, 'Educational attainment of children receiving care and support by measure and year', & 'Key Stage 4 Interim Measures by Year, from 2018/19'



168. The ‘Radical Reform declaration’, signed by both the First Minister and children in care in May 2023, includes the following ‘vision’:

*“Care experienced children and young people will do as well at school and college as other children and young people, getting good qualifications and access to opportunities”.*²⁹¹

Young people’s experiences of school

169. The Welsh Government 2017 guidance ‘Making a Difference’ sets out the roles and responsibilities of the designated person in schools for looked after children. The guidance considers how schools can effectively support care experienced learners, work with foster carers, social workers, advocates and other external professionals to promote the young person’s education and wellbeing. The guidance includes information on pathway plans and Young Person’s Advisors, post-16 living arrangements and other information relevant to school staff. Crucially, the guidance also sets out the views of children and young people on how they want to be treated in schools in a video, created by young people and CASCADE researchers at Cardiff University.²⁹²

²⁹¹ Welsh Government, ‘Radical Reform Summit: Declaration’, 18/05/23, page 7

²⁹² Welsh Government, ‘Making a difference: A guide for the designated person for looked after children in schools’, November 2017

170. However, what we heard from care experienced young people suggests that the best practice set out in that guidance is not routinely being followed in schools. We heard that social workers and other professionals regularly turn up at school, during school hours, for meetings, wearing name badges or otherwise making it obvious that the child is in care, reinforcing the stigma and bullying that care experienced learners face in school.²⁹³ Some of the care leavers we spoke to reflected that this meant that they never got a break from their experiences of the care system.²⁹⁴ Voice From Care reported similar views from the young people they work with.²⁹⁵

171. Some young people and professionals felt that schools don't always support learners appropriately. Some school staff take the time to understand the issues that care experienced children face, but others don't.²⁹⁶ Some young people told us that if care experienced young people display challenging behaviour, schools can "[write] the child off as not being a good pupil, and not able to achieve the grades", rather than trying to understand the trauma underpinning the behaviour and put in place interventions to help.²⁹⁷ Others told us that some schools aren't ambitious enough for learners in care. One young person told us that, on the whole, professionals think that "care experienced people don't go to university". We heard calls for more training on care experience for all school staff - not just teachers - and better careers advice.²⁹⁸

172. Care experienced children regularly move schools, and we heard this can be a traumatic experience.²⁹⁹ Some care leavers told us they found it really hard to make long-term friends and to build a support network for themselves.³⁰⁰ One young woman told us that she was made to move schools because, having moved foster carers, the taxis she needed to carry on attending the same school were too expensive. This meant that she lost her friendship group, which was really important to her.³⁰¹ Professionals working with care experienced people agreed that continuity in children's school education was important. Children

²⁹³ CYPE, 'Findings of stakeholder events', March 2023, pages 25-26; CYPE, 'Engagement findings', March 2023

²⁹⁴ CYPE, 'Engagement findings', March 2023, page 24

²⁹⁵ CYPE, 02/02/23, RoP, paragraph 153

²⁹⁶ CYPE, 'Findings of stakeholder events', March 2023, pages 25-26; CYPE, 'Findings of stakeholder events', March 2023, page 6; Written evidence, CEC 4 TACT Fostering, page 1

²⁹⁷ CYPE, 'Transcript from the session with young people on 18 January 2023', page 3-4; CYPE, 'Findings of stakeholder events', March 2023, page 6

²⁹⁸ Written evidence, CEC 1 Voices From Care Cymru, page 6; CYPE, 'Findings of stakeholder events', March 2023, pages 26 and 28

²⁹⁹ CYPE, 'Findings of stakeholder events', March 2023, page 6; Written evidence, CEC 4 TACT Fostering, page 26

³⁰⁰ CYPE, 'Engagement findings', March 2023, page 25

³⁰¹ CYPE, 'Engagement findings', March 2023, page 25

should stay in the same school wherever possible, to develop and maintain friendship groups.³⁰²

173. The Deputy Minister agreed that professionals taking children out of class to have a meeting or a conference is “so insensitive, and I find it hard to see that it’s still going on.” She told us that the Minister for Education and Welsh Language was aware of young people’s concerns about schools, and would be taking forward those issues on behalf of the Welsh Government.³⁰³

Sport and other extra-curricular activities

174. Young people told us that sport, or other extra-curricular activities, were really important to them. They helped them make connections with other children, feel a sense of belonging, and release emotions. Professionals agreed.³⁰⁴ However, care experienced learners face barriers when taking part in extra-curricular activities including sport, such as:

- Cost: some social workers are supportive and help them get the money they need to buy kit or instruments, etc. But sometimes young people feel awkward asking for money for extra-curricular activities, so might delay asking their foster carer, or might not ask at all.
- Consent: it can be difficult to get sign-off to go on school trips or to be involved in extra-curricular activities. Going abroad on trips is particularly challenging. One young person told us that had had to go to court to get permission to go on a rugby tour.³⁰⁵

³⁰² CYPE, ‘Findings of stakeholder events’, March 2023, page 14

³⁰³ CYPE, 09/03/23, RoP, paragraphs 322 and 324

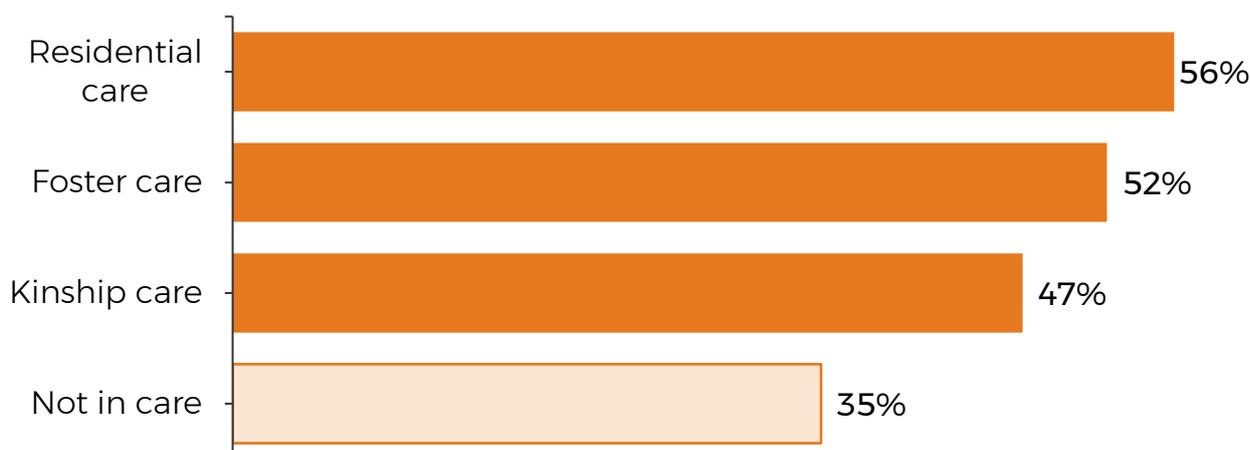
³⁰⁴ CYPE, ‘Findings of stakeholder events’, March 2023, pages 15 and 20; CYPE, ‘Transcript from the session with young people on 18 January 2023’, pages 16 - 17

³⁰⁵ CYPE, ‘Findings of stakeholder events’, March 2023, pages 24-26

Residential care

Figure 4.2: Percentage of care experienced young people aged 11-16 exposed to bullying in the past couple of months by care status.

Source: DECIPHER, 'Young People 'Looked After' in Wales: findings from the 2017/18 Health Behaviour in School-aged Children Survey and School Health Research Network Student Health and Wellbeing Survey'



175. As of 31 March 2022, 8.3% of children in care were placed in residential care.³⁰⁶ This will include some of the most vulnerable children in the care system.

176. However, we heard concerns about young people's experiences in residential care. Some of the birth parents we spoke to raised concerns about poor safeguarding practices in some care settings.³⁰⁷ Voices From Care reported that some young people felt that children in residential care were sometimes treated less favourably than children in foster care, and that others raised concerns about residential care staff not having the right values for work in the sector, or needing additional training.³⁰⁸ As we discuss in chapter 5, young people in residential care are not eligible for 'When I am Ready', so do not get the same opportunities as young people in foster care to benefit from the stability of staying in their residential care setting beyond the age of 18.

177. We heard that the residential care workforce is facing significant challenges. Some professionals also felt that residential care staff need additional training, specifically around trauma and attachment issues. Others told us that there is a lack of appreciation of the work carried out by residential care staff, and that this contributes to high staff turnover, which is distressing for young people.³⁰⁹ The Association of Directors of Social Services agreed, telling us that "the biggest challenge around finding suitable placements I think comes back to workforce... It is really difficult to access the right kind of placement to meet all the needs of

³⁰⁶ StatsWales, 'Children looked after at 31 March by local authority and placement type'

³⁰⁷ CYPE, 'Findings of stakeholder events', March 2023, page 6

³⁰⁸ Written evidence, CEC 1 Voices From Care Cymru

³⁰⁹ CYPE, 'Findings of stakeholder events', March 2023, page 17

children and young people.³¹⁰ The Welsh Local Government Association shared similar evidence, adding that residential care is becoming increasingly expensive due to rising demand, particularly for children with complex needs.³¹¹

Kinship care

178. Kinship care is when a child lives full-time or most of the time with a relative or close family friend. Kinship care arrangements can be informal (i.e. without the courts' involvement), or they can be formal, either via a court order (to give the family member/friend parental responsibility) or via kinship foster care.

179. We heard from professionals that there has been an increase in kinship placements and deviation away from adoption as a long-term care option. Some were unsure whether the increase in kinship care was positive for all children, but felt it was an unintended consequence of the policy of reducing the numbers of children in care.³¹² The NSPCC estimated to us that approximately 10,000 children live in kinship care arrangements in Wales, many of which are not known to local authorities.³¹³

180. We heard frequent calls for kinship carers to be given more support, in line with foster carers. Monmouthshire council officials explained that potential kinship foster carers are assessed against fostering regulations. This can make it challenging for family members to meet the required threshold to care for the child. When a family member can't meet the exacting fostering regulations but it is still in the best interest of the child to be placed with that family member, the family member will lose the financial support that comes with it.³¹⁴ Barnardo's submitted similar evidence, arguing that "kinship carers, particularly with the right support as evidenced by the Monmouthshire Families Together service – can offer children a stable, loving home", but it is "unrealistic" to expect kinship foster carers to meet the same standards as foster carers.³¹⁵ We heard similar evidence from Voices From Care, Welsh Youth Parliamentarian Rosie Squires, who herself has experience of kinship care, and others.³¹⁶ Barnardo's also called for kinship carers seeking parental responsibility under a Special Guardianship Order to continue to receive kinship foster care payments, which is current practice in Monmouthshire.

³¹⁰ CYPE, 09/03/23, RoP, paragraph 60

³¹¹ Written evidence, CEC 44 Welsh Local Government Association (WGLGA)

³¹² CYPE, 'Findings of stakeholder events', March 2023, pages 13-14

³¹³ Written evidence, CEC 42 National Society for the Prevention of Cruelty to Children (NSPCC)

³¹⁴ CYPE, 'Engagement findings', March 2023, page 24

³¹⁵ Written evidence, CEC 19 Barnardo's Cymru

³¹⁶ CYPE, 'Transcript from the session with young people on 18 January 2023', page 17; Written evidence, CEC 1 Voices From Care Cymru; Written evidence, CEC 17 Action for Children Fostering Wales; CYPE, 'Proposals for radical reform: From attendees at Voices from Care's 'Proud To Be Me' event', February 2023, page 9

They argued this would mean kinship carers are not financially disadvantaged in pursuing a Special Guardianship Arrangement.³¹⁷

181. However, we also heard concerns about kinship care arrangements. Some birth parents told us that social services look for potential kinship carers in a child's family, which can unintentionally cause rifts between those family members and weaken an already fragile support system for young mothers.³¹⁸ Other birth parents questioned the appropriateness of some kinship care placements. One young care experienced woman's child was placed with her mother (the child's grandmother). However, the young woman had herself been removed from her mother's care. The child has since been removed from that kinship placement. Some of the professionals we spoke to also suggested that family members are sometimes pressured to care for children when they are not necessarily well-placed to do so.³¹⁹

Eliminating private profit from the care of children

182. The Welsh Government has consulted on legislation which aims to eliminate profit from the care of looked after children. Its initial focus is on the private provision of residential care for children, alongside independent sector foster care.

183. We heard universal support for removing profit from children's care, including from care experienced young people.³²⁰ Some felt strongly that most foster carers do it for the money, and one young person felt that foster carers manipulate the system to reduce the cost of providing care in order to maximise their income. Welsh Youth Parliamentarian Rosie Squires stressed that "we're people, not profit".³²¹

184. Professionals, academics and organisations also widely supported the initiative.³²² However, many caveated that support with concerns about the implementation, specifically that removing profit-making placements before there are sufficient not-for-profit placements could make it even more challenging to find suitable placements for children.³²³

³¹⁷ Written evidence, CEC 19 Barnardo's Cymru;

³¹⁸ CYPE, 'Engagement findings', March 2023, page 16

³¹⁹ CYPE, 'Findings of stakeholder events', March 2023, pages 13-14

³²⁰ Written evidence, CEC 1 Voices From Care Cymru; CYPE, 'Proposals for radical reform: CYPE, 'Engagement findings', March 2023, pages 23-24

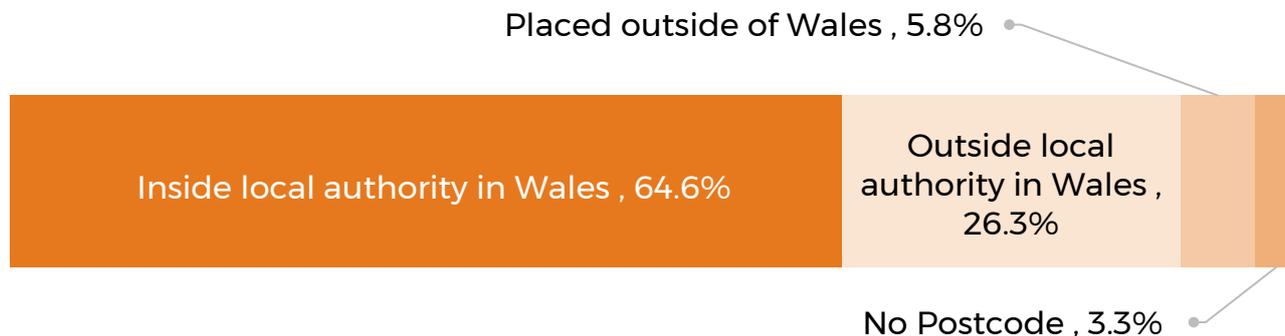
³²¹ CYPE, 'Transcript from the session with young people on 18 January 2023', pages 18

³²² Written evidence, CEC 16 Platform; Written evidence, CEC 8 National Youth Advocacy Service (NYAS); Written evidence, CEC 7 Foster Parent

³²³ CYPE, 'Engagement findings', March 2023, page 24; CYPE, 02/02/23, RoP, paragraph 83; CYPE, 17/11/22, RoP, paragraph 73;

Figure 4.3: Children looked after at 31 March by location of placement 2022.

Source: StatsWales, 'Children looked after at 31 March by local authority and location of placement'



185. We heard from professionals that changes to the social care market of this scale would require a timeframe of 10 to 15 years and that doing this within the currently proposed timescales of 5 years would exasperate the current problem in supply and demand.³²⁴ The Association of Directors of Social Services summed up the views of many:

“... the value base of that, actually, all head of services I’m sure would agree, is sound in terms of making sure that the money that we spend in supporting our young people is projected towards the most positive outcomes for them. We are, however, in a transitional phase, where we’ve launched eliminate-for-profit and that has created some differences in our market, currently. And local authorities very much welcome the capital support that they are having to expand our residential care provision, but, naturally, building residential care provisions and the staffing that that requires and taking that through regulation is a time-intensive programme.”³²⁵

186. The Deputy Minister told us that eliminating profit from children’s care is “one of the top commitments of the Government”, calling the present market “unsustainable”, and acknowledging the views of care-experienced young people on being opportunities for profit. An official added that eliminating profit from care should free up funding that “could be reinvested into prevention and other services”.³²⁶ The Deputy Minister went on to acknowledge the challenges with implementation:

³²⁴ CYPE, 'Findings of stakeholder events', March 2023, page 14

³²⁵ CYPE, 09/03/23, RoP, paragraph 63

³²⁶ CYPE, 09/03/23, RoP, paragraphs 218 & 238

“... particularly the risk to sufficiency while we change over to make sure that there are enough placements available during that period. We have put in place a programme to manage this procedure... the board membership does include private providers, private foster carers, residential providers, where we’re discussing what the implications are of this policy change... We are also working with local authorities to develop their placement commissioning strategies from 2023 to 2027. And as [a Welsh Government official] has already said, we’re providing revenue funding of £68 million over the next three years to help grow local authority and not-for-profit provision.”³²⁷

Safety and rights issues

Unregistered accommodation

187. ‘Unregistered accommodation’ is the term widely used to describe accommodation in which the provider delivers ‘care’ to a child under 18, but is not registered with Care Inspectorate Wales. The definition of ‘care’ in this context is set out in the Regulation and Inspection of Social Care (Wales) Act 2016 to mean care in relation to “the day to day physical tasks and needs of the person cared for (for example, eating and washing)”, and “the mental processes related to those tasks and needs (for example, the mental process of remembering to eat and wash)”.³²⁸

188. Placing children in care in unregistered accommodation is illegal in England and Wales. Nevertheless, we heard that there is an increasing number of children living in unregistered placements. Care Inspectorate Wales told us that these placements:

“... 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

³²⁷ CYPE 09/03/23, RoP, paragraphs 239-240

³²⁸ Legislation.gov.uk, ‘Regulation and Inspection of Social Care (Wales) Act 2016’, section 3

prosecution is met, whilst recognising the local authority's duty of care to the child.”³²⁹

CAFCASS Cymru told us that their practitioners “are concerned about the increased use of unregistered placements across Wales and the impact this has on children and young people, their health, education, stability, and individual needs”.³³⁰

189. The Association of Directors of Social Services told us that they were facing “unprecedented challenges around the use of unregistered placements”, and that “Nobody want to do this, it’s a last resort. The alternative is driving around with the child in the social worker’s car”. They set out the safeguarding arrangements in place if a child is placed in unregistered accommodation:

“... you notify CIW, and then you have oversight from CIW in terms of a weekly reporting mechanism into them and they have their own structure of panel for how that goes through the regulatory system. From a local authority perspective, what we put in place is a really strong web around that child, around that placement: the social worker, the reviewing officer, your placement team, trying to ensure that, for example, you’ve got a mix of your own staff and, potentially, agency staff and how you match it.”³³¹

190. The Deputy Minister told us that “unregistered placements happen because of a crisis”, adding that the use of unregistered accommodation indicates a shortage of suitable placements.³³²

Unregulated accommodation

191. Services that provide accommodation to a child or young person but do not provide them with ‘care’ (see above) - referred to as ‘unregulated accommodation’ - are not regulated by Care Inspectorate Wales. Unregulated accommodation is legal in Wales where the local authority believes that the young person needs *support* to live independently, but does not need *care*. Supported lodgings and supporting housing are examples of unregulated accommodation. Less supportive environments, such as B&Bs, AirBnBs, and hostels, are also unregulated accommodation.

³²⁹ [Written evidence, Care Inspectorate Wales \(additional information\)](#)

³³⁰ [Written evidence, CEC 46 CAFCASS Cymru](#)

³³¹ [CYPE, 09/03/23, RoP, paragraphs 69-74](#)

³³² [CYPE, 09/03/23, RoP, paragraph 287](#)

192. The Welsh Government's code of practice states that some unregulated accommodation, such as supported lodgings or supported housing, can be appropriate for some children in care aged 16 or over.³³³ In England, the UK Government made it illegal from September 2021 to house care-experienced children up to the age of 15 in unregulated accommodation. The UK Government is working towards a form of regulation for all currently unregulated homes by 2024.³³⁴

193. We heard concerns about unregulated accommodation that does not provide support - such as B&Bs, AirBnBs, and hostels - particularly in relation to children who are still in the care of the local authority. NYAS Cymru told us that the numbers of children living in unregulated accommodation in Wales has risen by 18% since 2018-19, which is making it increasingly challenging to keep children safe where they live.³³⁵ One young person told us that they had been thrown out of their foster placement. They told their Personal Advisor, who proposed that they stay in a B&B. The young person told us they didn't feel safe there - there were people in the B&B who had just come out of prison.³³⁶ Some professionals raised similar concerns, telling us that many children in unregulated accommodation are particularly vulnerable.³³⁷

194. Some organisations called for all unregulated accommodation to be made illegal in Wales for children in care. Children in Wales told us that "No child should be placed in accommodation which is not subject to registration, or placed in unregulated accommodation."³³⁸ NYAS Cymru agreed, arguing that the Welsh Government should "completely ban all forms of unregulated accommodation". They argued in favour of a phased ban on the use of unregulated accommodation. Their proposals would involve banning unregulated accommodation for under 16s immediately, then progressively extending the ban to include 16-year-olds then 17-year-olds, ensuring there is enough appropriate alternative accommodation before each extension of the ban. NYAS argued that this would mitigate concern over a lack of appropriate placements, and urged the Welsh Government to prioritise a plan of action across policy areas including social care and housing to address this shortage.³³⁹

³³³ Welsh Government, 'Social Services and Well-being (Wales) Act 2014: Part 6 Code of Practice (Looked After and Accommodated Children)', pages 35-36

³³⁴ Gov.uk, 'Government bans unregulated accommodation for young people in care', 23/03/23

³³⁵ Written evidence, CEC 8 National Youth Advocacy Service Cymru (NYAS)

³³⁶ CYPE, 'Findings of stakeholder events', March 2023, page 21

³³⁷ CYPE, 'Findings of stakeholder events', March 2023, page 15

³³⁸ Written evidence, CEC 39 Evidence from Children in Wales, with and on behalf of the National Children's Charities Policy Group members

³³⁹ Written evidence, CEC 8 National Youth Advocacy Service (NYAS)

195. However, Llamau stressed the difference between the supported accommodation that they and other similar organisations provide and other unregulated accommodation such as B&Bs. They explained that they provide four- to six-bed spaces to try to create “a really supportive and family environment that is psychologically and trauma-informed”, with staff that receive clinical supervision and training from psychologists. They added that although their supported accommodation is not regulated by Care Inspectorate Wales because it does not provide ‘care’ services, it is regulated by the local authority in partnership with housing and children’s services.³⁴⁰

196. The Deputy Minister stressed to us that she could see no circumstances in which a child under 16 should ever be placed in an unregulated setting. She added that the Welsh Government is “aware that UK has banned unregulated placements for children under 16 and we’re anxious to see what happens with that and whether there are any consequences from doing that.”³⁴¹

Secure accommodation and Deprivation of Liberty Orders (DoLs)

197. Children can be deprived of their liberty for welfare reasons or because there are risks to their safety. This is known as a Deprivation of Liberty Order (DoL). We repeatedly heard concerns that the numbers of DoLs in Wales is increasing. Primarily, this appears to be because there is a shortage of suitable secure accommodation. The Right Honourable Sir Andrew McFarlane, President of the Family Division, told us that there is “a lack, by a country mile, of provision for secure accommodation for young people” in England and Wales.³⁴² The Nuffield Family Justice Observatory agreed, adding that some children “are seen as too ‘challenging’ to be suitable for a secure children’s home... This has led to a significant increase in the use of the inherent jurisdiction of the high court to deprive children of their liberty in alternative placements.”³⁴³ The Association of Directors of Social Services suggested that local authorities may sometimes prefer a DoL to secure accommodation, because “At least using deprivation of liberties, you will keep children local, and you will keep them in an environment that possibly is more protected, rather than potentially going to secure accommodation in Durham.”³⁴⁴

198. The Children’s Legal Centre Wales and Observatory on Human Rights of Children’s written evidence states that it has “increasing concerns” about the use of DoLs in Wales, arguing that “the use of DoLs has not been adequately reported.”

³⁴⁰ CYPE, 08/02/23, RoP, paragraphs 153-155

³⁴¹ CYPE, 09/03/23, RoP, paragraph 280

³⁴² CYPE, 08/02/23, RoP, paragraph 149

³⁴³ Nuffield Family Justice Observatory, ‘What do we know about children and young people deprived of their liberty in England and Wales? An evidence review’, 09/02/22

³⁴⁴ CYPE, 09/03/23, RoP, paragraph 106

It urges the Committee to make 4 recommendations, including that The Welsh Government should commission research on the use of DoLs in Wales and into alternative appropriate placements for children with complex needs, and that all local authorities with urgency must publish data on the number of deprivation of liberty order applications affecting Welsh children centrally.³⁴⁵

199. Sir Nicholas Francis, Family Division Liaison Judge for Wales, spoke to us frankly about the use of DoLs in Wales:

"I had one case recently where one of the Welsh Ministers attended court and the Children's Commissioner for Wales attended court. The Welsh Minister's view, as a matter of law is absolutely right, was this was for the local authorities to resolve. The local authorities were saying, 'We don't have any place to put them and we don't have the money to get the places'. And the children's commissioner says, 'If you put them in unregistered places, we're going to prosecute you' and Ofsted say, 'If you put them in unregistered places, we're going to prosecute you'

... I had one particular case, which is still going on now, where this very troubled young woman—I think she's just 17 now—is moved every week from one secure placement to another secure placement, because there isn't anywhere that's registered to put her. And she's moved every week because if she stays in an unregistered place for more than a week, they're going to be prosecuted by either or both Ofsted and the children's commissioner... I think, for me, doing the job that I've been doing in Wales in recent years, this is the single biggest crisis point. It is absolutely desperate. You don't put somebody under a deprivation of liberty order unless you are absolutely at the extreme end of trouble, and I think it's a terrible problem."³⁴⁶

200. We asked the Deputy Minister for her views of the increasing use of DoLs in Wales. She told us:

"This is an issue of finding secure accommodation; it's one of the most difficult issues I've had to deal with since taking up this post. Because if the children are of a certain age, I have to agree to them going into secure accommodation, and it is very

³⁴⁵ Written evidence, CEC 14 Children's Legal Centre Wales and Observatory on Human Rights of Children

³⁴⁶ CYPE, 08/02/23, RoP, paragraphs 153-154

difficult to agree for relatively young children to go into secure accommodation. You have to feel absolutely convinced that there is no other alternative. That's been very difficult to do, but also it's made me aware that there are not enough places for children to have secure accommodation."

She went on to set out that the Welsh Government has provided £4.8m to develop alternative provision for children with particularly complex behaviours. The regional integrated fund (the RIF) has allocated £14.5 million to 13 projects, which has given therapeutic support for care-experienced children to stop this happening. She added that officials will be attending a workshop with the President of the Family Division, Care Inspectorate Wales, Ofsted and the UK Government to understand how we can support local authorities and the judiciary system to better support these children and young people.³⁴⁷

Missing children

201. The Children's Society told us that in 2020, looked after children and young people accounted for 39% of all missing child incidents in Wales, despite making up less than 2% of the child population. They added that nine in ten care experienced children or young people who go missing will be reported missing multiple times in the same year.³⁴⁸

202. We heard concerns about children who go missing from care, and the extent to which they are spoken to on their return to gather information on what has happened. Professionals told us that return home interviews provide opportunities for young people to speak about their experiences during a missing episode. However, the approach to return home interviews varies across Wales. They called for a more consistent response to episodes where children go missing from care across Wales.³⁴⁹ NYAS Cymru told us that:

"A child goes missing from care or from home in Wales every hour... Hopefully, most of them will be found safe and well, but of course, appalling abuses and exploitation can happen when children are reported missing. For most areas in Wales, there's a consistent return interview service. So, that's where someone, often independent of the child's care, will speak to the child about why they went missing... So, all of those things are really good at reducing the number of children that go missing in the future. The issue is that there's a very inconsistent practice

³⁴⁷ CYPE, 09/03/23, RoP, paragraphs 247-251

³⁴⁸ Written evidence, CEC 43 The Children's Society

³⁴⁹ CYPE, 'Findings of stakeholder events', March 2023, page 14

across Wales. So, some areas commission services through police commissioners or through the police. In north Wales, it's commissioned via local authorities or some have in-house services, and the criteria in which you're to interview a child are very, very different."³⁵⁰

203. The Children's Society called for independent return interviews to be a statutory requirement, strengthened guidance for practitioners on missing children, and for data on missing children to be published by the Welsh Government annually.³⁵¹

Our view

Schools

204. School has the potential to be an anchor for many children in care, providing consistency and stability for children whose lives are often punctuated by disruption and change. Sadly, what we heard from young people jars with that potential: stories of professionals holding meetings about them in the school setting and wearing name badges, making it obvious to everyone that they are in care, permeating children's schooling and singling them out for bullying. Stories about being treated differently: teachers walking on eggshells around them, afraid to talk to them about their care experience; being under-estimated, written-off, or misunderstood.

205. What we have heard directly from children and young people indicates that the Welsh Government's policies and strategies to support the educational attainment of looked after children have not delivered the big change that's needed to ensure that education and schools are playing their pivotal role in corporate parenting. Alongside children's day-to-day experiences of school, the attainment of care experienced children remains persistently and unacceptably lower than children without care experience. The reasons for this attainment gap are complex and many of them are attributable to factors outside the control of individual schools. Some - such as forcing children to move schools, with all the disruption and lost learning that entails - are self-evident. Others - such as the trauma that many care experienced children carry with them, the quality of their care placements, the extent to which they are stigmatised or not listened to - are less so. We hope that the reforms and recommendations across this report will go some way to reducing the impact of the many barriers that care experienced children face in their education journeys.

³⁵⁰ CYPE, 02/02/23, RoP, paragraphs 181-183

³⁵¹ Written evidence, CEC 43 The Children's Society

206. We are struck by the contrast between young people's experiences and the Welsh Government's 2017 guidance 'Making a Difference'.³⁵² That guidance explicitly addresses many of the concerns that young people raised with us. Schools that follow that guidance closely will be making significant steps towards promoting the wellbeing and education of care experienced children. From what we heard, it is clear the guidance is not being followed consistently.

207. We therefore ask the Minister for Education and Welsh Language to consult with Estyn and others to set out to us in the Welsh Government's response to this report why the experiences of many care experienced learners are so clearly falling short of the Welsh Government's expectations, and what he and others intend to do to address that implementation gap.

Recommendation 16. As soon as possible, and no later than December 2023, the Welsh Government should consult with Estyn and other key stakeholders to examine the most recent attainment results relating to care experienced children, ascertain the extent to which schools are following the Welsh Government's guidance as set out in its 2017 document 'Making a Difference', the barriers that schools face in implementing that guidance, and set out how the Welsh Government and others will improve the school experiences of care experienced children.

Residential care

208. We understand that children in residential care homes can be particularly vulnerable, both because of their individual needs and also by sometimes being placed far away from their home area. We note the views of young people and professionals that those children can feel like they are not afforded the same opportunities as children in foster care, including access to the When I am Ready Scheme, and we also note the concerns about the training provided to some residential care staff, and the quality of care provided to children. The Welsh Government's plans to eliminate profit from the care of children (see below) will have a significant impact on the residential care sector; we will monitor the implementation of this critical policy change throughout the Senedd.

Kinship care

209. We understand the calls from some for kinship carers to be provided with the same levels of support - financial or otherwise - as foster carers. We believe that it is preferable for children to stay with family members who are willing and able - with support - to care for them, rather than be put in foster or residential

³⁵² Welsh Government, 'Making a difference: A guide for the designated person for looked after children in schools', November 2017

care placements. In that context, we support the proposals to amend the fostering regulations so that kinship carers can receive the same support as foster carers, without needing to meet the enhanced assessment standards required of foster carers.

210. However, we are also wary of the evidence we received that indicates that the implications of the rise in kinship care for children are unclear. Some kinship carers may, ultimately, not be able to provide the care that children deserve and in some instances may be placed under pressure to do so. More work is required to better understand the experiences of children in kinship care, the challenges facing kinship carers and the support they need (financial or otherwise) to provide quality care for children. If the use of kinship care is increasing, as we heard it is, this work should begin at pace to ensure that children in kinship care are provided with the loving and caring homes that they deserve, and that kinship carers are provided with the support to do this.

Recommendation 17. The Welsh Government should consult care experienced children and young people, kinship carers, third sector organisations, local governments and others to better understand the extent to which kinship care is being increasingly used as an alternative to placing children in foster or residential care, the experiences of children in kinship care, and the support needs of kinship carers. As part of that work, the Welsh Government should explore the potential of amending by regulations the criteria that kinship carers are required to meet to be entitled to the same financial support as foster carers.

Eliminating private profit from the care of children

211. We fully support the principle of removing profit from the care of children. Funding for placements for children in care should be targeted in its entirety at care services, not at profit-making providers. We also welcome the additional funding the Welsh Government is providing to help bolster local authority and third sector provisions.

212. However, we have heard repeated, urgent calls for more quality placements for children. The evidence we have received indicates that the eliminate agenda may worsen the sufficiency of placements in Wales in the short-term, as private providers withdraw placements without third sector or local authority placements being available to replace them. There are deeply unwelcome unintended consequences of further placement shortages, such as more children being sent out of county, out of Wales, and/or being put in placements that are wholly inappropriate for them.

213. We urge the Welsh Government to pay close attention to the concerns raised to us during this inquiry, and no doubt in its own consultations, and to plan an

implementation timetable accordingly. We could identify no capacity within the placements currently available to local authorities to absorb any additional shortages.

Safety and rights issues

214. We are deeply troubled by the evidence we received about the use of unregistered accommodation, the use of some types of unregulated accommodation, the rise in deprivation of liberty orders, and the rates of children in care who go missing. The children and young people who are affected by these issues are likely to be some of the most vulnerable children in the country, a great deal of whom will have experienced significant trauma, neglect, and abuse and be at further risk of significant harm despite being ‘within’ the social care system.

215. The state is failing these children. It is failing them by placing them in illegal accommodation, or accommodation that is fundamentally unsuitable and inappropriate, with poor - or non-existent - levels of care. It is failing to meet the needs of children so systematically and fundamentally that they are deprived of their liberty for their own, and others’, safety. It is failing them when they feel that they have no choice but to go missing, sometimes time and time again, and we don’t always take the time to ask them or find out why.

216. The use of unregistered accommodation for children in care is illegal. Yet it is still happening and increasing. The Association of Directors of Social Services told us that the challenges in relation to unregistered accommodation are “unprecedented”. The Deputy Minister told us that unregistered accommodation is used in times of “crisis”. But we heard very little about what is being done to stop it happening. Put simply - local authorities and the Welsh Government must urgently put an end to the use of unregistered accommodation in Wales. They must set out how they intend to do so.

Recommendation 18. The Welsh Government and the Association of Directors of Social Services must jointly publish no later than December 2023 an action plan setting out how they will prevent the use of illegal, unregistered accommodation in Wales. The action plan must include an analysis of the number of times it has been used in the last 24 months, with clear timescales and funding allocations to develop safe alternatives.

217. We understand the calls for unregulated accommodation to be made illegal in Wales for children in care. By definition, children in care are entitled to ‘care’ and, also by definition, unregulated accommodation does not provide it. However, we see a clear difference between supportive, high-quality unregulated accommodation such as that provided by Llamau, GISDA, Barnardo’s and others,

compared to wholly inappropriate and potentially dangerous accommodation such as bed and breakfasts, AirBnBs, and hostels.

218. Published data for children in care does not distinguish clearly between these two categories of unregulated accommodation. Nor does it clearly set out the legal status or age of children in such placements (we discuss data in more detail from page 49). The Welsh Government should address this critical data and transparency gap, before setting out clearly its policy position in relation to the use of unregulated accommodation for children in care.

Recommendation 19. The Welsh Government should carry out and publish an analysis of the use of unregulated accommodation across Wales for children in care and care leavers up to the age of 21. The analysis should identify the numbers of children and young people in unregulated accommodation, and clearly break that down between accommodation that it considers to provide quality accommodation and support (such as supported accommodation which is required to meet housing standards), and accommodation that does not (such as bed and breakfasts, AirBnBs, hostels, etc.). The analysis should further break down that data into the age and legal status of the children and young people to clearly indicate how many are subject to care orders and how many are care leavers. Once complete, the Welsh Government should set out its policy position in relation to unregulated accommodation, including the action it intends to take alongside local authorities to reduce the use of inappropriate unregulated accommodation in Wales.

219. Although the extent of the use of deprivation of liberty orders in Wales is unclear (again, due to gaps in data collection and publication), we note the words of Sir Nicholas Francis, Family Division Liaison Judge for Wales, who told us that the use of Deprivation of Liberty Orders is “absolutely desperate”, and a sign that you are “absolutely at the extreme end of trouble”. Clearly, any use of deprivation of liberty orders whatsoever represents a - or, more likely, numerous - corporate parenting failures in relation to that young person. We are concerned by the lack of available data on the use of deprivation of liberty orders in Wales, and the lack of oversight and a clear strategy to reduce their usage in the short-term from either local authorities or the Welsh Government.

Recommendation 20. The Welsh Government should carry out an immediate analysis of the use of Deprivation of Liberty Orders across Wales for the past 24 months, broken down by local authority which has responsibility for the child, age of the child and the length of the order, and which should be published no later than December 2023. The Welsh Government and the Association of Directors of Social Services should jointly publish no later than December 2023 an action plan

setting out how they will reduce the use of Deprivation of Liberty Orders in Wales. The action plan must include clear timescales and funding allocations.

220. We have heard at different points throughout this inquiry that some care experienced children and young people feel that they have no choice but to use unhealthy, unsafe or dangerous behaviour to be listened to. Whether that be to get support from overstretched social workers, escape from bullying in schools, or show that they are unhappy where they are living. Running away may be a call for help, a last resort, or something else entirely. But it is also dangerous, placing the child at risk of significant harm or exploitation. Children who run away will have taken those risks for a reason. It is clear that someone independent of the care system should talk to the young person to try to find out what that reason is, with the aim of supporting them with whatever they are going through, and making it less likely that they will run away again. Once again, this is nothing less that we would expect of any good parent.

221. We heard relatively little evidence about missing children, but what we did hear - from the Children's Society and NYAS in particular - was compelling. We therefore ask the Welsh Government to respond to the concerns raised by those stakeholders in their oral (in the case of NYAS) and the extensive written (in the case of the Children's Society) evidence, and set out its views on what it expects from local authority and other statutory partners in their response to incidents of children missing from the care system.

Recommendation 21. In its response to this report, the Welsh Government should respond to the concerns raised by NYAS Cymru in oral evidence on 15 February 2023, and by the Children's Society in their written response to our consultation, in relation to incidents of children missing from care. In doing so, it should set out clearly its expectations of local authorities, the police, and other statutory partners in their response to incidents of missing children, and its views on their calls for statutory return home interviews.

5. After care

Reforms to the on-going support young people receive when they leave care

The cliff edge

222. ‘Care leavers’ is the term commonly used to describe young people aged 16 or over who have had experience of care as a child, but are no longer in care. There are different categories of care leavers, which are set out in section 104 of the Social Services and Well-being (Wales) Act 2014. Local authorities’ duties to care leavers are set out in that Act, in regulations and in the Part 6 Code of Practice (Looked After and Accommodated Children).³⁵³ Excluding benefits available to the wider population, in broad terms, eligible care leavers are entitled to the following when they reach 18³⁵⁴ and they are legally no longer a ‘looked after child’:

- **Housing:** Some young people in foster care can access the When I am Ready scheme until the age of 21 (and up to 25 if in a programme of education or training). Otherwise, the local authority must support care leavers to access suitable housing until they are 21. This does not mean they have a statutory entitlement to housing.
- **Personal advisors:** All care leavers must have a personal advisor to offer advice and support until the age of 21 (and up to 25 if in a programme of education or training).
- **Pathway plans:** Young people preparing to leave care and all care leavers up to the age of 21 (and up to 25 if in a programme of education or training) should have a pathway plan setting out the support and advice they need.
- **Education and training:** All care leavers up to the age of 25 are entitled to a Higher Education bursary grant, the maximum maintenance grant (the amount varies depending on where they live), and discretionary

³⁵³ Welsh Government, ‘[Social Services and Well-being \(Wales\) Act 2014: Part 6 Code of Practice \(Looked After and Accommodated Children\)](#)’

³⁵⁴ Children who leave care before 18 fall under category 2 of section 104 of the Social Services and Well-being (Wales) Act 2014. Those children have specific rights and entitlements. We touch on services for these young people elsewhere in this report (see ‘Safety and rights issues’ on page 70).

financial support to support care leavers to access further or higher education.

223. Broadly speaking, some of the entitlements and age specifications for leaving care in Wales are similar to those in England. In Scotland, all care leavers aged between 16-18 are entitled to be assessed and provided support by their responsible local authority. Care leavers aged 19-26 are entitled to apply to the local authority to request that they be assessed and provided with advice, guidance and assistance on their “eligible needs”. That could include financial support to meet essential accommodation and maintenance costs; or information or advice to assist the person to access education, training, employment, leisure and skills-related opportunities or relating to the person’s wellbeing.³⁵⁵

224. Voices From Care reported that some of the young people they work with in Wales have reported that they had positive experiences of leaving care, had begun to learn life skills, had been able to go to university or apprenticeships in public sector organisations.³⁵⁶

225. However, despite care leavers’ rights and entitlements, most of the evidence we received indicated that young people in care in Wales face a cliff edge of support when they turn 18. We heard that, in reality, the level of support they receive after turning 18, and certainly after turning 21, is very low, or completely non-existent, and that young people can feel that they have nobody to turn to.³⁵⁷ Voices From Care went on to report that “too many young people told us that they had not had enough support to help them learn to live independently”. Some of the young people they work with had been housed in inadequate hostel accommodation without support, some had turned to alcohol or drugs, or spoke of friends who had become involved in unlawful activities, including county lines.³⁵⁸

226. Professionals who submitted evidence to us agreed. Llamau told us that “services just fall of a cliff edge when a young person hits 18”.³⁵⁹ GISDA told us that some young people who are perhaps 22 or 23 years old may have matured and settled in their lives, but still need help and support. Unfortunately, by that time “there isn’t a great deal of engagement [from statutory services].”³⁶⁰ Barnardo’s shared similar views, and recommended that Welsh Government work with

³⁵⁵ Scottish Government, ‘Guidance on Part 10 (Aftercare) of the Children and Young People (Scotland) Act 2014’, November 2016

³⁵⁶ Written evidence, CEC.1 Voices From Care Cymru

³⁵⁷ CYPE, ‘Engagement findings’, March 2023, page 26; CYPE, ‘Findings of stakeholder events’, March 2023, page 21

³⁵⁸ Written evidence, CEC.1 Voices From Care Cymru

³⁵⁹ CYPE, 02/03/23, RoP, paragraph 111. See also: Written evidence, CEC.8 National Youth Advocacy Service (NYAS)

³⁶⁰ CYPE, 02/03/23, RoP, paragraph 103

expert partners and care experienced young people to develop a well-rounded care leaver's offer.³⁶¹

227. The evidence we gathered suggests that many care experienced young people leave care without having received sufficient financial education. Citizens Advice told us that there is a “shocking level of ignorance, actually, in terms of benefits and other sources of support” across all their clients, including care experienced young people.³⁶² They called for financial education, income maximisation and social welfare advice into support programmes for all care leavers. Others made similar calls.³⁶³ The Money and Pensions Service reported that “children in care, and care leavers themselves, highlight money management as one of their top concerns.” They called for children and young people to be given financial education as early as possible:

“And then, what we can then do is build that financial support, that security, that confidence in children and young people, so when they do move on into independent living, they've got a good basis to start making those decisions on, going forward.”

³⁶⁴

Some of the care leavers and support workers that we spoke to agreed that many young people leave care without the lack of basic skills they need to live independently successfully.³⁶⁵

228. We received repeated calls for the age thresholds for support for care leavers to be extended. Many, such as TACT Cymru, Action for Children, academics and individual consultees - argued for all care leavers - not just those in education or training - to receive support until the age of 25.³⁶⁶ Some suggested that the threshold for leaving care itself should be raised to 25 to “prevent the cycle repeating itself”.³⁶⁷ Others stressed that the support threshold should depend on the individual needs of the young person. Llamau urged us to “move away from

³⁶¹ [Written evidence, CEC 19 Barnardo's Cymru](#)

³⁶² [CYPE, 02/03/23, RoP, paragraph 236](#)

³⁶³ [Written evidence, CEC 28 Citizens Advice Cymru](#); [Written evidence, CEC 32 MyBnk](#); [Written evidence, CEC 3 Individual](#); [CYPE, 02/03/23, RoP, paragraph 282](#); [Written evidence, CEC 39 Evidence from Children in Wales, with and on behalf of the National Children's Charities Policy Group members](#)

³⁶⁴ [CYPE, 02/03/23, RoP, paragraph 229 & 282](#)

³⁶⁵ [CYPE, 'Engagement findings', March 2023, page 30](#)

³⁶⁶ [Written evidence, CEC 10 Individual](#); [Written evidence, CEC 13 Children's Social Care Research and Development Centre \(CASCADE\)](#); [Written evidence, CEC 26 Penny Jones, County Councillor](#); [CYPE, 02/02/23, RoP, paragraphs 119-122](#); [Written evidence, CEC 39 Evidence from Children in Wales, with and on behalf of the National Children's Charities Policy Group members](#)

³⁶⁷ [Written evidence, CEC 20 Action For Children](#)

this idea that chronological age trumps cognitive ability". Cardiff University researchers agreed:

*"But somebody doesn't stop becoming care experienced at 25; you don't stop having those kinds of barriers of not having somebody to fall back on, not having accommodation that you could go back to if things fall through."*³⁶⁸

229. The Children's Commissioner told us that Welsh Government had made funding available to enable young people to access a Personal Adviser up to the age of 25. However, "despite accepting the recommendation in 2017 to place this extension on a statutory footing, we have not yet seen the law change on this issue."³⁶⁹

230. The Deputy Minister acknowledge the "huge gap" for children when they leave care. She told us "I absolutely understand that some children are, I'm sure—I know they're terrified when they leave care." She added that "there is a statutory entitlement to support up until the age of 25. And I really think that we should be giving that support. We don't need legislation to make that happen; we should be giving support to young people until they're 25".³⁷⁰

231. The 'Radical Reform declaration', signed by both the First Minister and children in care in May 2023, includes the following 'vision':

*"All care experienced young people will be supported by their corporate parents until they are 25. There will be support available to those young people who want it after that age."*³⁷¹

Our recommendation below is a concrete step towards making these words a reality.

³⁶⁸ CYPE, 02/03/23, RoP, paragraph 372

³⁶⁹ Written evidence, CEC 30 Children's Commissioner for Wales

³⁷⁰ CYPE, 09/03/23, RoP, paragraphs 266-269

³⁷¹ Welsh Government, 'Radical Reform Summit: Declaration', 18/05/23, page 7

Our view

RADICAL REFORM #11

Extend the threshold for statutory support provided to all care leavers by the local authority from 21 to 25, as is currently provided to care leavers in education or training.

We are taken aback by how abruptly the legal entitlement to support for many care experienced children is withdrawn at the age of 21. And from what we have heard, support for some young people leaving care is effectively withdrawn at a much earlier age. Many young people go through important, and often challenging, transitions between 16 and 21. Yet young people with experience of the care system are expected to go through those same transitions having potentially experienced significant trauma, having had far less stability throughout their childhood, and with much smaller support networks around them to turn to for help. No good parent would cut off support and contact with their child aged 21 or earlier, and no corporate parent should either.

We agree with the evidence that we heard suggesting that 21 is much too young for many care leavers to lose their entitlement to support relating to accommodation, personal advisors, pathway plans, education and training.

We heard different views about when support for care leavers *should* end. 25 was proposed most often. But we also heard convincing arguments that there should be no age threshold at all, that chronological age should not trump the needs of the young person, and that some care experienced young people's childhoods are so affected by trauma and instability that they may need much more time to become mature enough to live independently.

However, without a statutory threshold there is an acute risk that some young people who need support most may slip through the net. The Deputy Minister told us that legislation wouldn't be required to provide support to care leavers until they are 25. We disagree - when the statutory duty to provide key support to care leavers who are not in education or training explicitly comes to an end at 21, we are not convinced that anything other than raising that threshold would guarantee the support continuing to 25.

We therefore call on the Welsh Government to amend the Social Care and Well-being (Wales) Act 2014 raise the threshold for support for all care leavers from 21 to 25, as is already the case for care leavers who are in education or training.

Recommendation 22. The Welsh Government should introduce legislation to raise the upper threshold for all of the support offered to care leavers until they are 21 (as set out in sections 103 to 118 of the Social Services and Well-being (Wales) Act 2014, associated regulations, guidance and codes of practice, including the When I am Ready scheme) to 25 for category 3, category 5 and category 6 care leavers.

When I am Ready

232. The When I am Ready scheme enables young people in foster care to continue living with their foster carer after they turn 18 until they are 21, or 25 if they are in a programme of education or training. There are similar schemes in operation in England, Scotland and Northern Ireland. We heard positive views about the policy intent behind the scheme.³⁷²

233. The Welsh Government's code of practice states that When I am Ready "must" always be considered and "will be the preferred option for the majority of care leavers who have been in foster care".³⁷³ However, statistics show that during the year to 31 March 2022 only 27.1% of care leavers remained with their foster carers under the When I am Ready Scheme. Around 69.4% of all children looked after in Wales are in foster placements, indicating that the majority of care leavers eligible for When I am Ready are not undertaking a When I am Ready placement.³⁷⁴

234. We heard from numerous difference sources that the regulations and code of practice underpinning When I am Ready are disincentivising foster carers. The Fostering Network explained that:

"Young people [aged 18 or over] are no longer considered looked after. If the foster carer has no other children in foster care living with them, their fostering service may remove their approval status meaning foster carers can no longer foster unless they complete the approval process again (which can take many months) and could be resulting in some foster carers prematurely giving up fostering."³⁷⁵

³⁷² Written evidence, CEC 7 Foster Parent; CYPE, 'Transcript from the session with young people on 18 January 2023', page 11; Written evidence, CEC 6 Steve Phillips; Written evidence, CEC 40 Children in Wales

³⁷³ Welsh Government, 'Social Services and Well-being (Wales) Act 2014: Part 6 Code of Practice (Looked After and Accommodated Children)', page 128

³⁷⁴ StatsWales, 'Episodes finishing for children looked after (aged 16 and over) during the year to 31 March by local authority, gender and reason for finishing' and StatsWales, 'Children looked after at 31 March by local authority and placement type'

³⁷⁵ Written evidence, CEC 31 The Fostering Network

235. There are also financial barriers for foster carers to taking part in the scheme. The Welsh Government’s good practice guide acknowledges that the loss of income from fostering fees may be a barrier to a When I am Ready arrangement. It suggests that local authorities “may wish to consider paying an additional amount to ensure that the ‘When I am Ready’ arrangement can go ahead.”³⁷⁶ Even so, stakeholders told us that some foster carers do not feel that they can enter into a When I am Ready arrangement because they will see a reduction in fostering income.³⁷⁷

236. We also heard that there are barriers for care leavers themselves including:

- Many care leavers don’t know the scheme exists.³⁷⁸
- Young people who haven’t been in long-term placements are less likely to want to stay with their foster carer.³⁷⁹
- When I am Ready doesn’t apply to young people in residential care.³⁸⁰
- Young people have to apply for benefits to contribute to the costs of When I am Ready placements, then sign a tenancy agreement with the foster carer. The Fostering Network wrote that “The person that has been their parent is forced to become their landlord. We should not be asking young people to do this and labelling it ‘When I am Ready’. For many children this change happens during their final year of education. Whilst striving for their future, they are also expected to become dependent on benefits as fostering allowances cease.”³⁸¹

237. We heard calls for When I am Ready to be redesigned so that foster carers can continue to provide fostering services to care leavers without losing approval status or income.³⁸² We also heard that the age limit for leaving foster care under the scheme should be raised to 25.³⁸³

238. The Deputy Minister acknowledged the concerns about When I am Ready. She told us that it is “completely wrong to have a barrier at 18 years that they

³⁷⁶ Welsh Government, ‘When I am Ready: Good Practice Guide’, page 29

³⁷⁷ CYPE, ‘Engagement findings’, March 2023, page 28; CYPE, 02/03/23, RoP, paragraph 127; CYPE, ‘Findings of stakeholder events’, March 2023, pages 15-16; Written evidence, CEC 1.Voices From Care Cymru

³⁷⁸ Written evidence, CEC 1.Voices From Care Cymru

³⁷⁹ CYPE, ‘Engagement findings’, March 2023, page 28

³⁸⁰ CYPE, ‘Engagement findings’, March 2023, page 28; Written evidence, CEC 1.Voices From Care Cymru

³⁸¹ Written evidence, CEC 31.The Fostering Network

³⁸² CYPE, ‘Findings of stakeholder events’, March 2023, pages 15-16; Written evidence, CEC 31.The Fostering Network

³⁸³ Written evidence, CEC 15.Aneurin Bevan University Health Board; Written evidence, CEC 23 Rhian Carter; Written evidence, CEC 2.Matthew Lewis; Written evidence, CEC 4.TACT Fostering

cannot stay there”, and committed to undertaking a review of When I am Ready to “decide whether then there is a need to amend existing legislation to provide a firmer footing”.³⁸⁴

Our view

RADICAL REFORM #12

Amend the Social Services and Well-being (Wales) Act 2014, fostering regulations and codes of practice and guidance relating to When I am Ready to extend the age limit for all young people who wish to participate in the scheme to 25, and to remove the financial and operational barriers that foster carers face when providing When I am Ready services.

We fully support the policy intention underpinning When I am Ready. It offers a significant proportion of care leavers the security and support of staying with a trusted foster carer as they transitions into adulthood. It is promising to see that around a quarter of all care leavers are already taking up the scheme.

However, there is clearly much that needs to be done to improve the design and implementation of the scheme. Fundamentally, there should be no barriers whatsoever for foster carers to enter into a When I am Ready arrangement. This means that foster carers should receive the same fees and allowances under When I am Ready as they do when they foster children in care.

It also means that foster carers supporting young people under a When I am Ready placement should be recognised as foster carers for the purposes of approval by the fostering panel even if they have no other foster children at that time. Fostering regulations do not state that a foster parent will automatically lose their foster approval if they are in a When I am Ready arrangement. However, entering into a When I am Ready scheme could, in some circumstances, mean that the foster carer loses their approval status. It isn't surprising if this puts some foster carers off entering into a When I am Ready arrangement.

We agree wholeheartedly with the evidence we received calling for care leavers up to 25 to be eligible for the When I am Ready scheme. This is in line with our proposals to avoid the 'cliff edge', as discussed on page 111. We also agree with the concerns raised that requiring young people to enter into a tenancy agreement with their foster carer to participate in When I am Ready seems cold and unnecessarily formal. It is certainly a far cry from the nurturing and caring transition to adulthood that we would hope to provide for our own children.

³⁸⁴ CYPE_09/03/23_RoP, paragraphs 271-273

Recommendation 23. The Welsh Government should amend section 108 of the Social Services and Well-being (Wales) Act 2014 and regulations, guidance³⁸⁵ and the code of practice³⁸⁶ relating to the When I am Ready scheme to:

- extend the age limit for all young people who wish to participate in the scheme to 25; and
- remove barriers to the scheme, including the potential for foster carers' approval to be removed; the reduction in payments to foster carers; and
- consider how young people could enter the scheme and receive all of the support available to them without being required to enter into tenancy agreements with their foster carers.

239. Some young people have told us that children in residential care can feel overlooked or disadvantaged compared to children in foster care. That When I am Ready is not available to children in residential care is a clear example of that disadvantage. We believe that all children in care should be entitled to the same fundamental levels of support. However, we acknowledge the likely complexity of an extension of When I am Ready to children in residential care, and therefore ask the Welsh Government to consider the matter further.

Recommendation 24. The Welsh Government should carry out a review alongside care experienced young people and other key stakeholders to ascertain how When I am Ready can be extended to young people in residential care, the barriers to that extension and what actions can be taken to overcome those barriers. The review should report no later than December 2023.

240. We recognise that any extension to the When I am Ready scheme will have consequences for the number of placements available at a time when there is already a general shortage of high quality placements. Nevertheless, we believe that we must move towards a system that can give our care experienced children the choices any good parent would want for their own children. This includes accommodation beyond the age of 18 if they need it.

³⁸⁵ Welsh Government, 'When I am Ready: Good Practice Guide'

³⁸⁶ Welsh Government, 'Social Services and Well-being (Wales) Act 2014: Part 6 Code of Practice (Looked After and Accommodated Children)'

Housing

Accommodation for care leavers

241. From the age of 16, a young person’s care and support plan should be subsumed within a ‘pathway plan’. The pathway plan should set out the actions which are necessary to support the young person to make a successful transition to adulthood and greater independence. As the core financial and accommodation provision they receive from statutory authorities as a ‘looked after child’ is withdrawn, the pathway plan should set out a planned transition to their next accommodation, such as:

- continuing to live with their foster carers under the When I am Ready scheme (see page 116); or
- moving into semi-independent living arrangements, such as supported accommodation or supported lodgings.
- However, statistics indicate that this is not the experience for many young people leaving care between aged 16 or over. Only 27.1% continued to live with a former foster parent(s) in a When I am Ready arrangement, and only 15.7% more into “supportive accommodation providing formalise advice/support arrangements”.³⁸⁷

242. We heard widespread concern from young people that finding safe, appropriate accommodation is a significant challenge when leaving care. Some suggested that it would have been better to have a system that lets them try out new accommodation before deciding whether to move there or not. They also wanted the ability to move back where they were if they didn’t settle well into their new home.³⁸⁸ Llamau told us that both availability and appropriateness of accommodation is a problem,³⁸⁹ and GISDA called the lack of housing “a major crisis”.³⁹⁰ Cymorth Cymru wrote that some of the young people they spoke to had been put in unsafe accommodation which made them feel unsafe, such as emergency hostels, B&Bs and other accommodation with no on-site support.³⁹¹ Other professionals told us that housing should be a particular priority for local authorities, stressing that care experienced birth parents need housing that’s suitable for a new-born.³⁹² Care Inspectorate Wales wrote that, ultimately, greater

³⁸⁷ Stats.Wales, ‘[Episodes finishing for children looked after \(aged 16 and over\) during the year to 31 March by local authority, gender and reason for finishing](#)’

³⁸⁸ CYPE, ‘[Engagement findings](#)’, March 2023, pages 28-29

³⁸⁹ CYPE, [02/03/23, RoP](#), paragraph 144; CYPE, [02/03/23, RoP](#), paragraph 157

³⁹⁰ CYPE, [02/03/23, RoP](#), paragraph 157

³⁹¹ [Written evidence, CEC 22 Cymorth Cymru](#)

³⁹² CYPE, ‘[Findings of stakeholder events](#)’, March 2023, page 9

multi-agency accountability beyond social services was needed to deliver more accommodation options for young people.³⁹³

243. The Welsh Government's code of practice states that it is "good practice" for local authorities to commission semi-independent living options because moving directly into independent living will often be "too big a step for young people."³⁹⁴ Both Llamau and Social Care Wales explained that supported accommodation offers a safe and supportive home environment for young people, particularly to people vulnerable to financial and sexual exploitation.³⁹⁵ However, we heard that there are challenges in developing and providing supported accommodation to care leavers, particularly cost. Supported accommodation can be expensive. The cost is met from a range of sources, including the Welsh Government's housing support grant, social services (if the child is still on a care order), and young people's benefits. But if the young person receives a salary they may need to start paying rent themselves. This can either push them out of the supported accommodation even though they may still need it, or act a disincentive to work.³⁹⁶

244. The main concerns we heard about social and private rental accommodation related to the general insufficiency of the social housing stock. We heard from some professionals, including local authority staff that there is a national shortage of affordable smaller properties suitable for care leavers, such as 1-bedroom/studio flats.³⁹⁷ Cymorth Cymru told us that:

"There is not enough social housing available and the private rented sector is becoming increasingly unaffordable and inaccessible to people leaving care... Bevan Foundation research indicates that just 24 properties advertised in May were available at LHA rates."³⁹⁸

245. Some care leavers told us that up to 500 people can be in competition for one property, and that care leavers have no automatic priority over other people.³⁹⁹ Care leavers may even be at a disadvantage. Currently, the concept of 'local connection' - the connection a person has with a specific housing authority district - is usually included as a prioritisation factor in local authorities' housing

³⁹³ [Written evidence, Care Inspectorate Wales \(additional information\)](#)

³⁹⁴ Welsh Government, 'Social Services and Well-being (Wales) Act 2014: Part 6 Code of Practice (Looked After and Accommodated Children)', page 104

³⁹⁵ CYPE, 02/03/23, RoP, paragraph 146; CYPE, 02/03/23, RoP, paragraph 146

³⁹⁶ CYPE, 'Engagement findings', March 2023, pages 29-30

³⁹⁷ CYPE, 'Engagement findings', March 2023, pages 29 & 32

³⁹⁸ [Written evidence, CEC 22 Cymorth Cymru](#)

³⁹⁹ CYPE, 'Findings of stakeholder events', March 2023, page 6; CYPE, 'Engagement findings', March 2023, pages 29-30

allocation schemes.⁴⁰⁰ We heard that even when private rented accommodation is available to, and affordable for, care leavers, they would not be able to secure a rental agreement if they don't have a guarantor, which many young people leaving care do not.⁴⁰¹

Homelessness

246. Crisis has said that care experience is a “predictable route” into homeless.⁴⁰² A 2019 Guardian article suggests that as many as 1 in 4 care leavers are homeless when they turn 18.⁴⁰³ Welsh homeless legislation gives ‘priority need’ status to care leavers up to the age of 21, but not after. And care leavers who have previously moved between different local authorities may be at an disadvantage. The duty to help secure accommodation for a homeless person can be passed to another local authority if the person in question does not have a local connection to the area in which they apply for help.⁴⁰⁴

247. Cymorth Cymru shared similar views, stating that one in three care-experienced young people became homeless in the first two years of leaving care. They called for a collaborative, multi-agency approach to prevent at-risk care leavers, or becoming homeless and to support homeless care leavers.⁴⁰⁵ Llamau told us that many care leavers face homelessness due to a lack of suitable accommodation:

“... we know the system is failing those young people. We know that there are not enough supported accommodation services available for young people when they leave care, and there is still an expectation for many young people who are care experienced to have to go through the homelessness route, and that is wrong. There should be a really clear pathway.”⁴⁰⁶

248. We asked the Deputy Minister why housing is such a challenge for care leavers. She told us that the Welsh Government will shortly be producing a “new version of the care leavers accommodation and support framework, which was developed specifically for young people who are leaving care in Wales.” She added that care leavers need support from their corporate parents, and that the Welsh Government:

⁴⁰⁰ Legislation.gov.uk, ‘[Housing Act 1996](#)’, Section 167(2A)

⁴⁰¹ CYPE, ‘[Engagement findings](#)’, March 2023, page 29; [Written evidence, CEC 19 Barnardo’s Cymru](#)

⁴⁰² Crisis, ‘[Everybody in: How to end homelessness in Great Britain](#)’, page 14

⁴⁰³ The Guardian, ‘[We are failing children in care – and they are dying on our streets](#)’, 11/11/19

⁴⁰⁴ Legislation.gov.uk, ‘[Housing \(Wales\) Act 2014](#)’, section 80

⁴⁰⁵ [Written evidence, CEC 22 Cymorth Cymru](#)

⁴⁰⁶ [CYPE, 02/03/23, RoP](#), paragraph 110

- will invest over £197 million this year in homelessness and housing support services, and £310 million in social housing;
- will continue to provide £3.7 million funding through the youth support grant for the prevention of youth homelessness; and
- has established an expert review panel to review existing homelessness and prevention legislation, and to develop recommendations for reforms, to report by August 2023.⁴⁰⁷

Our view

RADICAL REFORM #3 (part of umbrella reforms to corporate parenting)

There is evidently a major shortage of quality accommodation for care leavers. As we conclude above, the Welsh Government's When I am Ready scheme is an effective way to provide accommodation in a safe and nurturing environment for some care experienced young people. However, even if the practical issues surrounding the scheme are addressed, When I am Ready will never be the right choice for everyone, including many of our most vulnerable young people.

It is a shocking indictment of the effectiveness of current corporate parenting arrangements that up to a quarter of care leavers are homeless at 18. Corporate parents must do more to protect those children, just as we would expect any good parent to do for their child.

There should be systems in place to avoid young people leaving care having to present as homeless. Housing legislation should ensure care experience is given the highest priority for both local authorities' and Registered Social Landlords' allocation policies. Local authority housing departments and Registered Social Landlords should play a key role in supporting care leavers' transition to independent living so that effective preparation for independence with planned, sustainable moves becomes a reality.

Care experienced children usually have very little - if any - choice over where they are placed. It will almost certainly not be the fault of the care leaver themselves if they do not have a connection to the local area they want to live in.

These are clear and necessary first steps to improving accommodation options for care leavers.

However, in the short term at least, many care leavers will still face homelessness. Here, too, much more can be done to help those vulnerable young people. Priority

⁴⁰⁷ [CYPE_09/03/23_RoP](#), paragraphs 320-324

need for care leavers, currently in place until care leavers are 21, should also be extended to care leavers to 25. And local authorities should not be able to pass their duty to help secure accommodation for a homeless care leaver to another local authority on the basis that the care leaver does not have a 'local connection' to the area in which they apply for help.

Recommendation 25. As part of umbrella reforms to corporate parenting (see radical reform 3), and as part of its planned reforms of housing legislation, the Welsh Government should bring forward legislation to;

- Amend the Housing Act 1996 to provide that care experienced people have the highest priority in housing allocation.
- Amend the Housing Act 1996 to state that 'local connection' should be disregarded for care experienced people at their election.
- Amend the Housing (Wales) Act 2014 to ensure that care experienced people over the age of 21 retain "priority need" status when homeless.
- Amend the Housing (Wales) Act 2014 so that care experienced people facing homelessness cannot be referred to another local authority due to 'local connection' if they do not wish to be.

Other important issues

Young Person's Advisors (YPAs) and Pathway Plans

249. By law, all care leavers should be assigned a Personal Advisor (YPA) between the ages of 16 and 18. The Welsh Government's code of practice states that:

*"The [YPA] will act as the focal point to ensure that care leavers are provided with the right kind of personal support. All care leavers should be aware of who their [YPA] is and how to contact them, so that throughout their transition to adulthood they are able to rely on consistent support from their own key professional."*⁴⁰⁸

250. We heard concerns from a number of different sources about YPA caseload and capacity, echoing some of the evidence we heard about the social care workforce. Young people told us that they struggle to get hold of their YPA, or that they don't offer them the support they need. One participant even told us she didn't have a named advisor – she had been put on an 'unallocated list', and had

⁴⁰⁸ Welsh Government, ['Social Services and Well-being \(Wales\) Act 2014: Part 6 Code of Practice \(Looked After and Accommodated Children\)'](#), page 70, page 85

to call the main office to ask for any support on a duty rota basis.⁴⁰⁹ Others told us “YPAs aren’t very good at their jobs, are difficult to get hold of and are unprofessional.”⁴¹⁰ Voices From Care reported the views of some young people who felt that YPAs need to be better trained and that their support should be available outside office hours.⁴¹¹

251. Some of the professionals we spoke to had broadly similar views. Most commonly, they told us that YPAs lack capacity, either due to high caseloads (at least 30+ each) or because there aren’t enough YPAs in post.⁴¹² GIDSA told us that the Social Care and Well-being (Wales) Act 2014 isn’t clear enough about what YPAs are responsible for. Others agreed that the YPA role should do more to help young people, and some third sector professionals told us that, because of capacity, YPAs sometimes pass their responsibilities on to other organisations.⁴¹³

252. However, the Association of Directors of Social Services had different views. They told us that, in their local authorities at least, “Personal advisors were allocated to all young people. We support them right up until 25, and young people largely have good relationships with them.”⁴¹⁴

253. Pathway Plans are care plans that detail the services and support needed by young people aged 16 to 21 years. They look at the support a young person will need to live independently and prepares them for the future. They are completed by a social worker or Personal Advisor with the young person. We heard consistently from both young people and professionals that pathways plans are vague or non-existent, poorly implemented, and that decisions were often forced on young people, sometimes for financial reasons. Others told us that they had little or no contact with social services after turning 16.⁴¹⁵ Barnardo’s suggested that part of the problem is the pathway planning process itself:

“And what we found, particularly post 18, was that a lot of young people started to back off from wanting to be part of that pathway planning process. I would say that what we need to look at is allowing personal advisers and leaving care services to have a menu of options of how they work with young

⁴⁰⁹ CYPE, ‘Findings of stakeholder events’, March 2023, page 6; CYPE, ‘Engagement findings’, March 2023, page 28

⁴¹⁰ CYPE, ‘Engagement findings’, March 2023, page 28

⁴¹¹ Written evidence, CEC 1 Voices From Care Cymru

⁴¹² CYPE, 02/03/23, RoP, paragraph 165; CYPE, ‘Engagement findings’, March 2023, page 28; Written evidence, Care Inspectorate Wales (additional information)

⁴¹³ CYPE, ‘Engagement findings’, March 2023, pages 27-28; Written evidence, Care Inspectorate Wales (additional information)

⁴¹⁴ CYPE, 09/03/23, RoP, paragraphs 109-111

⁴¹⁵ CYPE, ‘Engagement findings’, March 2023, pages 26 & 32; CYPE, ‘Findings of stakeholder events’, March 2023, page 6

people, to plan and to ensure that they've got the support around what their ambitions are post 18, rather than trying to have this really quite rigid pathway planning process that can follow them from 16 right the way through to 25.”⁴¹⁶

254. The Deputy Minister told us that “I’ve seen really good examples of what personal advisers are doing to help young people, and I met some fairly recently up in north Wales, in particular. So, I think there are very good examples of the great work that personal advisers are doing.” But she went on to acknowledge the “huge gap” for children when they leave care, and restated the Welsh Government’s commitment to ensure that all care leavers have an entitlement to a personal adviser up to the age of 25.⁴¹⁷

Higher education

255. Young people with care experience are underrepresented at universities. Data from the UK Government about England sets out that just 13% of pupils who were looked after continuously for 12 months or more at 31st March 2017 progressed to HE by age 19 by 2020/21, compared to 45% of all other pupils (equivalent data is not available in Wales).⁴¹⁸ A recent UCAS report analysed considered data from the Office for Students, and concluded that care experienced students “are less likely to attend higher tariff providers, more likely to drop out, less likely to achieve a first or upper second degree, and take longer to complete their undergraduate studies than their non-care-experienced peers”.⁴¹⁹

256. We heard different reasons for why this might be. Young people told us that the stigma associated with care experience affects professionals’ expectations of what they can achieve.⁴²⁰ A Cardiff University researcher shared the views of young people who felt that foster carers and social workers did not know enough about the support - financial or otherwise - available to care experienced students. She added that there’s a minimum level of support that local authorities will give a care leaver who goes on to university, but a lot of local authorities are offering different levels of support beyond that, which has caused confusion.⁴²¹

257. Young people from Voices From Care argued that care experienced students need extra support because they may not have people in their lives who can provide access to the knowledge and opportunities about university in the way

⁴¹⁶ CYPE, 02/03/23, RoP, paragraph 136

⁴¹⁷ CYPE, 09/03/23, RoP, paragraphs 266-267

⁴¹⁸ Gov.uk, ‘Widening participation in higher education: Academic year 2020/21’, July 2022

⁴¹⁹ UCAS, ‘Next steps: what is the experience of students from a care background in education?’, page 5

⁴²⁰ CYPE, ‘Findings of stakeholder events’, March 2023, page 21

⁴²¹ CYPE, 02/03/23, RoP, paragraph 292

that other pupils may have.⁴²² Both Voices From Care and the Fostering Network suggested that accommodation during holiday times is a barrier for care experienced students. Care Leavers Activities and Student Support (CLASS Cymru) suggested that many care leavers choose to enter university at a later stage, and therefore the cut-off at 25 of support for care leavers in education or training can be a barrier (see ‘The cliff edge’ on page 111).⁴²³

258. We asked for views on the support that universities in Wales provide to young people with care experience. Universities Wales told us that Welsh universities “tend to undertake contextual admission, so bearing in mind the background of students and anything that may impact on the grades they secure for A-level, for example, and will tend to make an offer bearing that in mind.”⁴²⁴ Once students have secured a place at university, we heard they can expect “relatively consistent basic support provision”, but the specifics will differ between universities. We heard about specific examples of support, including:

- The opportunity for potential students to come to the university in advance of enrolment to see what they’re going to experience and meet the people who will support them.
- Peer support, including meet-ups in cafes to share both successes and challenges.
- Finance and well-being support for students on-roll.
- Physical items for care-experienced students on arrival, such as a pillow, cutlery, etc.
- A guarantor scheme, to help with private accommodation rental.⁴²⁵

259. Representatives of CLASS Cymru have worked with researchers from CASCADE at Cardiff University to identify gaps in support offered to care experienced students in Wales. Their website, classcymru.co.uk, is a Welsh-centric resource bank “designed to plug this gap”.⁴²⁶ In their written evidence, CLASS Cymru wrote that they hope that the website can “expand to cover schools and colleges as well as universities, allowing these priorities to be addressed from a much earlier stage.”⁴²⁷

⁴²² [Written evidence, CEC.1 Voices From Care Cymru](#)

⁴²³ [Written evidence, CEC.25 CLASS Cymru](#)

⁴²⁴ [CYPE, 02/03/23, RoP, paragraph 367](#)

⁴²⁵ [CYPE, 02/03/23, RoP, paragraphs 317, 321 & 374](#)

⁴²⁶ [Class Cymru, ‘about CLASS CYMRU’](#)

⁴²⁷ [Written evidence, CEC.25 CLASS Cymru](#)

260. The Scottish Funding Council has called on colleges and universities to treat care experience as a protected characteristic. Its ‘national ambition’ includes ensuring that care experienced students are fairly represented at college and university, that colleges and universities secure equality of outcomes for those students, and data about care experienced students is monitored and evaluated.⁴²⁸ We heard that support for care experienced students could be approached more strategically and consistently across Wales too, potentially via the new Commission for Tertiary Education and Research (the Commission). A CASCADE researcher told us that:

“Our fee and access plans as they have been, through HEFCW, are quite vague. In some ways, that’s enabled universities to be able to really tailor towards their student bodies, but actually there isn’t a huge amount of accountability there, and, whilst the last thing that I think we should be doing is putting up red tape... some kind of greater acknowledgement of those underrepresented groups as areas that do require investment would be helpful.”⁴²⁹

261. Universities Wales agreed, telling us that “I’d be keen to see is that things were embedded within the processes of [the Commission] as opposed to additional, bolt-on benchmarks or other aspects of practice.” They went on to call for the Commission to support with data specifically to help universities.⁴³⁰

262. As part of our inquiry looking at mental health support in higher education, we considered some of the specific challenges facing care experienced students. In that report, we said there was a need for the additional financial and practical support available for this cohort of students to be more “easily and readily accessible to them” with institutions being more pro-active in offering the support.⁴³¹

The basic income pilot

263. The Welsh Government summarises the Basic Income pilot scheme for care leavers in its written evidence:

“On 28 June 2022, the Welsh Government formally launched its Basic Income pilot scheme for care leavers in Wales. From 1 July 2022, more than 500 people leaving care in Wales, who reach

⁴²⁸ Scottish Funding Council, ‘SFC’s National Ambition for Care-Experienced Students’, 13/01/20, page 12

⁴²⁹ CYPE, 02/03/23, RoP, paragraph 365

⁴³⁰ CYPE, 02/03/23, RoP, paragraphs 365-367

⁴³¹ Welsh Parliament, ‘Mental Health support in Higher Education’, March 2023, page 45

their 18th birthday between 1 July 2022 and 30 June 2023, will be offered £1,600 each month (before tax) for two years to support them as they make the transition to adult life. After tax, the amount each recipient will receive per month is £1,280. Care leavers taking part in the pilot can also access financial advice and support to ensure they are supported to make informed decisions about the pilot, their finances and their futures. The pilot is currently running at around 98% sign up rate (based on estimates of those eligible from local authorities)."

The paper went on to state that "Learning from the pilot, a clear review and set of recommendations will be prepared. This will allow lessons to be learned, benefitting both care leavers and the wider Welsh population."⁴³²

264. We heard very mixed views about the pilot. Arguments in favour of the pilot generally focused on the potential of basic income to mitigate the exposure of care leavers to poverty at a critical time in their lives. NYAS argued that:

"there are loads of different factors that can drive poverty, but, fundamentally, it's very simple: there are not enough resources for the children to live and to live well, and those young people who leave care often find themselves in that situation. So, a simple solution to it is to provide those resources".⁴³³

Social Care Wales, Public Health Wales and others shared similar views.⁴³⁴

265. However, many others - including young people themselves - had significant concerns about the pilot. We heard that:

- Many care leavers wouldn't know how to budget and spend so much money well, and are vulnerable to misusing it or to exploitation.
- Young people in receipt of the income will have to pay for supported accommodation themselves (see page 120). In reality they won't be able to afford it. This means that young people who receive the basic income, who have had relatively safety beforehand, are going to be out in the community alone and without support.

⁴³² [Written evidence, CEC 47 Welsh Government](#), pages 8-9

⁴³³ [CYPE, 02/02/23, RoP](#), paragraphs 207

⁴³⁴ [Written evidence, Social Care Wales \(additional information\); Written evidence, CEC 36 Public Health Wales; Written evidence, CEC 39 Evidence from Children in Wales, with and on behalf of the National Children's Charities Policy Group members; Written evidence, CEC 16 Platform](#)

- It may be challenging for young people when the basic income payments stop.⁴³⁵
- One foster parent told us that “Young people need support and guidance not money thrown at them. Empower young people with incentives and support.”⁴³⁶

266. We heard that the implementation of the scheme has been going well overall, but that there have been some specific challenges to overcome. Citizen’s Advice - who are directly supporting 82% of young people on the scheme, averaging 6 appointments per young person⁴³⁷ - told us that “it’s a pilot scheme, so there are some sticking points. How long they can stay in local authority housing, for example, has been a problem that we’ve had to become involved with in.”⁴³⁸ The Children’s Commissioner told us about issues she was aware of relating to eligibility for student finance, access to housing benefit, and access to legal aid, with some of those issues particularly relevant to Unaccompanied Asylum Seeking Young People. She stressed that the evaluation of the scheme should reflect on how its administration can be strengthened “to ensure all young people who are eligible can access the support in an equitable way, and how the Basic Income payment links with other claimable benefits.”⁴³⁹

267. The Deputy Minister told us that “It makes your heart sing that we’ve been able to do this to enable them to have some of the help and expectations that many children rely on their mothers and fathers to provide.” She pointed to the support provided to eligible care leavers by Citizen’s Advice to help them manage their finances, before adding that “I’m sure that the people who expressed reservations to you will soon change their minds when they see how well it is actually going.”⁴⁴⁰

Our view

Young Person’s Advisors (YPAs) and Pathway Plans

268. We are deeply concerned about the views of some young people and professionals about the levels of support provided to care leavers by their personal advisors. We heard about extreme variations in the deployment of YPAs across the country: worries about availability and training - usually from young people

⁴³⁵ CYPE, ‘Engagement findings’, March 2023, pages 30-31

⁴³⁶ Written evidence, CEC 7 Foster Parent

⁴³⁷ CYPE, 02/03/23, RoP, paragraphs 272-273

⁴³⁸ CYPE, 02/03/23, RoP, paragraph 274

⁴³⁹ Written evidence, CEC 30 Children’s Commissioner for Wales

⁴⁴⁰ CYPE, 09/03/23, RoP, paragraphs 296-297

themselves - alongside assurances that YPAs have good relationships with young people and carry out great work with care leavers up to the age of 25.

269. It is clear to us that something is going fundamentally wrong if care leavers are telling us that they receive YPA support on a rota basis from an unallocated list. And if the support that young people receive from their YPAs is patchy, it is hardly surprising that we heard evidence suggesting that some pathway plans are vague or poorly implemented.

270. Some of the radical reforms in this report, if implemented, would lead to a steep increase in the collective workload of YPAs, and therefore in the numbers of YPAs required around the country. It will take time and planning to prepare for that change. Worryingly, we sense that this workforce may be facing some similar challenges to the social care workforce more widely, such as high caseloads and recruitment and retention challenges. We therefore recommend that the Welsh Government carry out a review of Young Person's Advisors in Wales in the context of the reforms in this report.

Recommendation 26. The Welsh Government must carry out a review of the support offered to young people by Young Person's Advisors. The review should consider:

- the concerns set out in this report relating to Young Person's Advisors and the pathway planning process;
- the likely impacts on the collective workload of Young Person's Advisors of the reforms set out in this report (particularly those relating to upper age limit for support for care leavers and those relating to opt-out advocacy services for children in care and care leavers); and
- any action required as a result.

Higher education

RADICAL REFORM #3 (part of umbrella reforms to corporate parenting)

It is a further sign of the failure of corporate parenting that fewer than a fifth of care experienced young people go to university, compared to almost half of all young people. The reasons for this differential are complex, relating to many aspects of children's experiences before care, in care, and as they leave compulsory education. This report cannot do those complexities the justice they deserve.

The evidence we received focused on higher education specifically. There are, of course, many other tertiary education opportunities available to young people across tertiary education more widely, including further education and apprenticeships. We did not receive any significant evidence about care experienced people's experiences of tertiary education more widely, and we therefore recognise that the voices of young people and institutions in relation to those sectors are not included in this report.

However, the evidence we received in relation to higher education specifically suggests that the new Commission for Tertiary Education and Research (the Commission) should have a corporate parenting role for care experienced young people. We see no reason why the Commission's duties as a corporate parent should not extend beyond higher education to tertiary education as a whole.

If it were a corporate parent, the Commission could have responsibilities to sharpen the focus of tertiary education providers on care experienced people, move towards consistency of support for care experienced learners, encourage better monitoring and evaluation of that support, and subsequently hold institutions to account for the steps they take to encourage care experienced people to participate - and succeed - in tertiary education.

Currently, section 4 of the Tertiary Education and Research (Wales) Act 2022 places a duty on the Commission to encourage individuals with additional learners needs to participate in tertiary education. This should be amended to extend that duty to care experienced people, in recognition of the Commission's corporate parenting responsibilities.

The Act also provides for ongoing registration conditions which the Commission must ensure are met whilst a tertiary education provider is registered by the Commission. The Welsh Government should make regulations under section 34 of the Act to add a mandatory ongoing registration condition that applies to all categories of registration, stipulating that registered tertiary education providers must take action to promote the increased participation, retention, reduction of attainment gaps and support for care experienced people.

Alongside our other proposed reforms to corporate parenting, these proposals will strengthen and formalise the responsibilities that key public bodies have for care experienced people over their lifetime.

Recommendation 27. As part of umbrella reforms to corporate parenting (see radical reform 3), the Welsh Government should amend the Tertiary Education and Research (Wales) Act 2022 to:

- impose a duty to promote tertiary education to care experienced people; and
- add a mandatory registration condition relating to the promotion of the participation, retention, reduction of attainment gaps and support for care experienced people.

Basic Income pilot

271. The Basic Income pilot is a bold and ambitious policy. The evidence suggests that there are reasons to be optimistic about the pilot, and its long-term impact on the lives of the young people who are eligible for it. But the evidence also suggests that there are also real causes for concern. These concerns were shared with us by care leavers and people who work day-in and day-out with incredibly vulnerable care leavers. They were shared with us in the context of discussions around substance misuse and organised crime. We urge the Welsh Government not to take those concerns lightly.

272. At this point in time we do not have a view on the Basic Income pilot. We welcome the Welsh Government's commitments to a robust independent evaluation, which we will consider when it is released. In the meantime, we will continue to pay close attention to the pilot.

Annex 1: List of citizen engagement

The Committee undertook visits on the dates noted below. A summary of the findings of the engagement visits can be viewed on the Committee’s website.

Date	Attendees and organisation
4 November 2022	Care experienced birth parents (and supporting staff) National Youth Advocacy Service (NYAS), Project Unity, Torfaen
14 November 2022	Care leavers Barnardo’s Bloom, Supported lodgings, Homelessness prevention, Swansea
21 November 2022	Project staff Barnardo’s Bloom, Supported lodgings, Homelessness prevention, Swansea
21 November 2022	Care experienced birth parents (and supporting staff) National Youth Advocacy Service (NYAS) Project Unity, Swansea
24 November 2022	Care experienced birth parents (and supporting staff) National Youth Advocacy Service (NYAS), Project Unity, Blaenau Gwent
24 November 2022	Council & third sector staff Monmouthshire Council & Barnardo’s, Families First, Usk
5 December 2022	Project staff Llamau Merthyr Housing First for Youth, Merthyr Tydfil
5 December 2022	Birth parents Barnardo’s Reflect, Cardiff
8 December 2022	Project staff Barnardo’s Cyfle Care Leavers Service, Mold
24 February 2023	Care experienced birth parents (and supporting staff) National Youth Advocacy Service (NYAS), Project Unity, Rhyl

Annex 2: List of stakeholder roundtable events

The Committee held a series of stakeholder roundtable events on the dates below. A summary of the findings of the stakeholder roundtable events can be viewed on the Committee's website.

Date	Name and organisation
Birth parents – 26 January	<p>Birth parents (and supporting staff) Barnardo's, Baby & Me</p> <p>Birth parents (and supporting staff) Barnardo's, Reflect</p> <p>Birth parents (and supporting staff) CASCADE at Cardiff University</p> <p>Birth parents (and supporting staff) National Youth Advocacy Service (NYAS), Parent Advocacy</p> <p>Birth parents (and supporting staff) National Youth Advocacy Service (NYAS), Project Unity</p>
Professionals and academics working with birth parents – 26 January	<p>Leah Wood Barnardo's</p> <p>Seren Howarth Barnardo's</p> <p>Dr Helen Hodges CASCADE at Cardiff University</p> <p>Dr Louise Roberts CASCADE at Cardiff University</p> <p>Nadia Lovell National Youth Advocacy Service (NYAS)</p> <p>Helen Parry National Youth Advocacy Service (NYAS)</p> <p>Dr Charlotte Edney Nuffield Family Justice Observatory</p> <p>Sarah Durrant Tros Gynnal Plant Cymru</p>
Professionals and academics working with care experienced children and young people – 2 February	<p>Suzanne Griffiths Adoption UK Cymru</p> <p>Jason Baker Adoption UK Cymru</p>

Date	Name and organisation
	<p>Penny Jeffreys Adoption UK Cymru</p> <p>Lynette Lovell Association of Directors of Education in Wales (ADEW)</p> <p>Samantha Frith-Jones Association of Fostering and Adoption Cymru</p> <p>Katie Anthony Barnardo's</p> <p>Josh David-Read Barnardo's</p> <p>Dr Helen Hodges CASCADE at Cardiff University</p> <p>Sean O'Neill Children in Wales</p> <p>Kate Aubrey Children in Wales</p> <p>Tom Davies Children's Society</p> <p>Sarah Thomas Fostering Network Wales</p> <p>Elizabeth Bryan Fostering Network Wales</p> <p>Ann Bell National Adoption Service</p> <p>Elly Jones National Youth Advocacy Service (NYAS)</p> <p>Lisa Huish Parents' Voices in Wales</p> <p>Gareth Thomas Parents' Voices in Wales</p> <p>Sarah Durrant Tros Gynnal Plant Cymru</p>
<p>Care experienced children and young people – 15 February</p>	<p>Care experienced children and young people (and supporting staff) Facilitated by Voices From Care Cymru</p>

Annex 3: List of oral evidence sessions

The following witnesses provided oral evidence to the committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed on the Committee's website.

Date	Name and Organisation
<p>17 November 2022</p>	<p>Rocio Cifuentes, Children's Commissioner for Wales Kirrin Spiby-Davidson, Acting Head of Policy and Public Affairs Office of the Children's Commissioner for Wales</p> <p>Sara Jermin, Head of Communications and Performance Office of the Children's Commissioner for Wales</p>
<p>18 January 2023</p>	<p>Elisa Jenkins Solicitor with care experience</p> <p>Rosie Squires Welsh Youth Parliamentarian elected by Voices From Care Cymru</p>
<p>2 February 2023</p>	<p>Sarah Thomas, Director The Fostering Network Wales</p> <p>Elizabeth Bryan, Head of Operations in Wales The Fostering Network Wales</p> <p>Matt Lewis, Therapeutic Fostering Services Manager Wales Action for Children</p> <p>Rhian Carter, Team Manager Action for Children</p> <p>Mike Anthony, Manager TACT Cymru</p> <p>Helen Mary Jones, Head of policy and Communications Voices from Care</p> <p>Emma Phipps-Magill, Operations Director Voices from Care</p> <p>Sharon Lovell, Chief Executive Officer National Youth Advocacy Service Cymru (NYAS)</p> <p>Ben Twomey, Director of Policy and Communications National Youth Advocacy Service Cymru (NYAS)</p>
<p>8 February 2023</p>	<p>Daljit Kaur Morris, Operations Manager National Youth Advocacy Cymru (NYAS), Project Unity</p>

Date	Name and Organisation
	<p>Helen Perry, Service Manager National Youth Advocacy Service Cymru (NYAS), Project Unity</p> <p>Mark Carter, Assistant Director of Children’s Services Barnardo’s Baby and Me Service</p> <p>Amy Bainton, Senior Policy and Public Affairs Lead for Wales Barnardos’ Cymru</p> <p>The Right Honourable Sir Andrew Mcfarlane President of the Family Division</p> <p>The Honourable Mr Justice Francis Family Division Liaison Judge for Wales</p> <p>Vikki Morris, Deputy Director Centre for Justice Innovation</p> <p>Peter Spinner, Team Manager Cardiff and Vale Family Drug and Alcohol Court</p> <p>Melissa Meindl, Research Associate, Children’s Social Care Research and Development Centre (CASCADE) Cardiff University</p> <p>David Westlake, Senior Research Fellow, Children’s Social Care Research and Development Centre (CASCADE) Cardiff University</p>
<p>2 March 2023</p>	<p>Jane Shears, Head of Professional Development British Association of Social Workers (BASW)</p> <p>Christine Parry, Children’s Services Manager Barnardo’s Cymru</p> <p>Sian Elen Tomos, Chief Executive Officer GISDA</p> <p>Sam Austin, Deputy Chief Executive Officer Llamau</p> <p>Yvonne Connelly, Operational Director West and North Llamau</p> <p>Lee Phillips, Wales Manager Money and Pensions Service and Chair of the Wales Financial Education Forum</p> <p>Alan Davies, Head of Funded Services Citizens Advice, England and Wales</p> <p>Lena Smith, Chair CLASS Cymru network</p> <p>Dr Hannah Bayfield, Research Associate, Children’s Social Care Research and Development Centre (CASCADE), Cardiff University</p>

Date	Name and Organisation
	<p>Pro Vice-Chancellor Professor Jacqui Boddington Cardiff Metropolitan University and representing Universities Wales</p> <p>Sophie Douglas, Policy Adviser Universities Wales</p>
<p>9 March 2023</p>	<p>Jan Coles, Head of Children and Families Services at Carmarthenshire County Council and the incoming Chair of the All Wales Heads of Children’s Services (AWHOCs)</p> <p>Taryn Stephens, Head of Children’s Service, Merthyr Tydfil County Borough Council; and Incoming Vice Chair of the All Wales Heads of Children’s Services (AWHOCs)</p> <p>Sally Jenkins, Strategic Director of Social Services, Newport City Council</p> <p>Julie Morgan MS, Deputy Minister for Social Services, Welsh Government</p> <p>Albert Heaney, Chief Social Care Officer for Wales, Welsh Government</p> <p>Alistair Davey, Deputy Director Social Services Enabling, Welsh Government</p>

Annex 4: List of written evidence

The following people and organisations provided written evidence to the Committee. All consultation responses and additional written information can be viewed on the Committee’s website.

Reference	Organisation
CEC 01	Voices from Care
CEC 02	Matthew Lewis, Therapeutic consultant and fostering service Manager
CEC 03	Individual
CEC 04	TACT Fostering
CEC 05	Individual
CEC 06	Steve Phillips, formerly care experienced and sit on fostering panels as independent fostering panel chair
CEC 07	Foster Parent
CEC 08	National Youth Advocacy Service Cymru (NYAS)
CEC 09	Ms Davara Bennett, Dr Gabriella Melis, Prof David Taylor Robinson, Public Health Researchers, University of Liverpool
CEC 10	Individual
CEC 11	Family Drug and Alcohol Courts (FDAC), Centre for Justice Innovation
CEC 12	Grwp Resilience CBC
CEC 13	Children’s Social Care Research and Development Centre (CASCADE)
CEC 14	Children’s Legal Centre Wales and Observatory on Human Rights of Children
CEC 15	Aneurin Bevan University Health Board
CEC 16	Platform
CEC 17	Action for Children Fostering Wales
CEC 18	Individual
CEC 19	Barnardo’s Cymru

Reference	Organisation
CEC 20	Action For Children
CEC 21	National Adoption Service for Wales
CEC 22	Cymorth Cymru
CEC 23	Rhian Carter
CEC 24	Royal College of Speech and Language Therapists
CEC 25	CLASS Cymru
CEC 26	Penny Jones, County Councillor
CEC 27	Serenity Welfare
CEC 28	Citizens Advice Cymru
CEC 29	Volunteering Matters
CEC 30	Children's Commissioner for Wales
CEC 31	The Fostering Network
CEC 32	MyBnk
CEC 33	Llamau
CEC 34	Wales Humanists
CEC 35	Welsh Women's Aid
CEC 36	Public Health Wales
CEC 37	Learning Disability Wales
CEC 38	Association of Directors of Social Services (ADSS)
CEC 39	Children in Wales, with and on behalf of the National Children's Charities Policy Group members Barnardo's Cymru, Children's Commissioner for Wales (Observers), Children in Wales, NSPCC Cymru, NYAS Cymru and The Children's Society
CEC 40	Children in Wales
CEC 41	Hywel Dda University Health Board
CEC 42	National Society for the Prevention of Cruelty to Children (NSPCC)
CEC 43	The Children's Society
CEC 44	Welsh Local Government Association (WLGA)
CEC 45	Money Pensions Service (MaPS)
CEC 46	CAFCASS Cymru
CEC 47	Welsh Government

Additional Information

Title	Date
Family Drug and Alcohol Court (FDAC)	9 February 2023
Association of Directors of Social Services (ADSS)	16 February 2023
Care Inspectorate Wales	24 February 2023
Social Care Wales	25 February 2023
Llamau	27 February 2023
National Youth Advocacy Service (NYAS)	15 March 2023
Barnardos Cymru	26 March 2023
British Association of Social Workers (BASW)	24 April 2023
Welsh Government	24 April 2023