

Looked after children

Introduction

Looked after children have much poorer psychosocial outcomes when compared to their peers.

- ◆ A 2004 study found that the prevalence of mental disorders for children and young people aged 5-17 years looked after by local authorities in Wales was 49 per cent. 42 per cent had clinically significant conduct disorders; 10 per cent had emotional disorders (anxiety and depression) and 12 percent were rated as hyperactive. ⁱ Another recent study found that psychiatric disorders are particularly high among those living in residential care and with many changes of placement. ⁱⁱ
- ◆ On a UK basis, up to 41 percent of children who end up in custody in the UK will have some history of being in care. ⁱⁱⁱ
- ◆ According to National Assembly statistical bulletins: ^{iv}
 - There has been a continuing rising trend in the number of looked after children in Wales over recent years from 2,991 in 1998 to 4,591 in 2004, 4,668 in 2005 and 4,784 in 2006 (as at 31 March each year). The rate of children looked after and of children subject to care orders is higher in Wales than most parts of England.
 - The largest category of need for children starting to be looked after was "abuse or neglect" at 48 percent of the total.
 - In the year to 31 March 2006, of the 382 children aged 16 or over who ceased to be looked after, 47 percent had at least one GCSE or GNVQ.
 - 40 percent of the young people in touch with local authorities and had their 19th birthday in the year ending 31 March 2006 were in education, training or employment.

The Children First programme is the Assembly Government's central policy response to children in greatest need, which includes looked after children, care leavers and children with disabilities. The programme was launched in April 1999 in response to the recommendations of Sir William Utting's *Review of Children's Safeguards* and the recommendations made by Sir Ronald Waterhouse in the report *Lost in Care* (2001) on child abuse in north Wales. The Children First grant was previously hypothecated, but is being transferred to local authority Revenue Support Grant (RSG).

Children First has the philosophy of 'corporate parenting' at its core. The idea is that, to the extent that local authorities and other public agencies have responsibility for the care and welfare of vulnerable children, they should seek to exercise that responsibility in the way that any natural parent would. Improvements have been made, but there remains a significant and widening gap between these and outcomes for all children. Successive Social Services inspection reports also show wide variation across local authorities in Wales.

Children First is now part of a broader range of policies and strategies aimed at improving services and outcomes including the National Service Framework (NSF) for Children, Young People and Maternity Services, local Children and Young People's Framework Partnerships and the Cymorth and Flying Start grant schemes. The ten year strategy for Social Services, *Fulfilled Lives, Supportive Communities*, is also predicated on prevention, early intervention and support for children.

Overview of current statutory powers of the Assembly

"Social welfare" is Field 15 of the *Government of Wales Act 2006*. The Assembly could, in accordance with the *Government of Wales Act 2006*, pursue an Order in Council seeking Measure-making powers to enable it to legislate in relation to specific matters connected with looked after children.

There has been considerable legislative change in this area over recent years. The key pieces of existing legislation are the *Children Act 1989* and *Children Act 2004* which place a duty on local authorities to ensure that all the identified needs of children are met when they are accommodated by the local authority and placed away from their birth family. The local authority must ensure looked after children are not only properly cared for, but also receive appropriate health care and appropriate education so that they may achieve their potential. Changes to the *Children Act 1989* introduced in the *Adoption and Children Act 2002* also provides children in need and care leavers with a statutory right to advocacy when intending to make a complaint.

Key Assembly Government strategy documents and action plans from the Second Assembly:

- ◆ During 2006, a consultation was held on measures to strengthen arrangements for the placement, health, education and well-being of looked after children.^v The subsequent regulations will come into force from 1 July 2007.
- ◆ Guidance on the education of children looked after by local authorities.^{vi}
- ◆ Cabinet Sub Committee on Children and Young People paper on the future of the Children First.^{vii}

Forthcoming EU and UK primary legislation

In October 2006, the UK Department for Education and Skills (DfES) published its Green Paper, *Care Matters*, to 'transform the lives of children and young people in care'. The consultation closed on 15 January 2007. The Assembly Government has said that the majority of the proposals have already been identified for development in Wales, but that there are some key recommendations which merit consideration e.g. virtual head teachers to support schools in working with looked after children and dedicated funding to support individual looked after children.^{viii}

Legacy issues from the Second Assembly

- ◆ The Health and Social Services Committee legacy paper highlighted the protection of the most vulnerable, including children, as a high level strategic issue for the Third Assembly.
- ◆ The Local Government and Public Services Committee legacy paper highlighted that continued scrutiny of the corporate parenting role of local authorities will be essential in the Third Assembly. The Committee also noted the importance of involving young people in the development of proposed Local Service Boards, local government scrutiny processes and the development of Children's Services.

Useful links

1. Voices from Care Cymru is a voluntary organisation which helps young people who are or have been looked after by local authorities in Wales: <http://www.voicesfromcarecymru.org.uk/main.htm>
2. Welsh Assembly Government *Children First* webpages: <http://new.wales.gov.uk/topics/childrenyoungpeople/childrenfirst/?lang=en>
3. Local Government Data Unit provides a range of data on children's services: <http://www.lgdu-wales.gov.uk/eng/WorkAreas.asp>

Further information

For further information on any aspect of policy for looked after children, please contact:

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ⁱ Howard Meltzer et al (2004) *The Mental Health of Young People Looked After by Local Authorities in Wales*, HMSO Main report http://www.statistics.gov.uk/downloads/theme_health/mentalhealth_Wales.pdf and Summary http://www.statistics.gov.uk/downloads/theme_health/mentalhealth_WalesSummary.pdf

ⁱⁱ Ford, T. et al, Psychiatric disorder among British children looked after by local authorities: comparison with children living in private households, *The British Journal of Psychiatry* (2007) 190: 319-325.

ⁱⁱⁱ Barnardo's Parliamentary Briefing Paper, (Spring/Summer 2005) *Youth Justice* http://www.barnardos.org.uk/youth_justice_brief.pdf

^{iv} See for example, National Assembly for Wales Statistical Release SDR155/2006, Adoptions, Outcomes and Placements for Children Looked After by Local Authorities: year ending 31 March 2006, <http://new.wales.gov.uk/docrepos/40382/40382313/statistics/health/health-2006/sdr155-2006.pdf?lang=en>

^v Welsh Assembly Government, *Towards a Stable Life and a Brighter Future*, September 2006

<http://new.wales.gov.uk/docrepos/40382/40382313/childrenyoungpeople/childrenfirst/710675/Consdoc-fin12-09-06.pdf?lang=en>

^{vi} Welsh Assembly Government, National Assembly for Wales Circular 2/2001, Guidance On The Education Of Children Looked After By Local Authorities, <http://new.wales.gov.uk/docrepos/40382/40382313/childrenyoungpeople/childrenfirst/english/lac-guidance-e.pdf?lang=en>

^{vii} Cabinet Sub Committee on Children and Young People Paper CYP (05-06)34, *The Future of Children First*, 17 July 2006, [http://new.wales.gov.uk/docrepos/40382/40382311111/284998/735858/1177870/CYP\(05-06\)34-children_first.pdf?lang=en](http://new.wales.gov.uk/docrepos/40382/40382311111/284998/735858/1177870/CYP(05-06)34-children_first.pdf?lang=en)

^{viii} Cabinet Sub Committee on Children and Young People Paper CYP (06-07)18, *DfES Green Paper on Looked After Children and the Development of a Strategy for Wales*, 4 December 2006, [http://new.wales.gov.uk/docrepos/40371/288363/571684/1050946/1177518/CYP\(06-07\)18_-_DFES_Green_P1.doc?lang=en](http://new.wales.gov.uk/docrepos/40371/288363/571684/1050946/1177518/CYP(06-07)18_-_DFES_Green_P1.doc?lang=en)