

Agenda – Children, Young People and Education Committee

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| Meeting Venue: | For further information contact: |
| Committee Room 1 – Senedd | Marc Wyn Jones |
| Meeting date: Wednesday, 14 December 2016 | Committee Clerk |
| Meeting time: 09.15 | 0300 200 6565 |
| | SeneddCYPE@assembly.wales |

09.15 – 09.30 – Informal meeting

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Inquiry into Statutory Advocacy Provision – evidence session 4

(09.30 – 10.30)

(Pages 1 – 33)

Carl Sargeant AM, Cabinet Secretary for Communities and Children

Albert Heaney, Director – Social Services and Integration

Alistair Davey, Deputy Director – Enabling People

Attached Documents:

Research Brief

CYPE(5)–15–16 – Papur | Paper 1

CYPE(5)–15–16 – Papur | Paper 2

3 Scrutiny of Qualifications Wales Annual Report

(10.30 – 11.30)

(Pages 34 – 60)

Philip Blaker, Chief Executive

Ann Evans, Chair – Qualifications Wales Board



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Attached Documents:

Research Brief

CYPE(5)–15–16 – Papur | Paper 3

4 Paper(s) to note

Letter from the Cabinet Secretary for Education – Additional information following meeting on 10 November

(Pages 61 – 63)

Attached Documents:

CYPE(5)–15–16 – Papur | Paper 4 – i'w nodi | to note

5 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the meeting for the remainder of the meeting.

(11.30)

6 Additional Learning Needs and Education Tribunal (Wales) Bill – Consideration of approach

(11.30 – 11.50)

(Pages 64 – 76)

Attached Documents:

CYPE(5)–15–16 – Papur | Paper 5 – preifat | private

7 Legislative Consent Memorandum: Higher Education and Research Bill – Consideration of draft report

(11.50 – 12.10)

(Pages 77 – 98)

Attached Documents:

CYPE(5)–15–16 – Papur | Paper 6 – preifat | private

Document is Restricted

Cynulliad Cenedlaethol Cymru | National Assembly for Wales
Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and
Education Committee

CYPE(5)-15-16 – Papur | Paper 1

Ymateb gan : Llywodraeth Cymru
Response from : Welsh Government

Introduction

1. This paper is to inform the Committee Inquiry into Statutory Advocacy Provision, by providing an update on the current position in relation to the National Approach to Statutory Advocacy for Children and Young People.
2. The Welsh Government has tasked Local Government to work in partnership with providers and children to bring forward proposals to deliver improved access and understanding of advocacy for looked after and other vulnerable children.
3. Developing a National Approach encompasses a range of components that will deliver consistency of entitlement, commissioning, delivery and awareness of statutory advocacy provision in Wales. I fully support the development of a National Approach to advocacy as it will ensure that the children who have a statutory entitlement to advocacy are receiving it.
4. I continue to take a personal interest in following the progress of the development and implementation of the National Approach, to make advocacy services for children and young people in Wales as accessible and effective as possible.
5. Many individuals require advocacy to enable personal outcomes to be communicated and achieved. Welsh Government has been clear that the Part 10 Code of Practice on Advocacy, issued under the Social Services and Well-being (Wales) Act 2014, should be read in conjunction with all relevant codes of practice issued under the Act to require local authorities to consider people's needs for advocacy where a local authority exercises a specific function in relation to that person.
6. This evidence outlines progress to date.

Evidence/Background

7. The invitation from Ministers to Local Government to bring forward a model for securing a National Approach to statutory advocacy for looked after children, children in need and other specified individuals in the summer of 2014 provided the strategic stimuli needed to begin a

comprehensive review of commissioning and delivery of independent professional advocacy services.

8. A Strategic Leadership Group, (SLG) chaired by the Director of Social Services and Integration Directorate and comprising representatives from the Welsh Local Government Association (WLGA), the Association of Directors of Social Services Cymru (ADSS Cymru), the Children's Commissioner's Office and the Chair of the Ministerial Advisory Group on Advocacy was established to identify a coherent and sustainable approach to securing children's rights to statutory advocacy.
9. An advocacy Task and Finish Group (T&FG) was established to take this work forward, and consisted of representatives from ADSS Cymru, including a Director of Social Services and number of Heads of Children's Services, the Children's Commissioners Office, Welsh Government, Care and Social Services Inspectorate Wales (CSSIW), WLGA, and Advocacy Providers, and is chaired by ADSS Cymru.
10. The remit of the T&FG was to look at the provision of Independent Professional Advocacy (IPA) as commissioned by Local Authorities for Looked after Children (LAC), children in need and other specified individuals. It was also tasked with identifying and developing the key components of a National Approach to Advocacy and delivering via lead authorities within what were then Social Services Regional Improvement Collaboratives, now the Regional Partnership Boards.
11. A key principle underpinning the Group was to ensure the involvement and engagement of children and young people at key stages during the development and delivery of the National Approach. This has been taken forward through members' engagement, consultation and participation with existing children and young people's groups at local and regional levels.
12. The Group proposed that the National model was delivered through lead authorities within the Regional Partnership Boards. The Welsh Government provided the resource of a seconded post, to undertake the role of the project manager.

The group identified and developed the following key components which were presented in a Business Plan;

- **National Standards and Outcomes Framework** including an approach to the 'active offer' of advocacy identified in 'Missing Voices' and a mapping of the National Standards and Outcomes Framework to the Well-being Statement that underpins the Act.
- **National Approach - Regional Service Specification**

- Providing consistent specifications for commissioning of services.
 - **National Approach - Regional Performance Reporting Template** delivering the evidence and statistics identified within the National Standards and Outcomes Framework for service quality and performance monitoring purposes. .
 - **A Range and Level Assessment mechanism (Service Capacity)** which when applied to the eligible population locally and regionally assists with gauging service capacity requirements and associated costs.
 - **A Commissioning Framework** – aligned to the Standards and Outcomes Framework.
13. In June this year ADSS Cymru and WLGA wrote to Cabinet Members and Director of Social Services in each local authority identifying the potential financial implications for authorities if they were to adopt the National Approach. They sought views on whether the proposals, as set out in the business case, were supported.
 14. ADSS Cymru and WLGA met with Welsh Government on 3 August to discuss the outcomes of their correspondence. As a consequence ADSS Cymru and WLGA agreed to produce an Implementation Plan to progress the National Approach.
 15. On 26 September I wrote to WLGA requesting a copy of the Implementation Plan by 30 September.
 16. My previous response to this inquiry set out my continued commitment to the National Approach and my anticipation of receiving the implementation plan which will inform next steps. The Committee asked specific questions in relation to the National Approach to Statutory Advocacy for Children and Young People as well as what impact Part 10 of the Social Services and Well-being Act 2014 will have on children and young people.
 17. A copy of my response is included at Annex 2 which has been published on the National Assembly for Wales's website as evidence number SAP 09, as one of the 14 responses received in the Inquiry which closed on 11 November.
 18. From other evidence submitted I note that responses support the opportunity to improve the provision of advocacy services for all children in Wales to meet the requirements of the United Nations Rights of the Child.

19. Welsh Government currently funds MEIC the information, advice and advocacy service for children and young people. An independent evaluation of MEIC commissioned by Welsh Government reported MEIC to be a valued, effective and proficient service that should continue but also reflected upon the opportunities to align MEIC to the wider advocacy landscape
20. The introduction of the Social Services and Well-being (Wales) Act 2014, the development of a national approach and DEWIS (online citizen portal for care and support) will influence the nature, scope and location of the MEIC service going forward. Officials are considering options for alignment within this developing landscape.
21. Additionally, to support the implementation of advocacy, Welsh Government has commissioned two projects under the Sustainable Social Services Third Sector Grant.
22. The Golden Thread Project by Age Cymru is for 3 years and aims to:
 - a. improve the well-being of adults through advocacy to give them a stronger voice
 - b. improve the availability of advocacy services to adults, and
 - c. work with local authorities and service providers to support the development and commissioning of advocacy services for adults.
23. The *Children and Young People Advocacy – National Results from a National Approach* project by Tros Gynnal will provide support for Children and young people up to the age of 24 throughout Wales who are eligible for statutory advocacy services in line with the requirements of the Social Services and Well-being Act (Wales) 2014 and support implementation of the National Approach.
24. Tros Gynnal Plant has already delivered a workshop on advocacy involving children and young people at a joint Care Council and Looked After Children Network event at Glyndwr University for residential child care workers and foster carers on 15 September.
25. The Care Council is developing the national training plan to support the implementation of the Social Services and Well-being (Wales) Act 2014, with the overall aim to support the workforce gain the knowledge and skills they need to implement the new legislation.
26. Advocacy is a core element of these training materials. The Care Council invited third sector organisations to bid for funding under a co-

production grant to develop specific materials on advocacy as laid out in part 10 of the Act. Age Cymru and Tros Gynnal Plant were successful.

Conclusion

27. We are continuing to work with partners on ensuring a collaborative approach. On 24 November I met with ADSS Cymru, WLGA and the wider SLG for advocacy to discuss progress and proposals for implementation of the National Approach.
28. I will provide the Children, Young People and Education Committee with an oral update of that meeting when I attend on 14 December.
29. It is proposed that the National Approach to delivering Statutory Advocacy will be rolled out early next year and further information is set out in the recent Implementation Plan from local government.

**Cabinet Secretary for Communities and Children
November 2016**



National Approach to Statutory Advocacy for Children and Young People – Local Government Implementation Plan 2016/17

Advocacy under Part 10 of the Social Services and Well-being (Wales) Act

1. One of the principles embedded in the Act is that people are at the heart of the new system and have an equal say in deciding the care and support they receive. It emphasises voice and control – putting the individual and their needs at the centre of their care and giving them a voice in, and control over reaching the outcomes that help them achieve well-being.
2. The child or young person's views, wishes and feelings, and (where appropriate) those of their parents, are crucial in determining what their personal outcomes are and how they can best be met. The extent to which a child or young person can contribute to, and participate in, defining and achieving those outcomes will depend upon their age and understanding, and they should be supported in this by a range of professionals and other people involved with them, including (as appropriate) their parents, family and friends, social workers, independent reviewing officers, independent visitors and advocates. In implementing the Act, local authorities have placed considerable emphasis on 'Better Conversations' and 'Inspirational Conversations' training. This is intended to increase levels of competence among staff across relevant organisations in delivering 'What matters?' conversations right from the point of initial discussions with the people who make contact because they may need care and support.

3. It is important then to be aware that advocacy can and should be undertaken by a wide range of people and professionals. Anybody exercising functions under the Act must have regard to the importance of providing appropriate support to enable the individual to participate in decisions which affect him or her, to the extent which is appropriate in the circumstances. Also, the National Outcomes Framework for Social Services sets out well-being outcomes for people who need care and support and carers who need support. The framework states that people must speak for themselves and contribute to the decisions affecting their lives, or have someone who can do it for them. The extent to which this is achieved must be measured.
4. As set out in the United Nations Convention on the Rights of the Child (UNCRC), children and young people have a right to be heard in matters affecting their futures. Wales has ratified the UNCRC as a basis for taking forward children's rights. Under the Rights of Children and Young Person's (Wales) Measure 2011, Welsh Ministers have a duty to pay due regard to the UNCRC in all of their functions. The Social Services and Well-being (Wales) Act requires any persons to have due regard to the UNCRC. Detail on exercising this duty has been provided in the Code of Practice in relation to Part 2 of the Act.
5. Throughout the Act and under Part 10 specifically, there is a clear and strong emphasis placed on the role of advocacy. It is vital that people are supported appropriately in order to ensure that an individual is enabled to represent their interests, exercise their rights, express their views, explore and make informed choices. A local authority's duty to provide advocacy services (or assistance by way of representation) in relation to its social services functions is re-stated under Sections 171-178 of the Act.
6. Local authorities, when exercising their social services functions, must act in accordance with the requirements contained in this code. The overarching duty is to have regard to the importance of providing appropriate support to enable the individual to participate in decisions that affect him or her to the extent that is appropriate in the circumstances, particularly where the individual's ability to communicate is limited for any reason (section 6(2)(d)). Paragraph 35 sets out the roles of family, friends, carers, wider support networks or independent advocates in providing appropriate support to ensure individuals are actively involved in their care and support.

7. Detailed guidance is set out in the code of practice on Advocacy under Part 10 and other related Parts of the Act. Commissioners of advocacy service and advocacy service providers should be able to establish the quality as well as the quantity of their work, providing assurance that they are making a positive difference to children and young people's lives. The Part 10 Code of Practice (Advocacy) applies.
8. In relation to children, this will depend on their age and understanding and they should be supported in this by a range of practitioners and other people involved with them including their family and friends. Any persons providing care and support to a child under the age of 16 must ascertain the views of persons providing parental responsibility for the child. This will be crucial in determining how personal outcomes can be achieved. The code of practice sets out the functions when a local authority, in partnership with the individual, must reach a judgement on how advocacy could support the determination and delivery of an individual's personal outcomes; together with the circumstances when a local authority must arrange an independent professional advocate. Professionals and individuals must ensure that judgements about the needs for advocacy are integral to the relevant duties under the code. Options include peer advocacy, informal advocacy, formal advocacy and independent professional advocacy. .
9. It is positive that Part 10 recognises that advocacy can take many forms and that it is not confined to arrangements of an independent advocate by a local authority. For example, the role of a trusted adult already known to a child can be vital. There is an important role for local authorities and also for third sector organisations and the NHS to support all types of advocacy and advocates. Ultimately, resources will have an impact on what advocacy services are commissioned and the current financial climate means that we have to be realistic about the expectations being placed on local authorities, without additional funding being provided. This is especially the case given the intention to regulate advocacy services under the Regulation and Inspection of Social Care (Wales) Act.

10. At the heart of professional advocacy is the concept of independence. An independent professional advocacy service is designed to provide additional safeguards for children and young people. Consequently, it is imperative that the advocates are free to support them, without any conflicts of interest, and to appropriately challenge service providers on behalf of the children and young people. The subject of such challenge may be very broad and can include:
 - decisions made about a child or young person's care
 - upholding a child or young person's legal rights;
 - the quality of care being provided.
11. The role of the advocate is to support a child or young person in making an informed decision, with their views and wishes as the sole focus. An advocate will help a child or young person to understand his or her rights and the choices available. Ultimately, any decisions taken by the child or young person will be their own, subject to any legal constraints. Detailed guidance is set out in the code of practice on Advocacy under Part 10 and other related Parts.
12. The role of the advocate is to support a child or young person to make an informed decision with the young person's views and wishes being their sole focus. An advocate will help a child or young person to understand his or her rights and the choices of action that are available. It is vital that commissioners of advocacy services and advocacy service providers can measure the quality as well as the quantity of their work, to seek assurance that they are making a positive difference to the lives of children and young people.

The National Approach to Statutory Advocacy for Children and Young People

13. On behalf of Welsh Government, Dr Mike Shooter undertook a strategic review of the evidence in relation to the provision of statutory independent professional advocacy services (SIPAS) for children and young people. Ministers were presented with the first report in January 2014. The Report showed that, while there were examples of good practice, commissioning and provision of statutory advocacy services in Wales were patchy and inconsistent.

14. Following this review, in 2014 Ministers invited local government (via ADSS Cymru), to bring forward a model for securing a national approach to SIPAS for looked after children and specified groups of children in need.
15. An advocacy Task and Finish Group (T&FG) was established to take this work forward, chaired by ADSS Cymru. The T&FG took responsibility for developing the key components of a National Approach to advocacy, aligned to a Standards and Outcomes Framework. The group was asked to explore:
 - the recommendation from 'Missing Voices: Right to be Heard' (the report by the Children's Commissioner on independent advocacy services for children and young people in the care system) in respect of an 'active offer'; and
 - how to deliver the National Approach model at a regional level through lead authorities within the existing Social Services Regional Improvement Collaboratives (since replaced by Regional Partnership Boards).
16. The work of the T&FG led to the development of a business case produced towards the end of 2015. It set out in detail the following key components of a national approach:
 - A National Standards and Outcomes framework
 - A Regional Service Specification
 - A Range and Level Mechanism
 - A local/regional performance reporting template.

The work of the T&FG identified that the additional cost for local authorities in implementing a national approach with all of these elements would be in the region of £1m.
17. Through the ADSS Cymru Executive Council and WLGA's Social Services Policy Group (made up of Elected Members with a responsibility for Social Services), the implications of adopting a national approach as set out in the business case were considered. It was agreed that, in principle, both were content to examine further how local authorities could take forward a national approach. However, in recognition of the additional costs identified, it was accepted that individual local authorities and regions would need to receive further information on the national approach and, in particular, the potential financial

implications for their individual authorities. This would enable them to come to an informed view and to engage with other authorities in their region.

18. Having received this information earlier, local authorities indicated broad support for developing a national approach, with agreement on the overall principles that have been adopted. Some authorities identified that the draft National Approach Specification has already been used to influence current contracting arrangements. However, there were concerns raised about some of the implications, especially about how to meet the additional costs identified at a time when budgets are being reduced. Concerns included:
 - Some of the additional costs are a result of new requirements placed on local authorities in an already challenging financial climate; this is especially the case in delivering the 'active offer'.
 - The Business Case uses historical information from 2013/14 as its baseline. For a number of authorities, spend on advocacy has changed since this information was provided; for example, costs in the North Wales region have decreased as a result of regional commissioning. It is likely that the actual costs to some local authorities will be higher than those cited in the business case.
 - A number of local authorities were concerned about the need to protect the rights of children and young people to opt for other forms of advocacy at the outset, as opposed to a narrow choice regarding a uniform 'active offer' from one provider.
19. Since this time, Welsh Government has confirmed its commitment to providing new funding to contribute to and support the provision of independent professional advocacy, including the costs of the active offer in full (as this is a new responsibility) and a contribution towards the resources required to meet a quality service as set out using the range and level tool. This will help local authorities to meet some of the additional costs that will accrue over time.
20. On this basis, it was agreed that a local government technical group would be set up by ADSS Cymru and the WLGA to look at how best to take the work forward and support local authorities. The group met in September to scope out the current

position and to plan the actions required to take forward the national approach. Representatives from each of the Regional Partnership Board areas were part of the group.

21. The group recognised that the financial implications identified for local authorities in the business case used information from 2014 and so the true costs of implementing a national approach may now be different for a number of them. For example, some authorities have seen significant increases in their looked after and child protection figures. If funding were to be provided on the basis of information currently held, some authorities may not be adequately supported to meet the new requirements. Therefore, one of the key actions required was to update this information to ensure that there is an accurate picture of the financial implications for local authorities. This is work that will be undertaken through the technical group.
22. Each local authority already has contract arrangements in place to provide statutory advocacy to children and young people. Some areas have already moved to regional approaches to commission this service, specifically Mid and West Wales, North Wales and Cwm Taf. Caerphilly, Torfaen and Blaenau Gwent also have joint arrangements in place and have agreed to create a Gwent-wide service when existing contracts expire. Similarly, Cardiff and the Vale have agreed that they will be looking to commission advocacy services on a regional basis when existing arrangements come to an end early in the next financial year. Western Bay local authorities are developing a joint tender next year. Each of the regions has appointed a lead local authority for commissioning purposes. On this basis, it is anticipated that regional approaches could be in place across Wales in the first quarter of the new financial year, once local authorities individually commit to this change. The national approach will need to be supported by the partnership framework that is underpinned by the Social Services and Wellbeing Act 2014, namely Regional Partnership Boards.
23. The draft specification developed as part of the National Approach has already been included as part of the tendering process recently undertaken in Mid and West Wales. The other regions have indicated support for jointly using the specification to re-commission their services. The commissioning approach taken by Mid and West Wales included a separate lot for the provision of the 'active offer'. Subject to a number of conditions being met (full funding being made available from Welsh Government, the current provider having capacity and agreement from the local authorities), this part of the contract is ready to be

instigated and the active offer can be rolled out across Mid and West Wales in this financial year. North Wales is in the second year of a regional contract and the active offer is being piloted in Flintshire. The other regions can learn from these pioneers in terms of the approach to tendering, how the active offer element is included and how this could be built into future regional commissioning arrangements.

24. The Executive Council of ADSS Cymru has received an update on the work of the Local Government Technical Group.

Directors have resolved that:

- the Executive Council would ask Directors of Social Services to agree that they will adopt the national approach;
- each Regional Partnership Board area would undertake to provide a date by which it will have used the national approach to commission an advocacy service.

25. ADSS and WLGA have worked with regional leads to develop an implementation plan identifying how each region has, or how they intend to use the key components of the National Approach to commission a service for the region, once they have access to Welsh Government funding for the active offer and its contribution towards the resources required to provide a quality service as set out in the range and level tool.

National Approach to Statutory Advocacy for Children and Young People Local Government Implementation Plan 2016/2017

Purpose: In order to achieve the best possible outcomes for all children in care and those with care and support needs, to commission and deliver across Wales consistent statutory independent professional advocacy services on a regional basis, in line with legislation and guidance and ensuring provision of the active offer.

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
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| 1. | Secure agreement in principle from the WLGA and ADSS Cymru to implementing the key components of the national approach set out in the Task and Finish Group business case (i.e. a National Standards and Outcomes framework; a Regional Service Specification; a Range and Level Mechanism to assist commissioners in calculating the capacity requirements for their local/regional independent advocacy service; and a local/regional performance reporting template). | To ensure that local government is committed to adopting the national approach | ADSS Cymru | April 2016 | Achieved - Both the WLGA's Social Services Policy Group (made up of Elected Members with a portfolio responsibility for Social Services) and the ADSS Cymru Executive Council (comprising all Directors of Social Services and Chairs of Heads of Services groups) endorsed the direction of travel. In recognition of the additional costs identified, it was accepted that individual local authorities and regions would need to receive further information on the national approach and, in particular, the potential financial implications for them. | |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
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| 2. | Ask Welsh Government to confirm in principle a commitment to providing new funding that will contribute to and support the provision of independent professional advocacy. | To help local authorities meet some of the additional costs that will accrue over time. | Welsh Government | August 2016 | Achieved - The Task and Finish Group business case identified that, for local authorities, the additional cost of implementing a national approach with all the components would be in the region of £1m. Welsh Government is willing to meet the costs of the active offer in full (as this is a new responsibility) and to make a contribution towards the resources required to provide a quality service as set out through using the range and level tool. | |
| 3. | Establish a local government technical group. | To plan the actions required to take forward the national approach and to support local authorities in implementation. | ADSS Cymru and the WLGA | September 2016 | Achieved - Having received information about the potential financial implications, local authorities indicated broad support for adopting the national approach and agreed to set up a local government technical group to take the work forward. Led by ADSS Cymru and the WLGA, the group started to meet in September. Representatives from each of the Regional Partnership | |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
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| | | | | | Board areas are part of the group. | |
| 4. | Identify Lead Authorities for each Regional Partnership Board and lead regional project managers to take forward the task of commissioning of advocacy services for Children and Young People in accordance with the key components of the national approach as set out in the Task and Finish Group business case. | To deliver a regional approach to commissioning advocacy services, to provide consistency and to have a named person responsible for delivery of each regional project. | ADSS Cymru | October 2016 | Achieved - The national approach will need to be supported by the partnership framework which is underpinned by the Social Services and Wellbeing Act 2014, namely Regional Partnership Boards. All Regions have identified the Local Authority that will take the lead in their region for commissioning statutory advocacy for children and young people. The relevant Head of Service will act as the senior responsible officer for implementation. | Green |
| 5. | Update the current position relating to the provision of advocacy services for Children and Young People at local and regional levels. | To gain a better understanding of the current position and the capacity of the independent sector to deliver a new service. | Local government technical group | November 2016 | Achieved - All regions have provided an update to the Task and Finish Group on their current position relating to advocacy services and future plans. | Green |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
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| | | | | | | |
| 6. | Those regions which have just started to implement the national approach on a collective basis develop an indicative implementation plan for commissioning a regional service (subject to corporate requirements). | To establish a realistic date for implementing the national approach in each region, including corporate and political approval. | Heads of Service for the lead local authorities | November 2016 | In progress – updates to be considered by the local government technical group in November. Currently, potential implementation dates range from January to June 2017, depending on availability of funding from Welsh Government and the termination dates for current contracts. | Amber |
| 7. | Provide an updated position on actual spend in 2015/16 on advocacy services for children and young people at Local Authority and regional levels. | To updated financial information about the funding available for the provision of independent advocacy services and to identify gaps in funding. | Local government implementation group – Rhondda Cynon Taf lead | December 2016 | In progress - Local Authorities are currently gathering the relevant information on spend for 2015/16. | Amber |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
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| 8. | Apply the 2015/16 figures for relevant children to the range and level assessment tool to determine capacity required in each region. | To provide an up to date position on the additional capacity required to deliver the active offer and to assist with the calculation of additional funding requirements, including delivery of the active offer. | Local government implementation group - Rhondda Cynon Taf lead | December 2016 | <p>In progress - Figures have been requested from local authorities. Since the business case was put together, some of them have seen significant increases in their figures for children who are looked after or in need of protection. Up to date information is also being obtained from Stats Wales.</p> <p>Once the information becomes available, Cordis Bright and the Local Government Data Unit will be asked to put updated information about potential need through the database used in compiling the Business Case (incorporating the range and level assessment tool) to determine capacity requirements.</p> | Amber |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
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| 9. | Calculate the additional funding required to deliver the 'Active Offer' as defined in the Business Case. | To provide an up to date figure for the additional funding requirement from Welsh Government to meet these additional costs. | Local government implementation group - | December 2016 | In progress - As the financial implications identified for Local Authorities in the business case used information from 2014, the true costs of implementing a national approach may be different for some of them. Calculations based on 2014/15 information estimated that £1,002,663 was needed to implement the national approach (including the active offer). This figure will be updated once the data for 2015/16 is available. | Amber |
| 10. | Calculate the additional funding required to deliver the on-going advocacy services for which Local Authorities are responsible. | To provide up to date figure for the additional funding Local Authorities need to provide to meet the additional costs of delivering advocacy services in line with the national approach. | Local government implementation group - Rhondda Cynon Taf lead | November 2016 | In progress – Local Authorities will need to confirm allocation of funding to meet the additional need identified through this process. Welsh Government is looking to provide between £500k and £550k to meet the costs of the active offer in full and contribute | Amber |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
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| | | | | | towards the resources required to provide a quality service as set out by using the range and level tool. | |
| 11. | Each region to confirm formal agreement by the Local Authorities in their area to use the key components of the National Approach to Statutory Advocacy for Children and Young People when commissioning this service and to inform their Regional Partnership Board. | To use existing governance arrangements to obtain high level commitment and buy in from each Region to the national approach. | All Regional Partnership Boards | December 2016 | In progress – Some regions are well advanced in securing this commitment and others have plans in place to do so | Amber |
| 12. | Appoint a senior manager on a temporary basis (initially six 6 months) to oversee and co-ordinate introduction of the national approach. | To implement this plan within required timescales. | ADSS Cymru | December 2016 | In progress - The Implementation Manager will assist the lead local authorities to adopt best practice in commissioning regional advocacy services across Wales and work with Welsh Government on work to underpin the national approach. Welsh Government has agreed to provide a grant for this purpose. A job description | Amber |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
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| | | | | | and person specification are being developed to enable recruitment to this post. We are exploring mechanisms for identifying and appointing a suitably qualified person to ensure no loss of momentum. | |
| 13. | Develop a National Independent Advocacy Standards and Outcomes Framework for Children and Young People in Wales which includes an approach to the 'active offer' of advocacy. | To demonstrate how local authorities can evidence the way children and young people are supported to achieve their well-being outcomes by accessing advocacy. | Welsh Government and the Implementation Manager | TBC | Welsh Government to confirm progress with this action. | TBC |
| 14. | Consult with stakeholders on the outcome statements contained in the National Independent Advocacy Standards and Outcomes Framework and develop a final draft of the Framework taking into account this consultation. | To meet the needs of the people using this service and deliver the required outcomes for children and young people. | Welsh Government and the Implementation Manager | TBC | Welsh Government to confirm progress with this action. | TBC |
| 15. | Publish the National Independent Advocacy Standards and Outcomes | To manage expectations and deliver the required outcomes of children and | Welsh Government | TBC | Welsh Government to confirm progress with this action. | TBC |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
|-----|---|---|---------------------------------------|------------------------------|---|--------|
| | Framework | young people. | | | | |
| 16. | Develop a service specification outlining the description and requirements of the advocacy service to be provided. | To assist regions with commissioning the statutory advocacy service that works to deliver a consistent model of independent professional advocacy. | Task and Finish Group | October 2016 | Achieved – A service specification has been developed. | Green |
| 17 | Co-ordinate use of the national documentation, including the service specification, to commission independent advocacy services. | To ensure that the service specification is fit for purpose and lessons learned are shared with other regions and to adopt best practice in commissioning advocacy services across Wales. | Implementation Manager | From December 2016-June 2017 | Mid and West Wales and North Wales have started to share with other commissioning leads their experience of using the national approach. | |
| 18. | Commission independent advocacy services in each Region in line with the national approach to statutory advocacy for children and young people, taking into account the 'lessons learned' report. | To enable children and young people in Wales to have access to independent professional advocacy services. | All Regions | June 2017 | This work is dependent on the ability of regions to implement their plans on time, on good outcomes from using the national specification and on the capacity of service providers. | Red |
| 19. | Develop a performance management reporting template for use by professional advocacy | To monitor service providers and ensure that high quality services are delivering the | Local government implementation group | November 2016 | Achieved - A reporting template has been developed for use by independent professional | Green |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
|----|---|---|-----------------------------|------------|---|--------|
| | services, so that information is captured in a consistent format. | outcomes required by children and young people. | | | advocacy services enabling them to capture consistently data required for reporting on performance and quality monitoring. This data will be collected on local, regional and national levels. The information generated will bring to light any problems in securing a consistent and effective approach across Wales. | |
| 20 | Include a regional update on progress in adopting the national approach in the Annual Report produced by each Regional Partnership Board. | To provide robust monitoring on progress. | Regional Partnership Boards | April 2017 | The Statutory Guidance (Partnership Arrangements) under Part 9 of the Social Services and Well-being (Wales) Act 2014 require Regional Partnership Boards to prepare a report on the extent to which the Board's objectives have been achieved. The first report must be prepared and submitted by 1 April 2017. There is an opportunity to include in this report an | Amber |

| No | Action | Desired Outcome | Lead | Timescale | Update | Status |
|-----|---|--|---------------------------------------|---------------|---|--------|
| | | | | | account of progress made in adopting the national approach to advocacy. | |
| 21. | Liaise with Local Health Boards and Education regarding the provision of advocacy for children and young people accessing these services. | To encourage awareness of the national approach. | Regional Partnership Boards | December 2016 | Mid and West Wales have included the requirements for Health and Education services when commissioning its service. | Amber |
| 22. | Liaise with local authorities in ensuring that they use their corporate parenting arrangements to oversee delivery of the advocacy service and respond to issues. | To engage with lead members, Corporate Parenting Panels and Scrutiny Committees to deliver the requirements of the National Standards and Outcome Framework. | Welsh Government, WLGA and ADSS Cymru | TBC | TBC | TBC |
| 23. | Fully implement the national approach across Wales | To secure a national approach to statutory advocacy for children and young people and deliver an outcome focused service. | Local government implementation group | June 2017 | Ongoing work in progress. It will be important to engage with CSSIW as this is a regulated service. | Amber |
| 24 | Conduct an independent review on progress at the end of the first year of implementation. | To report on improvements made and benefits achieved and to identify any adjustments required. | Welsh Government | March 2018 | TBC | |

Agenda Item 3

By virtue of paragraph(s) vi of Standing Order 17.42

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Cynulliad Cenedlaethol Cymru | National Assembly for Wales

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

CYPE(5)-15-16 – Papur | Paper 3

Ymateb gan : Cymwysterau Cymru

Response from : Qualifications Wales

[Link to Qualifications Wales Annual Report](#)

Ein cyf/Our ref: MA-P/KW/7636/16

Lynne Neagle AM
Chair of Children, Young People and Education Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

6 December 2016

Dear Lynne

Further to my letter of 30 November which covered responses to the Committee's letter following the budget scrutiny session on 10 November, as requested, I have set out below further details on the exit strategy planning of the Schools Challenge Cymru (SCC) programme. Given that each Pathways to Success school has a bespoke improvement plan, with individual exit strategies in place, I have focused on the overarching process adopted in preparation for the third year of activity.

I have previously confirmed that SCC was developed as a time-limited intervention to accelerate improvement in our most challenged schools and that funding to support the third year of the programme was identified up to March 2017. The design of the programme for the 2016/17 academic year was therefore developed in this context, with planning and subsequent implementation taking place at several levels.

Development of Pathways to Success Schools' year 3 improvement plans

In terms of the development of Pathways to Success schools' proposals for the third year, this began formally in February 2016. Each school was issued with guidance and planning templates to support the development of proposals that were primarily focused on sustainable strategies for improving:

- the quality of leadership at all levels; and
- the quality of teaching and learning.

This was with the strict condition that funding to support SCC improvement activity would only be available to 31 March 2017 and that exit strategies post-funding should be embedded in their proposals.

Bae Caerdydd • Cardiff Bay
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CF99 1NA

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

There then followed an 11 week planning period available to schools, during which time they worked with their Schools Challenge Cymru Adviser (SCCA) to develop their school improvement strategies. At the same time, their SCCA worked with the Schools Challenge Cymru Champions Group who supported liaison with local authorities, regional education consortia and Welsh Government as appropriate. This was to ensure that plans for improvement made best use of the funding, resources and expertise available.

Finally, each school's proposals were discussed and agreed at their Accelerated Improvement Board meetings, whose membership includes the Headteacher, Chair of Governors, a representative of the Local Authority, a Headteacher of a cluster primary, and the SCC Adviser.

Additional scrutiny of Pathways to Success Schools' year 3 improvement plans

Having had assurance that due process had been followed, and that key stakeholders had been involved in the development of improvement plans, Welsh Government officials undertook additional scrutiny of proposals on a school-by-school basis. This included robust challenge to confirm that exit strategies were in place where SCC funding was being requested, particularly where this funding was being used to support the employment of additional staff. Proposals that did not include a clear articulation of exit strategies, including how activity would contribute towards sustainable improvement in the longer term, were not considered.

Final approval of funding to Pathways to Success schools was confirmed in the 2016 summer term and included the caveat that SCC funding could only be used to support activity up to March 2017.

Implementing improvement plans and transition planning


Each Pathways to Success school's Accelerated Improvement Board continues to meet monthly, the main task being to ensure that improvement plans and exit strategies are being implemented effectively. In addition to this, work to support the continued improvement of Pathways to Success schools post-SCC has continued and includes:

- regular discussions between Welsh Government, Schools Challenge Cymru Champions and regional education consortia, to ensure a smooth transition from the programme;
- the hosting of regular Schools Challenge Cymru Champion and Adviser meetings at regional education consortia offices to share best practice and lessons learned; and
- focused discussions on specific Pathways to Success schools with individual local authorities and their consortia.

In addition to this work, I have also been in discussion with the Cabinet Secretary for Finance and Local Government regarding the availability of funding following the Autumn Statement. This is with a view towards considering further, time-limited funding building on lessons learnt from the programme and how we may continue to support schools in challenging circumstances. As set out in my previous correspondence with members of the Committee, I will keep you abreast of any developments as they emerge.

I also promised to provide you with the verified GCSE results of Pathways to Success schools which I will do in due course following their publication. I will also notify the Committee when the second report of the programme's evaluation is published next year.

Yours sincerely

A handwritten signature in black ink, reading 'Kirsty Williams'. The signature is written in a cursive style with a large 'K' and 'W'.

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Agenda Item 6

By virtue of paragraph(s) vi of Standing Order 17.42

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