

Agenda – Children, Young People and Education Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 8 May 2019

Meeting time: 09.15

For further information contact:

Llinos Madeley

Committee Clerk

0300 200 6565

SeneddCYPE@assembly.wales

Private pre-meeting

(09.15 – 09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill – evidence session 6

(09.30 – 10.30)

(Pages 1 – 16)

Welsh Local Government Association (WLGA), Association of Directors of Social Services (ADSS) and Association of Directors of Education (ADEW)

Sally Jenkins, Chair of All Wales Heads of Children’s Services and representing ADSS

Alastair Birch, Senior System Leader for Equalities and Safeguarding, Pembrokeshire County Council and representing ADEW

Cllr Huw David, WLGA Spokesperson for Health and Social Care and Leader of Bridgend County Borough Council

Attached Documents:

Research Brief

CYPE(5)-14-19 – Paper 1



Cynulliad
Cenedlaethol
Cymru

National
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Wales

3 Papers to note

(10:30)

3.1 Letter from the Minister for Housing and Local Government – additional information for the inquiry into School Funding following the meeting on 3 April

(Pages 17 – 19)

Attached Documents:

CYPE(5)-14-19 – Paper to note 1

3.2 Letter from the Minister for Health and Social Services – Inpatient CAMHS provision

(Pages 20 – 23)

Attached Documents:

CYPE(5)-14-19 – Paper to note 2

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

(10.30)

Break

(10.30 – 10.45)

5 Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill – consideration of the evidence

(10.45 – 11.00)

6 Inquiry into School Funding – consideration of the key issues

(11.00 – 12.00)

(Pages 24 – 72)

Attached Documents:

Private paper

Document is Restricted

Consultation on the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill

Tystiolaeth i'r Pwyllgor Plant, Pobl Ifanc ac Addysg ar gyfer craffu Cyfnod 1 (Saesneg yn unig)	Evidence submitted to the Children, Young People and Education Committee for Stage 1 scrutiny
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Organisation: Joint response from the Welsh Local Government Association (WLGA), the Association of Directors of Social Services (ADSS Cymru) and the Association of Directors of Education in Wales (ADEW)

1 The Bill's general principles

1.1 Do you support the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill?

Yes

1.2 Please outline your reasons for your answer to question 1.1

(we would be grateful if you could keep your answer to around 1000 words)

We note the debate that has taken place across civic life in Wales over the past fifteen years, particularly during the legislative journeys of the Children Act 2004 and the Social Services and Well-being (Wales) Act 2014. We recognise that this is an emotive issue, which arouses strong feelings and that there has been deliberation as to whether, as a matter of political judgment, it is right or wise to use the criminal law to prohibit the smacking of children. However, it is evident that a general consensus has emerged across the political divide in that the clause restricting the scope of the 'reasonable punishment' defence in the Children Act 2004, despite its rare usage, does require change to ensure there is complete compliance, in both principle and in spirit, of the obligations placed on all legislatures in the UK under the UN Convention on the Rights of the Child.

Moreover, given the policy directive that the fourth National Assembly placed on the Executive in 2011, when it voted by a clear majority for a motion calling on the Welsh Government to introduce legislation to guarantee children equal protection under the law on assault, which was then reinforced by a public mandate given to a Welsh Labour manifesto commitment in the 2016 elections, ADSS Cymru and WLGA fully acknowledges that the

Welsh Government's attempt to progress the legislation separately in the Fifth Assembly, is a natural and logical public policy progression.

We also welcome the research work that Welsh Government commissioned to underpin the move to legislation, particularly *Legislating to Prohibit Parental Physical Punishment of Children* and *Parental Physical Punishment: Child Outcomes and Attitudes* (both reports by the Public Policy Institute for Wales, 2018). The importance of a strong, robust evidence-base in the development of public policy cannot be overstated.

1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?

(we would be grateful if you could keep your answer to around 500 words)

This legislative proposal is just one part of the wide-ranging action the Welsh Government has taken, in collaboration with its partners in local government, to support parents to give their children the best start in life and to reinforce the importance of safeguarding in protecting children from harm.

As organisations that represent the leaders of local government in Wales, all our members advocate, on a daily basis, the need for preventative or targeted interventions to assist families who may require additional support to implement positive parenting techniques. We believe that these supportive interventions have enabled a shift in culture and has allowed such families to develop the confidence and knowledge to manage difficult child behaviors in a controlled way without resorting to physical punishment.

We believe that while the removal of the defence of 'reasonable punishment' will not change parenting practice immediately, it will help to accelerate a cultural change that is already taking place in Wales and will continue to do so over time.

2 The Bill's implementation

2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1

(we would be grateful if you could keep your answer to around 500 words)

In the report, *Legislating to Prohibit Parental Physical Punishment of Children*, one of the clear lessons learned by other jurisdictions that have already legislated in this field is there will be a need for on-going publicity campaigns and awareness raising about the law and its implications, as well providing parents with information and support about alternative disciplinary techniques or positive parenting. That information may have to be tailored to support sections of society where there are strong religious or cultural factors which support physical discipline. However, what must be made very clear to parents, guardians and the public - particularly given the narrow margin in favour of the legislation, as evidenced in the

public feedback to the Government's consultation document - is this legislation is not looking to necessarily criminalise parents or guardians, or undermine their role in the on-going development and education of the children in their care; it's about protecting all children from harm.

We also believe that any national awareness raising campaign communicating changes in the legislation to remove the defence of reasonable punishment should be subject to consultation with regional Safeguarding Boards.

2.2 Do you think the Bill takes account of these potential barriers?

(we would be grateful if you could keep your answer to around 500 words)

It is welcomed that the Explanatory Memorandum that accompanies the Bill recognises the importance of considering the financial and resource implications of the Bill in a post implementation review and local government will be keen to work with Welsh Government to support this work.

3 Unintended consequences

3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1

(we would be grateful if you could keep your answer to around 500 words)

While on the surface the perceived removal of the defence of reasonable punishment looks straightforward, we do believe the issue is more nuanced; so much so that there could be the potential of unintended consequences should there be any perceived deficiency in the depth of clarity required within the detail of the legislation itself.

Therefore, we believe there must be greater clarity around the definition of what constitutes 'corporal punishment' and what type of incidents may fall within scope of the legislation. We cannot allow any ambiguity to emerge regarding the legislative interpretation of the Bill; there must be certainty regarding what behaviours will be captured by the change in legislation and where the threshold lies. This will require additional work with both public service bodies, parents, guardians and children themselves. We believe this will ensure that there is clear and consistent understanding for all concerned.

While Government anticipates that there may be a short-term increase in the reporting of incidents to the police and social services departments, it believes that this will decrease following public education and awareness of the law and of more positive parenting techniques. While we do not necessarily disagree or challenge this assumption based on evidence from other jurisdictions, we do believe it will be important to monitor legislative enforcement and any impacts that may emerge very closely.

It needs to be recognised, and we cannot overstate this enough, that local authorities, and children's services in particular, are already facing significant pressures both financially and in terms of demand. ADSS Cymru and the WLGA produced a paper in 2018 that highlighted these pressures and set-out a number of solutions. (addendum documents). There is already a national challenge regarding the number of children being referred into the care system in Wales and the most perverse and unintended consequence would be to see a further increase in referrals from various partner agencies. So, there will have to be careful consideration as to how the implementation of this legislation will be 'fully' resourced to avoid putting undue additional pressures on existing services.

There is of course the challenge of enforcement, not just in relation to parents domiciled in Wales but for those families who visit Wales, who will be subject to new legislative changes. This needs to be carefully considered in how the changes will be communicated.

4 Financial implications

4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum)? If no, go to question 5.1

(we would be grateful if you could keep your answer to around 500 words)

To continue the work of positive parenting that local government has taken forward in partnership with the Welsh Government, as well as developing a national awareness and education campaign, will require dedicated additional resource investment and its important the Government work closely with the WLGA and other public body partner agencies to ensure that there are no additional, unfunded financial implications for these bodies, particularly local government education and social service departments.

Moreover, a robust, well communicated education and awareness campaign could well trigger a demand by parents who want to actively seek out and access support around new approaches in order to change their parenting methods. Consequently, there could also be a need for further investment and enhancement of current services to meet that demand and that will require appropriate resourcing so no additional strain is put on existing services.

5 Other considerations

5.1 Do you have any other points you wish to raise about this Bill?

(we would be grateful if you could keep your answer to around 1000 words)

As we have already stated, it will be important to have absolute clarity regarding the definition of 'corporal punishment' that will fall under the scope of the legislation. As professional leaders in the sector, we must have a consistent and unambiguous understanding of the exact nature of the physical punishment which is no longer to be defended in legislation. Once that clarity is in place, we can then utilise the skills and training

of our members to identify where the lines between acceptable discipline and child abuse are. It will then be important that our members, and our front-line colleagues in education and social care receive the necessary training and guidance on the processes involved in reporting and investigating suspected use of physical punishment, as well as how to support families' wellbeing during the investigation process.

Information about the WLGA, ADSS Cymru and ADEW

The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales and the three national park authorities, the three fire and rescue authorities are associate members.

The WLGA is a politically led cross-party organisation, with the leaders from all local authorities determining policy through the Executive Board and the wider WLGA Council. The WLGA also appoints senior members as Spokespersons and Deputy Spokespersons to provide a national lead on policy matters on behalf of local government.

The Association of Directors of Social Services (ADSS Cymru) is the professional and strategic leadership organisation for social services in Wales and is composed of statutory Directors of Social Services and the Heads of Service who support them in delivering social services responsibilities and accountabilities; a group of more than 80 social services leaders across the 22 local authorities in Wales.

As the national leadership organisation for social services in Wales, the role of ADSS Cymru is to represent the collective, authoritative voice of Directors of Social Services, Heads of Adult Services, Children's Services and Business Services, together with professionals who support vulnerable children and adults, their families and communities, on a range of national and regional issues of social care policy, practice and resourcing. It is the only national body that can articulate the view of those professionals who lead our social care services.

The Association of Directors of Education in Wales (ADEW) is the professional group of local authority officers accountable for statutory education functions in each of the Local Authorities in Wales.



WLGA and ADSS Cymru Position Statement on Children's Services

Key Facts and Figures



There are about 630,000 children and young people living in Wales.


This includes:

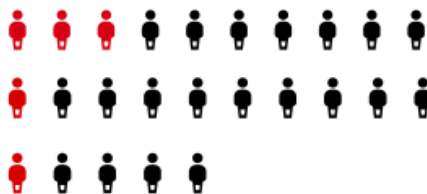
- Nearly 16,000 children receiving care and support from Welsh Councils
- Just under 6,000 who are looked after by Welsh Councils



Every day last year:

- 78 children and families received advice or assistance from Councils
- 106 assessments were carried out
- 23 care and support plans were put in place

 Every 4 hours a child or young person was brought into care in Wales last year



3 in 10 children in Wales are living in poverty

1 in 10 children in Wales will have a diagnosable mental health condition

Around 1 in 5 children have been exposed to domestic abuse



increase in children looked after since 2010, with a 5% increase on last year



increase in the number of court applications to remove children into care over the last nine years



increase in children on child protection register between 2010-16



reduction in Council funding since 2010 impacting on a wide range of preventative services vital in supporting children and families



real terms increase in expenditure on LAC services by LA's since 2010



the average cost per week of placing a child in residential services

Nearly **16,000** children received care and support from local authorities in Wales last year. Just under **6,000** children were 'looked after' by local authorities, a figure that has increased by nearly a quarter over 10 years. Over the same period Council's expenditure on Children's Services has increased to meet the increasing demand, with a real term increase of 30% spend on Looked After Children's Services. This comes despite Council's core grant funding reducing by **22%** after adjusting for inflation. If you take schools out, core funding has fallen by **35%**.

Rapidly increasing and complex needs, along with constrained funding is placing significant pressure on children's social care services. Councils and social care staff have coped extremely well up to now despite the exceptional pressures, however this is not sustainable in the face of further budget cuts.

With a statutory duty to safeguard and promote the well-being of looked after children and support some of our most vulnerable in our communities, Councils have committed to providing as much resource as possible to safeguard and support children and their families continuing to deliver vital services. But this commitment leaves some challenging choices elsewhere and it is important that decision makers recognise the current situation and the impact that it is having.



Key Messages

- ⇒ **Over the last decade the number of children in the care system in Wales has increased significantly.** The reasons why children become looked after and their needs while in the care system are complex and multifactorial.
- ⇒ **Recent years have seen an increase in expenditure on Children's Services at a time when Councils overall budgets have been cut.** This demonstrates the commitment that has been made by local authorities to meet the demands being placed on services by the rising numbers of looked after children. However, this is becoming unsustainable, with most local authorities now anticipating significant overspends on their children's services.
- ⇒ **Services for the care and protection of vulnerable children are now, in many areas, being pushed to breaking point.** The huge financial pressures councils are under, coupled with the spike in demand for child protection support, mean that the limited money councils have available is increasingly being taken up with the provision of urgent help for children and families already at crisis point, leaving very little to invest in early intervention. Hence a spiral of uninterrupted and increasing need for services is driving a mounting complexity of challenges for the most vulnerable children.

Pressures on Children's Services

WLGA and ADSS Cymru have identified four key areas where significant pressures are being experienced in relation to children's services in Wales:

- 1) **External demands and complexities** The on-going introduction of welfare reforms and a decade of austerity has amplified the pressures on families. Increased public awareness and reporting of potential abuse, the impact of poverty and deprivation on families and a lack of funding to help families early on before problems escalate all contribute to this. There is an increased awareness and understanding of issues such as Child Sexual Exploitation (CSE) and an increase in the number of initiatives that are aimed at early identification and intervention such as the evidence based work in respect of Adverse Childhood Experiences (ACEs), Flying Start and Families First.
- 2) **Placements** The increasing complexity of cases and the growing numbers of children coming into care are negatively impacting on both the availability of appropriate placements and the cost of placements. An ageing foster carer population and the increasing costs of providing residential care has a significant impact on the sector.
- 3) **Legislation and work with the Courts** The last few years have seen a substantial increase in the number of care applications that have been made, with a significant increase in the number of children subject to care proceedings. Increasing expectations from legal judgements create a challenging environment.
- 4) **Workforce** Child and family social work is challenged by high turnover and vacancy rates and a reliance on agency staff, with demand for permanent, experienced workers outstripping supply.



Urgent action is required to reduce the number of families relying on the children's social care system for support and so we are calling on Welsh Government to:

- ⇒ Urgently address the growing funding gap being seen in Children's Services and reinforce our shared commitment to improving the life chances of children and young people.
- ⇒ Use the recent announcement of additional consequential funding coming into Wales to identify new, non-ring-fenced money, that allows local authorities flexibility to best meet local demand and needs, focussed on improving outcomes for children, young people and their families and helping to ensure that children who leave the looked after system have properly planned and supported exits so that they also achieve their outcomes. Recent funding made available for Children's Services from Welsh Government has only been for specific pieces of work and to support new initiatives rather than to be able to meet increasing demand and current pressures.
- ⇒ Establish a new Preventative Care Fund for Wales. There is a need for a strategy of investment focused upon achieving a coherent preventative approach to improving children's outcomes. A Preventative Care Fund, focussed throughout the life-course, would enable some double running of new investment in preventative services alongside 'business as usual' in the current system until savings are realised and reinvested back into the system. This would help to stem the decline of local preventative services and provide a way to make some significant investment into new and existing preventative services.
- ⇒ Ensure that the funding currently provided for children's mental health and wellbeing services is used to best effect. Supporting us in tackling mental health issues and building resilient, emotionally and mentally healthy children and young people and making this a national priority.

Contact Details

Welsh Local Government Association

www.wlga.wales

Telephone 029 2046 8660

ADSS Cymru

www.adsscymru.org.uk

Telephone 01443 742641



Ymateb gan: Llywodraeth Cymru
Response from: Welsh Government

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-P-KW/1198/19

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

29 April 2019

Dear Lynne,

I am writing on behalf of the Minister for Education and myself following our appearance at the Children, Young People and Education Committee meeting on 3 April 2019 about school funding. We agreed to provide a note on the complexities of arrangements available to carry budgets over, in relation to the potential for three year school budgets, when talking about the Wales reserve. The note is attached at Annex 1.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James".

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.Wales

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.

Note on the complexities of arrangements available to carry budgets over, in relation to the potential for three year school budgets.

Our ambition is to give as much certainty to partners and stakeholders as possible for budget planning purposes and our intention is to set medium to long term spending plans where possible. However we face a significant challenge, as we have for the last few years, of a period of significant uncertainty. The financial implications of leaving the EU are stark for Wales – greater than any other part of the UK, because Wales is a net beneficiary of EU membership. 2019-20 is also the last Budget of the current UK Government Spending Review settlement. These factors combined mean that we have only been able to set short term revenue budget for the past few years.

Although the Chancellor announced a full three-year Spending Review to be launched before the summer recess in the Spring Statement we do not know what impact the latest delays to the Brexit timetable will have on this. The spending review will be concluded alongside the Autumn budget, which in the past has been published after the Welsh Government draft budget. We therefore do not know what impact this will have on the Welsh Government's budget in the future. Our ability to publish longer term plans is inevitably linked to the UK Government's production of short term plans.

The Committee asked about the use of the Wales Reserve to facilitate three year budgets for schools. While the new Wales Reserve enables more flexibility for the Welsh Government to manage its budgets across years, it would not provide a suitable nor appropriate mechanism to set multi-year settlements for other public bodies.

From April 2018 the way Welsh Government is able to carry forward funding changed as part of the new Welsh Government fiscal framework, alongside the new Welsh Government tax raising powers.

The Wales Reserve is capped at £350 million. Annual drawdowns are limited to £125 million for revenue spending and £50 million for capital spending. There are no annual limits for payments into the reserve. The limits on the Wales Reserve were negotiated as part of the overall fiscal framework but offer additional flexibility over and above the previous Budget Exchange process which was capped at 0.6% for revenue (approximately £75m) and 1.5% for capital (approximately £20m).

The purpose of the is to give a “cushion” for differences to forecasts of tax income as well as being a mechanism for carry funds forward from any underspends arising and manage in year demands.

The previous Cabinet Secretary for Finance, Mark Drakeford, set out in the 2018-19 draft budget an approach to reserves to make optimum use of the new Wales reserve, carrying forward the maximum amount to be deployed in later years to

protect against some of the large cuts to public services that would have been necessary as a result of austerity.

To explain why the Wales Reserve would not be an effective mechanism to set multi-year settlements for local government it is worth comparing the size of the available drawdown. The annual revenue support grant for local government, excluding the distributed non domestic rates is £3.2bn. The total Welsh Government fiscal resource planned expenditure for 2019-20 is £14bn, the maximum reserve drawdown is only 0.89% of this total. Therefore even if it were appropriate to do so the amount of surety that could be given to any significant sector, especially in a Comprehensive Spending Review year, is limited.

Agenda Item 3.2

Vaughan Gething AC/AM

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-P-VG-1336-19

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

1 May 2019

Dear Lynne,

Thank you for your letter of 29 March requesting additional information on Child and Adolescent Mental Health (CAMHS) inpatient provision in Wales. Your letter raised further questions following my response to you on 25 February 2019, relating to the same provision.

I note the concerns you raise about the restrictions applied to inpatient settings in North and South Wales. You asked for further information on matters highlighted in the Healthcare Inspectorate Wales (HIW) report '*How are healthcare services meeting the needs of young people?*' particularly:

- Assurance that patients are receiving safe and effective care;
- Concerns raised over the ability of CAMHS units to accommodate young people who are high risk, and any resultant increase in young people needing to be placed out-of-area.

We continue to have robust arrangements in place to monitor the quality and safety of specialist mental health inpatient settings and to manage the need for services when restrictions are in place in a particular unit whilst any necessary improvement work is undertaken. The NHS works to minimise risks wherever possible, and when matters of concern or incidents do take place in these units, processes are in place to ensure a rapid response for both the young person affected and to ensure lessons are learned from the incident.

The Welsh Government remain committed to ensure that young people requiring inpatient care receive this as close to home as possible, with the default being one of the two Welsh CAMHS inpatient units. In previous correspondence, the Welsh Health Specialised Services Committee (WHSSC) confirmed to you that during 2018/19, restrictions in place at Welsh CAMHS inpatient units led to six young people who previously would have been able to access NHS services in Wales, being placed out of area. We continue to work with WHSSC and health boards to plan for a reduction in the restrictions in place at our units,

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Gohebiaeth.Vaughan.Gething@llyw.cymru
Correspondence.Vaughan.Gething@gov.wales

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.

however, we will only lift such restrictions once we are assured health boards can maintain both the quality and safety of our specialist CAMHS settings.

You also sought further urgent reassurances in relation to:

- the timescales for addressing the ongoing issues of concern in both settings;
- the procedures in place for ensuring good support is provided in out of area placements (including further detail about how the various bodies tasked with reviewing provision undertake their work – for example, to what extent does the work involve visits as well as paper-based activity?)

Timescales for addressing concerns in South Wales

Phase 1 works were completed during 2018/19 by Abertawe Bro Morgannwg University Health Board. This included anti-ligature works to 19 bedroom and en-suite areas, modification to internal and external doors to prevent forced opening or forced damage, new furniture and new locking systems for bedroom windows.

Phase 2 works will be undertaken by Cwm Taf Morgannwg University Health Board include additional work on communal areas, anti-ligature alarmed doors and a replacement perimeter security fence. Fencing works commence on site early May and will be completed at the end of June. The specialist doors, which include audible alarms that detect abnormal loads on the doors, are expected to be installed in August. It should be noted that the doors are a new item on the market and as such there is a longer lead in time.

Timescales for addressing concerns in North Wales

The North Wales Adolescent Service (NWAS) continues to operate at a reduced capacity. There has been a marked improvement in performance during 2018/19 with the NWAS unit operating with at least 10 beds available. At certain points during the year this has increased to the full 12 beds but this continues to fluctuate, dependant on patient acuity and staffing levels.

As previously outlined to the committee, the reduced capacity in North Wales is due to significant workforce challenges and the increasingly complex needs of patients. WHSSC is working with NWAS through its quality escalation process to return to the 12-bed commissioned capacity, and this is under continuous review. Following the introduction of a non-medical led model (a new interim model with a non-medical lead with medical support provided by the clinical leads from each of the three area teams) WHSSC and Betsi Cadwaladr University Health Board mutually agreed to extend current escalation level and maintain the associated support.

A reduction in the escalation level, and increase in capacity, can only change when WHSSC is assured the balance of risk means that this can happen safely.

Quality assurance of out of area placements

Placements in healthcare settings outside Wales are overseen through the National Collaborative Framework by NHS Wales Quality Assurance Improvement Team (QAIT), the operational team of the NHS Wales Collaborative Commissioning Unit. QAIT provides assurance to Health Boards and WHSSC that National Collaborative Framework services are being provided in safe and high quality environments, which promote rehabilitation and recovery.

The NHS Wales National Collaborative Framework for Child and Adolescent Mental Health Services in Low Secure and Acute Non-NHS Wales hospitals provides the mechanism for the commissioning of these services. This framework was developed to enable consistent and sustainable high-quality service provision and improved patient outcomes.

QAIT performance manages national framework providers through Hospital Quality Assurance Reviews. These reviews assess over 150 quality and safety standards in each setting, reflecting the three broad areas covered by the service specifications:

- Improving the patient experience of care, including quality and satisfaction;
- Improving the health and well-being of patients; and,
- Safe, effective, efficient provider.

The Provider Performance Assessment Report, generated during the audit process, also involves staff and services users.

The assessment of a provider focuses specifically on the service specification as laid out in Schedule 2, Part 1 of the NHS Wales National Collaborative Framework for Child and Adolescent Mental Health Services in Low Secure and Acute Non-NHS Wales hospitals but also takes into account;

- the 2011 National Minimum Standards for Independent Health Care Services (in respect of Patients receiving Services in Wales);
- the 2002 National Minimum Standards Regulations for Independent Health Care (in respect of Patients receiving Services in England); and,
- good clinical practice in accordance with related codes of practice or Guidance published by any Health Board, the Welsh Government, the Department of Health and Social Care or otherwise.

This assessment enables QAIT to give assurance that the provider should continue to be able to provide services to Welsh patients under the NHS Wales National Collaborative Framework, and that any serious performance issues or performance issues arising from this assessment would be addressed.

Providers must also ensure that they promote and protect the safety and welfare of the patient through internal security and control measures whilst supporting the maximisation of personal freedom. Providers must comply with all safeguarding provisions under the All Wales Child Protection procedures and the Social Services and Wellbeing Wales Act.

If one or more areas of substandard care are identified, QAIT will issue a Performance Improvement Notice and the provider is subject to enhanced performance management. QAIT requires the provider to give regular updates on progress towards completion of the actions. Failure to complete the actions may result in a reduction in the unit's quality rating, a unit's suspension – where the unit cannot accept any more patients - or termination from the National Collaborative Framework. The Performance Improvement Notice is only concluded once QAIT has verified that all requested actions have been completed.

QAIT will visit a provider unit at least annually, unless there has not been a Welsh admission for over a year. In such a case the unit would be audited within 28 days of the next admission from Wales.

I trust this further detail is helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, slightly slanted style.

Vaughan Gething AC/AM

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Agenda Item 6

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

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