

CYPE(6)-04-23 - Paper 4

Senedd Cymru | Welsh Parliament

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

Gwasanaethau i blant sydd wedi bod mewn gofal: archwilio diwygio radical |
Services for care experienced children: exploring radical reform

Ymateb gan NYAS Cymru (National Youth Advocacy Service) | NYAS Cymru (National Youth Advocacy Service)

1. Before care: Safely reducing the number of children in the care system

Please outline a **maximum of three** top priorities for radical reform of services for safely reducing the number of children in the care system:

Priority 1: Welsh Government should create a national action plan to reduce the disproportionate number of children entering care with care-experienced parents.

We know early intervention is key to improving outcomes for children and young people at risk of entering care. We also know that early help targeted at supporting families can improve the lives and chances of children and young people staying with families.

Care-experienced young women are more likely than their peers to become young parents.¹ They are also more likely to have their children taken into care. NYAS Cymru's Project Unity service provides wraparound support to care-experienced young mothers in Wales to keep families together, whenever possible. This form of parent advocacy aims to break the cycle of care by helping to build up confidence in young mothers empowering them to have their voices heard, and access training/education/employment opportunities.

Yet young care-experienced mothers can face structural discrimination because of their age and care status. NYAS Cymru's recent report brought together care-experienced young women's voices. Young women consulted all talked about the discrimination they feel they face as care-experienced young mothers. This discrimination is what leads to some young women being referred to child protection before their baby is even born, without any explanation as to why they have been referred in the first place:

"It's really bad how social services treat us – my children were only referred to social services because I had been in care. I had a house, a partner, a job – I was doing well. They became involved because of my ex-partner – and started care proceedings."²

In more than 7 out of 10 cases, young women requested help from NYAS' Project Unity service to help to navigate child protection or care proceedings.³ On the help received before meetings, one young woman said:

"When I have meetings coming up they help me to have a voice. The project worker used to speak for me at my request but now I do it myself with their support. I'm more confident."⁴

¹ Roberts, L., Maxwell, N., Elliot, M. (2019) When young people in and leaving state care become parents. What happens and why? In Children and Youth Services Review Volume 104.

² Project Unity (2022) 'Mid-term Review', Available at: [NYAS-Project-Unity-MidTerm-Review-Jan-2022 \(amazonaws.com\)](https://www.amazonaws.com). p. 25.

³ *Ibid.* p. 17.

⁴ *Ibid.* p. 31.

NYAS Cymru recommends that Welsh Government should create a national action plan, co-produced with care-experienced parents, to reduce the disproportionate number of children entering care. Within this action plan should be a commitment from local authorities to gather and publish statistics on how many girls and young women under the age of 25 years old in local authorities were subjected to child protection processes for their child or children, including pre-birth, and provide a clear action plan that sets out a framework for how they will support care-experienced women and girls who become pregnant.

Priority 2: Welsh Government should commit to eradicate child poverty by 2030.

62% of care-experienced children initially received care and support during 2021-22 because of abuse or neglect.⁵ To radically reform services and stop poverty rates impacting the number of children in Wales entering care, Welsh Government must begin to provide families with the financial means to survive.

NYAS Cymru welcomes that Welsh Government has committed to producing a revised Child Poverty Strategy for Wales, due to be published 2023.⁶ We understand that Welsh Government spend is determined by what Wales receives in budget allocation from the UK Government, with part of the budget funded from money raised from devolved taxes. Nonetheless, Welsh Ministers need to exercise their powers in line with the Rights of Children and Young Persons (Wales) Measure 2011 to prevent and eradicate poverty which, in many circumstances, is the cause of neglect.

NYAS Cymru believes Welsh Government's objective to reduce the number of children entering care in Wales must be coupled with radical reform of the welfare system for Wales and a date by which to eradicate child poverty. We suggest that date should be 2030.

Priority 3: A statutory entitlement to parent advocacy should be offered across Wales at the earliest opportunity to parents at risk of entering child protection proceedings, which must be sustained into the future beyond current funding to 2025.

Welsh Government has invested in parent advocacy, which aims to keep families together by advocating, supporting, empowering, and enabling parent(s) to have a voice and be partners in decision-making processes with social care services.

⁵ Welsh Government (2022) 'Children looked after by local authorities: April 2021 to March 2022', Available at: <https://www.gov.wales/children-looked-after-local-authorities-april-2021-march-2022-html#:~:text=At%2031%20March%202022,-7%2C080%20children%20were&text=This%20is%20a%20rate%20of,status%20was%20under%20care%20orders>.

⁶ Welsh Government (2022) 'Child poverty strategy: 2022 progress report', Available at: <https://www.gov.wales/child-poverty-strategy-2022-progress-report-html#section-111855>.

At present, NYAS Cymru is funded by Welsh Government to deliver parent advocacy across Pan Gwent. With Welsh Government funding, we were able to support 275 families in this region between April 2021 and March 2022. Out of the 275 parents who NYAS Cymru supported, no safeguarding issues were presented in a total of 70 cases concerning issues experienced in education and health. Therefore, all children remained within their parental home. This is why we urge Welsh Government to roll out this provision without delay.

For parents who would have substantial difficulty fully participating within child protection statutory processes for reasons such as health issues, additional learning needs, addiction, poverty, housing, debt or/and domestic violence, the parent advocacy early intervention service offers a lifeline of support that is non-judgemental while empowering them and building their confidence and capability as parents.

Parent advocates:

1. Empower parents to take control in their lives and engage constructively with social services.
2. Help them to navigate the system and support on offer, as well as understand what is happening.
3. Hold services accountable for their delivery and waiting times, helping to break down barriers of access and challenge silos between agencies such as mental health, addiction, housing or welfare support.
4. Safely reduce the number of children entering care, by supporting parents early. This is in line with the presumption that it is in the best interests of children to stay with their families unless they cannot be kept safe.

A parent involved in our parent advocacy early intervention service, said: "Parents feel very lost. If it wasn't for parent advocacy I would still be lost in the system and my child would not be at home."

Parent advocacy is more successful if there are good resources within the community to provide holistic support. This includes good drug and alcohol support services that do not require a waiting list, or access to domestic violence provision. The Welsh model of social prescribing could be linked to supporting this work as this would make parent advocacy services easily accessible, reducing the likelihood that children will need to enter care.

2. In care: Quality services and support for children in care

Please outline a **maximum of three** top priorities for radical reform of services for children in care:

Priority 1: Welsh Government should completely ban all forms of unregulated accommodation, guaranteeing that children in care are cared for where they live.

The rise in children living in unregulated accommodation in Wales – which has risen approximately 18% since 2018-19 – is making it increasingly challenging to keep children safe where they live.⁷ Failing to ensure an adequate standard of living is in breach of children’s Article 27 right in the United Nations Convention on the Rights of the Child (UNCRC).

In England, the UK Government made it illegal from September 2021 to house care-experienced children up to the age of 15 in unregulated accommodation. The UK Government is working towards a form of regulation for all currently unregulated homes by 2024. There are some significant flaws in the form of regulation proposed in England, but we note that the Welsh Government has made no similar moves to ban unregulated accommodation in any form.

122 children lived in semi-independent accommodation in Wales when they ceased to be looked after, according to the most recent figures.⁸ From the definition of semi-independent accommodation provided, we cannot be sure how much of this accommodation is unregulated or otherwise. NYAS Cymru believes that the Welsh Government refusal to acknowledge the children living in this type of accommodation in Wales is a direct result of the acute housing shortage in Wales.

Life for these 16- and 17-year-olds can be terrifying. We submit as evidence what care-experienced young woman Charlotte said about her experiences as a 16-year-old in unregulated accommodation, which has also been covered by BBC Newsnight.

“The police would be called in at least twice a week, or some kind of big incident would happen where some fight would kick off, or someone’s doors would get kicked in, or someone would OD [overdose] on some drug and they’d have to be shipped off to a hospital... It’s mad behaviour that shouldn’t be happening! Like anywhere, let alone a place that’s supposed to house children and young adults... It’s crazy that it’s actually a place where people are put.”

NYAS Cymru understands that there is resistance to such a ban due to a lack of appropriate placements. Welsh Government must therefore prioritise a plan of action across policy areas including social care and housing to address this shortage, which should be achieved by working with young people. Social

⁷ Welsh Government (2022) ‘Children looked after by local authorities: April 2021 to March 2022’, Available at: <https://www.gov.wales/children-looked-after-local-authorities-april-2021-march-2022-html#:~:text=At%2031%20March%202022,-7%2C080%20children%20were&text=This%20is%20a%20rate%20of,status%20was%20under%20care%20orders>.

⁸ *Ibid.*

Care Wales and Care Inspectorate Wales should also work with unregulated accommodation providers to support them to meet standards of care.

A practical way to mitigate the risks of further limiting housing availability would be to introduce a staggered ban to unregulated accommodation.

- **After one year:** A clear ban for under 16s could take place.
- **After three years:** The ban could extend to include 16-year-olds.
- **After six years:** The ban could extend to include 17-year-olds.

To make sure that children in these homes are listened to and taken seriously while changes take place, Welsh Government should enshrine independent residential visiting advocacy as a statutory requirement for all children's homes, including unregulated accommodation.

Priority 2: Welsh Government should repurpose housing for children in care and care leavers to live in.

NYAS Cymru welcomes the Welsh Government commitment to transition to not-for-profit models of care for children in care in Wales, for which taking the profit out of residential care for children's homes has been designated as the initial focus. Nonetheless, a key issue for the Programme Board to consider is the significant investment needed to build the capacity of the public/not for profit children's care homes sector.⁹

We asked young people from NYAS Cymru's Young Person's Advisory Group what they thought about children's homes making significant profits from their experiences of being in care. All young people felt very uncomfortable with profits being made in this way. One young person expressed that "It's wrong and shouldn't be allowed, they should always disclose where and what the money has been spent on."

Yet children in care should not have to choose between private children's homes "profiting on our trauma" and being moved far away from their families. To that end, Welsh Government must not only focus their attention on supporting private providers wishing to move away from new models; they must focus on rapidly expanding non-profit provision in Wales so more children are not placed in unregulated accommodation or moved out of area. A housing strategy for care-experienced children and young people is long overdue, which should look at the wider support package available alongside accommodation.

One idea is to repurpose spaces in commercial areas and turn them into homes for children in care or care leavers to live in. Repurposing housing for residential use would alleviate the housing crisis, decrease the number of empty spaces, and most importantly mean children in care could continue living in Wales.

⁹ Welsh Government (2022) "Removing profit from the care of looked after children: Draft Terms of Reference", Available at: <https://www.gov.wales/sites/default/files/publications/2022-03/removing-profit-from-the-care-of-looked-after-children-terms-of-reference.pdf>. p. 5.

Priority 3: Welsh Government must provide missing children and young people with a statutory entitlement to an independent return interview.

Welsh Government must provide children in care with a statutory entitlement to return interviews. Return interviews provide an opportunity for a young person to explain why they went missing and to discuss what needs to be put in place to prevent them from going missing again.¹⁰ While good practice is happening across Wales, there is too much variation in the way stakeholders safeguard and respond to children and young people in Wales who go missing. This has resulted in an inequality of access to support for missing children depending on where they live in the country. With children in care far more likely to be reported missing than those not in care, clearer and stronger guidance on return interviews should be a Welsh Government priority.¹¹

As part of the 'Missing the Point' campaign steering group, chaired by NYAS Cymru and bringing together partners across the sector including the four Police and Crime Commissioners, the 4Cs led a participation workshop with children in March 2022 to discuss return interviews. A total of 30 children aged 7 to 17 who live with a foster carer or in a children's home in Wales attended. They shared that a return interview discussion is important because:

- It should "find out the problem that caused them to run away."
- "Talks should take place so they can understand what happened and learn from it."
- "They might have something inside that they avoid" talking about.
- "If the reason is they want to see their friends, this could be discussed in a positive way."
- It should "find out how things could have been dealt with differently."
- They may be "scared of where they are living currently" and need to talk

UK Government recognised the importance of independent return interviews in connecting children in care with an adult in 2014 when they made return interviews a statutory requirement in England. This means that within 72 hours of a young person returning from a missing episode, it is a legal requirement for them to be offered a return interview. Welsh Government should do the same, entitling every child after a missing episode to an independent return interview, conducted by someone independent of the police or a local authority.

¹⁰ National Youth Advocacy Service (2022) 'Return Interviews', Available at: <https://www.nyas.net/get-support/supporting-professionals/return-interviews/>.

¹¹ NYAS Cymru and The Children's Society (2020) 'Missing the Point', Available at: <https://nyas.s3.eu-west-1.amazonaws.com/NewsCampaigns/Campaigns/Missing-the-Point-Report-EL-Nov.2020-1.pdf>. (p. 3)

a3. After care: On-going support when young people leave care

Please outline a **maximum of three** top priorities for radical reform of the on-going support provided when young people leave care:

Priority 1: Welsh Government should extend the basic income pilot to all care leavers up to 25 years old after evaluating the project early.

To tackle poverty experienced by care leavers, the Welsh Government launched a £20 million basic income pilot in July 2022. The pilot provides more than 500 care leavers who turn 18 years old over the following year with £1600 each month (before tax) for three years to support them as they enter adulthood and transition to independent living.¹²

NYAS Cymru is delighted that Welsh Government have prioritised ongoing financial support for young people who leave care with this scheme. As the pilot appears to have already positively impacted young lives, NYAS Cymru calls on the Welsh Government to evaluate their basic income pilot scheme early. As the reserved powers of the UK Government could challenge a permanent rollout of the pilot, it would be useful for an early evaluation to be released ahead of the next general election to encourage its inclusion in UK-wide party manifestos. If the evaluation shows success, we will welcome Welsh Government's commitment to extend the pilot to all care leavers up to 25 years old.

Such forward planning would make it more difficult for UK Government to resist collaboration with Welsh Government over the scheme and where it falls with respect to social security (welfare benefits) as a reserved power held by the UK Government.

Priority 2: Welsh Government should create a strategy to offer support to care-experienced people throughout their lives.

NYAS Cymru work with many care leavers who are negatively impacted by 'cliff edges' of care and support. This is when financial or emotional support suddenly ceases for them at key ages such as at 21, where a young person is no longer considered a care leaver in Wales unless they are in higher education.

25 can represent a further 'cliff edge' for young people in Wales, when Personal Advisor support is also removed for young people who are following or want to follow a programme of education or training. NYAS Cymru welcomes that Welsh Government intends to legislate in this area, but it is not clear when changes will be implemented. We believe these changes need to be implemented without delay.

¹² Senedd Cymru (2022) 'Plenary 28/06/22', Available at: <https://record.senedd.wales/Plenary/12880#A73116>.

24 is the average age at which young people move out from their family home in the UK.¹³ Emotional and financial support from their parent(s) does not stop for many young people after they move out, and often continues long into their adulthood.

Corporate parents should do the same to enable young people to have positive outcomes in their lives by providing support and contact. Welsh Government's corporate parenting charter is a step forward, in that all public bodies who signed up have developed an action plan and offer of commitment and support to care leavers, which includes free transport, leisure, and access to services.

Welsh Government's 2016-2021 strategy on 'improving outcomes for children' committed to expanding the offer of Personal Advisors for care leavers up to age 25.¹⁴ NYAS Cymru calls for a new 'improving outcomes' strategy to improve outcomes for care leavers at all ages. This strategy would work to urgently expand support through and beyond the current 'cliff edges'.

To define what this support could look like, Welsh Government should for the first time conduct a far-reaching and meaningful consultation of care-experienced people of all ages, so that they can define what they feel is needed or wanted from their corporate parent. This should then lead to the development of clear new corporate parenting duties.

Priority 3: Make independent visitors part of the leaving care offer to young people.

An Independent Visitor is an adult who volunteers their time to get to know a child or young person in care. Sometimes an Independent Visitor is the only person in a care-experienced child or young person's life who is not paid to spend time with them. It is completely up to children and young people whether they want to have an Independent Visitor, yet many do not even know they are entitled to an Independent Visitor if it is in their best interests.

Only 1% of care-experienced children in Wales are currently matched with an Independent Visitor.¹⁵

If the Welsh Government were to extend children and young people's statutory entitlement to Independent Visitors up to the age of 25, the important role Independent Visitors play in children and young people's lives would no longer be part of the 'cliff edge' in support that many experience around their 18th birthday. It would also provide young people leaving care with someone to talk to at a point in their lives when feelings of isolation and loneliness are common.

¹³ NYAS (2022) 'Support for care leavers in England and Wales', Available at: <https://nyas.s3.eu-west-1.amazonaws.com/WhoWeAre/AtB-Support-for-care-leavers-in-England-and-Wales-5.pdf>.

¹⁴ Welsh Government (2021) 'Improving Outcomes for Children Programme', Available at: <https://www.gov.wales/sites/default/files/publications/2021-06/improving-outcomes-for-children-programme-legacy-report.pdf>.

¹⁵ NYAS (2022) 'The Right Friend: Independent Visitors', Available at: <https://nyas.s3.eu-west-1.amazonaws.com/WhoWeAre/AtB%20Independent%20Visitors%20Summer%202022.pdf>.

Further to this, an active offer for children and young people to be given access to an Independent Visitor, if in their best interests, should take place at the beginning and end of their care journey. This would mean children and young people's access to Independent Visitors is made 'opt-out' rather than 'opt-in', so as to make sure they are aware of their entitlement. This is already included in as best practice in Welsh Government's Practice Standards and Good Practice Guide on Independent Visitors, which was produced by NYAS Cymru in partnership with stakeholders.¹⁶ This would mean that more than 1 in 100 care-experienced children and young people are able to benefit from their right to an Independent Visitor.

¹⁶ NYAS Cymru and Welsh Government (2020) 'Practice Standards and Good Practice Guide', Available at: <https://www.gov.wales/sites/default/files/publications/2020-01/independent-visitors-guidance-for-local-authorities.pdf>.