

CYPE(6)-08-23 - Paper 2

Evidence Paper from Julie Morgan MS, Deputy Minister for Social Services, Welsh Government

Date: Thursday 9 March 2023

Time: 11:00am – 12:30pm

Title: Evidence paper for inquiry into services for care experienced children: exploring radical reform

Purpose

The purpose of this paper is to provide the Children, Young People and Education Committee with an update on the work being taken forward to deliver the Welsh Government's commitment to transform children's services across Wales.

The Vision for Children's Services in Wales

Our vision for children's services in Wales is that:

- We want to see fewer children and young people entering care, by providing the right support at the right time to families going through difficult times.
- For those children who are in care, we want them to remain close to home so they can continue to be part of their community. This means putting in place the right type of care for each child: reforming and joining up services for looked after children and care leavers, providing additional specialist support for children with complex needs and better supporting those who care for children. We want these services to be locally based, locally designed and locally accountable.
- We want those young people leaving care to feel supported to start to live independently when they are ready and to plan for their future.

Our Programme for Government contains 8 commitments, which taken together provide the framework for our vision to radically transform Children's Services. The delivery of these commitments will effect change across the whole system in Wales and align to our [Children and Young People's Plan](#). This work will consider the Wellbeing and Future Generations Act, to ensure we improve provision for all Children and Young People (CYP) so they can fulfil their potential no matter what their background or circumstances and the publication of the revised Child Poverty Strategy planned for the end of the year. The voice and rights of CYP are the heart of all we do. Both these commitments and the Plan will be delivered over this whole Senedd term.

Programme for Government commitments for Children's Services:

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

Delivery of a Transformation Programme

We know that the changes needed to deliver our Vision and the 8 Programme for Government Commitments will take time, but we do know that things can change quickly when everyone works together. We can for example learn from and build on good examples of services already being provided to care experienced children and young people in Wales. A Shared Learning event is planned for the Spring. We have now developed a Transformation Programme and the work being taken forward in this Programme are grouped under three headings – voice of CYP, supporting children to remain with families and needs and Value-Based provision. Key examples of work being taken forward under these three headings include:

Voice of Children and Young People

It is critical that this vision is informed by those who have experience of using these services. That is why on 3 December last year the Inaugural Care Experience Summit took place between 50 young people either currently in care or recent care leavers ('Young Ambassadors') and the First Minister, Minister for Social Justice, Minister for Education and the Welsh Language, Deputy Minister for Mental Health and Wellbeing and myself. The purpose of the Summit was for young people to convey directly to Ministers their experiences and to share their ideas for how jointly, our aim to radically transform children's services could be achieved.

The key outcome from the summit has been the development of a Declaration with care experienced children and young people; ensuring their voices remain at the heart of what we do. The Declaration will be formally agreed between the Young Ambassadors, standing in for care experienced young people in Wales and the Welsh Government and signed by Welsh Government Ministers in March.

The Declaration includes a vision of what transformed services for children and young people would mean in reality. The vision will be developed further over time to reflect changing circumstances. The second part of the Declaration includes a set of commitments that will help achieve the joint vision.

These commitments will specifically address issues highlighted by young people at the Summit including the need for continuity and consistency of support and issues around the stigma of being in care.

We are committed to holding a similar Summit event on the anniversary of the Declaration being made to review progress against its commitments, and a series of Practitioner and Regional events during 2023.

Strengthening public bodies in their role as 'corporate parent'

One of our Children's Services Programme for Government commitments is to 'Strengthen public bodies in their role as 'corporate parent'. Delivering this commitment will help improve outcomes for children who are looked after and care leavers by helping embed a stronger sense of vision and responsibility towards the children who are looked after and care leavers as a priority for everyone who interacts with these children and young people. This work is instrumental to the delivery of the declaration from the Inaugural Care Leavers Summit.

The key deliverables for this work are the development of a corporate parenting charter this year alongside drafting statutory guidance which we aim to complete in 2024. Organisations and senior leaders signing up to the Charter will be making a clear public commitment stating their support of care experienced young people and by so doing be held accountable to ensure a better offer of support is provided to care experienced young people by all parts of the public sector.

Supporting children to remain with families

National Practice Framework

As part of our work to transform children's services in Wales we are developing a National Practice Framework. The Framework will set out how we work in Wales in a strengths-based way to ensure the best outcomes for our most vulnerable children and young people.

The National Practice Framework will be a mix of mandatory requirements and practice pointers, rooted in strengths-based relational practice. Key aspects of practice must be consistent across Wales if every child and family is to receive a similar service at a common threshold. This will help us to achieve greater commonality and more seamless working at local, regional and national level building on the good work to date.

The National Practice Framework will add value to local practice and be an enabler for consistency whilst allowing for crucial local variation in its context.

Social Care Wales has already conducted a review of practice frameworks, their strengths and limitations and work is now being undertaken to develop the National Practice Framework in collaboration with the sector. Work began on this at the beginning of September 2022 in co-production with key stakeholders and practitioners and the expectation is that this work will be completed before the end of 2023.

We will shortly convene an Expert Group to agree the scope, format and content of the Framework alongside a project plan.

Parental Advocacy

The role of parental advocacy is to support parents to positively engage with social workers, third sector organisations, the family courts and other professionals to resolve issues that are negatively impacting their family. Parents with experience of child welfare experience can often work as advocates for other parents to provide support to help them with their engagement and understanding.

We are investing a minimum of £1.5 million of funding over the next 3 years, through the Care Experienced Children Change Fund. This funding will be used to scale up existing Parental Advocacy projects on a regional basis and to ensure new services are established in each of the seven regions in Wales as part of a national roll-out.

Parental advocacy services are currently operating on a limited scale in some areas, and we are working with existing third sector providers (National Youth Advocacy Service (NYAS), TGP Cymru and the Parent Advocacy Network) to help scale up their local services on a regional footprint, ahead of spreading into other areas of Wales, as part of the national roll-out.

To support consistent service delivery across Wales as part of a national roll out, we are developing a National Framework for Parental Advocacy with third sector partners. This describes the core service criteria that all regions must have in place, ensuring consistent service delivery throughout Wales

Family Drug and Alcohol Court pilot programme

We have provided £450,000 to support a Family Drug and Alcohol Court pilot programme over a two-year period. The Court offers an alternative approach to families where there are concerns about substance misuse by providing access to intensive treatment and support.

The pilot formally launched on 25 November 2021. The scheme is available to families referred by Cardiff and the Vale of Glamorgan local authorities, operating from the Cardiff Family Court. The aim of the court will be to break the cycle of children being taken in and out of the care system and help parents become free from substance misuse so they can be safely reunited with their children and avoid children being placed in care.

The pilot will be evaluated, and the findings will be used to inform future roll-out of Family Drug and Alcohol Courts in Wales.

Needs and Value-Based provision

Eliminating private profit from the care of looked after children.

Eliminating profit from care is one of the 46 policy areas highlighted within the Co-Operation Agreement between the Welsh Government and Plaid Cymru.

Our view is that there should not be a market for children's services where private companies make any profit from the children they care for. We will ensure the duties

on local authorities concerning children who are looked after, are not contracted out to for-profit companies but remain with local authorities or providers who have converted to not-for-profit models, such as third sector providers or those established via the social enterprises, co-operatives and user-led provisions contained in the 2014 Act.

Ministers have clarified the scope of the work is to remove profit from the care of looked after children with an initial focus on children in residential care and foster care. Later, work will focus on home care for children with complex needs and supported accommodation provision. Policy and legislative work will be structured in such a way as to cover all elements.

Over the course of this Senedd Term, we will manage this transition to not-for-profit foster and residential care services in Wales. A key principle is public money invested in accommodation for care experienced children is not taken out as profit, but instead reinvested into the service to deliver better outcomes for children, service improvement and workforce development.

By 'not for profit status' we mean a form of ownership and management where any surpluses made, after operational and other agreed outgoings, will be reinvested into the service or held as reserves for charitable purposes. Operational costs are not expected to include any payments for management or other fees paid to third parties. There are a range of not-for-profit models available that we are exploring including charitable status, social enterprises and co-operatives. Officials are working with partners to define suitable models, which in due course, will be set out in legislation. The policy intent is that for profit providers will not be able to operate in Wales nor provide for children who not ordinarily resident in Wales.

A formal public consultation on primary legislative proposals for social care took place, over twelve weeks, between 17 August and 7 November 2022. This consultation included several questions on how primary legislation could support our plans to eliminate profit.

Of the 200 responses received, 153 related to the questions on eliminating profit. These have now been analysed and considered. A wide range of views were expressed – by individuals, practitioners, providers, public/statutory, independent, third/voluntary sector and representative organisations – in response to the questions asked. A summary of the responses will be published in March 2023.

Given the scale of work required to deliver the commitment to eliminate private profit from the care of children, a Programme Board has been established, chaired by the Chief Social Care Officer for Wales. A key role of this Board is to ensure a safe transition, enabling local authorities to meet their statutory duties and avoid disruption to placements, build their resilience and enable existing for profit providers, who wish to do so, to adopt not for profit models of ownership. The Board's membership includes private foster care and residential care providers, local authorities, Children's Commissioner, Care Inspectorate Wales. The Board will guide the transition to not-for-profit care in a careful and controlled way. The next three years will focus on working with care experienced children, local authorities and partners to increase

public and not for profit provision so there is a strong foundation to make a safe transition to not-for-profit care.

Funding of £68m (over the next three years) has been provided to local authorities to expand inhouse and not-for-profit provision.

Funding regional residential services for children with complex needs ensuring their needs are met as close to home as possible and in Wales wherever practicable.

Six of the seven Regional Partnership Boards (RPB) were provided with funding of £4.8m from the Integrated Care Fund in 2021-22 to develop this type of provision. Funding is currently being agreed for the remaining RPB in Powys, with provision expected to be in place towards the end of 2023. In total over 20 new beds have been provided. In addition, our new Regional Integration Fund provides regions with on-going financial means to ensure sustainability of this provision.

Providing additional specialist support for children with complex needs who may be on the edge of care.

Through the Regional Integration Fund and via Regional Partnership Boards we have identified 13 projects totalling £14m and new approaches across Wales that benefit children with complex needs, such as disability and emotional/behavioural needs, which will enable children to remain in the care of their families.

We are currently reviewing their progress to ensure learning is spread. Greater joint commissioning and planning of provision is critical, alongside clear pathways around eligibility.

Mental Health Support

We recognise that care experienced children and young people will at times require support for their mental health, this was discussed as part of the Summit in December last year. We are working closely with mental health colleagues looking at different models of care this includes opportunities to share best practice around areas such as safe suitable accommodation. Mental Health, Children's Services and other partners (e.g. the Police and Youth Justice Services) are working closely together to improve outcomes for all young people with complex needs who don't meet the thresholds to benefit from sCAMHS but need a multi-agency response.

There are number of examples of best practice happening in Wales already to address these challenges. For example: regional Implementation funded safe accommodation proposals which will provide longer-term beds for these CYP which will benefit from multi-disciplinary H&SS support to meet their needs; Windmill Farm which provides medium-term accommodation until the longer-term safe accommodation is in place – this is a model which could potentially be replicated across Wales; and roll-out of the NEST framework. We are also rolling out a number of pilot projects across Wales which provide 'sanctuary' provision and multidisciplinary support for CYP in crisis.

Supporting Foster Wales to increase the number and diversity of foster carers.

Foster Wales has been established as a collaborative national network of all the not-for-profit Local Authority fostering teams in Wales. Foster Wales works as a team with foster carers to build better futures for local children by helping them stay in their local area when it's right for them. Foster Wales has undertaken high profile marketing

campaigns and we are continuing to support the infrastructure of Foster Wales through annual funding arrangements.

Harmonisation of fees and allowances for foster carers

A key element of the Foster Wales work programme is to provide a consistent offer of support to all foster carers known as the “National Commitment”. This includes financial support. In Wales all 22 local authorities currently provide different levels of payments to their foster carers. Work to harmonise the fees and allowances made to foster carers is therefore a priority.

The National Minimum Allowance (NMA) is the basic core allowance that foster carers receive to cover the costs involved in looking after any fostered child. It is intended to set a benchmark for payment rates to all foster carers. The allowance ensures that the basic costs of caring for a looked after child are adequately covered. The actual level that any foster carer will receive will depend on a number of factors, in particular the specific needs of the individual child.

In 2020 the Welsh Government commissioned a comprehensive review of the NMA as part of the wider work being undertaken on harmonisation. It is intended that the outcome of this review will set a benchmark for future payment rates to all foster carers. This review included looking at the actual costs associated with caring for a child, and the impact on a foster family’s ability to earn or meet the needs of all children within the house.

Making a change to the levels and structure of the NMA will impact the sector, therefore careful consideration needs to be given to any proposed changes, their impact, how they will be implemented and most importantly how the changes fit into the timelines associated with the wider work on harmonisation of all payments for foster carers.

Foster Wales is currently undertaking a specific piece of modelling work to assist Welsh Government in its decision about a new structure and payment levels for the NMA. It is also developing the financial modelling for the additional allowances (fees) so that the costs of moving from the current payment arrangements to a new set of harmonised arrangements can be calculated.

Special Guardianship Orders

A special guardianship order is a court order appointing a person or persons to be a child’s special guardian. It grants the special guardian parental responsibility for virtually all decisions affecting the child and limits the rights of birth parents to intervene or challenge the order without leave of the court. Special guardianship provides a legal status that offers greater security than long term fostering, but without the absolute legal break with the child’s birth family that is associated with adoption.

The need to reduce the number of children who become and remain looked after unnecessarily in Wales compels Welsh Government to look at how special guardianship can become a safer and more supported outcome for children and their families, thus making the order an option which can properly be considered in a welfare evaluation exercise.

The provision of special guardianship support services varies across the country. Some local authorities are providing a full support package, including peer support, access to therapeutic services and an imaginative approach to helping children with keeping in touch or spending time with family members (contact). Other local authorities are only at the start of creating a more tailored system of support for special guardianship families, separate from the usual access through the 'front door' of the local authority social services department, available to all eligible families through the Social Services and Well-being (Wales) Act 2014.

In March 2020, the Welsh Government launched a framework of support for Special Guardians which sets out an all Wales 'offer' of special guardianship support services. It outlines the minimum that each local authority should make available to support Special Guardians in order to comply with the regulatory framework.

During 2021-22, the Welsh Government undertook a review to establish how local authorities have embedded the guide and to see if there were any further suggestions as to how the guide can be implemented to ensure there is a consistent offer of support provided to Special Guardians across Wales. The review showed there is further work required to ensure that Special Guardians are fully supported both financially and practically, so they are able to provide for the children they care for.

An Expert Group is currently being established to consider the recommendations stemming from the report and to produce a programme of work to address the key areas of concerns, ensuring there is a consistent offer of care and support for Special Guardians which includes financial support so that families are properly looked after and able to stay together.

Virtual Schools Model

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

The Welsh Government is currently funding a three-year pilot of the Virtual Schools Model across Wales, from 2021-2024. Local authorities have been invited to apply for funding of up to £100,000 per local authority, split over a two-year period, to implement this integrated approach to improve educational outcomes for looked after children (and previously looked after children).

Over the next year, an evaluation of the Virtual Schools Model will take place, looking at the implementation, impact and value for money of the pilot.

Basic Income for Care Leavers in Wales Pilot

On 28 June 2022, the Welsh Government formally launched its Basic Income pilot scheme for care leavers in Wales. From 1 July 2022, more than 500 people leaving care in Wales, who reach their 18th birthday between 1 July 2022 and 30 June 2023, will be offered £1,600 each month (before tax) for two years to support them as they make the transition to adult life. After tax, the amount each recipient will receive per

month is £1,280. Care leavers taking part in the pilot can also access financial advice and support to ensure they are supported to make informed decisions about the pilot, their finances and their futures.

The pilot is currently running at around 98% sign up rate (based on estimates of those eligible from local authorities).

The Welsh Government involved care leavers directly in the development of the pilot, as well as working with professionals in local authorities and also established a Technical Advisory Group, chaired by Professor Sir Michael Marmot, bringing together experts in basic income and support for care leavers to inform the development and evaluation of the pilot.

The main evaluator for the pilot is Cardiff University led by the University's Children's Social Care Research and Development Centre (CASCADE). The evaluation team has expertise in care leaving, poverty and welfare, homelessness, health, epidemiology, basic income, economic evaluation, data linking, econometrics and creative qualitative methodologies. The evaluation will look at the implementation, impact and value for money of the pilot. Participatory and co-creation with young people and the participants are central to the evaluation design.

Learning from the pilot, a clear review and set of recommendations will be prepared. This will allow lessons to be learned, benefitting both care leavers and the wider Welsh population.

Family Justice Reform

Many of the issues relating to family justice are directly relevant to our Children's Services transformation agenda for example cases where a local authority intervenes to protect children who have or are suspected to have been subjected to significant harm or abuse.

The Welsh Government therefore works with UK Government Departments and UK Government agencies to help ensure that policies are developed and delivered appropriately in Wales taking account the Welsh context. The pilot of the Family Drug and Alcohol Courts is an example of effective working with England.

Other examples include Welsh representation on the Public Law Working Group (PLWG). The PLWG was formed, prior to the COVID-19 pandemic, to investigate the steep rise in public law cases coming to the Family Court and to offer recommendations for improving the system's ability to address the needs of the children and families at the centre of these important cases.

The work of the Family Justice Network in Wales by focusing on whether children and young people can be safely diverted away from becoming subjects of public law proceedings (and so removing the prospect that they be placed into care), and the timeliness of decisions once they are subject to proceedings is aligned with the objectives of the PLWG.

In respect of private law, a Private Law Working Group was established to advise the Family Justice Board on proposals for significant private law reform, which Wales is

engaging with through the Family Justice Network in Wales. The main aim of the Working Group has been to promote non-adversarial/problem-solving approaches. As part of this plan, North Wales Family Justice area is one of two pathfinder sites (alongside Dorset) to test and evaluate a revised Child Arrangements Programme.

The purpose of the Pathfinder pilot (Integrated Domestic Abuse Court (IDAC)) is to test the benefits of intervention much earlier in the legal cycle, place children at the centre of the process, prioritise a safety-first approach including survivors of domestic abuse, and to diverting families away from court where possible, while acknowledging some families will need further involvement of the family court.

Transformation Programme - Governance

To deliver such a vital programme we need to put in place the right level of governance. We have taken a three-tiered approach to provide the right direction and scrutiny to achieve our aims. The structure has three key groups:

- i. A **Ministerial Oversight Board** to oversee the Transformation Programme, providing political leadership and direction to be chaired by the First Minister and myself
- ii. A **Transformation Delivery Group** to lead work to drive forward the delivery of the Transformation Programme by 2026. Jonathan Griffiths, the Transformation Director for Children and Adults, chairs this Group.
- iii. The **Eliminating Profit from the Care of Looked After Children Programme Board** will continue to provide additional expertise as we consider evidence, legislate and develop practical programmes for implementing this commitment.

Establishment of a National Team

Jonathan Griffiths, previously the President of ADSSC and Director of Social Services in Pembrokeshire, has been appointed Transformation Director for Children and Adults. Alongside Jonathan, Anthony Douglas, former chief executive of CAF/CASS England, as Children's Transformation Implementation lead will be driving the implementation of strengths-based practice working alongside local authorities and key partners not least health, providing additional capacity to bring about key changes and consistency in practice.

Investment

We understand that to take forward this Programme of change and to respond to the challenges of increasing numbers of children looked after investment is required.

We have a revenue budget of £68m over the next 3 years (£46m for the Eliminate commitment and £22m for our Radical Reform commitment). There is also capital funding available from the Integration and Rebalancing Capital Fund (IRCF). £35m is available in 23/24 and £60m in 24/25 to directly support the eliminating profit agenda alongside the development of integrated health and social care hubs and the rebalancing of the adult residential care market

Below are examples of the social services funding agreed to take forward our work in this area.

Eliminating Profit	£46m over three years 2022/23 – 2024/25 Capital – access to £35m in 23/24 and £60m in 24/25 from the IRCF.
Radical Reform	£22m over three years 2022/23 – 2024/25
Parental Advocacy	£1.5m over three years 2023/24 – 2025/26
Support for Foster Wales	£0.5m recurrent core funding. Additional funding currently being considered for 3 years 2022/23-2024/25
Corporate Parenting Charter	£15,000 per year – 2022/23 – 2024/25
Children with Complex Needs	£14m over 3 years through the Regional Integration Fund

Workforce

It will be challenging to take any of this work forward without additional support for the social care workforce and especially social workers. Social Care Wales last year published the Social Work Workforce Plan: 2022 to 2025. The workforce plan addresses issues such as attraction and recruitment, education and learning, leadership and wellbeing, and reflects work already taking place, such as the importance of looking at terms and conditions and the changes that are being made to the post-qualification framework.

Supported with funding from Social Care Wales, ADSS Cymru is leading work to review the costs of agency workers in children's services, bringing together the thinking around agency work into a series of recommendations for local authorities to consider, and linked to a memorandum of cooperation.

In addition, Welsh Government has also recently introduced an uplift to the social work bursary, to encourage more people to train as social workers. The social work bursary uplift amounts to a package of almost £10 million in financial support for social work students over three years. The increased bursary was available to new and existing students from September 2022 and raised the undergraduate bursary by £1,250 (+50%), and the postgraduate bursary by £6,075 (+91%).

We continue to provide significant funds, over £7.1m, to the sector for training and development, through the Social Care Wales Workforce Development Programme, managed by Social Care Wales.

Also, the national attraction and recruitment campaign for social care, We Care Wales, has highlighted the role of a social worker by sharing inspiring real-life stories on its website and social media channels with the aim of attracting more people to the profession.

Transformation Road Map – timelines

Attached at Annex A is a Road Map setting out current anticipated timelines for progress with and delivery of our Children's Services Programme for Government commitments.

Milestones in our Transformation Programme

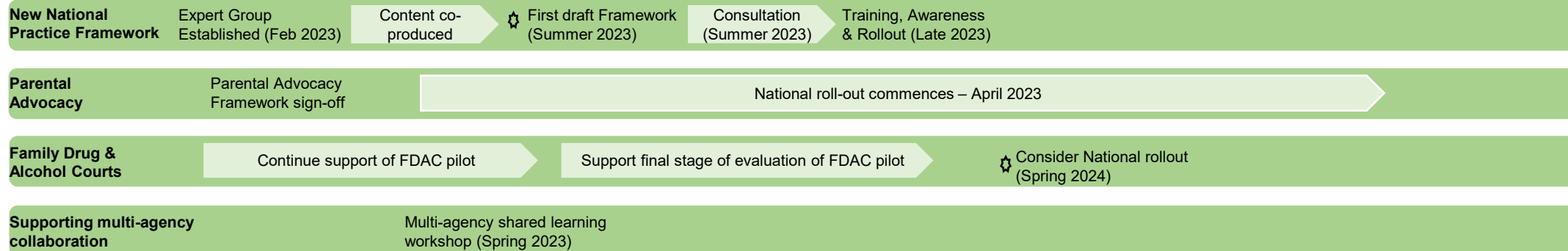
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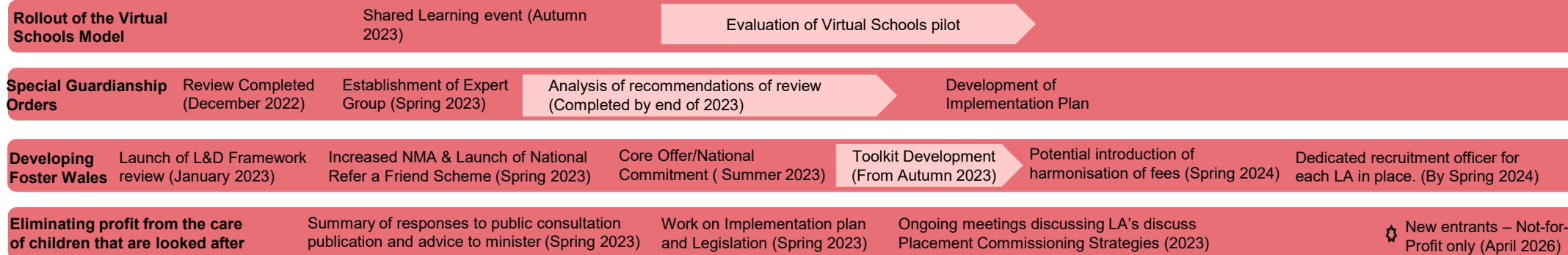
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Supporting children to remain with families



Needs and values-based provision



Voice of the CYP

