

NSPCC Cymru/Wales

Response to:

**Consultation on *proposed Children and Families
(Wales) Measure***

April 2009

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About us:

The National Society for the Prevention of Cruelty to Children (NSPCC) is the UK's leading charity specialising in child protection and the prevention of cruelty to children. The NSPCC's purpose is to end cruelty to children. We seek to achieve cultural, social and political change - influencing legislation, policy, practice, attitudes and behaviours for the benefit of children and young people. This is achieved through a combination of service provision, lobbying, campaigning and public education.

The NSPCC exists to end cruelty to children through a range of activities designed:

- to help children who have suffered abuse overcome the effects of such harm;
- to prevent children from suffering abuse;
- to prevent children from suffering significant harm as a result of ill-treatment;
- to help children who are at risk of such harm; and
- to work to protect children from further harm.

The NSPCC has more than 180 teams and projects throughout Wales, England and Northern Ireland. Their work includes:

- family support, assessment, counselling and therapy to children and families experiencing abuse;
- investigations into allegations of child abuse; and
- work within schools and other youth organisations to provide a voice for children and advocate their rights.

Since February 2006 NSPCC has also delivered the ChildLine service, the UK's free, 24-hour, confidential helpline for children and young people.

NSPCC Cymru/Wales welcomes the opportunity to respond to the call for evidence in relation to this Measure made by Legislation Committee No.2. We will be mainly confining our comments in this response to Part 3 of the Measure relating to the establishment of integrated family support teams.

1. **Is there a need for a proposed Measure to deliver the stated objectives of:**
 - **contributing to the eradication of child poverty;**
 - **making provision in relation to child minding and day care for children;**
 - **establishing integrated family support teams to provide services to families where there are children who need to be, or who are, looked after, and this is related to the needs on the part of their adult carers (such as dependence on drugs and alcohol); and**
 - **making provision for play opportunities for children?**

NSPCC Cymru/Wales welcomes the proposal to place a duty on local authorities and the health service to work together to develop integrated family support teams and also the recognition of the need to target vulnerable families to prevent problems escalating and the risks to children and young people increasing. The proposed categories would undoubtedly benefit from an early and sustained intervention. Whilst identifying vulnerable children is crucially important it is also equally important that the paramount principle for these teams is the protection of children and young people from harm. The original consultation document highlighted that the proposed categories were often situations where the needs of the adult have been primary, with the needs of the child often lost. It is vital that the integrated teams ensure that there is a continued focus on the child, both their best interests and their wishes and feelings.

An essential part of protecting children and young people is agencies working together. Through the Children Act 2004 there are already duties on local authorities and the health service to co-operate to improve well-being under Section 25 and also to discharge their functions with regard to the need to safeguard and promote well-being under Section 28. So far this has mostly been seen in relation via Children and Young People's Partnerships, Local Safeguarding Children Boards (LSCBs) and generally in ensuring information is shared with regard to safeguarding children and young people. The establishment of the proposed teams would be a positive duty to encourage key agencies to work together to deliver a more preventative approach.

2. **How will the proposed Measure change what organisations do currently and what impact will any such changes have?**

It should be noted that much preventative work is already being undertaken by a range of professionals with families. It is important that this is not lost in the development of these teams and that frontline professionals are recognised for their work in protecting children and young people. The development of integrated teams will not only sharpen the focus on the categories identified in the Measure, but will also encourage the development of expertise in these fields. It is vitally important that these professionals are then enabled to share their expertise across their organisations, otherwise there is a danger that these teams will become detached from frontline practice. It is positive that the sharing of expertise is seen as an important role of professionals within these teams, but there is a need to ensure this is delivered in practice.

3. **Are the sections of the proposed Measure appropriate in terms of achieving the stated objectives?**
4. **What are the potential barriers to implementing the provisions of the proposed Measure (if any) and does the proposed Measure take account of them?**

We noted in our consultation response that there was no mention of extending these duties to other key agencies, particularly the police, probation services and youth offending teams. Each of these agencies has a duty under Section 28 of the Children Act 2004 to safeguard and promote the welfare of children and young people in Wales. We believe that these agencies do play a crucial role in protecting children and young people. In particular we would like to highlight the intention to extend the remit of these teams to domestic abuse situations. The police play an important role in combating domestic abuse, and are often one of the first agencies to be alerted to abusive situations. Significant progress has been made over the last five years to improve the awareness of frontline police officers of domestic abuse and also the

impact that it has on children and young people. We are concerned that if this duty is not extended to the police then they will not be able to provide valuable information about the safety of a family. They could then also act as a safety net by being able to highlight with other professionals if they have been called out to an incident whilst the integrated team is working with a family.

In our consultation response we recommended that the Welsh Assembly Government sought to pilot these teams in each of the initially proposed categories to examine what works with these families. We still believe that this would be a preferred approach to piloting initially solely with families where substance misuse is the pre-dominant issue.

It also needs to be acknowledged that the proposed categories that these teams work with are not neat, delineated areas. Often families will have multiple problems and we have certainly seen from children and young people who contact the ChildLine service that it is quite rare that there is only one issue affecting a family. Bearing this in mind it is important to think about how these teams will relate to families where there is for example both substance misuse and domestic abuse.

5. What are the financial implications of the proposed Measure for organisations, if any?

Whilst we welcome the initial grant provided to each of the pilot areas in order to pioneer the development of integrated teams, it is crucial that agencies involved in the development of these teams are committed to sustained funding when they are rolled out across Wales. It has been our experience from Local Safeguarding Children Boards that the pooling of funding to support the development of the Boards has greatly varied across Wales. Under Section 33 of the Children Act 2004:

Any person or body specified in subsection (3) may make payments towards the expenditure incurred by, or for purposes connected with, a Local Safeguarding Children Board established under section 31 –

(a) by making payments directly; or

(b) by contributing to a fund out of which payments may be made.

Section 51 of the proposed Measure has almost identical wording. The experience from LSCB's in Wales has been that most of the funding has come from the budget of children's services, something evidenced by the Welsh Assembly Governments own review of the first year of LSCB's in Wales¹. We would encourage the Welsh Assembly Government to be much more prescriptive about agencies pooling funds, essentially turning the "may" to "should". We would be concerned if this placed a further burden on already stretched children's services budgets, which could be at the cost of frontline child protection. Making this alteration would also ensure that funding was protected within health and local authorities for the delivery of these teams.

NSPCC Cymru/Wales also believes that further consideration needs to be given not just to the financial impact on those agencies with a duty to establish the teams, but also other service providers who may have a role in supporting children and young people. In this respect we are particularly thinking about Child and Adolescent Mental Health Services (CAMHS) in Wales. The lack of funding for the development of these services has been a concern for some time among agencies and has been raised consistently by the Children's Commissioner for Wales. If a child within a family being supported by these teams is felt to need a more targeted support from CAMHS, we are concerned that they may not be able to access a suitable service. We are particularly concerned about the provision of and funding for post-abuse services across Wales. The work being undertaken with the family as a whole by these new teams, could be undermined by the failure to be able to access any additional support from an under funded CAMHS structure. NSPCC Cymru/Wales strongly recommends that the Welsh Assembly Government examines the long term funding for CAMHS work in Wales to ensure that children and young people who are identified as being in need of a CAMHS intervention by these proposed teams are able to access a service.

¹ The report can be downloaded via:

<http://wales.gov.uk/topics/childrenyoungpeople/publications/guidance/localsafeguarding/?lang=en>

6. Are there any comments you wish to make about specific sections of the proposed Measure?

Whilst we have concentrated our comments in this response to the establishment of integrated family support teams, we would like to take this opportunity to comment on one other specific section of this consultation relating to the provision of parental support services as laid out in Section 7 of this Measure.

NSPCC Cymru/Wales is a member of the Children Are Unbeatable Alliance Wales/'S'Dim Curo Plant Cymru. We have welcomed the support of the Welsh Assembly Government, and backbench Assembly Members from all political parties, for the goal of banning the smacking of children and young people in Wales and have been disappointed that the Assembly Government has been unable to legislate on this issue so far. Despite this we believe that more can be undertaken to encourage parents to use alternative to physical punishment and believe that this Measure could be used to support professionals in encouraging non-violent discipline.

We would suggest that Section 7(3) is amended to include "non-violent, positive" before parenting in both part (a) and (b). We believe that whilst most professionals working in parenting support projects do challenge parents who use physical discipline, this could also act to provide them with more confidence and support if is viewed as a duty to promote non-violent, positive parenting. Whilst this would not be something we would believe should be an alternative to a complete removal of Section 58 of the Children Act 2004, we believe that it could enable professionals to challenge the use of physical punishment and support parents to use non-violent discipline techniques.

Conclusion

NSPCC Cymru/Wales welcomes the development of this Measure and the subsequent establishment of integrated family support teams. We hope that these teams will improve early interventions with families where there are complex difficulties and lead to the improved protection of vulnerable children and young people in Wales. We would be happy to discuss further any aspect of our response with members of the committee.

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