

**[Front Cover]**

National Assembly for Wales

Children and Young People Committee

Arrangements for the Placement of Children into Care

May 2010

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**Inner Front Cover**

National Assembly for Wales

Children and Young People Committee

Arrangements for the Placement of Children into Care

May 2010

## **Children and Young People Committee**

The Children and Young People Committee was appointed by the National Assembly for Wales to consider and report on issues affecting children and young people in Wales.

In particular, the Committee may examine the expenditure, administration and policy of the Welsh Government and associated public bodies and consider reports of the Children's Commissioner for Wales.

Often adults do not take the views of children and young people seriously. As politicians, we have a responsibility to encourage children and young people to voice their opinions and to listen to them. The Children and Young People Committee was established to help do that.

## **Powers**

The Committee was established on 16 October 2007 when a motion to establish it was agreed in plenary. It will exist for the whole of the Third Assembly.

Its powers are set out in the National Assembly for Wales' Standing Orders (SOs), particularly SO 21. These are available at [www.assemblywales.org](http://www.assemblywales.org)].

## Committee membership

<i>Committee Member</i>	<i>Party</i>	<i>Constituency or Region</i>
Helen Mary Jones (Chair)	Plaid Cymru	Llanelli
Eleanor Burnham	Welsh Liberal Democrat	North Wales
Angela Burns	Welsh Conservative Party	Carmarthen West and South Pembrokeshire
Sandy Mewies	Labour	Delyn
Joyce Watson	Labour	Mid and West Wales



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## Chair's foreword

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Providing care for those of our children and young people whose families cannot care for them, for whatever reason, is one of the most fundamental roles of a supportive civilised society. It is about society as a whole determining that it has a corporate responsibility to be a parent to these children.

No two children being placed into looked after placements will have the same needs. The looked after system supports a tremendous range of placements, from disabled children going into planned respite, children in long term placements, through to children being placed into intensive foster care as an alternative to custody. Regardless of the type of placement however, one of the consistent messages of this inquiry has been that looked after placements have the potential to change lives for the better, to help children and young people overcome past difficulties and fulfil their latent talent.

However, this inquiry has also highlighted many areas for improvement in Wales' system for putting children into looked after placements. We urge the Welsh Government to act upon the recommendations of this report to address these areas of urgent concern. Social workers, making decisions about the placement of children, often in difficult circumstances, need our sustained support to identify the needs of our children, and ensure they are met. Criticism of social workers, over isolated incidents, only serves to demonise the vast majority of dedicated professionals, and to mask the need for real improvement in the placement system as a whole.

There have been two changes to the Committee's membership in the course of this inquiry and I would like to note my thanks to both Christine Chapman AM and Lynne Neagle AM for their work as part of the Committee. I would also like to note my thanks to Ann Jones AM, who acted as a substitute Member of the Committee on a number of occasions during the inquiry.

I am also very grateful to all those who gave evidence to the Committee and helped us in the course of our inquiry. We are particularly indebted to the different groups of young people who spoke with us about their experiences of the looked after system in

Wales. Their evidence re-emphasised to us that it is critical that all decisions in the looked after system must be based around providing for the well-being of such vulnerable children, rather than being influenced by short term cost-saving concerns. For, in the long-term, the interests of our society require that we put the needs of our children at the heart of our decision making.

## **The Committee's Recommendations**

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The Committee's recommendations to the Welsh Government are listed below, in the order that they appear in this report. Please refer to the relevant pages of the report to see the supporting evidence and conclusions:

### **The Initial Placement Process**

**Recommendation 1.** We recommend that the Welsh Government write to all local authorities in Wales, to determine the frequency with which the 'Care Plan and Essential Information Record Part 2' are not completed within 14 days of a child or young person being placed into a Looked After placement, and take appropriate action to address high incidences, as required.....**Page 31**

**Recommendation 2.** We recommend that the Welsh Government engages in dialogue with local authorities to ensure they produce regular and detailed intelligence on trends in types of placements and shortage areas, and make such information publicly available..**Page 34**

**Recommendation 3.** We recommend that the Welsh Government commissions an evaluation of the effectiveness of the placement process, including the use of the Children's Commissioning Support Resource (CCSR), and identifying improvements.....**Page 37**

**Recommendation 4.** We recommend that, as part of enabling the evaluation detailed in Recommendation 3, the Welsh Government ensure that independent foster care providers are able to feed in comments on the effectiveness of the placement process, including CCSR.....**Page 37**

**Recommendation 5.** We recommend that, as part of enabling the evaluation detailed in Recommendations 3, the Welsh Government ensure that independent foster care providers are able to comment on the effectiveness of their communications with local authorities, including through, but not limited to, CCSR.....**Page 37**

**Recommendation 6.** We recommend that the Welsh Government produce statutory guidance outlining that cost should not be used by local authorities to initially short list potential placements for a child. Such guidance should clearly state that cost must only be used by local authorities to differentiate between potential placements that are considered to have mutually suitable intended outcomes for a child.....**Page 40**

### **Information Sharing**

**Recommendation 7.** We recommend that the Welsh Government provide guidance to local authorities, recommending they provide a pro forma to potential foster carers, with questions they suggest a carer should ask before agreeing to a placement.....**Page 46**

**Recommendation 8.** We recommend that the Welsh Government takes whatever steps it considers necessary to ensure that Foster Carers are perceived to be professionals in the childcare workforce, including engaging in dialogue with the Care Council for Wales, towards enabling foster carers to come under its remit as a Sector Skills Council.....**Page 47**

**Recommendation 9.** We recommend that the Welsh Government provide guidance to local authorities, recommending they provide an information sharing checklist and flowchart to their social workers, with questions they suggest a practitioner should ask themselves as to whether to share information with foster carers.....**Page 48**

**Recommendation 10.** We recommend that the Welsh Government ensure that the information sharing checklist, referred to in Recommendation 9, includes reference to appropriate processes for sharing information with children of foster parents.....**Page 49**

**Recommendation 11.** We recommend that the Welsh Government continues to trial more effective ways of information sharing between governmental agencies, through engagement with the pioneer areas taking forward the integrated family support services model....**Page 51**

**Recommendation 12.** We recommend that the Welsh Government issues statutory guidance to all local authorities, NHS Trusts and Local Health Boards to enable the production of written interagency protocols, dealing with: the gathering of consent for health assessments, the sharing and maintenance of health information and personal documentation for Looked After Children; and the interagency sharing of personal information for the purposes of discharging joint responsibilities.....**Page 52**

**Recommendation 13.** We recommend the Welsh Government engage with local authorities to ensure that, in producing interagency protocols as detailed in recommendation 12, there are quality monitoring/control/assurance mechanisms in place, including regular interagency review of statistics, performance and outcome data, and audit against agreed standards of health process and healthcare training.....**Page 52**

**Placement Reviews**

**Recommendation 14.** We recommend that the Welsh Government continue to progress its work on giving Independent Reviewing Officers statutory duties to monitor the implementation of decisions made as part of placement reviews.....**Page 57**

**Recommendation 15.** We recommend that the Welsh Government produce guidance for Independent Reviewing Officers, detailing that the location of placement reviews should normally be determined by the child whose looked after placement is being reviewed, with appropriate support.....**Page 60**

**Recommendation 16.** We recommend that the Welsh Government produce guidance for Independent Reviewing Officers, detailing that the attendees of placement reviews should normally be determined by the child whose looked after placement is being reviewed, with appropriate support.....**Page 60**

**Recommendation 17.** We recommend that the Welsh Government produce guidance for Independent Reviewing Officers, detailing that children and young people’s responses to consultation papers, circulated prior to Review meetings, should be read with sufficient

time ahead of meetings to influence the location of the review, and its attendees.....**Page 60**

**Recommendation 18.** We recommend that the Welsh Government produce guidance for Independent Reviewing Officers, to ensure that consultation papers circulated to children and young people prior to their placement review are suitable to the individual circumstances of the child concerned.....**Page 60**

**Support for Children and Young People, Foster Carers and Social Workers**

**Recommendation 19.** We recommend that the Welsh Government continue its work towards producing legislation to ensure that everyone working in the field of child welfare, and the future of children, is legally required to listen to their voices.....**Page 63**

**Recommendation 20.** We recommend that the Welsh Government produce statutory guidance, detailing that when a placement review is scheduled, the child’s advocate is informed with sufficient time to: listen to the views of the child or young person about their placement; and assist them in completing responses to consultation papers.....**Page 65**

**Recommendation 21.** We recommend that the Welsh Government produces statutory guidance to ensure that local authorities normally conduct separate exit interviews with young people leaving the looked after system in Wales; their foster carers; and their foster brothers and sisters.....**Page 67**

**Recommendation 22.** We recommend that the Welsh Government undertakes a major campaign to enable the recruitment of foster carers.....**Page 68**

**Recommendation 23.** We recommend that the Welsh Government writes to local authorities in Wales to clarify and amend where necessary existing guidance on the authority of foster carers to take day-to—day parenting decisions, including in relation to overnight stays and school trips.....**Page 72**

- Recommendation 24.** We recommend that the Welsh Government produces guidance to local authorities to ensure that foster care agreements are reviewed on an annual basis.....**Page 74**
- Recommendation 25.** We recommend that the Welsh Government produces guidance to local authorities to enable a level of remuneration to trained foster carers who are temporarily without foster placements.....**Page 75**
- Recommendation 26.** We recommend that the Welsh Government should involve foster care organisations, foster carers and foster children in developing and expanding the provision and accessibility of a foster care advice line, including phone, e-mail and text services for foster carers.....**Page 76**
- Recommendation 27.** We recommend that the Welsh Government look at ways of challenging media representations and public perceptions of social workers, so that they provide an environment where there is a positive focus on the achievements and contributions made by social workers.....**Page 78**
- Recommendation 28.** We recommend that the Welsh Government to continue to engage in dialogue with the Care Council for Wales and local authorities, towards creating and trialling, a Social Work Consultant role. We anticipate such a role would be appropriately remunerated and respected, would include mentoring junior colleagues, but with its main focus being professional work with children and young people.....**Page 80**
- Recommendation 29.** We recommend that the Welsh Government conducts a review of the looked after system, with a view to establishing whether certain forms of information can be entered and recorded by administrative colleagues, rather than social workers themselves.....**Page 81**
- Other issues resulting from the placement of children and young people into looked after placements**
- Recommendation 30.** We recommend that the Welsh Government engage with local authorities to ensure that as part of social workers'

training they have the opportunity to speak with sons and daughters of foster carers groups.....**Page 81**

**Recommendation 31.** We recommend that the Welsh Government produces guidance, establishing that every NHS Trust and Local Health Board in Wales should have a named doctor for looked after children with the British Association for Adoption and Fostering (BAAF)/ Royal College of Paediatrics and Child Health (RCPCH) recommended protected time to offer the necessary clinical consultation and manage the infrastructure of information systems, processes and protocols and interagency liaison, audit and monitoring.....**Page 84**

**Recommendation 32.** We recommend that the Welsh Government produces guidance, establishing that every NHS Trust and Local Health Board in Wales should have specialist nurses for looked after children.....**Page 84**

**Recommendation 33.** We recommend that the Welsh Government engages with local authorities to ensure that there are effective, auditable mechanisms and clear lines of accountability for the transfer of care, including health care, when a child is placed out of county, and across any internal service boundaries.....**Page 88**



## Introduction

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“It is rewarding and the outcomes are fantastic. You can help children... bring them into your family and give them the love and care they need.”<sup>1</sup>

- Ms Sophie Hunt, Sons and Daughters of Foster Care Group

1. In May 2009, we announced that we were going to conduct a focussed inquiry into arrangements for the placement of children and young people into care in Wales.
2. We took oral evidence for this inquiry in meetings between 6 June 2009 and 8 December 2009, along with written evidence. We also had the opportunity to meet informally with two groups of young people who had experience of the looked after system in Wales, with meetings taking place in the Senedd and in Pontypridd.
3. In this process we took evidence from a wide range of witnesses, including:
  - The Deputy Minister for Social Services;
  - representatives of local government;
  - medical practitioners;
  - fostering networks and organisations;
  - inspectorate agencies;
  - voluntary sector organisations;
  - and children and young people, including both children and young people with experience of the looked after system in Wales, and as birth children of foster carers
4. We are very grateful to all our witnesses for contributing to this inquiry.

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<sup>1</sup> National Assembly for Wales Record of Proceedings (RoP), Paragraph (Para) 150, Children and Young People Committee, 8 December 2009.

## Terms of Reference

5. In May 2009, we agreed to inquire into the effectiveness of systems in Wales for placing children and young people in foster care, including:

- the process of planning, identifying and reviewing individual foster placements and accountability for the management of placements and the wellbeing of looked after children;
- the operation of the commissioning system for placing children with fostering agencies and its impact on the choice of placements and on the sharing of information about looked after children;
- the involvement of children and young people in decisions about their placements;
- the effectiveness of the Children's Commissioning Support Resource (CCSR) and the systems for sharing information between agencies;
- the provision of timely and relevant information to foster carers and foster agencies on the background and history of the child or young person being placed and the reasons for the placement;
- the sharing of information on looked after children that is personal, confidential or that may be unsubstantiated or unproven;
- the placement of disabled children, those from BME families and unaccompanied asylum seeking children;
- the effectiveness of Welsh Assembly Government policy and guidance on the placement of looked after children with foster carers.

## **Why did we want to investigate arrangements for the placement of children and young people into the looked after system?**

6. Placing children and young people with foster carers is a complex process. Many children and young people placed with carers are vulnerable and have substantial needs that make caring for them challenging.

7. In recent years we have heard a number of concerns raised around the process of placing children and young people in Wales into looked after placements, in particular the selection of appropriate placements and the quality of information provided to carers, factors that influence the success and stability of such placements.

8. A recent case in the Vale of Glamorgan<sup>2</sup> also highlighted the vital importance of providing accurate information to carers, although this particular case related to the placement of a young adult, rather than a child.

9. We also considered it timely to conduct an inquiry into arrangements for the placement of children and young people into care, as part of our role in holding the Welsh Government to account. The Welsh Government published a strategic framework<sup>3</sup> on placement choice and stability in 2004 for local authorities and partner agencies, which promoted the development of comprehensive placement strategies by social services departments, and emphasised joint working and collaboration between agencies in both the statutory and non-statutory sectors. An Implementation Group was set up to take forward the recommendations within the framework.

10. We were also aware of the establishment in recent years of the Children's Commissioning Support Resource (CCSR), which operates a database to enable local authorities to locate and commission placements in Wales and elsewhere. Its aim is to provide a central source of information on child placements and for the information to

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<sup>2</sup> BBC Wales, 5 March 2009, *Council knew of abuse teen's past*: <http://news.bbc.co.uk/1/hi/wales/7926122.stm>

<sup>3</sup> Welsh Assembly Government, *Choice and Stability: Developing a range of quality placements for looked after children and young people in Wales* (2004)

be used to improve commissioning practice. The CCSR is a joint venture between the Welsh Government, the Welsh Local Government Association (WLGA), the Association of Directors of Social Services in Wales (ADSS Cymru) and the Care Standards Inspectorate in Wales (CSIW).

11. The Deputy Minister for Social Services also commented to us that:

“I am delighted that the committee is undertaking this review. I very much appreciate the advice that the committee will want to give on this important issue.”<sup>4</sup>

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<sup>4</sup> RoP, Para 168, Children and Young People Committee, 22 September 2009

## **Background: the placement system in Wales**

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### **Why do children and young people go into looked after placements?**

12. Children and young people can be put into looked after placements for lots of different reasons. Sometimes it can be because their parents can't look after them properly and it is decided that it's better for them to live somewhere else. This can also happen if a child's parent isn't well, has to go into hospital, or dies. Other children and young people in Looked After placements have birth parents who just couldn't cope, while some have parents who neglect or abuse them.

### **How many children and young people are in looked after placements in Wales?**

13. According to the Local Government Data Unit<sup>5</sup>, 4,704 children and young people in Wales were looked after at 31 March 2009, of which 3,632 (about 77 per cent) were in foster care placements. The largest category of need for children and young people starting to be looked after in the year to 31 March 2009 was "abuse or neglect," at 54 per cent of the total. Of the total 4,704 looked after children, 10 per cent had three or more placements during the year 2008-09.

### **What is the placement system in Wales?**

14. Local authority fostering services, and voluntary agencies placing children and young people in their own right, are responsible for ensuring that each child or young person placed in foster care is carefully matched with a carer capable of meeting her/his assessed needs.

15. For agencies providing foster carers to local authorities, those agencies are responsible for ensuring that they offer carers only if they represent appropriate matches for a child for whom a local authority is seeking a carer.

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<sup>5</sup> [Local Government Data Unit](#), *Children Looked After (SSDA903)*

16. In matching children and young people with carers, responsible authorities are expected to take into account their cultural, racial, ethnic, linguistic and religious needs.

17. Matches are intended to be achieved by means of information sharing and consideration involving all relevant professionals, the child and her/his family and potential carers, their families and other children and young people in placement.

18. Written foster placement agreements are intended to contain specific reference to elements of matching which were taken into consideration in agreeing the placement and identify areas where foster carers need additional support to compensate for any gaps in the match between the child and carer.

19. Responsible authorities are expected to provide the foster family with any additional training, support and information required for the particular needs of a child.

## Key issues

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20. Having carried out our inquiry, we are now able to provide a set of conclusions and evidence-based recommendations to the Welsh Government, and to relevant others. A summary of our recommendations is detailed between pages 9 and 14.

21. Witnesses agreed that the looked after system in Wales plays a fundamental role in supporting a wide range of children and young people. Several witnesses commented on the value that effective placements could bring, with the Care and Social Services Inspectorate Wales (CSSIW), commenting that:

“The large majority of looked-after children say that, generally, their experience of being looked after is very positive.”<sup>6</sup>

22. Similarly, the Sons and Daughters of Foster Carers Group told us that Foster Care:

“is very rewarding. They [children and young people being placed into care] may arrive in a state, but you can see how well they have done when they move on and how much better off they are.”<sup>7</sup>

23. Witnesses also agreed that it is critical that placements into the looked after system are made as effectively as possible, in an effort to accurately match the needs of children and young people to particular foster carers or other services. However, witnesses also identified a wide range of concerns about the existing placement process that could limit the effectiveness of placements. Witnesses also noted a number of concerns about the impact of the placement process on other services, such as health services for looked after children and young people.

24. We have identified 5 key areas of concern, that have emerged in the course of our inquiry, detailed below:

- the initial placement process;

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<sup>6</sup> RoP, Para 182, Children and Young People Committee, 20 October 2009

<sup>7</sup> RoP, Para 150, Children and Young People Committee, 8 December 2009

- information sharing;
- placement reviews;
- support for children and young people, foster carers and social workers;.
- wider consequences of placements.

## **1. The initial placement process**

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25. In this section we have considered the evidence generated in this inquiry both around placement planning, for children and young people going into looked after placements, and about the process by which placements are actually identified and commissioned.

26. Much of the evidence of this inquiry focussed on the experiences of children and young people being placed into foster care, rather than residential care. However, we recognise that individual children and young people have specific needs which may sometimes be better addressed by residential, rather than foster, placements. We consider residential placements to be part of a spectrum of choice for placement decision makers, and not an option of last resort, recognising evidence from Barnardo's Cymru that:

“The outcomes for children are often better within families, but... there is still a place for high-quality residential care, especially for children with sexually harmful behaviour or older children with particularly challenging behaviour who might not be able to fit into a family environment.”<sup>8</sup>

### **Impact of effective placement planning**

27. Regardless of the form of placement, it is unlikely that any child being placed into the looked after system will not find the experience traumatic at some level. However, evidence from witnesses clearly suggested that well planned placements, where the support being provided was well matched to a child's needs, could minimise such trauma, and increase the likelihood of placements being long lasting

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<sup>8</sup> RoP, Para 92, Children and Young People Committee, 7 July 2009



and effective. For example, The Adolescent and Children's Trust (TACT) Cymru commented to us that:

“the more that children are prepared and placements are planned, the greater the chance there is for success with that placement working and lasting... There is some practice out there where there are planned placements and we know that there is greater success with that.”<sup>9</sup>

28. Indeed, evidence from witnesses clearly suggested that better planning of placements could benefit both looked after children and care providers. Children in Wales noted that well planned, and consequently effective placements were of financial benefit to society as a whole, observing that without them:

“resources are spent on breakdowns and then provision becomes more and more expensive for society.”<sup>10</sup>

29. Notably, the Welsh Local Government Association (WLGA) commented that in an effort to achieve effective placement planning, many local authorities took the view that:

“early planning is about pre-planning. Most authorities have now set up pre-admission multi-agency panels to begin to plan and to work on ensuring that the child who needs to come into the system is brought in.”<sup>11</sup>

## **Causes of ineffective placement planning**

*“They moved me 11 times in 7 years”*<sup>12</sup>

- Glen, a young person with experience of the looked after system in Wales.

30. However, evidence from witnesses suggested that placements were often not effectively planned, or carers effectively matched to children and young people, which could limit the placement's effectiveness, and lead to it breaking down. Children in Wales observed that:

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<sup>9</sup> RoP, Para 95, Children and Young People Committee, 20 October 2009

<sup>10</sup> RoP, Para 22, Children and Young People Committee, 7 July 2009

<sup>11</sup> Para 63, Children and Young People Committee, 20 October 2009

<sup>12</sup> ‘Meeting with young people to talk about placement of children into care,’ 16 November 2009, Page 1.

“People come forward, and they want to foster. They have their own families, and have children of different ages within their family, perhaps, so they have an idea of what sort of fostering they want to offer. What seems to happen is that we try to put children who do not necessarily fit into what they want into their homes and then we are surprised that the placements break down.”<sup>13</sup>

31. The Deputy Minister acknowledged to us that it was a concern that placements sometimes broke down, leading to some children and young people who are in the care of local authorities having multiple placements in a single year. The Deputy Minister also commented that:

“since 2006 there has been a 4 per cent reduction in the number of children who have had three or more placements in any year. That is not good enough, but it is a move in the right direction.”<sup>14</sup>

32. Evidence from witnesses suggested a number of causes for ineffective placement planning. It was suggested that placement planning prior to the actual process of identifying and commissioning placements was hindered by limited time being spent on core assessments and placement planning, a fundamental lack of choice of possible placements, and by the need in many instances to make emergency placements.

### ***Core Assessments***

33. Before being placed into looked after placements, children and young people have a ‘core assessment,’ identifying their needs and concerns. The Deputy Minister told us that, as the starting point for determining potential placements for a child, “the core assessment at the beginning of the process is very important.”<sup>15</sup>

34. However, CSSIW commented that sometimes the sheer volume of cases for individual social workers could mean that such core

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<sup>13</sup> RoP, Para 22, Children and Young People Committee, 7 July 2009

<sup>14</sup> RoP, Para 94, Children and Young People Committee, 22 September 2009

<sup>15</sup> RoP, Para 94, Children and Young People Committee, 22 September 2009

assessments of children and young people's needs, and subsequent planning for their placements can be, "rushed and superficial."<sup>16</sup>

35. Similarly, TACT observed that:

"individual social work practice can vary tremendously given the experience of the social worker and the busyness in terms of their caseloads. We are finding that we are receiving referrals for children where, often, there has not been a complete assessment of their needs."<sup>17</sup>

36. The evidence of this inquiry clearly indicates that the quality of care plans for looked after children, across Wales, needs to be improved if better outcomes for such children and young people are to be achieved. We consider that good care planning, including specific objectives for a placement, requires effective working between social workers and children and young people, including the formation of good relationships.

37. However, we are also aware that this is not a simple issue to address, with guidance already setting out the requirements for such assessments. The Fostering Network illustrated to us that:

"The Schedule to the regulations sets out what should be agreed in advance. You would expect that when you have a good plan with identified outcomes for the child, it would lead you into the foster placement agreement, which is agreed in advance with the foster carer to show what we are trying to achieve, how we want to achieve it, what the carer's responsibility within that is, and what authority we give the carer within that. It should all be quite clear when they start out, but the reality is that that does not happen."<sup>18</sup>

38. We are therefore keen to ensure that social workers are able to make an accurate assessment of children and young people's needs. In chapter 4 of this report, we make comment on improving support for social workers.

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<sup>16</sup> RoP, Para 164, Children and Young People Committee, 20 October 2009

<sup>17</sup> RoP, Para 99, Children and Young People Committee, 20 October 2009

<sup>18</sup> RoP, Para 80, Children and Young People Committee, 22 September 2009

### *Choice of Placements*

39. Another concern identified by witnesses was that even if the needs of a child were accurately identified, planning for their care could be hindered if there was a lack of choice over possible looked after placements. The Fostering Network noted that:

“The work done by Loughborough University in its costs and outcomes study, which was undertaken across England and Wales, shows that those local authorities that were able to take great care when making a placement and in deciding where a child went were more likely to be effective at reducing the number of children rocketing through the care system, which is very bad for the children and also leads to progressively more expensive placements, so it is bad for local authorities and for children. So, the issue is that ability to take care when deciding the placement, and that requires a choice of families to be available.”<sup>19</sup>

40. Similarly, the British Association of Adoption and Fostering commented that:

“there is not always a vacancy rate that allows you to plan... you start to think about a sibling group coming in, but you would be lucky to find a placement that could cope with a sibling group of three or four children.”<sup>20</sup>

41. The problem of limited options resulting in poor matches between carers and children and young people, may also be exacerbated by foster carers being under pressure to accept children and young people into their care. Barnardo’s commented to us that:

“foster carers are extremely well meaning people who want to do the best for children and young people, and who find it difficult to say ‘no’ to placement requests that are made to them... When that match of foster carers’ skills and needs of

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<sup>19</sup> RoP, Para 7, Children and Young People Committee, 22 September 2009

<sup>20</sup> RoP, Para 23, Children and Young People Committee, 23 June 2009

young children does not come into play, the outcomes are negative.”<sup>21</sup>

42. Indeed, the majority of witnesses agreed that there are too few foster carers available for children and young people to be placed with, with one witness suggesting that 700 more are needed in Wales, to enable planners to have an adequate degree of choice over possible placements.<sup>22</sup> Dr Heather Payne noted to us that:

“We would need a fairly major foster care recruitment strategy in order to provide anything resembling a choice of foster placement.”<sup>23</sup>

43. When this concern was put to the Deputy Minister she commented that:

“We have endeavoured to attract foster carers across the sector. The situation is improving, but, of course, there is always more to be done.”<sup>24</sup>

44. The evidence of this inquiry did suggest a number of ways by which additional foster carers might be recruited, including payment of retainer fees, engaging foster carers in planning for children and young people coming into their care, and improving support and advice services for foster carers. We have detailed our consideration of these ideas in chapter 4 of this report, as we consider that it would be advantageous for the number of looked after places available in Wales to exceed the number of children and young people needing such care. We believe this would potentially allow better matching of children and young people to carers, resulting in more stable placements.

45. In making this assertion, we note comments from several witnesses that carrying a vacancy rate might have resource implications and also require a cultural shift in some local authorities, with Action for Children commenting that:

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<sup>21</sup> RoP, Para 96, Children and Young People Committee, 7 July 2009

<sup>22</sup> RoP, Para 24, Children and Young People Committee, 22 September 2009

<sup>23</sup> RoP, Para 67, Children and Young People Committee, 6 June 2009

<sup>24</sup> RoP, Para 145, Children and Young People Committee, 22 September 2009

“it is acceptable to carry a vacancy, because you can then match appropriately, but the expectation in many local authorities is that you should function at full capacity, which does not allow for good matching.”<sup>25</sup>

46. We also acknowledge the British Association of Adoption and Fostering’s comments that it is difficult to determine precisely how large a vacancy rate is required for more accurate matches, because while:

“some would say that you need a vacancy rate of at least 10 to 15 per cent to be able to make an effective match... That figure itself masks a complexity because, in a sense, the vacancy might be 10 per cent for children under the age of five, but you need to consider the vacancy rate for the particular children or child whom you have in mind.”<sup>26</sup>

47. Indeed, witnesses suggested that specialist foster carers are required for particular groups of children and young people with specific needs. TACT Cymru noted to us that around 70% of looked after children are believed to have previously suffered abuse and neglect, meaning that skilled and specialist carers are needed.<sup>27</sup> Evidence in this inquiry also illustrated that specialist carers may be needed to foster children and young people who are BME, disabled children, Welsh-language seeking children, and those with sexualised behaviour, for example. As the British Association of Adoption and Fostering noted, it is misleading to “talk about foster care as one entity; it masks a tremendous range of needs.”<sup>28</sup>

48. Nevertheless, it is clear that more foster carers, and more foster carers with specialist skills to care for particular groups of children, are needed in Wales to offer decision makers a choice over possible placements.

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<sup>25</sup> RoP, Para 181, Children and Young People Committee, 23 June 2009

<sup>26</sup> RoP, Para 25, Children and Young People Committee, 23 June 2009

<sup>27</sup> RoP, Para 111, Children and Young People Committee, 20 October 2009

<sup>28</sup> RoP, Para 7, Children and Young People Committee, 23 June 2009

## ***Emergency Placements***

49. Placement planning is of course also hindered by the need to sometimes make emergency placements. To some extent, this is an inevitable reality, with TACT Cymru noting that:

“We often see same-day placements being made in an emergency and in crisis, rather than being planned.”<sup>29</sup>

50. Similarly, the NSPCC CYMRU/WALES observed that:

“we recognise that many placements are arranged on an emergency basis, and that they cannot be planned and necessarily be well thought out.”<sup>30</sup>

51. We consider that emergency, unplanned placements should be kept as a short term arrangement. We consider that when such a crisis placement is made it is imperative that plans are quickly made for the longer term placement care of the child, and with the child or young person kept well informed of the progress of arrangements being made. This is not to say that a child should automatically be moved on from a short-term, emergency placement, because we recognise that some young people may come to feel very settled in their initial placement, and may not wish to move. Indeed, we noted positive evidence from Barnardo’s Cymru that young people are already effectively being engaged in making “choices where permanence is an issue for them.”<sup>31</sup>

52. Rather, we consider that a plan for the care of the child, which could potentially include them remaining in their initial placement, should be swiftly prepared, with the wishes of the child clearly considered. As Children in Wales observed:

“If it is an emergency placement, it is not always possible to involve the child effectively at every point, but that does not mean to say that we cannot involve the child. We need to do it

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<sup>29</sup> RoP, Para 95, Children and Young People Committee, 20 October 2009

<sup>30</sup> RoP, Para 98, Children and Young People Committee, 24 November 2009

<sup>31</sup> RoP, Para 128, Children and Young People Committee, 7 July 2009

as soon afterwards as we can to make sure that their concerns are fed in.”<sup>32</sup>

53. We are concerned that delays in this process, and leaving a young person in a state of limbo, coupled with the traumas that originally led to a young person going into a looked after placement, could potentially have a devastating impact on their emotional and mental health. Indeed, the NSPCC CYMRU/WALES noted to us that a “lack of stability can lead to a lack of emotional attachment, and that in turn can lead to further difficulty with placements.”<sup>33</sup>

54. However, we are conscious that it is already a statutory requirement that each child looked after, whether accommodated or in a looked after placement, should have a Care Plan<sup>34</sup>. Where a plan cannot be made before a child is placed, the Placement of Children (Wales) Regulations 2007 set out that:

“4. (1) Before placing a child the responsible authority must, so far as is reasonably practicable, make immediate and long-term arrangements for that placement, and for promoting the welfare of the child who is to be placed.

(2) Where it is not practicable to make those arrangements before the placement, the responsible authority must make them as soon as reasonably practicable thereafter.”<sup>35</sup>

55. Moreover, even when the placement is made in an emergency situation the following documentation must be completed prior to the child being placed, and made available to the carer:

- Essential Information Record (Part 1, questions 1 – 22)
- Placement Plan Part 1 (Placement Agreement)

56. It is also a statutory requirement that the ‘Care Plan and Essential Information Record Part 2’ must be completed as soon as possible and within 14 days of the child or young person being placed, and a copy

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<sup>32</sup> RoP, Para 60, Children and Young People Committee, 7 July 2009.

<sup>33</sup> RoP, Para 96, Children and Young People Committee, 24 November 2009.

<sup>34</sup> An agreed plan for looking after a child and meeting that child’s current and future needs, made by the placing authority under the *Children Act 1989*.

<sup>35</sup> Placement of Children (Wales) Regulations 2007



provided to the foster carer. If this timescale cannot be kept a record of the reason must be kept on file.

**1. We recommend that the Welsh Government write to all local authorities in Wales, to determine the frequency with which the ‘Care Plan and Essential Information Record Part 2’ are not completed within 14 days of a child or young person being placed into a Looked After placement, and take appropriate action to address high incidences, as required.**

57. We also noted with interest Barnardo Cymru’s description of an example of good practice in managing such crisis placements, through the use of specialist carers who are trained to handle such emergency placements, describing that:

“These carers are well trained and are generally paid whether the placement is occupied or not. We support the idea of such placements as they can frequently provide the short term care and support the child or young person may need prior to any longer term placement planning.”<sup>36</sup>

58. We have considered the possible implications of this practice for the recruitment and retention of foster carers including the use of retainer fees for foster carers without placements, in chapter 4.

## **Identifying and commissioning placements**

### ***Value of the Children’s Commissioning Support Resource (CCSR)***

59. Witnesses broadly agreed that the CCSR has helped to improve placement matching and reduce out of county placements. The Deputy Minister commented to us that the Welsh Government:

“has taken a national lead in developing a resource that will bring together the commissioners and providers, which is very important, and will bring together the public and independent sectors. Successful commissioning can drive sufficiency and diversity of quality placements, which depends on all of us and

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<sup>36</sup> Written submission from Barnardo’s Cymru.

a whole range of organisations and agencies working together. The CCSR has already facilitated that collaboration.”<sup>37</sup>

60. Witnesses also broadly agree that the data it generates allows better local authority strategic planning of placement provision. The WLGA noted that:

“When that database was initially commissioned, it led to us having much more valuable information. It is a resource that lets us know what the provision is across Wales, and that is the first time that we have been able to do so.”<sup>38</sup>

61. The WLGA also asserted that the CCSR had also provided a platform for collaborative commissioning approaches between local authorities, describing that:

“there is an excellent initiative across south-east Wales, which connects the south-east Wales agenda, where 10 authorities have worked together to develop a regional commissioning approach to work with our partners in the independent sector.”<sup>39</sup>

62. All of Wales’ local authorities are now involved in using this database. Given Wales’ history of different local authorities working separately for their own children and young people, and making different rates of payments for foster carers, we consider this to be, in itself, a considerable achievement.

### ***Problems in utilising the CCSR***

63. However, witnesses to the inquiry also identified a number of problems with the database:

- some users appeared to have problems keeping information updated;
- some local authorities appeared to not be using the resource consistently;

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<sup>37</sup> RoP, Para 102, Children and Young People Committee, 22 September 2009

<sup>38</sup> RoP, Para 12, Children and Young People Committee, 20 October 2009

<sup>39</sup> RoP, Para 12, Children and Young People Committee, 20 October 2009

- the resource does not yet include internal placements, directly provided by the local authority;
- and independent providers don't have access to the data and so can't plan their provision.

64. For example, Action for Children commented that:

“we input information to the database, but we cannot get information back out of it. That information is held by local authorities, so we are not able to target our recruitment in the way that we were able to. So, we have a mixed response on the value of the database system.”<sup>40</sup>

65. Furthermore, TACT Cymru observed that:

“we have the children's commissioning support resource database, which local authorities are supposed to be signed up to and working with, but we are finding that they are not totally signed up to or working with it. Referrals come on an ad hoc basis and they do not always come via the database. So, I would say that we are, in fact, working with about five different systems.”<sup>41</sup>

66. Action for Children also suggested that the reason why some local authorities were perceived to be inconsistent in using the database was that:

“things change on a daily basis in the world of fostering. It is very hard to ensure that that database is up to date on a day-to-day basis, as a live system. So, I think that some of the frustrations from the local authority may be down to the fact that, when they access the database and see that there are, for example, three placements that meet the criteria available, when they make contact, they find that they are not available, because the database has not been updated and things have changed.”<sup>42</sup>

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<sup>40</sup> RoP, Para 97, Children and Young People Committee, 23 June 2009

<sup>41</sup> RoP, Para 82, Children and Young People Committee, 20 October 2009

<sup>42</sup> RoP, Para 104, Children and Young People Committee, 23 June 2009

67. The WLGA agreed that it was critical that the database was regularly updated by providers, commenting that:

“the critical information that needs to be there that varies the most and gets out of date quickly is that on vacancies. The other information changes infrequently: the status of the provider, the quality reports, the inspection reports and so on. At the end of the day, it is the providers’ responsibility to keep that information up to date. We have worked with the independent providers to have a system in place in which they work to keep the information up to date, because they understand that if we do not know about a vacancy, then, to put it crudely, they will not have a placement.”<sup>43</sup>

68. We consider that increasing the information available on the database available to independent providers could assist in determining future provision requirements, although we are also conscious of the difficulties of maintaining commercial confidentiality. However, we believe that specific information from CCSR could be presented to providers of a periodic and regular basis.

**2. We recommend that the Welsh Government engages in dialogue with local authorities to ensure they produce regular and detailed intelligence on trends in types of placements and shortage areas, and make such information publicly available.**

### ***Concerns around the purpose of CCSR***

*“We have to stop treating children as if they were lumps of tarmac; they are individuals.”<sup>44</sup>*

– Angela Burns AM.

69. A number of witnesses were also concerned that the influence of CCSR had inadvertently led to the placement process becoming too much of a ‘tick box’ exercise. Witnesses were clear that there is no substitute for discussion between parties about individual placements, considering that quality assessments and good matching are vital to

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<sup>43</sup> RoP, Para 71, Children and Young People Committee, 20 October 2009

<sup>44</sup> RoP, Para 38, Children and Young People Committee, 7 July 2009

achieving successful placements. For example, Action for Children commented that:

“A database system is only as good as the information that you put into it. It tends to direct you to a tick-box approach. It is the narrative behind some of that that is missing from it. You cannot get at that information until you have the conversation with somebody, and because the database system prohibits you from having those conversations at an early stage, it is very difficult to get at that information. We get requests for placements with carers who can deal with sexualised behaviour, but you have no idea what that means and, in one case, we discovered that it meant that the child was using sexualised language. So, there are all the nuances that a tick-box system does not allow you to elaborate on. It inhibits that sharing of information, and tends to keep it very bald.”<sup>45</sup>

70. Similarly, Barnardo’s Cymru commented that:

“the CCSR database obviously supplies a lot of useful information about numbers, such as numbers of carers across Wales, but it is important that it is not used as the sole matching tool. I think that there was some risk that local authorities would run a search for carers and come up with ‘Yes, this agency has a carer’ but would try to match on that basis with limited information. The CCSR is a tick box, and it might deal with what the carer feels that they can manage, but you need far more than that when matching carers to children.”<sup>46</sup>

71. The British Association of Adoption and Fostering also noted that while CCSR was a useful innovation, it should not prevent local authorities from speaking directly with independent providers when commissioning foster placements, observing that:

“nothing can replace knowing the child’s needs inside out. Databases can be a guide and can help, but they will never

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<sup>45</sup> RoP, Para 107, Children and Young People Committee, 23 June 2009

<sup>46</sup> RoP, Para 102, Children and Young People Committee, 7 July 2009

replace that. The danger is that they can be seen as a replacement.”<sup>47</sup>

72. However local government officials emphasised that there was never any intention of the CCSR database preventing local authorities from making direct contact with organisations. The WLGA commented that:

“we were clear from the beginning that this is not an electronic abdication of local authorities’ responsibility to find a really good placement for the child, along with the ongoing assessment and care management. We had a number of problems in the beginning because people thought that it would do everything. That is why it is called CCSR. Those words were chosen very carefully. This is not a central commissioning function through which local authorities have abdicated their responsibility; it is a support resource.... if there are a couple of potential matches, they have to go and assess them, as they would have done if they were using the Yellow Pages or because they know Mary and that she has been a good foster carer. It is the same process. All that we have done with the children’s commissioning support resource is to make it electronic, systemise it, make it real time and record it, so, for the first time, there is documentary evidence as to why a placement is chosen, as opposed to a social worker saying, ‘Well, we’ve always done it this way.’”<sup>48</sup>

73. Indeed, CCSR officials demonstrated that very limited information needed to be set up to create a vacancy on the database, commenting that a provider only had to:

“key in about four or five pieces of information to set up a vacancy, and it is possible that you may have heard that this is difficult, so I wish to dispel that notion in this session. It is a fairly simple thing to do to set up a vacancy.”<sup>49</sup>

74. We consider that the deliberately, and inherently, limited information provided by the CCSR cannot be a substitute for people

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<sup>47</sup> RoP, Para 29, Children and Young People Committee, 23 June 2009

<sup>48</sup> RoP, Paras 44 and 61, Children and Young People Committee, 24 November 2009

<sup>49</sup> RoP, Para 17, Children and Young People Committee, 24 November 2009

speaking with one another. Ironically, in an age when officials often discuss the need for computers and technologies to better talk with one another, there is an urgent need for humans to speak with one another more often too.

75. The evidence of this inquiry suggests that all stakeholders need to discuss, as part of a review, the effectiveness of the database and the improvements needed. We therefore welcomed the Deputy Minister's comments that the Welsh Government intends to:

“commission an evaluation of CCSR and how it has contributed to local placement strategies and will ensure the evaluation takes into account the evidence of this Committee.”<sup>50</sup>

76. However, we believe that the database's relationship with other systems for collecting information and commissioning, including verbal, direct dialogue between local authorities and providers, also needs to be considered.

**3. We recommend that the Welsh Government commissions an evaluation of the effectiveness of the placement process, including the use of the Children's Commissioning Support Resource (CCSR), and identifying improvements.**

**4. We recommend that, as part of enabling the evaluation detailed in Recommendation 3, the Welsh Government ensure that independent foster care providers are able to feed in comments on the effectiveness of the placement process, including CCSR.**

**5. We recommend that, as part of enabling the evaluation detailed in Recommendations 3, the Welsh Government ensure that independent foster care providers are able to comment on the effectiveness of their communications with local authorities, including through, but not limited to, CCSR.**

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<sup>50</sup> Written evidence, Welsh Government, [http://www.assemblywales.org/cyp\\_3\\_pcc\\_12\\_response\\_from\\_gwenda\\_thomas\\_minister\\_of\\_health\\_and\\_social\\_services\\_e.pdf](http://www.assemblywales.org/cyp_3_pcc_12_response_from_gwenda_thomas_minister_of_health_and_social_services_e.pdf)

## ***Financial Pressures***

*"In goes the price, the local authority says, 'Yippee, that one is great because that is the lowest price'"<sup>51</sup>*

- Angela Burns AM

77. Concerns were also raised by a number of witnesses that financial pressures on local authorities could lead to placement planning decisions being driven by price rather than the needs of the child. Witnesses noted that, as the CCSR can potentially provide very limited information about placements, that tendering appeared to take place with a focus on price rather than the needs of the child.

78. For example, Action for Children told us that:

"local authorities, when they receive the tender bids for those placements, have a matrix that they then use to score those bids. Unfortunately, price has quite a high level of importance on that matrix. As it is not a transparent process, there is no way of challenging that."<sup>52</sup>

79. Similarly, Barnardo's Cymru commented that:

"on occasion, the wrong matches are made in local authority placements in order to avoid the big decisions about financing the more expensive placements..."

We are being informed, as an agency, that if we do not put down how much our service costs we will not even be considered for a placement. That shows how fundamental, in a way, the cost is, when the carer that you have could be the ideal carer. If you do not put the price down, they will not consider the placement. So, I think that finance is very high up on the agenda."<sup>53</sup>

80. TACT Cymru also noted that the perceived costs of independent placements could sometimes be inaccurate, commenting that "many costs are not taken into consideration when the price of an

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<sup>51</sup> RoP, Para 121, Children and Young People Committee, 23 June 2009

<sup>52</sup> RoP, Para 120, Children and Young People Committee, 23 June 2009

<sup>53</sup> RoP, Para 95, Children and Young People Committee, 7 July 2009



independent placement is compared with an in-house placement.”<sup>54</sup>  
TACT also noted that taking a short-term view could potentially lead to local authorities choosing forms of care for children that were the cheapest available initially, but might not be of the best quality or with the most positive longer-term impact.

81. We are concerned that this system could potentially lead to a short-term undercutting of prices by competing independent providers, with the consequence of reducing levels of support and training to foster carers, which would lead to damage and expense in the longer term, as children and young people were not supported as fully as they could be.

82. The WLGA acknowledged the value of focussing on the outcomes, rather than costs, of placements. They suggested that the ‘South East Wales Improvement Collaborative Children’s Services Commissioning Project’ would enable the 10 authorities in South East Wales:

“to start on outcome-based procurement, as opposed to saying, ‘Yes, we have a placement; thank goodness, let’s stop worrying about that’... What is driving it is the consistency of outcomes. The real spin-off is that the providers are really engaged because they feel, for the first time, that their skills have been recognised and that they are being asked to help to shape the market in a collaborative way.”<sup>55</sup>

83. The WLGA explained this project would enable local authorities to:

“use the CCSR database to short list potential suitable placements for a child. Providers short listed will be then offered the opportunity to tender for the placement outlining how their foster placement will offer the best care and outcomes for that child. As part of this process the child’s care plan (personal details anonymised) will be sent to the short listed providers so that they have the information required to make a decision as to whether their provision has the skills needed. In sending the child’s care plan to prospective

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<sup>54</sup> RoP, Para 86, Children and Young People Committee, 20 October 2009

<sup>55</sup> RoP, Para 74, Children and Young People Committee, 20 October 2009

providers this ensures that agencies if successful will have the information required to pass onto chosen foster carers.”<sup>56</sup>

84. However, we remain concerned that in this example, price could still be utilised as the key factor in short listing suitable placements, prior to consideration of their intended outcomes. While appreciating the pressures on local authorities to achieve the best possible value for public money, we consider it to be crucial that local authorities focus on the desired outcomes of placements for children and young people going into looked after placements, over and above their price. We also consider that in the long-term, multiple, ineffective placements will be much more expensive than an initial stable placement.

**6. We recommend that the Welsh Government produce statutory guidance outlining that cost should not be used by local authorities to initially short list potential placements for a child. Such guidance should clearly state that cost must only be used by local authorities to differentiate between potential placements that are considered to have mutually suitable intended outcomes for a child.**

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<sup>56</sup> Written Evidence, WLGA, <http://www.assemblywales.org/bus-home/bus-committees/bus-committees-other-committees/bus-committees-third-cyp-home/bus-committees-third-cyp-agendas.htm?act=dis&id=147641&ds=11/2009>

## 2. Information Sharing

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### Sharing information with foster carers

85. Social Workers identify and commission Looked After placements based on matching information about a child's needs to information about the services provided by different possible placements. Overlapping this process, appropriate information should be provided to fostering agencies and/or carers about the needs of children and young people coming into their care.

86. However, during our inquiry, we heard clear evidence of information on individual children and young people and young people not being shared with foster agencies and/or foster carers, as part of the placement process. This included information on issues that may affect the health, well-being and education of the children and young people and which could impact on families fostering them. For example, the Fostering Network observed that:

“It is really worrying when you hear of children placed with foster carers who do not know whether they have allergies or what medication they are taking. Those are fundamental matters that could be quite dangerous not to know.”<sup>57</sup>

87. Similarly, Dr Heather Payne told us that:

“when I see children and young people, regarding whatever I am consulting with them for, and I ask the foster carer what they know about that young person's history, they frequently say, ‘I have no idea about anything’. I can only conclude that there are no great systems to give them all the information, but, as I said, we have a system to give them what we have control over, namely the health information, which works well. As with any system, confidential information is confidential, but if you get consent and involve the young person in the process

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<sup>57</sup> RoP, Para 20, Children and Young People Committee, 22 September 2009

and say, 'It will help you if we can share this, but it will be kept confidential by the foster carer', they hardly ever disagree."<sup>58</sup>

## **Barriers to sharing information with carers**

88. The evidence of this inquiry suggested a number of possible reasons for information not being shared, including:

- professionals misinterpreting data protection and confidentiality requirements;
- relatively inexperienced and fluid workforce in social work departments;
- fears that unpalatable information might deter foster carers;
- information from birth families only emerging over time.

89. A number of witnesses raised concerns around professionals' interpretation of data protection and confidentiality requirements. The Fostering Network suggested that:

"there are misunderstandings about data protection and confidentiality, which means that people do not realise that they can and should share this information... foster carers are somehow not regarded as full and equal members of the team of professionals around the child with whom people would generally share information easily, so somehow there is an artificial barrier there."<sup>59</sup>

90. Notes of caution were raised in the course of this inquiry regarding sharing of certain forms of information, for example around whether unsubstantiated allegations should be passed onto carers. Children in Wales reminded us that there are "unfortunately cases where inaccurate information is passed on to carers and this is dangerous."<sup>60</sup> Similarly, Action for Children commented that:

"I do not think that I would advocate foster carers reading local authority files, because I think that it is the professional

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<sup>58</sup> RoP, Para 50, Children and Young People Committee, 6 June 2009

<sup>59</sup> RoP, Para 55, Children and Young People Committee, 22 September 2009

<sup>60</sup> Written submission from Children in Wales

analysis of that information that makes it relevant. I do not think that it would be particularly helpful for foster carers to read that information. Somebody who is able to professionally analyse the information that is in there should be reading it and should be doing an overview of what that child's life has been like and what the child's needs are."<sup>61</sup>

91. Another barrier to information sharing, identified by witnesses, was created by the fluid nature of social workers' roles. The British Association of Adoption and Fostering commented that:

"social workers could be moving around and failing to collect the information or a new social worker may not have got that information together to be able to share it."<sup>62</sup>

92. Similarly, Children in Wales suggested that:

"When it works, it works exceptionally well, where there is that good, healthy, consistent relationship between a key worker and the foster carer. Too often, there is a constant change of staff, which is having an impact. That is where gaps are created and things fall between them. Information is not passed on and the file is completed by several different people over the life course of the child. So, the more changes there are, the more risks there are to information not being captured and not being shared effectively."<sup>63</sup>

93. Other witnesses were concerned that local authorities may believe that unpalatable information might deter potential foster carers from taking on a child. For example, TACT commented that:

"there still exists, for some workers in some local authorities, a mistrust of the independent sector, and, within that mistrust, there is a belief that if we had the full information, we would cherry pick the children that we place. For us, the importance of ensuring that we have the full information is to get the right placement match. What we see too often is a child being moved around the place and around the system, with one foster

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<sup>61</sup> RoP, Para 152, Children and Young People Committee, 23 June 2009

<sup>62</sup> RoP, Para 54, Children and Young People Committee, 22 September 2009

<sup>63</sup> RoP, Para 50, Children and Young People Committee, 7 July 2009

placement breakdown after another, and we know that each breakdown causes further disruption to a child's life. With the full information and with our knowledge of our foster carers, we are able to make better assessments to ensure that we get the right placement when a child first enters the care system."<sup>64</sup>

94. Finally, it was noted that local authorities themselves do not always have information about a child. CSSIW noted that:

"Sometimes, the child does not come complete with a package of information; information is gleaned over a period of time. So, if a child comes in who has not been known to social services for whatever reason, you are going to have to build up that relationship with the child and the family to identify the important information. Families do not always provide it. Sometimes, it takes a long time to get to understand what has been going on in a family."<sup>65</sup>

### **Addressing barriers to sharing information with carers**

95. The Welsh Government has previously produced guidance on the provision of information to foster carers. Indeed, in evidence to the Committee, the Deputy Minister commented that:

"It is poor practice not to share information that could be shared. The experiences that we have had have shown that where the law prohibits the sharing of information, that is another matter, but, in some cases, information has not been shared as effectively as it could have been, or has not been shared when it would have been sensible to do so."<sup>66</sup>

96. However, the evidence of this inquiry indicated that a lack of clarity remained around the treatment of unsubstantiated information. We were grateful to the Deputy Minister for providing us with a number of hypothetical examples of situations when the Welsh Government considered that it might not be appropriate to share information with a foster carer. These included examples of situations whereby

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<sup>64</sup> RoP, Para 105, Children and Young People Committee, 20 October 2009

<sup>65</sup> RoP, Para 155, Children and Young People Committee, 20 October 2009

<sup>66</sup> RoP, Para 114, Children and Young People Committee, 22 September 2009

information about a child's birth family was relevant to their foster placement, such as:

“A 10 year old girl is placed with foster carers. Her mother is HIV positive. Unless the local authority is satisfied that that it is relevant for the foster carers to know that the mother is HIV positive, this information should not be shared.”<sup>67</sup>

97. The Welsh Government also provided examples of situations where a child's consent would be needed for information to be shared, such as:

“A 12 year old boy is placed with foster carers. He has disclosed information in confidence to a psychotherapist within therapy sessions. This information would not be shared with foster carers.”<sup>68</sup>

98. We acknowledge the complexities of communicating unsubstantiated information to foster carers. We also note that it may be necessary to seek consent from children or birth families before certain forms of information are shared, unless they are considered to be critically essential in enabling the foster carers to provide care (and thereby comply with their regulatory duties).

99. Nevertheless, most witnesses, including CSSIW, emphasised to us that safeguarding should be our prime concern and that most information should normally be shared. We consider that children and young people should be included in the process of sharing information about them, including giving consent where necessary and possible.

100. We have noted with interest an example of good practice provided to us by the WLGA, whereby the local authority in Pembrokeshire provided a pro forma to carers, with questions they suggest a carer should ask before agreeing to a placement.<sup>69</sup> We consider this to be a commendable example of good practice that could usefully be shared with other local authorities.

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<sup>67</sup> Written Evidence, Welsh Government: Children and Young People Committee Inquiry into Arrangements for the Placement of Children into Care, Response from Welsh Government, 17 October 2009, Annex C.

<sup>68</sup> Ibid.

<sup>69</sup> RoP, Para 56, Children and Young People Committee, 20 October 2009

**7. We recommend that the Welsh Government provide guidance to local authorities, recommending they provide a pro forma to potential foster carers, with questions they suggest a carer should ask before agreeing to a placement.**

101. We were also struck by the fact that the evidence of this inquiry suggested a majority of witnesses were in favour of carers being trusted as professionals, to assist in managing complexities of information sharing more appropriately. Fostering agencies, in particular, told us that better information on children and young people would also assist them in ensuring better matches with foster carers, leading to better and more stable placements.

102. We also noted evidence from The Fostering Network suggesting that professionals' reluctance to share information with foster carers, because of concerns about data protection and confidentiality requirements, could be addressed by recognising foster carers as part of the children's workforce. The Fostering Network commented that:

“Foster carers are far too often not regarded as fellow professionals by their colleagues. This lack of recognition and respect for the role affects their ability to make an impact on the lives of the children and young people they foster. In England foster carers are recognised as part of the children's workforce; they are included in the footprint of a sector skills council and in some cases are represented on corporate parenting boards and other corporate parenting groups. In Scotland, Northern Ireland and Wales the status of foster carers is less clear. They are not always regarded as members of the workforce and they do not come under the footprint of a sector skills council. As a consequence they may not be included in workforce planning and may fall in between planning arrangements for the workforce and those arrangements that cover volunteers.”<sup>70</sup>

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<sup>70</sup> Together for Change: Policy and Recommendations, The Fostering Network, Paras 1.2-1.4, available at [https://www.fostering.net/sites/www.fostering.net/files/resources/policy-and-position-statements/status\\_and\\_authority\\_policy.pdf](https://www.fostering.net/sites/www.fostering.net/files/resources/policy-and-position-statements/status_and_authority_policy.pdf)



103. In Wales, the appropriate Sector Skills Council would be the Care Council for Wales. Evidence from the British Association of Adoption and Fostering supported the concept of recognising foster carers as part of the children’s workforce, by ensuring they come under the ‘footprint’ of the Care Council for Wales:

“it comes back to how we view foster carers. I see them as important, valued colleagues, and they have to have that information. It is crucial that they have it, and we should trust them as professionals that we have assessed and approved to manage that information appropriately.”<sup>71</sup>

104. We therefore welcomed comments from the Welsh Government that it was:

“developing a training package with the care council so that, when foster carers undertake the different levels of training for the different skill requirements, those skills can be recognised and taken to any other social care sector. So, they are getting personal development out of it as well as improving the quality of care provided to the families and children.”<sup>72</sup>

**8. We recommend that the Welsh Government takes whatever steps it considers necessary to ensure that Foster Carers are perceived to be professionals in the childcare workforce, including engaging in dialogue with the Care Council for Wales, towards enabling Foster Carers to come under its remit as a Sector Skills Council.**

105. We recognise that the communication of certain forms of information may be difficult, may require particular communication skills, and may require obtaining a child’s consent. However, we consider that unless there is a specific legal reason not to share information, then it should normally be shared. We consider that even where there is a specific legal reason, such as a person’s right to privacy under the Human Rights Act, that local authorities should proactively seek solutions to such barriers, for example by seeking consent for information sharing. We believe this to be critical, because

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<sup>71</sup> RoP, Para 39, Children and Young People Committee, 23 June 2009

<sup>72</sup> RoP, Para 154, Children and Young People Committee, 22 September 2009

foster carers are in the vulnerable position of not knowing what they don't know, despite the fact that such carers need information about children and young people coming into their care:

- to enable them to make informed decisions about whether they are suitable carers for a child;
- to best provide for an individual child's needs;
- to ensure the safety of a child coming into their care, and potentially those of other people coming into contact with that child.

106. We therefore welcomed the Deputy Minister for Social Services' decision, on 14 December 2009, to write to the directors of social services, heads of children's services and independent fostering providers in Wales, with the intention to clarify rules on information sharing, commenting that:

"We know that the majority of local authorities already fully inform foster carers about the past history and experiences of children prior to placement. However, it is clear that in some cases, foster carers have not had access to sufficiently detailed information and have been unable to make fully informed decisions about whether they are suitable carers for that child, about how they might best provide for the needs of the child, ensure their safety and where necessary the safety of others who come into contact with the child being fostered."<sup>73</sup>

107. In addition, we consider that practical measures can be introduced to assist Social Workers in making decisions around information sharing processes.

**9. We recommend that the Welsh Government provide guidance to local authorities, recommending they provide an information sharing checklist and flowchart to their social workers, with questions they suggest a practitioner should ask themselves as to whether to share information with foster carers.**

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<sup>73</sup> Letter from Deputy Minister for Social Services, Gwenda Thomas AM, to directors of social services, heads of children's services and independent fostering providers in Wales, 14 December 2009

108. We also consider that attention should be paid to communicating information to foster parents' own families: their own children for example. We consider that when information is being provided to foster parents, there should be discussion with foster parents as to the most effective way of communicating information to children of foster parents. Notably the Fostering Network stated to us that:

“The Fostering Network Wales does a lot of work with sons and daughters' groups. They tell us that they are not involved as they would want to be: someone is coming to live in their home and they are not consulted. Children build up relationships and nowadays, with technology as it is, when those children move on, it is very unrealistic to think that they are just going to break a relationship where they have built up friendships... not only are they not consulted when a child comes in to their home—‘I came home from school and there was a baby that I didn't know was coming’—when the child is moved on they do not know that it is happening and they say, ‘I've got feelings around that child being there’. There is a big ask of young people in fostering households as foster children can choose to disclose information to them that they might not disclose to somebody else. Issues have been brought to our attention around contact: for example, birth families have arrived on the doorstep, the foster parent is out at that time and there are issues around how young people manage that. They have to be supported because they can be put in some difficult positions, therefore it is crucial that they are on board because if they are very unhappy, or if they are suffering in any way, the foster carers will assess whether they are going to continue. When we look at recruitment, it is not just about the recruitment of foster carers, it is about retention of the ones that we have. So, sons and daughters of foster carers are a crucial group that are not consulted as they should be.”<sup>74</sup>

**10. We recommend that the Welsh Government ensure that the information sharing checklist, referred to in Recommendation 9,**

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<sup>74</sup> RoP, Para 70, Children and Young People Committee, 22 September 2009

**includes reference to appropriate processes for sharing information with children of foster parents.**

## **Sharing information between government agencies**

109. However, evidence from witnesses suggested that, while information sharing with foster carers is a primary concern, information sharing between government agencies also needs to be improved. For example, the NSPCC CYMRU/WALES told us that:

“There are mechanisms to share information, but, if there is no particular health issue, perhaps children’s services do not feel the need to contact health services, whereas they should be doing so.”<sup>75</sup>

110. Similarly, the British Association of Adoption and Fostering told us that:

“the looked-after children review is where information should be exchanged and shared. In that review, it should be ensured that everything that is needed is there. Where there is a risk of information being lost is when it is owned by peripheral organisations—for example, if a child has been referred to Flying Start. Children can often end up in a day care or voluntary setting and they can be exceedingly well known by those day care providers, but they may not have the same links with social services. Again, I think that it is for the social worker to go to find that information to get a holistic picture of child’s needs. However, whether that happens consistently is another matter.”<sup>76</sup>

111. The Deputy Minister told us that the need to share information was recognised by the Welsh Government, and that:

“We have looked at the need to share information, and it has to be shared within the health community, the education community, and right across the board. These IFSTs [sic: Integrated Family Support Teams] could be used to trial more

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<sup>75</sup> RoP, Para 187, Children and Young People Committee, 24 November 2009

<sup>76</sup> RoP, Para 34, Children and Young People Committee, 23 June 2009

effective ways of information sharing. That gives us an opportunity, because requirements for the IFSTs are based on statutory duties, and so it becomes a statutory duty for health to work with education, for education to work with health, for health to work with social services, and so on. This is the first time that we have been in that position, with a statutory duty for the agencies to work together, and it will produce practical examples of how we can improve the situation. I believe that these IFSTs could break down barriers within local authorities and show how they can be overcome.”<sup>77</sup>

112. We were also told that Caerphilly’s Local Authority has an interagency protocol for the exchange of health information on looked after children, and that this works well for children and young people placed in, or near the local authority. Dr Heather Payne’s written submission recommended to us that:

“Every Local Authority and Trust/LHB should have written agreed interagency protocols dealing with the gathering of consent for health assessments, the sharing and maintenance of health information and personal documentation for the LAC [sic: Looked After Children] and the interagency sharing of personal information for the purposes of discharging joint responsibilities. Unnecessary bureaucratic barriers to effective working should be removed. There should be quality monitoring/control/assurance mechanisms in place, including regular interagency review of statistics, performance and outcome data, and audit against agreed standards of health process and healthcare training.”<sup>78</sup>

113. We consider both of these suggestions to have considerable merit.

**11. We recommend that the Welsh Government continues to trial more effective ways of information sharing between governmental agencies, through engagement with the pioneer areas taking forward the integrated family support services model.**

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<sup>77</sup> RoP, Para 158, Children and Young People Committee, 22 September 2009

<sup>78</sup> Submission from Dr. Heather Payne: Inquiry into the Placement of Children into Care in Wales.

**12. We recommend that the Welsh Government issues statutory guidance to all local authorities, NHS Trusts and Local Health Boards to enable the production of written interagency protocols, dealing with: the gathering of consent for health assessments, the sharing and maintenance of health information and personal documentation for Looked After Children; and the interagency sharing of personal information for the purposes of discharging joint responsibilities.**

**13. We recommend the Welsh Government engage with local authorities to ensure that, in producing interagency protocols as detailed in recommendation 12, there are quality monitoring/control/assurance mechanisms in place, including regular interagency review of statistics, performance and outcome data, and audit against agreed standards of health process and healthcare training.**

114. This is not to say that all professionals should have automatic access to any and all information about a child. As Children in Wales noted:

“If children do not want school to know a lot about a certain aspect of their life, they should be able to decide which information about them is given.”<sup>79</sup>

115. Indeed, one child notably remarked, during a visit to meet young people with experience of the care system in Bridgend, that professionals must learn to “speak to me before you tell others my secret.”<sup>80</sup>

116. Rather, we consider that children and young people should be placed firmly in control of information, and should proactively be asked if they wish information to be shared with professionals- or not. Dr. Heather Payne noted to us that when health assessments are done

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<sup>79</sup> RoP, Para 47, Children and Young People Committee, 7 June 2009

<sup>80</sup> Meeting with Young People to talk about Placement of Children into Care, Page 1.

in Caerphilly for Looked After Children, a copy of the information is routinely passed onto their foster carer and GP, because:

“we’ll ask the child at the beginning of the consultation if they’re happy to share this information.”<sup>81</sup>

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<sup>81</sup> RoP, Para 50, Children and Young People Committee, 6 June 2009

### 3. Placement Reviews

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#### The role of Independent Reviewing Officers

117. There is clearly great value in reviewing placement plans, as the needs and views of a child coming into the looked after system are likely to change over time. Voices from Care noted that:

“when children and young people come into care, it is all new to them, so people may not be seeing the child or young person as they really are and the child or young person is not in a position to contribute. When someone asks, ‘Do you want to be in foster care long-term?’, what does that mean if you are seven or eight years old? It has no meaning for you.”<sup>82</sup>

118. An Independent Reviewing Officer is responsible for ensuring the looked after children’s care plans are reviewed; that the views and wishes of the child are heard, as well as those of their family, those working with them and making plans for them; and is responsible for checking that the child’s assessed needs are being met, that their welfare is paramount, and their rights are not being breached.

119. In our inquiry, some witnesses raised concerns about the extent of the independence of Independent Reviewing Officers (IROs). For example, Action for Children commented that:

“For independent reviewing officers to challenge those decisions to the nth degree is sometimes very difficult because they are being employed by the local authorities to chair the reviews. So, there is potential for conflict in that regard, which would be removed if the officers were as independent as CAFCASS is as an organisation.”<sup>83</sup>

120. Similarly, Barnardo’s Cymru suggested that:

“If they are to be truly independent—and in a previous life I was an alleged independent reviewing officer but working for a local authority—then I would suggest that those services need

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<sup>82</sup> RoP, Para 14, Children and Young People Committee, 6 October 2009

<sup>83</sup> RoP, Para 178, Children and Young People Committee, 23 June 2009



to be commissioned from another organisation in order to achieve that absolute independence.”<sup>84</sup>

121. However, CSSIW told us that they had found no clear evidence of the independence of IROs being compromised. CSSIW commented that:

“There was some concern that the IROs would not be strong enough or independent enough to make their voices heard. That was not a problem that we found in the review.”<sup>85</sup>

122. Indeed, the majority of witnesses considered the work IROs do to be very worthwhile, as they have the ability to influence the range of services (Social Services, Health and Education). Voices from Care suggested that:

“As I see it, the social services team managers do not have much influence over education and health. There are three players, and none seems to be able to influence the others or say, ‘Come on; hurry up. Tell us what you are doing’. So, I think that their [IRO’s] role should be to have influence over all of those services, including adult services. They should be able to say to adult services, ‘Okay, we may not meet the criteria, but you have some responsibility for this young person’. So, I think that they need to have quite a powerful role over whatever agency is working with the young person.”<sup>86</sup>

123. Indeed, although not considered in the previous chapter, we are conscious that IROs can play an important role in information sharing as part of their role in gathering information for placement reviews from the different fields of social work, health and education.

124. However, a number of witnesses suggested that the role of IROs could usefully be strengthened. Voices from Care suggested that:

“The IROs should have more of a monitoring role; not where they are constantly involved with the case, but where there are decisions that involve a timescale, or assessments to get done

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<sup>84</sup> RoP, Para 146, Children and Young People Committee, 7 July 2009

<sup>85</sup> RoP, Para 186, Children and Young People Committee, 20 October 2009

<sup>86</sup> RoP, Para 45, Children and Young People Committee, 6 October 2009

that have been recommended to keep a placement stable. In that kind of case, they should be asking whether these things have been done, and putting a bit of pressure on if things are not happening within the timescale. You find that some independent reviewing officers seem to have a knowledge of how things have been for the young person in between reviews, and then you get others who say, 'Let's catch up about the last six months', and anything could have happened in that time. They need to have a bit of a watching brief, and, in some cases, intervention may not be needed, or it may mean nothing more than a phone call to a social worker or whatever, if everything is going smoothly. However, in other cases, where people are waiting for information, then it may be that they have more of a role in bringing things together."<sup>87</sup>

125. We consider that when a review is made, and a care plan changed, it is vital that assessments move on and push forward, with the implementation of decisions made being monitored. We believe this will ensure that future reviews do not simply repeat those that have taken place in the past, which may lead to a child becoming extremely disillusioned by the process. It is vital that reviews are not seen as 'one-off' events.

126. We therefore welcomed the Deputy Minister's comments that the Welsh Government acknowledged the "need to move towards placing new duties on IROs and to strengthen the process by which they work, and we are moving ahead with that."<sup>88</sup> A Welsh Government official informed us that the Government would be consulting on:

"giving the IRO statutory duties, which would give the service a very different perspective, and about things like the IROs making more regular visits to the children. Other people in the review process, such as the looked-after children education co-ordinator, the nurse and so on, have to be involved. Lots of other people around that have to be involved in, and contribute

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<sup>87</sup> RoP, Para 40, Children and Young People Committee, 6 October 2009

<sup>88</sup> RoP, Para 136, Children and Young People Committee, 22 September 2009

to, it. So, we will strengthen a whole range of things with regard to the IRO.”<sup>89</sup>

127. We welcome and support this initiative, although we are aware that as Independent Reviewing Officers’ diaries are already very full that any additional responsibilities would need to be accompanied with appropriate resource.

**14. We recommend that the Welsh Government continue to progress its work on giving Independent Reviewing Officers statutory duties to monitor the implementation of decisions made as part of placement reviews.**

### **Effective engagement with looked after children and foster carers in placement reviews**

128. We also heard evidence that, after a child has initially been placed, some social workers’ involvement with a child can sometimes be infrequent, and issues that need addressing are sometimes allowed to drift. This makes effective placement reviews doubly important.

129. However, we were concerned to hear that placement reviews do not always best facilitate the inclusion of the views and wishes of looked after children and foster carers. TACT Cymru told us that:

“Another problem with reviewing in the system is that foster carers, the very people who know the children best, are often the last people to have an input into such a review. They should be the first people to have an input. Professionals, such as social workers and others, often see themselves as having the right answers for children’s care, rather than focusing on those who are looking after those children. The other issue that we have with reviews is that, when a care plan is made, it is permanent or long-term and there is a lack of understanding about what that means. A review will often also look at whether a rehabilitation home is possible. We know that some families will change over a period of time, but it can be confusing and unsettling for children and for foster carers when each review

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<sup>89</sup> RoP, Para 137, Children and Young People Committee, 22 September 2009

even when a long-term plan has been agreed asks whether a rehabilitation home is a possibility.”<sup>90</sup>

130. TACT explained that sometimes quite simple issues were not adequately considered that would better facilitate the engagement of children and families:

“Too often, we see that reviews are held in inappropriate settings. We think that the child ought to be the person to choose where the review is held, and often, that should be in the foster home. Too often, the review can become overly professionalised, so that too many adults are there, and it is difficult for children to make their voices heard.”<sup>91</sup>

131. Similarly, CSSIW noted that:

“Sometimes the issue is not so much about attendance of all of the participants, but more to do with the fact that there is too many of them in the room. Therefore, it is about trying to get some of these formal procedures right without them overwhelming the child and the young person so that their full involvement can be assured... Young people have often said that the best IROs and chairs of reviews start with a young person’s views, outcomes, and what they want. The least experienced IROs have a plan that they work to, and the child’s views is somewhere in that plan. So, there is something about the expertise, knowledge and ability of the IROs, but we generally found that IROs were highly respected individuals and were very skilled and experienced. On the further improvements that are needed, young people need to be given more choice in relation to the venue for reviews and to play a fuller part in the review process.”<sup>92</sup>

132. Young people themselves raised similar concerns with us. Several young people commented to us, at an informal meeting, that they were concerned their responses to consultation papers, asking them what they wanted and circulated prior to review meetings, were not read ahead of these meetings. Consequently, if a young person

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<sup>90</sup> RoP, Para 113, Children and Young People Committee, 20 October 2009

<sup>91</sup> RoP, Para 118, Children and Young People Committee, 20 October 2009

<sup>92</sup> RoP, Para 187-189, Children and Young People Committee, 20 October 2009

had indicated that they did not want a particular person present at the review meeting, their request would effectively be ignored. This could mean, for example, that they could sometimes be asked questions in front of both their birth and foster families, when they didn't want both present at a meeting.<sup>93</sup>

133. We believe that looked after children's involvement in placement meetings needs to be realistic, and that children and young people need to be allowed a measure of control over, for example, the venue and number of people who attend them. This might potentially include the involvement of non-professionals at such meetings, with the sons and daughters of foster carers group noting that "we would like to be included in discussions about the placements."<sup>94</sup> The Fostering Network presented us with an example of good practice in this regard, detailing that:

"We know from the independent reviewing officers' report that a fifth of children do not attend their own review, where a group of people discuss the way forward for them. Would you want to sit in a room with a dozen people talking about you? I would not. A very good system has been developed to support children to make the decision about who attends. They are helped to work through it if there are people whom they think should not be there, or to ensure that those people are only there for part of the meeting or something like that. They are helped through the whole process and they get to a point—dependent on age and capability—when they can chair their own reviews. I have not been able to find an example of that happening in Wales, but I think that that is a way forward that we should be looking at. There are so many benefits to it: you are looking at citizenship, people's participation, and allowing people to take control of their own destiny to a certain extent. I would commend that model as one that should be looked at and piloted in Wales."<sup>95</sup>

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<sup>93</sup> Note of informal meeting between Members of Children and Young People Committee and young people in, or with experiences of, the care system in Wales, 6 October 2009, page 1.

<sup>94</sup> RoP, Para 91, Children and Young People Committee, 8 December 2009

<sup>95</sup> RoP, Para 68, Children and Young People Committee, 22 September 2009

**15. We recommend that the Welsh Government produce guidance for Independent Reviewing Officers, detailing that the location of placement reviews should normally be determined by the child whose looked after placement is being reviewed, with appropriate support.**

**16. We recommend that the Welsh Government produce guidance for Independent Reviewing Officers, detailing that the attendees of placement reviews should normally be determined by the child whose looked after placement is being reviewed, with appropriate support.**

**17. We recommend that the Welsh Government produce guidance for Independent Reviewing Officers, detailing that children and young people's responses to consultation papers, circulated prior to review meetings, should be read with sufficient time ahead of meetings to influence the location of the review, and its attendees.**

**18. We recommend that the Welsh Government produce guidance for Independent Reviewing Officers, to ensure that consultation papers circulated to children and young people prior to their placement review are suitable to the individual circumstances of the child concerned.**

134. We have made additional recommendations, towards enabling the voice of a child to be better heard and supported throughout the placement process, in the following chapter.

## 4. Support for children and young people, foster carers and social workers

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### Listening to children and young people's voices in the placement process

*"I never had a say until I was 16 yrs old."*<sup>96</sup>

- Young person with experience of the looked after system in Wales.

135. The previous chapter indicated the need for better engagement with children and young people in placement reviews. In addition to this, the evidence of this inquiry also suggested that the involvement of children and young people, across the entire placement process, is still lacking in practice, despite specific guidance and structures being established to facilitate it. For example, the NSPCC CYMRU/WALES told us that:

"the system should be based on the right of the child to be cared for, to be supported and to achieve their goals. At the moment, the system is something that happens to some young people. They are put in care; they are not involved in either the placement or the mechanism, and their views are not coming across."<sup>97</sup>

136. Furthermore, children and young people themselves told us that they were unhappy with their involvement in the existing system: they did not feel listened to, included in review meetings, and did not always receive a proper explanation of what was happening.

137. For example, at an informal meeting, one young person told us that:

"she had no voice and or no choice in her placement. She commented that, when pregnant, she had been introduced to a carer, she had stated that she did not feel they got on, her

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<sup>96</sup> Note of informal meeting between Members of Children and Young People Committee and young people in, or with experiences of, the care system in Wales, 6 October 2009, page 1.

<sup>97</sup> RoP, Para 101, Children and Young People Committee, 29 November 2009

wishes were ignored and not taken into account, and she had to go on the placement anyway. She stated that the placement broke down, and the young person ended up homeless and was concerned about the implications of being homeless for herself and her child, and her homelessness being used to say she was unable to provide for her child. She considered that if her opinion that did not get on with the carer had been listened to in the first place, the situation of homelessness could have been avoided.”<sup>98</sup>

138. Witnesses emphasised to us that children and young people should be involved in decisions about their placements from the start of the process. They should be consulted, listened to, and be well informed. Many children and young people, especially on a first placement know very little about what is happening to them and about the options available to them, and it is therefore vital to explain these things to them. Children in Wales noted that:

“It is not just about ascertaining the wishes and feelings of the child; it is about ensuring that the child is clear about the information, understands the information and what is happening, and understands the future options open to them. Much of this will take time, particularly given that we are talking about different groups of children, including very young children and disabled children. Practitioners need the additional skills and capacities to spend time. With asylum-seeking children, a pool of interpreters will also be needed, so there are additional challenges.”<sup>99</sup>

139. We recognise that effective involvement of a child or young person in placement decisions is not always possible in emergencies, but, as noted in our first chapter, a review soon after the placement can be used to allow children and young people to express their views. We consider that the involvement of children and young people will fundamentally improve the effectiveness of the placement process itself, noting comments from the NSPCC CYMRU/WALES that

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<sup>98</sup> Note of informal meeting between Members of Children and Young People Committee and young people in, or with experiences of, the care system in Wales, 6 October 2009, page 1.

<sup>99</sup> RoP, Para 59, Children and Young People Committee, 7 July 2009



“if we involve children and young people, we will get a better understanding of their placements. Last Monday, some of the young people were saying that they wanted to be in residential care. They were much older and wanted to be prepared for independent living. They did not want someone acting as their mum or dad; they said quite clearly that they have a mum or dad. With residential care, staff were there to ensure that they were safe and they let them get on with it. That shows that no two young people are the same. We have to involve them, get it right and make it genuine. It is also about a cultural change within the service to make it genuine and to embed it.”<sup>100</sup>

140. Consequently, we welcomed the Deputy Minister’s comments that:

“we will be consulting early next year on legislating here in the Assembly in order to ensure that everyone working in the field of child welfare and the future of children is legally required to listen to their voices.”<sup>101</sup>

**19. We recommend that the Welsh Government continue its work towards producing legislation to ensure that everyone working in the field of child welfare, and the future of children, is legally required to listen to their voices.**

141. However, we are concerned that evidence from witnesses suggested that many policies and guidance are already in place to facilitate the involvement of children and young people, but that they are not effective being implemented. Children in Wales noted that it is already:

“imperative and clear in the policies and guidance—both the Children Act 2004 and the regulations that came out last year on the placement of children— that the participation and involvement of children have to be central to all these decisions. It is very clear. We go back again to the implementation gap in many years.”<sup>102</sup>

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<sup>100</sup> RoP, Para 144, Children and Young People Committee, 24 November 2009

<sup>101</sup> RoP, Para 130, Children and Young People Committee, 22 September 2009

<sup>102</sup> RoP, Para 58, Children and Young People Committee, 7 July 2009

142. We consider children and young people may be assisted to more effectively engage in decisions about their placement process by dispelling the belief reported by some witnesses that children and young people have to be able to present technical or complex rationale for the implementation of their wishes. Voices from Care commented that:

“There is this idea that young people have to have a really strong argument, when sometimes their argument is ‘I like these people’, or ‘I’m not happy; I want to move’, or ‘I can’t see my family as much as I want to’. Those kinds of reasons that young people might have are pushed aside a bit.”<sup>103</sup>

143. We believe that ignoring such concerns is unacceptable, because in reality, these issues, while seemingly simplistic, may be the only things that really matter to the young person themselves. We believe that professional advocacy can play a crucial role in ensuring that children and young people’s concerns are given appropriate weight in the placement decision making process. Children in Wales told us that:

“advocacy is crucial because many children who find themselves in such a situation have had difficult upbringings and difficult lives, and are extremely disempowered in the first place. So, recourse to advocacy is crucial. To have somebody there to support them, to ensure that they understand, and that their wishes and feelings are carried forward is vital.”<sup>104</sup>

144. We also consider that professional advocacy can develop children and young people’s ability to become more influential in the decision making process. Voices from Care told us that:

“Advocates may say, ‘Okay, you want A. You may not get A at this point; perhaps it might be better to ask for B and work towards A’. In the decision making, I tell young people, ‘This is not your only chance and it should not be your only chance’; it should be part of a process so that young people learn how to get involved.”<sup>105</sup>

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<sup>103</sup> RoP, Para 55, Children and Young People Committee, 6 October 2009

<sup>104</sup> RoP, Para 61, Children and Young People Committee, 7 July 2009

<sup>105</sup> RoP, Para 25, Children and Young People Committee, 20 October 2009

145. However evidence gathered in this inquiry indicated that advocacy needs to play a bigger part in the system. Witnesses suggested that advocacy is still not accepted everywhere as integral to the placement process, with advocates sometimes the last to hear about meetings. Voices from Care described that:

“There is still a lot of opposition to advocacy. As an advocate, you are usually the last person to know about a meeting, so the likelihood is that you will not be able to attend. There is a lot of uncertainty about the role of the advocate in supporting children and young people through the care process. Advocates are clear that they will do whatever the child or young person wants them to do, help them with whatever they want help with, and support them with whatever they need support with. I think that other people feel that there should be limits on that, when there should not be... When a foster carer has a review meeting, local authorities, along with an advocacy provider, could consider informing the advocate of that meeting beforehand so that they have time to listen to the views of the child or young person about their placement, to help them to complete the form. That would not be much extra work if the advocate was already working with the child or young person. Such a system could be quite useful to the advocate as a tool. For example, when they meet the young person, the purpose of the visit could be to seek that young person’s views on the foster placement.”<sup>106</sup>

**20. We recommend that the Welsh Government produce statutory guidance, detailing that when a placement review is scheduled, the child’s advocate is informed with sufficient time to: listen to the views of the child or young person about their placement; and assist them in completing responses to consultation papers.**

146. Witnesses suggested to us that advocacy services need to be more widely available, as does the independent visitor scheme, which is highly valued by children and young people who had access to it.

147. Our witnesses also emphasised that positive relationships between looked after children and professionals are a key factor in

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<sup>106</sup> RoP, Para 50 and 67, Children and Young People Committee, 6 October 2009

determining whether a voice of the child will be listened to effectively. We consider that professionals need the skills to effectively communicate with and listen to children and young people, and to have the time to commit to doing this. The British Association of Adoption and Fostering suggested that:

“It is more about the skills of practitioners, and I do not think that people are managing to spend that time with them... The statutory visiting interval for a child is six weeks, but if you are going to see a child who has had disruptive relationships in life, who has no reason to trust adults at all, and who has been through a system that he or she possibly does not understand, you will not manage to build a relationship with them by seeing them every six weeks. All the processes in the world are no replacement for someone who really gets to know them.”<sup>107</sup>

148. We have detailed in the sub-section below, 'Support for social workers,' how we believe they can be enabled more time to build up effective relationships with children and young people. By this we refer not solely to children and young people in Looked After placements, recognising that sons and daughters of foster carers, along with foster carers themselves, may also wish to have some involvement in discussions about foster placements.

### **Listening to children and young people's voices following their time in looked after placements**

149. A number of witnesses agreed that the placement process could potentially be improved through greater consideration of the experiences of children and young people who had been through the placement system. Children in Wales suggested that:

“It is quite hard for us in Children in Wales to say exactly how it is out there because who is talking to the young people to find out? Perhaps one thing that we could improve is exit interviews. Let us find out a bit more from young people about what it was like so that we can improve.”<sup>108</sup>

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<sup>107</sup> RoP, Para 48, Children and Young People Committee, 23 June 2009

<sup>108</sup> RoP, Para 55, Children and Young People Committee, 7 July 2009

150. Such exit interviews may help to identify systemic issues of concern in the system. One young person told us, for example, that because they had left a Looked After placement, and their former carer had taken on new placements:

“I can’t see my old foster carer, which is stupid because it’s not normal to break the bond that has developed between a young person and their Foster carer. I am lucky that one of my old foster carers still phones me up from time to time to see how I am and how I am doing, and we meet up for a cup of tea.”<sup>109</sup>

151. However, such exit interviews may also reveal positive information. The Fostering Network, for example, told us that, anecdotally, “most young people speak well of being in foster care.”<sup>110</sup>

152. Several witnesses were also concerned that insufficient attention was paid to supporting parents who had, themselves, been through the looked after system. TACT noted that:

“Statistically, we see that children from the looked-after system in Wales are 66 times more likely than their peers to have their children removed, and at an earlier age, and placed into the care system... We are not educating our children to look after their children. Often, that is because of the difficulties that they have had, and we must remember that more than 70 per cent of the children who come into the care system are there because of abuse and neglect.”<sup>111</sup>

153. Children in Wales suggested there could be a greater focus on collecting data around the successes of young people from looked after backgrounds, to assist in supporting other young people leaving the looked after system.

**21. We recommend that the Welsh Government produces statutory guidance to ensure that local authorities normally conduct separate exit interviews with young people leaving the looked**

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<sup>109</sup> Note of informal meeting between Members of the Children and Young People Committee, and young people in, or with experience of, the care system in Wales, 6 October 2009, page 3.

<sup>110</sup> RoP, Para 13, Children and Young People Committee, 22 September 2009

<sup>111</sup> RoP, Para 109 and 111, Children and Young People Committee, 20 October 2009

**after system in Wales; their foster carers; and their foster brothers and sisters.**

## **Support for foster carers**

154. As noted in chapter 1, many witnesses in this inquiry considered there to be too few foster carers in Wales, which inherently limited the options available to decision makers, when seeking to match a child's needs to possible placements. The evidence of this inquiry clearly suggested that there is a need both for more foster carers as a collective whole, and specialist carers for children and young people with specific needs.

**22. We recommend that the Welsh Government undertakes a major campaign to enable the recruitment of foster carers.**

155. However, witnesses concurred that effort had been made in the past to recruit potential foster carers through promotion campaigns, but suggested that there might be other means to make the profession more attractive. For example, Dr Carolyn Sampeys observed that:

“There have been all sorts of campaigns by voluntary organisations as well as local authorities, but we still seem to be desperately short of foster carers... Perhaps we could do so by increasing the profile and stating what a wonderful service it is. If we could engage with foster carers on the planning for the children in their care, it would increase the kudos of being a foster carer.”<sup>112</sup>

### ***Treating foster carers as professionals***

156. Indeed, a number of witnesses suggested that if foster carers were more considered part of the team around a child, and given greater authority and trust to make decisions, then more people would enter foster caring. There is a debate about the extent to which foster carers should be professionalised given the challenges of the work. The trend appears to be in this direction and many of our witnesses

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112 RoP, Para 208 and 210, Children and Young People Committee, 24 November 2009

applauded this. However, some cautioned that it is important not to lose sight of the fact that (especially in the case of long term carers) we expect foster carers to love their fostered children and young people and not to have a professional detachment. For example, Voices from Care expressed concern that:

“Young people like people who are homely, caring, fun, and all the things that professionals cannot be. They need to be recognised for their skills, but I do not think that we need to make them into the kind of professional who builds a barrier, comes in to do the job and who has no emotional connection.”<sup>113</sup>

157. Barnardo’s Cymru framed this debate by commenting first that:

“We are concerned that the demands on foster carers have increased, but often they are not viewed as part of the professional team by childcare social workers. They are excluded from receiving information. They are not seen as part of a team around the child, which would be an approach which would work far better.”<sup>114</sup>

158. But then explaining that in professionalising foster care:

“it is crucial that we do not frighten off a wedge of the population by overprofessionalising foster care—those with the intuitive skills, who need and want to look after young people. If you ask most people who come forward what their motivation is to be a foster carer, the sense that it is a passport into some form of career or training or whatever is going to be fairly low on their agenda. Their need to offer something back to children or young people and their view that they and their extended family can give support is generally the main motivating factor and, indeed, should be the main motivating factor. We need to get that balance right so that we do not scare off a whole wedge of the population.”<sup>115</sup>

159. Similarly, the WLGA commented that:

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<sup>113</sup> RoP, Para 34, Children and Young People Committee, 6 October 2009

<sup>114</sup> RoP, Para 122, Children and Young People Committee, 7 July 2009

<sup>115</sup> RoP, Para 124, Children and Young People Committee, 7 July 2009

“There is often a debate about whether they undertake their duties as a good, caring, loving family, or whether it is a professional role. Having looked at the evidence, I think that the complexity of the children placed requires professional skills—a skill base broader than that necessary for dealing with your own family circumstances. Fostering takes you into the complexities of care planning, health treatment, and therapeutic services, which are often required for children in the looked after children’s system.”<sup>116</sup>

160. We concur with these comments, and consider that ‘love’ and ‘professionalism’ should not be mutually exclusive concepts. We certainly do not wish foster carers to develop a ‘professional distance’ from children and young people in their care. Indeed, the Sons and Daughters of Foster Carers Group told us that:

“you feel as though they need that little bit extra to come into our family, for us to say, ‘We accept you’. They need more love and support from our parents at the start, but once they get more confident in our family and start to speak to everyone, things get back to normal.”<sup>117</sup>

161. Rather, we consider that just as we should expect foster carers to build up- particularly in long term placements- bonds of love with their children, it is absolutely right that they should be empowered, respected and trained as professionals to ensure their children get the support they need. Consequently, we recommended, earlier in this report, that the Welsh Government should take steps to ensure that foster carers are perceived to be professionals in the child care workforce.

### ***Day-to-day roles and responsibilities of foster carers***

162. As a consequence of considering foster carers to be professionals, we consider it appropriate that foster carers should normally have the responsibility and authority to take appropriate decisions for children and young people in their care. We are also conscious that individual circumstances will require decision making

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<sup>116</sup> RoP, Para 20, Children and Young People Committee, 20 October 2009

<sup>117</sup> RoP, Para 164, Children and Young People Committee, 8 December 2009



over the appropriate balance of responsibilities and authority (between foster carers and social workers) to be made on a case-by-case basis. We concur with comments from Voices from Care that:

“Carers need to know what decisions they can make, but that needs to be on an individual basis, because you get some young people who are very established with their foster carers and get on well with them and trust them. In that situation, they would probably feel that their foster carers would make the right decisions. However, you get other young people who do not connect with their foster carers, and their social worker is a safety net for them because they are sharing the decision making and the information. We do not see that it should be the same for everyone.”<sup>118</sup>

163. Nevertheless, there appears to be significantly variable practice across Wales over the responsibilities that local authorities are prepared to delegate to foster carers. Action for Children told us that:

“The Welsh Assembly Government issues advice to local authorities about children being able to stay overnight with friends. Some authorities will happily work with that, but other authorities do not have that system and you must go back to get permission for every thing. Again, it is about personalities, personnel and individuals—it is about people rather than systems... The guidance is clear that foster carers can and should be able to make those decisions, but some local authorities choose not to interpret it in that way.”<sup>119</sup>

164. We are concerned by these comments, as there was universal agreement amongst witnesses that foster carers should normally have the authority to make normal parenting decisions- to determine whether a child could stay at a friend’s house overnight, or go on a school trip for example. One young person indicated to us, in an informal meeting that she had found it extremely embarrassing for her to need to have friends police checked before she could stay at their houses. We consider this to be clearly unacceptable and stigmatising,

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<sup>118</sup> RoP, Para 33, Children and Young People Committee, 6 October 2009

<sup>119</sup> RoP, Para 167 and 169, Children and Young People Committee, 23 June 2009

with one of our Members, Angela Burns AM commenting that “you must feel like you have a neon light over you, flashing ‘IN CARE.’”<sup>120</sup>

165. We are conscious that the Welsh Government has previously issued statutory guidance on overnight stays for children and young people in foster care: *Guidance on the Delegation of Decisions on ‘Overnight Stays’ for Looked After Children*. The guidance is statutory and was issued as a circular under section 7 of the *Local Authority Social Services Act 1970*, which requires local authorities to act under the general guidance of the Welsh Government (Welsh Ministers since the *Government of Wales 2006*). The summary of the contents of the circular stated that:

“2. There is no statutory duty for Criminal Record Bureau (CRB) checks to be carried out on adults in a private household where a looked after child may stay overnight. CRB checks should not normally be sought as a precondition of an overnight stay.

3. Decisions on overnight stays should in most circumstances be delegated to foster parents and residential care staff, and arrangements for such decisions written into the Placement Plan or Foster Placement Agreement.

4. Looked after children should as far as possible be granted the same permissions to take part in such acceptable age appropriate peer activities as would reasonably be granted by the parents of their peers.

5. Only where there are exceptional reasons should the permission of the responsible authority be required or restrictions placed on overnight stays.”

166. We believe that local authorities may, however, in some instances, not have interpreted this guidance in the manner originally intended.

**23. We recommend that the Welsh Government writes to local authorities in Wales to clarify and amend where necessary existing guidance on the authority of foster carers to take day-to-day**

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<sup>120</sup> Note of informal meeting between Members of Children and Young People Committee, and young people in, or with experience of, care system in Wales, 6 October 2009, page 2.

**parenting decisions, including in relation to overnight stays and school trips.**

***Revisiting written agreements of day-to-day roles and responsibilities***

167. We were also concerned by a perception among some of the young people we met during our informal meetings that on occasion a new social workers would disrupt a foster carer's authority and responsibilities in order to "make their mark."<sup>121</sup>

168. However, we do recognise there to be value in revisiting written agreements on the day to day roles and responsibilities of foster carers and social workers. Such agreements are normally prepared when a placement is first made, but, as Barnardo's Cymru explained:

"although they outline everybody's responsibilities, part of the issue is about whether those responsibilities are revisited throughout the placement. Regulations and guidance are much clearer now on what should be in placement agreements, what we need to be looking at, the role and responsibility of the child's social worker, the foster carer's supervising social worker and the foster carer. From my experience, it seems that as placements move along, supervising social workers for the foster carers have to challenge local authority childcare workers who may change a number of times. There may be something about ensuring that foster care agreements are revisited. This is particularly an issue with longer term placements because as placements go on, the child just wants to become a normal part of that family and they do not want to experience some of the interventions in relation to them being the looked-after child. So, foster carers move along and carry out day-to-day care, and social workers change. Revisiting foster care agreements on an annual basis is something that we look at in Barnardo's. When we review foster carers annually, we talk to them again about

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<sup>121</sup> Note of informal meeting between Members of Children and Young People Committee, and young people in, or with experience of, care system in Wales, 6 October 2009, page 2.

their roles and responsibilities because carers need to be reminded of that.”<sup>122</sup>

**24. We recommend that the Welsh Government produces guidance to local authorities to ensure that foster care agreements are reviewed on an annual basis.**

### ***Remuneration***

169. Witnesses also suggested that remuneration of foster carers could be improved. In this context, we welcomed comments from the Deputy Minister for Social Services that the Welsh Government would:

“consult with local and other stakeholders on the phased implementation of... a new framework for remuneration, training and approval of foster carers.”<sup>123</sup>

170. In particular, witnesses concurred that if a bank of foster carer vacancies was to be built up, so that decision makers could make effective choices when placing a child, then some form of retainer fee for foster carers without a placement would need to be introduced. Children in Wales suggested that under existing remuneration arrangements, carers without a placement for a period of time would:

“become disillusioned and may well seek alternatives such as going back into employment.”<sup>124</sup>

171. Similarly, the British Association for Adoption and Fostering told us that:

“if people do that and are paid a fee, which is reasonable given the work that they do, it becomes difficult for them to have a vacancy.”<sup>125</sup>

172. Clearly, we would not wish foster carers to be involved in the profession purely for money. However, as the Fostering Network noted to us:

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<sup>122</sup> RoP, Para 134-135, Children and Young People Committee, 7 July 2009

<sup>123</sup> Written Evidence: Welsh Government, CYP(3)-12-09 - Paper 2 – 22 September 2009.

<sup>124</sup> Written Evidence: Written Submission from Children in Wales.

<sup>125</sup> RoP, Para 26, Children and Young People Committee, 23 June 2009

“There is no evidence that the people who are doing it partly because they need to bring in some income to their families are less loving or are providing a lower quality of care. In fact, some of the evidence suggests that the reverse may be true... The available evidence is that people do not foster for the money. They should not foster for the money, and we do not want them to foster for the money, but people do need to bring in an income, so providing an income is a challenge.”<sup>126</sup>

**25. We recommend that the Welsh Government produces guidance to local authorities to enable a level of remuneration to trained foster carers who are temporarily without foster placements.**

### *Support and Training*

173. However, we also noted evidence that good training and support can be even more critical to retaining and recruiting foster carers than financial reward. For example, Barnardo’s Cymru told us that:

“financial remuneration is important, but the ultimate issue is that, when somebody picks up a telephone and wants advice or support, they have a consistent relationship with a worker and can talk through those difficult issues that Pat alluded to with young people. That is going to be one of the main issues that will bring people back into the profession.”<sup>127</sup>

174. Similarly, the Fostering Network suggested that:

“Some of the surveys that have been undertaken into those that are fee-paying show foster carers clearly saying that they would not want to be paid more if it meant that they were less well trained or less well supported.”<sup>128</sup>

175. We therefore welcomed comments from the Welsh Government that:

“we are working with the Care Council for Wales. Core training is available locally, but we are currently working on a national

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<sup>126</sup> RoP, Para 29-30, Children and Young People Committee, 22 September 2009

<sup>127</sup> RoP, Para 126, Children and Young People Committee, 7 July 2009

<sup>128</sup> RoP, Para 30, Children and Young People Committee, 22 September 2009

package. I mentioned earlier the new framework that we are developing on how we can reward different groups of people and encourage them to become foster carers, from the family and friends level to the more professional foster carer level.”<sup>129</sup>

176. We also noted a suggestion from Barnardo’s Cymru that:

“access to advice and support should be available to foster carers, residential workers and children and young people themselves. Such timely provision could prevent an escalation of crisis situations which can result in placement breakdown. Foster carers tell us that if they had access to such advice and support, it could have more impact on whether they continue with both individual placements or generally as a carer, than the financial remuneration.”<sup>130</sup>

177. We are aware that the Fostering Network currently provides a day-time foster care advice line, accessible by phone and e-mail, which is funded by the Welsh Government. However, we consider that this valuable service could be further developed to include a text service, and to be accessible outside day-time hours.

**26. We recommend that the Welsh Government should involve foster care organisations, foster carers and foster children in developing and expanding the provision and accessibility of a foster care advice line, including phone, e-mail and text services for foster carers.**

## **Support for social workers**

*“where it does work well and where you have a good social worker, foster carers are telling us that the relationship is fantastic and the young people tell us that, but that does not happen all the time.”<sup>131</sup>*

- Children in Wales

178. The terms of reference of our inquiry did not originally consider specific support for social workers. However, we received a

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<sup>129</sup> RoP, Para 154, Children and Young People Committee, 22 September 2009

<sup>130</sup> Written Evidence: Written Submission from Barnardo’s Cymru.

<sup>131</sup> RoP, Para 51, Children and Young People Committee, 7 July 2009

considerable body of evidence from witnesses indicating that social work capacity is having an impact on the effectiveness of the placement process. In our first chapter, we noted that limited time being spent with children and young people being placed into Looked After placements made it difficult for effective relationships to be built up, or for social workers to make accurate assessments of their needs. Taith Newydd Fostering, told us that:

“Young people say, ‘What is the point of developing a relationship with my social worker, they will not be there next month, or next year?’ So, the relationship, which is what social work is built on, has broken down.”<sup>132</sup>

179. The evidence of this inquiry suggested that social work departments are under-resourced, with staff having high case loads, and too little time. We were also told that there are high vacancy rates,<sup>133</sup> a high level of staff turnover and, as a consequence, high levels of inexperienced staff. The British Association of Adoption and Fostering told us that:

“There is a high vacancy rate in front-line social work teams. However, there is also a culture of turnover, which means that there is no stability within teams. That is different from 10 years ago in social work, when, in a sense, people came into a team, and were mentored and supported by experienced workers. There is reluctance among social workers to go into frontline childcare now for obvious reasons. It is not the best and easiest place to be and it does not get the best press.”<sup>134</sup>

180. Similarly, Children in Wales told us that many social workers in Wales:

“are extremely frustrated by the lack of time and capacity to do their job properly and effectively and to spend quality time with children and families, which is the reason why they went into

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<sup>132</sup> RoP, Para 131, Children and Young People Committee, 23 June 2009

<sup>133</sup> The Deputy Minister told us that “ADSS and Care Council for Wales piloted a project with local authorities to collect data on the demand from employers for newly qualified social workers. The results were tentative but indicated a vacancy rate amongst child care social workers of 11.9%.” Written Evidence: Submission from the Deputy Minister for Social Services.

<sup>134</sup> RoP, Para 13, Children and Young People Committee, 23 June 2009

the profession in the first place. Finally, on top of that, the media at the moment is very negative about the service, so it does not seem to be an attractive profession for people to want to go into.”<sup>135</sup>

181. Indeed, we are conscious that media coverage of high profile cases, such as Baby P, can have a huge impact on the morale of social workers throughout the UK, and can lead to them feeling undervalued for the work that they do in our society. We consider this to be a key issue which the Welsh Government can assist in address. We are also conscious that, as noted by CSSIW:

“Any measure that raises the esteem of the people who work with those children will also indirectly benefit the children and young people concerned.”<sup>136</sup>

**27. We recommend that the Welsh Government look at ways of challenging media representations and public perceptions of social workers, so that they provide an environment where there is a positive focus on the achievements and contributions made by social workers.**

182. The evidence of this inquiry also indicated a perception that experienced staff move too quickly into management posts, where their skills are lost, and that social workers spend too much time on administration, and too little in direct contact with looked after Children, particularly since the role has become one of case management. The NSPCC Cymru/Wales told us that:

“The role of the social worker has changed dramatically over the years. They are now case managers rather than working directly with children and families. Therefore, much of the work that they would have done is now put out or outsourced. That means that social workers are no longer spending the time directly with children. So, they do not understand or hear what children say and the role of the social worker is to work more with the family to try to resolve the issues that have led to the child going into care; perhaps the child is then left and their

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<sup>135</sup> RoP, Para 31, Children and Young People Committee, 7 July 2009

<sup>136</sup> RoP, Para 177, Children and Young People Committee, 20 October 2009



needs are not concentrated on. So, those things that are aspirational and that we would expect the social worker to support and drive forwards for the child are not happening in the way that they used to.”<sup>137</sup>

183. Witnesses suggested to us that social workers need to re-focus on their core functions of working with looked after children and developing skills and experience necessary. This should be recognised with, for example, opportunities for promotion to consultant practitioner status to ensure such skills and experience are not lost to frontline services. The high turnover of social workers prevents the formation of good, stable relationships with looked after children. Jenny McMillan, Director of the British Association of Adoption and Fostering Cymru, told us that:

“This is a personal opinion and not that of the British Association for Adoption and Fostering, but there has to be recognition of expertise, so that people stay within a role and do not move through the management structure. To move through or progress your career in social work, people have always had to move through a management structure, but we need to recognise that we need very skilled practitioners on the front line. Senior practitioners exist in many local authorities but, very often, you will find that they are still doing a quasi-managerial role, and still doing some supervision, although that is appropriate as regards mentoring and that sort of role. However, people move through management structures or into other parts of the department. We need to see the role with looked-after children as absolutely vital and encourage practitioners to remain in it... I think that a consultant social work role would be excellent as it would keep people who have a passion for the work in the field, and they would share their passion with colleagues.”<sup>138</sup>

184. Similarly, TACT Cymru told us that:

“Increasingly, we see good social workers moving through management systems and being taken away from the very

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<sup>137</sup> RoP, Para 122, Children and Young People Committee, 24 November 2009

<sup>138</sup> RoP, Para 73, Children and Young People Committee, 23 June 2009

thing that they are good at, namely supporting families and young people. We would much rather see a move similar to that taken in the health service, namely a move towards having consultants. A consultant can be promoted and can take on managerial responsibility but, at the same time, he or she becomes an expert in the field and continues to be a clinician. So, we would like to see a system in which social workers come to be seen much more as consultants, and a career structure developed that would allow people to develop their ideas and remain committed to practice.”<sup>139</sup>

185. We therefore welcomed the Deputy Minister’s written evidence that:

“The ‘Council’ will shortly consult on a career pathway for social workers to provide a route for social workers to gain advancement and remain in practice by introducing a new role of consultant social work practitioner. This will be available to people with specified levels of experience who have completed the accredited Post Qualifying social work training. The role will be tested as part of our new policy for Integrated Family Support Teams (IFST), to be pioneered in three areas of Wales from next year.”

**28. We recommend that the Welsh Government to continue to engage in dialogue with the Care Council for Wales and local authorities, towards creating and trialling, a Social Work Consultant role. We anticipate such a role would be appropriately remunerated and respected, would include mentoring junior colleagues, but with its main focus being professional work with children and young people.**

186. We are also concerned by comments from witnesses that the bureaucratic burden on social workers also limited their time actually spent with children and young people. For example, the WLGA told us that:

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<sup>139</sup> RoP, Para 127, Children and Young People Committee, 20 October 2009

“The WLGA has had early discussions with the Welsh Assembly Government about a review of the independent care system because everyone welcomes the philosophy, but, in practice, it is turning out to be incredibly bureaucratic. People tell me that if they do it properly, they can have in excess of 25 forms, with different exemplars. Social workers are skilled and expensive resources; they should not be spending their time filling in all of these forms at a computer—if they can get to one that works. There is a need for balance, because we do not want to go back to the days when we did not record and could not provide evidence, but we have gone too far the other way now and we would therefore welcome some recommendations on looking at connectivity and the balance of recording against front-line care and support, and being with the child.”<sup>140</sup>

187. Similarly, the British Association for Adoption and Fostering told us that:

“Social workers increasingly seem to spend their time at computers, filling in forms, or doing paperwork, and less time with the children.”<sup>141</sup>

**29. We recommend that the Welsh Government conducts a review of the looked after system, with a view to establishing whether certain forms of information can be entered and recorded by administrative colleagues, rather than social workers themselves.**

188. We also consider there to be value in emphasising the value of social workers building up relationships not only with children in looked after placements, and foster parents, but also the wider families of foster parents.

**30. We recommend that the Welsh Government engage with local authorities to ensure that as part of social workers' training they have the opportunity to speak with sons and daughters of foster carers' groups.**

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<sup>140</sup> RoP, Para 53, Children and Young People Committee, 20 October 2009

<sup>141</sup> RoP, Para 48, Children and Young People Committee, 23 June 2009

## 5. Other issues resulting from the placement of children and young people into looked after placements

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### Health services for looked after children

189. Given the poor health profiles of looked after children, witnesses emphasised the importance of a specialist health service for such children and young people. Specialist nurses working in such services have health promotion and advocacy functions and can provide a stable professional figure in the lives of some looked after children. For example, Dr Heather Payne told us that looked after children:

“are considerably worse off in practically all measures of health outcomes: access to healthcare, the outcomes relating to their general health, and their educational wellbeing. Mental and physical health will have an impact on educational success and attainment. We know that care leavers are much more deprived than other children, and much more likely to have a teenage pregnancy, to be unemployed, and to be imprisoned. So, there is a range of measures that tell us that looked-after children, on the whole, do far worse than other children... The nurses negotiate a time and a place where the young person will be comfortable, so it plugs them back into the system. It is personal advocacy. It is about the children understanding that they are worth it and helping them to understand how to ask for and how to access services. That is a life skill that is very important for them. It is about the importance of replacing their lack of parenting. I know that that point about corporate parenting has been taken on board, very widely— namely that we have to be in the place of parents—but this is at the sharp end, and you really have to put your money where your mouth is and make sure that you are standing up for these children.”<sup>142</sup>

190. Similarly, Dr Carolyn Sampeys told us that:

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<sup>142</sup> RoP, Para 11 and 18, Children and Young People Committee, 6 June 2009

“The fantastic thing about the nurses is that they are flexible and they give the children what they want. They empower the children and young people to access health services, whether that is registering with a GP or changing their GP, if they are not happy, registering with a dentist, accessing the optician or going to the family planning clinic or the genito-urinary medicine clinic. They will take them there if they wish, but the ultimate aim will be for them to be able to access those services when they leave care. The other part of the nurses’ role is to provide help, support and advice to the foster carers and the social workers. The health promotion element can come from all angles, not just from direct work with the child or the young person.”<sup>143</sup>

191. Other witnesses also identified that looked after children’s nurses could assist in information sharing, with the Fostering Network commenting that:

“When the looked-after children’s nurse undertakes the health assessments, all the foster carers know the nurse for that authority and, if someone changes places, they ring the nurse to say, ‘Johnny Bloggs has come to stay with me and I do not have any health information for him’, and it gets transferred quickly. That does not happen everywhere.”<sup>144</sup>

192. However, such specialist services are not available across all of Wales and there is variation in healthcare services for looked after children due to disputes and uncertainty around secure funding. The evidence indicates that specialist services for looked after children need to be more widely available and that an identified medical lead is needed in each area. Dr Heather Payne suggested that:

“Every Trust/LHB in Wales should have a named Doctor for Looked After Children with the BAAF/RCPCH recommended protected time to offer the necessary clinical consultation AND manage the infrastructure of information systems, processes

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<sup>143</sup> RoP, Para 153, Children and Young People Committee, 24 November 2009

<sup>144</sup> RoP, Para 17, Children and Young People Committee, 22 September 2009

and protocols and interagency liaison, audit and monitoring. The current NPHS role provides no clinical input at all.”<sup>145</sup>

**31. We recommend that the Welsh Government produces guidance, establishing that every NHS Trust and Local Health Board in Wales should have a named Doctor for Looked After Children with the British Association for Adoption and Fostering (BAAF)/ Royal College of Paediatrics and Child Health (RCPCH) recommended protected time to offer the necessary clinical consultation and manage the infrastructure of information systems, processes and protocols and interagency liaison, audit and monitoring.**

**32. We recommend that the Welsh Government produces guidance, establishing that every NHS Trust and Local Health Board in Wales should have specialist nurses for looked after children.**

## **Out of county placements**

193. We heard clear evidence from witnesses that out of county placements are frequently problematic for looked after children, potentially meaning that they lose contact with social networks and have a disrupted education. The frequency of visits by social workers and advocates can also be affected, and provision of healthcare can be more problematic. Health provision should be the responsibility of the area in which the child is placed but the evidence of this inquiry suggests that communication between placing authorities and services in the receiving area is often poor, and that funding for specialist LAC services can be problematic. For example, Dr Heather Payne told us that:

“When children from Caerphilly, for example, are placed in Pembrokeshire—and there might be perfectly good reasons for that—they will go from my area’s waiting list for speech therapy and occupational therapy to the bottom of the new area’s waiting list. There is no mechanism to stop that, because that is how the system works. If they need psychiatric or psychological input, then it may be that children and adult

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<sup>145</sup> Written Evidence: Submission from Dr Heather Payne: Inquiry into the Placement of Children into care in Wales.

mental health services are configured differently in the new location, so the service that they were getting may not be handed over. There is no obligation to liaise with service providers in the new location, and that work would not be funded from my job plan. Often, I do not even know that a client has moved, because there is not necessarily any consultation in planning the healthcare. So, there is a certain disconnect there as well... My solution to that particular issue would be to say that, wherever a child lives, that is where their health services should come from. That would be the easiest solution. We would have to be careful that some areas were not taking a hit from having children placed there and left without any planning or preparation. There would have to be some financial exchange, but if the accountability was fair and square, we could hand it all over to a nominated person who could ensure that the child gets the right services.”<sup>146</sup>

194. Similarly, the British Association for Adoption and Fostering commented that:

“Distance is significant if children are placed out of area. We talked about the difficulty in seeing children, and that becomes more of a challenge. For the child or young person, as I said, if it is an exceptional placement, and will meet their specific, identified needs, then there is some value in an out-of-area placement; but otherwise, you are taking the child or young person away from their family, community, environment, and everything that is familiar to them. We know that children in the looked-after system are likely to return to their family of origin at some point. When you look at the leaving-care population you start to see particular challenges for children who have been placed some distance away, because those children have lost any kind of infrastructure that they had, and that becomes a real problem.”<sup>147</sup>

195. Children in Wales also commented that such issues became only further exacerbated for children and young people placed out of Wales:

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<sup>146</sup> RoP, Para 71 and 73, Children and Young People Committee, 6 June 2009

<sup>147</sup> RoP, Para 83, Children and Young People Committee, 23 June 2009

“Health systems do not necessarily work across boundaries very well. If you go over the border into England, it is even harder. The frequency of visits and the education of the young person suffers. Links with home and community, friends and school are all broken. So, the child is actually in isolation. What we do know is that we have seen a large number—almost a half—of young people who have gone through the looked-after system gravitating back to their original environment once they leave care. So, it is really a dislocation for those young people. We are very supportive of moves to try to look at keeping young people as close to their families and communities as possible... When an advocate has to go all the way to Scotland, as I saw in a case not long ago, to try to engage with a child, I really do not need to elaborate on the challenges to that worker, and on the impact on that child of being placed miles away from their birth parents, their network, their friends. That has an impact on their health, education and emotional wellbeing.”<sup>148</sup>

196. Disagreements can arise around responsibility for some other services: for example we heard evidence of a dispute over the funding of adaptations in the (receiving area) home of an out of county looked after children. We received written evidence stating that the receiving authority makes the ultimate decision around the education of a looked after children, and that foster carers, who often feel disempowered by the system, should have more authority over educational matters. We also received evidence suggesting that there are significant numbers of children and young people from England being placed in Wales, placing a burden on local services.

197. The number of out of county placements has increased as a proportion of total placements from 8 per cent at 31 March 1998 to 29 percent at 31 March 2009. However, evidence from the partnership operating the CCSR stated that the database is starting to help reduce the number of out of county placements. Beverlea Frowen told us that:

“there is a myth that a lot of Welsh children are being placed at excessively long distances—that is not true. However, there is, between systems, the ability for us to have a look at that. That is certainly part of the management of information that the

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<sup>148</sup> RoP, Para 78 and 80, Children and Young People Committee, 7 July 2009



Welsh Assembly Government is very interested in looking at, because it has never had this information either—even something as basic as this report and the map of where provision was across Wales. I know that everything always leads to another question, does it not? However, when you think how basic the system was a couple of years ago, when people could not even tell you that there were 3,800 care settings in Wales, and yet we are spending £140 million a year on just under 4,000 children.”<sup>149</sup>

198. However, this evidence was apparently contradicted by that of Dr Carolyn Sampeys who asserted that:

“According to the data released on 31 March 2009 from the Office for National Statistics—and the Welsh Assembly Government logo features on the bottom, so it must be right... The number of looked-after children on the exact day of 31 March 2009 was 4,704. In foster placements outside local authority boundaries, there were 1,041 looked-after children... I am not sure whether things have improved since 31 March 2009. I know that there is a will to stop children from going out of county... I know that locally, in Cardiff and the Vale, fewer children are going out of county and the authorities are thinking very hard about those children that need to go out of county.”<sup>150</sup>

199. We consider that over 1000 looked after children being placed out of county would appear to represent 'a lot' of children and young people being placed a long distance from their home. We are conscious that some of these placements could have been made just over a county's border, and therefore might not be considered to be an excessive distance from a child's home. We also recognise that a small percentage of looked after children will always need to be placed out of county, both to meet their needs with particular services, and potentially to deliberately place them away from particular individuals.

200. Nevertheless, we are concerned that further effort should be focused on reducing out of county placements, and we believe that by

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<sup>149</sup> RoP, Para 84, Children and Young People Committee, 24 November 2009

<sup>150</sup> RoP, Para 175, Children and Young People Committee, 24 November 2009

implementing the recommendations in this report, local capacity can be increased, contributing to a reduction in out of county placements.

**33. We recommend that the Welsh Government engages with local authorities to ensure that there are effective, auditable mechanisms and clear lines of accountability for the transfer of care, including health care, when a child is placed out of county, and across any internal service boundaries.**

## **Witnesses**

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The following witnesses provided oral evidence to the Committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed in full at <http://www.assemblywales.org/bus-home/bus-committees/bus-committees-other-committees/bus-committees-third-cyp-home.htm>

### **9 June 2009**

Dr Heather Payne,  
Associate Dean

University of Cardiff

### **23 June 2009**

Jenny Macmillan,  
Director

Association for Adoption & Fostering Cymru

Julie Gillbanks,  
Assistant Director

Action for Children Cymru

Stacey Burnett,  
Project Manager

Taith Newydd Fostering

Anne Roberts  
Project Manager

Denbighshire Residential Services

### **7 July 2009**

Catriona Williams,  
Chief Executive

Children in Wales

Sean O'Neill,  
Policy Director

Children in Wales

Anne Marie Browning,  
Children's Services  
Manager

Barnardo's

David Beard,  
Assistant Director  
Children's Services

Barnardo's

Pat Duke,  
Assistant Director  
Children's Services

Barnardo's

### **22 September 2009**

Freda Lewis,  
Director (Wales)

Wales Fostering Network

Wales Fostering Network

Robert Tapsfield,  
Chief Executive

Gwenda Thomas,  
Deputy Minister for  
Health and Social  
Services

Welsh Government

Donna Davies,  
Head of the  
Vulnerable Children  
Team Health & Social  
Services

Welsh Government

### **6 October 2009**

Carol Floris,  
Support and Advice  
Officer

Voices from Care

Matthew Taylor Senior  
Training Officer

Voices from Care

## **20 October 2009**

Beverlea Frowen,  
Director of Health  
Improvement and  
Social Services

Welsh Local Government Association

Albert Heaney,  
strategic lead for  
Children

Association of Directors of Social Services

Kevin Williams,  
Chief Executive

The Adolescent and Children's Trust

Dot Jones,  
Director of Children's  
Services, Wales

The Adolescent and Children's Trust

Bryan Isaac,  
Inspector

Care and Social Services Inspectorate Wales

Katy Young,  
Head of Service  
Analysis and  
Improvement

Care and Social Services Inspectorate Wales

## **24 November 2009**

Beverlea Frowen,  
Director of Social  
Services and Health  
Improvement

Welsh Local Government

Andrew Stephens,  
Director of the Local  
Government Data Unit

Children Commissioning Support Resource  
(CCSR)

Phillip Franklin,  
Head of ICT

Children Commissioning Support Resource  
(CCSR)

Colette Limbrick,  
Assistant Director

NSPCC

Simon Jones, Policy  
and Public Affairs  
Manager for Wales

NSPCC

Dr Carolyn Sampeys,  
Community  
Paediatrician/ Named  
Doctor for Adoption,  
Fostering and Looked  
after children, Cardiff  
and Vale University  
Health Board

British Association for Adoption and Fostering

**8 December 2009**

Karen Williams,  
Fostering Network  
Group

Sons and Daughters of Foster Carer Groups –  
Fostering Network Wales

Sean Edmunds,

Fostering Network  
Social Worker

Alanna Jones Young  
Person

Sophie Hunt Young  
Person

Annie Hunt Young  
Person

Nicole Davies Young  
Person

Lauren Jones Young  
Person

## List of written evidence

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The following people and organisations provided written evidence to the Committee. All written evidence can be viewed in full at <http://www.assemblywales.org/bus-home/bus-committees/bus-committees-other-committees/bus-committees-third-cyp-home.htm>

Ruth Sinfield	Children's Services Blaenau - Gwent	CYP(3) PCC 01
David Beard and Ann-Marie Browning,	Barnardo's Cymru	CYP(3) PCC 02
Keith Towler	Children's Commissioner in Wales	CYP(3) PCC 03
	Conwy County Borough Council	CYP(3) PCC 04
Jessica Jones	Cardiff Foster Care Co- operative	CYP(3) PCC 05
Christine Abbas	Foster Carer	CYP(3) PCC 06
Anna Bird	Pembrokeshire Local Heath Board	CYP(3) PCC 07
Wendy Keidan	Pathway Care	CYP(3) PCC 08
Louis Thomas	Association of Child Psychotherapists' Regional Group for Wales	CYP(3) PCC 09
Sharon Lovell	National Youth Advocacy Service	CYP(3) PCC 10
Cerys Morling	Rhondda Cynon Taff	CYP(3) PCC 11
Gwenda Thomas, Minister of health and Social Services	Welsh Government	CYP(3) PCC 12
	Foster Care Associates	CYP(3) PCC 13
Freda Lewis	Fostering Network Wales	CYP(3) PCC 14
Nia Lloyd	NSPCC	CYP(3) PCC 15

Carol Floris	Voices from care	CYP(3) PCC 15
Jeremy Coleman	Wales Audit Office	CYP(3) PCC 17
Keith Bowen	Disabled Children Matter Wales	CYP(3) PCC 18
Trudy Davies	Bridgend Local Health Board	CYP(3) PCC 19
Dot Jones	The Adolescent and Children's Trust	CYP(3) PCC 20
Beverlea Frowen	Welsh Local Government Association & Association of Directors of Social Services & Association of Directors of Education Wales	CYP(3) PCC 21
Katy Young	Care and Social Services Inspectorate Wales	CYP(3) PCC 22
	Guidelines for the alternative care of children June 2009	CYP(3) AWE 01
Gwenda Thomas, Minister of health and Social Services	Welsh Government	CYP(3) AWE 02 CYP(3) AWE 2a CYP(3) AWE 2b CYP(3) AWE 2C CYP(3) AWE 04
Members Research Service		CYP(3) AWE 03
Freda Lewis	Fostering Network Wales	CYP(3) AWE 05 CYP(3) AWE 05a
Katy Young	Care and Social Services Inspectorate Wales	CYP(3) AWE 06