



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Plant a Phobl Ifanc
The Children and Young People Committee**

**Dydd Mawrth, 23 Mehefin 2009
Tuesday, 23 June 2009**

Cynnwys
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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Eleanor Burnham	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Angela Burns	Ceidwadwyr Cymreig Welsh Conservatives
Christine Chapman	Llafur Labour
Helen Mary Jones	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Lynne Neagle	Llafur Labour

Eraill yn bresennol
Others in attendance

Stacey Burnett	Rheolwr Prosiect, Prosiect Maethu Taith Newydd Project Manager, Taith Newydd Fostering
Sarah Coldrick	Cynghorydd Cyfreithiol, Cymdeithas Mabwysiadu a Maethu Prydain yng Nghymru Legal Adviser, British Association for Adoption and Fostering Cymru
Julie Gillbanks	Cyfarwyddwr Cynorthwyol, Gweithredu dros Blant Cymru Assistant Director, Action for Children Cymru
Jenny McMillan	Cyfarwyddwr, Cymdeithas Mabwysiadu a Maethu Prydain yng Nghymru Director, British Association for Adoption and Fostering Cymru
Anne Roberts	Rheolwr Prosiect, Gwasanaethau Preswyl Sir Ddinbych Project Manager, Denbighshire Residential Services

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Steve Boyce	Gwasanaeth Ymchwil yr Aelodau Members' Research Service
Tom Jackson	Clerc Clerk
Rita Phillips	Dirprwy Glerc Deputy Clerk
Helen Roberts	Cynghorydd Cyfreithiol Legal Adviser

Dechreuodd y cyfarfod am 9.31 a.m.
The meeting began at 9.31 a.m.

Cyflwyniad ac Ymddiheuriadau
Introduction and Apologies

[1] **Helen Mary Jones:** Croesawaf bawb i'r cyfarfod hwn o Bwyllgor Plant a Phobl Ifanc y Cynulliad Cenedlaethol. Hoffwn atgoffa pawb bod y Gymraeg a'r Saesneg yn **Helen Mary Jones:** I welcome everyone to this meeting of the National Assembly's Children and Young People Committee. I remind everyone that English and Welsh are

cael eu defnyddio gan y pwyllgor; mae offer cyfieithu ar gael i sicrhau bod pawb yn gallu deall, a gellir defnyddio'r offer hwnnw hefyd i chwyddo'r sain. Gofynnaf i bawb ddiffodd eu ffonau symudol, 'mwyar duon', ac yn y blaen. Nid yw'n ddigon da eu gwneud yn dawl, gan eu bod yn amharu ar yr offer cyfieithu a darlledu. Nid ydym yn disgwyl ymarfer tân, felly os bydd y larwm tân yn canu, bydd hynny'n golygu bod rhywbeth o'i le, a bydd y tywyswyr yn dangos y ffordd allan i bawb.

used by the committee; translation equipment is available to ensure that everyone can understand, and that equipment can also be used to amplify the sound. I ask everyone to switch off mobile phones, BlackBerrys and so on. It is not sufficient to put them on 'silent', as they interfere with the broadcasting and translation equipment. We are not expecting a fire drill this morning, so if the fire alarm sounds, that means that there is something wrong, and the ushers will show everyone the way out.

[2] Gofynnaf i'r Aelodau ddatgan unrhyw fuddiant o dan Reol Sefydlog Rhif 31. Gwelaf nad oes unrhyw ddatganiadau.

I ask Members to make any declarations of interest under Standing Order No. 31. I see that there are none.

[3] Mae dau Aelod wedi ein rhybuddio eu bod yn debygol o fod yn hwyr, sef Lynne Neagle ac Angela Burns. Edrychwn ymlaen at eu gweld yn nes ymlaen.

Two Members have warned us that they may be late, namely Lynne Neagle and Angela Burns. We look forward to seeing them later on.

9.32 a.m.

Ymchwiliad i'r Trefniadau ar gyfer Rhoi Plant mewn Gofal yng Nghymru Inquiry into Arrangements for the Placement of Children into Care in Wales

[4] **Helen Mary Jones:** Croesawaf Jenny McMillan, cyfarwyddwr Cymdeithas Mabwysiadu a Maethu Prydain yng Nghymru, a Sarah Coldrick o'r un mudiad. Croeso cynnes i'r ddwy ohonoch. Diolch am eich papurau; yr oeddent o gymorth mawr. Symudwn yn syth at y cwestiynau, os yw hynny'n iawn gyda chi.

Helen Mary Jones: I welcome Jenny McMillan, the director of the British Association for Adoption and Fostering Cymru, and Sarah Coldrick from the same organisation. A warm welcome to you both. Thank you for your papers; they were very helpful. We will go straight to the questions, if that is okay with you.

[5] The first question is from me; it is a very general question. Can you tell us about your work in Wales and your role in the system for placing children in care? How have the arrangements in Wales changed in recent years? It is quite a broad question.

[6] **Ms McMillan:** That is a very broad question. The organisation's role is essentially to provide support and advice to member agencies. We do not directly place children in care at all. Most of the work involves providing consultancy, advice and training to member agencies. They also approach us with specialist queries. On how things have changed over the last 10 years, much more regulation and guidance has entered the field of looked-after children. The UK minimum standards for foster carers came in 10 years ago. At that point, foster care was regulated, but it was a much less heavily regulated and a much less specialised area of work. Over the intervening years, foster care support has become much more specialised, and increasing numbers of children have entered into foster care compared with the proportion of children in residential care. So, we are seeing a larger proportion of children entering care, and we are probably seeing children with greater levels of need entering foster care. I would hope that early intervention means that the children entering the looked-after children system or the care system have greater levels of need and therefore we are asking foster carers to undertake a far more demanding task.

[7] There is one area that would be useful to draw out. We talk about foster care almost as a single entity, but if you think about it, there is a range of placement types. We have children who go to planned respite placements, usually those who have disabilities. Some are in short-term arrangements that can last up to 18 months, which is hardly short term, particularly so for those children going through the courts, which can be an extended process. There are children who are in kin placements, where they are placed with relatives. This is quite a neglected area of foster care in many ways, but we know that the outcomes can be very positive. There are then children who are with long-term carers, who are perhaps the children whose voices we hear the most. They are settled and are with long-term carers and are perhaps the children who are closest to those children who are adopted, as regards their needs. Maybe these are the voices that we hear the most, as opposed to the voices of children who are in more fragile and disruptive situations. Then there are adolescents, who might be going into foster care as an alternative to custody. So, we cannot talk about foster care as one entity; it masks a tremendous range of needs.

[8] **Helen Mary Jones:** Before I bring in Eleanor Burnham to ask the second lot of questions, you mentioned services to member organisations. Can you tell us a little more about those member organisations?

[9] **Ms McMillan:** All the local authorities in Wales are member organisations of the British Association for Adoption and Fostering Cymru. There are individual members, such as legal and medical advisers, voluntary adoption agencies and independent fostering agencies.

[10] **Helen Mary Jones:** That is quite a range. Thank you very much.

[11] **Eleanor Burnham:** I know one particular set of foster parents, who are absolutely fantastic. They are unique. They have busy lives, and I do not know how they do it.

[12] You highlight some of the obstacles involved in effective placement planning, including limited choice of placements and relatively inexperienced practitioners. What more can you tell us about these issues and how do you think they should be addressed?

[13] **Ms McMillan:** The role of front-line social work is a real challenge at the moment. 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 front-line childcare now for obvious reasons. It is not the best and easiest place to be and it does not get the best press. You are damned if you do and damned if you do not.

[14] **Eleanor Burnham:** Is this a general thing? I had a constituency case a couple of weeks ago and that is what struck me. They mentioned that they had been involved with around six social workers. I was horrified. Is the turnover of staff and moving in and out of teams a general issue?

[15] **Ms McMillan:** Within the front-line childcare teams, that is the general situation in most agencies. I cannot give you specific facts and figures, but, anecdotally, it is unusual to get social workers who have been doing this work for as long as two years. Historically—and I am giving my age away, now—people would not have done this work until they had had at least two years' generic experience. The threshold for working with families has increased now so that families are not worked with until there are matters of concern. So, there is not even an opportunity to work with families at a level where there are fewer concerns.

[16] **Eleanor Burnham:** So, it is crisis intervention.

[17] **Ms McMillan:** I think that it is a question of resources, really. People simply do not have the means.

[18] **Eleanor Burnham:** I am not blaming anyone, I am just asking whether that is the situation that we have—crisis intervention or crisis management rather than, as you said, working with them at an earlier stage when things are not quite so complicated.

[19] **Ms McMillan:** Increasingly, local authorities are passing some of that work to voluntary agencies. There are schemes such as Flying Start and those agencies will be doing more of that preventative work now than the statutory agencies.

9.40 a.m.

[20] **Eleanor Burnham:** How effective are local authorities' commissioning arrangements in identifying suitable placements to meet the needs of these looked-after children?

[21] **Ms McMillan:** I think that that is addressed in our paper. A big issue is the vacancy rate. To use the example of adoption, you can match carefully in an adoption because, generally speaking, you have a choice of applicants and so you can look carefully at the needs of a child and consider the attributes of the applicants. So, as far as you can, you try to make a well-informed decision on how that child's needs are likely to be met into adulthood.

[22] With foster placements, there are two issues. Despite the fact that most children who end up entering the looked-after system have been known to the local authority for some time, placements often tend to be made when things have reached—'crisis' is the wrong word—a pitch; the family may not agree to the child's being looked after. So a threshold is reached, legal intervention is made and the placement has to be arranged quickly. That does not always give you time to plan in quite the same way.

[23] The other point is that there is not always a vacancy rate that allows you to plan. I told you at the start about the range of placements that we make, and often there is no choice. For example, 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.

[24] **Eleanor Burnham:** Does that mean that there is often no choice geographically speaking either?

[25] **Ms McMillan:** Local authorities would always try to place children within the radius that they are required to. Another point is that, increasingly, private or independent providers provide placements rather than local authorities, which leads to a key issue that the committee might like to consider, and that is the role of foster carers. Are they professional people or volunteers and do the same people do all these jobs? 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. If they are not being paid a full retainer, it becomes an issue of their needs, which rolls on to the fact that you do not have the necessary vacancy rate. 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. You would not get that in most places. 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.

[26] **Helen Mary Jones:** Do you have a take on what the average vacancy rate, in global terms, would be now? It would be way lower than 10 per cent, would it not?

[27] **Ms McMillan:** I think that it would be, but I do not know the figure.

[28] **Eleanor Burnham:** In the light of your discussions with practitioners on the operation of the children's commissioning support resource, the system does not appear to be working as effectively as it should be. Are these implementation problems or does the system need to be changed?

[29] **Ms McMillan:** As I said earlier, I do not operate the system, so I am not familiar with it. Therefore, my comments are based purely on what member agencies have said to us, which focused on updating. Again, this is a resource issue and they have said that they do not update their own information as regularly as they should. They also find that independent providers do not update it either. I think, and I have touched on this in the paper, that, in a sense, such a commissioning device will only hold so much information. I referred earlier to adoption and, if you think about the complexity of matching, it is hard to do that using computer data. There is something about knowing very well the child or children for whom you are looking for a placement and knowing very well the people who will provide the placement. It is an old-fashioned view, but I think that nothing can replace knowing the child's needs inside out. Databases can be a guide and can help, but they will never replace that. The danger is that they can be seen as a replacement.

[30] **Christine Chapman:** I want to ask a few questions on information exchange. You state in your evidence that there does not appear to be a shortage of formats to collate information on children and young people. What guidance is currently available on this and is there a case for a greater standardisation of procedures for managing and sharing information?

[31] **Ms McMillan:** At the moment, every child would have a core assessment. The assessment framework is the common tool that would inform all information for practitioners. They would then move forward to a care plan for the child. A raft of tools has been produced and many agencies have their own tools as well. Some of the agencies have suggested—we have not had the opportunity to speak to all of them, but we will certainly try to do so—that it might be helpful to have a common format across Wales, rather than each agency devising its own and tending to do so just in advance of an inspection. That very often happens and you end up with a raft of forms at that point.

[32] For me, a deficit of some of the forms is that they do not capture the child's history. We went through a phase in social work where history was seen as less important; competencies became the in thing and we very much looked at the here and now. I think that children's histories became a little lost at that point. I am a great fan of histories and chronologies and I think that they should be on file. You can end up seeing children's files and it just looks as if there is a lot of duplicated information. It is the same information, and there is a lot of it, but it does not always give you a proper picture of the child. Again, it is difficult when you have changing practitioners—and your colleague has already referred to the child who had six social workers in a short period. Sometimes people do not know the child well enough to give you that picture, but that is what I think that we are looking for in a file.

[33] **Christine Chapman:** To move on to a slightly different aspect, how effective are arrangements for the exchange of information between the agencies concerned with looked-after children? We are talking about social services, health, education and the courts.

[34] **Ms McMillan:** Once children are in the court arena, the court will arbitrate on the exchange of information and will release information to any relevant party. For children who are not subject to the court process, but are looked after, 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.

[35] **Christine Chapman:** I know that this is anecdotal, but I have heard of incidents where children have moved to different authority areas and education, for example, has not always picked up that that child has moved in. How prevalent do you think that is?

[36] **Ms McMillan:** There are very clear procedures for notification. The education situation is slightly different in that it is my understanding that if a child moves into another area, then health will remain responsible for the child's health needs, but education in the new area will be responsible for the child's educational needs. So, there seems to be a slight discrepancy there. I think that I have got that the right way round. That can sometimes be an issue when negotiating a school placement, particularly for a child who has additional needs. However, the complex needs panel should manage that process, if the child has particular needs. The 'Towards a Stable Life and a Brighter Future' guidance is very clear on how complex needs panels should operate and how information should be shared and passed on from colleague to colleague. I think that the process is there, but I suspect that it may be trickier to manage children who are on the edge of having complex needs.

[37] **Christine Chapman:** Do you think that carers are made sufficiently aware of any risks associated with individual placements? If so, how can these arrangements be improved?

9.50 a.m.

[38] **Ms McMillan:** I was training a group of foster carers the week that the call for evidence came out, and they were kind enough to give me a view. Obviously, that is a snapshot view from them. They still feel that they do not receive sufficient information—that is a general view. Again, there are clear systems for giving them information, and legislation guidance is exceedingly clear that all information should be shared with them, as that is critical for them to meet children's needs. There can sometimes be confusion among practitioners about what they can and cannot share. I do not think that there is any legal reason why they should not share information. In fact, there is a clear imperative for them to do so to meet children's needs. It can sometimes be about manageable information, and carers are looking for more history and a greater understanding. It may be that forms do not always give the same sort of picture.

[39] The only complexity can be where you have unsubstantiated allegations, and that presents more of a challenge for practitioners, because they can be concerned about whether they should pass on information concerning something that may have happened in a child's life, but which has not been proven. Again, 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.

[40] **Eleanor Burnham:** I was at Denbighshire Local Service Board's inaugural meeting, where a data company discussed this very issue of data sharing. It was very comprehensive, and the point that it made was that, at every point, it should be imperative to share information, unless there are very good reasons not to. We all have problems with this, because we all have to fill out data protection forms whenever anybody comes to us for help. Do you think that there is a need to show that this is vital? If so, who would do it? An awful lot of people can unwittingly hide behind the Data Protection Act 1998. I agree with you; it is absolutely imperative to share information. It is a crucial issue.

[41] **Ms McMillan:** In training, we always use the terms ‘relevance’ and ‘proportionality’, and we get people to explore those aspects in relation to sharing information. We make it clear that, if they can show relevance, and if to share the information is proportional to the situation, then they should do it. I illustrate that with a seesaw diagram, and most people seem to grasp that simple illustration—I have a simple brain, really—and that seems to work. It is not complicated. It can be more a lack of skill, with regard to people feeling uncomfortable about sharing information than—

[42] **Eleanor Burnham:** Or that they are watching their backs.

[43] **Ms McMillan:** I think that people are genuinely anxious. In defence of social work colleagues, it is a very anxiety-provoking situation to be in. We have seen lots of people whose jobs have become vulnerable. We have senior manager colleagues who do not always have vast experience. People move around the system, and some move through it very quickly.

[44] The other thing is that, increasingly, social work has become specialised in recent years. That has been a great plus in many respects, in that people have particular expertise in particular areas, but, by the same token, people do not always have an overview, and that could lead them to lose sight of the bigger learning issues. That can be an issue. Senior managers might say, ‘I don’t know about that’, because they may not have had experience of fostering. You can lack that experience in agencies.

[45] **Christine Chapman:** How can the participation of children and young people in the placement process be increased?

[46] **Ms McMillan:** That is a huge question, and if there is anything that I am passionate about, it is about children and young people being able to meaningfully participate. The processes allow for it, and they are very clear that children should be involved in looked-after children reviews. The difficulty is in creating a process that is meaningful for young people. The feedback that I receive from young people is that the process as it stands, however much people try to make it user-friendly, is not what they want. Anyone here would find it very difficult to have their personal lives shared in front of a group of people, particularly a changing group of people. That comes back to the issue that maybe it would not be so difficult to share some of these things if it was a stable group of people that you knew well, but that is not the case.

[47] This is also about how we manage that process for different groups of young people, as I alluded to at the start. There is an enormous difference between hearing the voices of young people who are in stable long-term foster placements—which we probably do reasonably well, although I suspect that we do not act on them—and those who are going through court processes. Young people in foster placements would probably say that we do not act on their concerns, because they still have the thorny issues of consent and trips, and so on, but there are ways around them. It is much more difficult to hear the voices of children who are going through the court process, although the Children and Family Court Advisory and Support Service and children’s guardians should be involved. They are hearing conflicting information from parents, and most children at that stage will want to return to their family, and it is much harder to give them a clear voice.

[48] When I start thinking about processes, I come back to the simple view that they need consistent and stable social workers, someone who knows them exceedingly well, who has learned to listen, and who feels confident about using a range of tools to hear the voices of young people. From the direct training that I have done in the last few months with agencies, I know that social workers do not feel confident about being with children. At adoption and

fostering panels, we frequently hear claims that children are too young to express a view, but I do not believe that any child is too young to express a view. Anyone who has spent time with a very small baby will know that they can express their views very clearly. It is more about the skills of practitioners, and I do not think that people are managing to spend that time with them. I do not believe that that is because people are choosing not to do it; social workers increasingly seem to spend their time at computers, filling in forms, or doing paperwork, and less time with the children. 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.

[49] **Christine Chapman:** Going back to the participation of children, are you aware of any good practice that you could describe?

[50] **Ms McMillan:** The good practice tends to happen in the voluntary agencies, and people might say that that is because they have the time, the energy and the resources to do that, but they just use the same methodology that any social worker would and, for the child or young person, it is yet another person in their life. Many of the advocacy agencies are excellent at engaging young people, but I do not think that there is anything magical about that; it is simply a matter of having the time and capacity to do it, and of seeing it as a priority.

[51] **Christine Chapman:** Thank you, Jenny. How effectively are the needs of disabled children, those from black and minority ethnic families, and unaccompanied asylum-seeking children met when they are placed in care?

[52] **Ms McMillan:** There are different answers for different groups. We were talking about children with disabilities before we came into the meeting. Their needs often mean that their placements are much more stable and are less likely to be disrupted, but I do not know whether that is because we have a clearer understanding of their needs and so there is a clearer match. Planned short breaks for children with disabilities and longer-term placements tend to be much more stable. How well are their needs met? If you look at the stability of their placements, you will find that their needs are met better than those of other children. The issue then is the greater challenge of hearing the voice of children and young people in that situation, particularly with short breaks, because there can often be a divergence of views between the parents, the siblings, and the child with the disability. The child with the disability might well not want to go off for short breaks but the family might. So, there is a challenge about how we hear and respond to views, particularly for a child who will need someone with additional understanding of their means of communication.

10.00 a.m.

[53] **Christine Chapman:** What about black and minority ethnic families and unaccompanied asylum-seeking children?

[54] **Ms McMillan:** We know that placement choice is poor across the board because we have a less diverse population of foster carers. We still struggle to recruit from a range of BME groups, and so children from those groups are likely to wait longer for permanent placements. I am much more familiar with the adoption statistics than I am with those for fostering, but I know that they are the children who wait the longest for any kind of permanent placement.

[55] **Helen Mary Jones:** You say that there needs to be clarity of roles following the

placement of a child or a young person. What existing guidance is available on that, and how does it need to be changed to ensure greater clarity over roles? Once the young person is placed, who is supposed to do what?

[56] **Ms McMillan:** There is a social worker who supports the foster carer, which was the change in role, and there is then a social worker who supports the child. With teams increasingly being separate, there can be a concern that those people do not come together as well as they could. So, those are the main two social workers, but the education and health teams also remain crucial, and they come together around the child in the current looked-after children review process.

[57] **Helen Mary Jones:** Is there a greater need for clarity about those two social work roles, then, of the social worker who is supporting the foster carers and the social worker who is supporting the child?

[58] **Ms McMillan:** There is clarity about the roles, but the problem is whether the two meet often enough. I do not know how you can support a foster carer without knowing the needs of the child. If you are the supervising social worker for a foster carer, how do you manage that role without being well acquainted with the child and their needs? The same goes vice versa: if you are the child's social worker, how do you manage the child's needs without understanding the dynamics of the family, which may include other looked-after children or children of the family, who will also be critical players?

[59] **Helen Mary Jones:** Thank you. That is helpful.

[60] **Eleanor Burnham:** You have already touched on reviewing. I think that I heard you say that it takes place every six weeks. However, you do not really believe that it is that effective.

[61] **Ms McMillan:** Visits are made every six weeks. Reviews happen less often.

[62] **Eleanor Burnham:** I beg your pardon. So, it is the visiting that happens every six weeks—

[63] **Ms McMillan:** The statutory visits. Some people will visit more often, but the statutory requirement is six weeks.

[64] **Eleanor Burnham:** How effective are the arrangements for reviewing the placements of looked-after children?

[65] **Ms McMillan:** The difficulty is in how you hear the voice of the child in that situation. It goes back to the comments that I have just made, namely that children find reviews difficult experiences. It is important that placements are reviewed and that they look at whether the children's needs are being met and whether a placement is achieving the outcomes that it set out to achieve.

[66] **Eleanor Burnham:** Can you clarify the timing of this? Is it done in advance? Is the child with the foster parents when you are doing the review, or is it conducted with the child and separately with the foster parents?

[67] **Ms McMillan:** It can be done however people want it to be done.

[68] **Eleanor Burnham:** Would it be done in the foster home?

[69] **Ms McMillan:** Generally, it would be in the foster home, although sometimes it is in

an agency office. That will depend on the role of the parents and the birth family. Sometimes, the birth family might not want to go to a review in a foster home, and sometimes the foster carers might not feel comfortable with the birth parent in their home, at which point, you are more likely to end up in the social services office, which is not the most conducive environment to holding a good review. You could decide to see the child separately before holding a more formal review.

[70] **Eleanor Burnham:** Would that be disruptive? Would it be done in the daytime or when the child is out of school?

[71] **Ms McMillan:** It should always be done after school or at a time that is appropriate for the child, but you will get crush points for the social worker and the independent reviewing officers.

[72] **Eleanor Burnham:** I am concerned about what you have been talking about for most of this morning, namely the need for the stabilisation of social work teams to produce a better understanding of the child and young person's needs. How will we do that when, as you said earlier, there are so many vacancies? I presume that the pay is not conducive to encouraging many people to stay or come forward. What can be done? I think that that is one of the crucial things that you have pinpointed today.

[73] **Ms McMillan:** 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.

[74] **Helen Mary Jones:** Do you feel—and you may want to express a personal view again rather than that of the organisation—that reinstating national terms of pay and conditions for social workers would be helpful to aid stability? It has been put to us that there is a level of what some people describe as 'poaching', which I do not think is fair because it is perfectly reasonable for people to move from one authority to another to get better wages and conditions, but would it help stability in Wales if we had a national set of terms and conditions, as we used to have back in the day when I did that kind of work?

[75] It has also been suggested to us that a social work consultant role could be created, which would be like a medical consultant or a nurse consultant and would be remunerated and respected. There could be some mentoring of junior colleagues, but the main focus would be on professional work, with children, in this context.

[76] **Ms McMillan:** Practitioners would value that but, more importantly, children and young people would value it. I was speaking to someone in a local authority yesterday who was about to embark on some preparation work on the adoption of a group of two children. She genuinely did not know where to start. She was tight for time and did not know how she could do it or what resources she could use. We can support people to a certain extent from there, but we need people who are doing that on the ground. More than anything, we need people who can gain that experience and confidence. We talked about hearing young people, and we need a toolbox of experience and ideas to do that. 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.

[77] As for parity across local authorities, the term that is generally used for people who move around from place to place is 'recycled' social workers. I guess that it is difficult, because I am sure that some local authorities have more problems attracting staff than others. There certainly have been attempts to stabilise the pay and conditions, and that would certainly stop the hopping across, although I suspect that there is slightly less of that happening at the moment anyway because the job market is contracting and everyone is slightly more unstable about work. I suppose that I would see the positives. Some positive roles would be more—

[78] **Helen Mary Jones:** People do move for reasons other than the terms and conditions; it could be about the working environment and so on.

[79] **Eleanor Burnham:** Surely high-profile cases such as the baby P case, although I know that he was not in care, would scare most social workers out of their wits.

[80] **Ms McMillan:** That has had a knock-on effect on what we have been discussing. People's focus can often be on paper. Sadly, I have had experience of children's deaths in my own social work career. At the time the file is secured, the only thing that matters at that point is what you have on paper, and it is absolutely appropriate that there is proper record-keeping, but that can happen if people are very busy at the expense of their direct work.

[81] **Eleanor Burnham:** Would you like to discuss some of the particular issues with children placed outside their local authority area, such as with the monitoring of their wellbeing and so on?

[82] **Helen Mary Jones:** What are the particular issues?

10.10 a.m.

[83] **Ms McMillan:** 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.

[84] **Helen Mary Jones:** That is helpful. Thank you for all the evidence that you have given. I have one final question, although it comes in two parts. Are there any other issues that we have not touched on that you particularly want to highlight for us? Are there any particular recommendations on placement that you would like us to make to the Assembly Government?

[85] **Ms McMillan:** Thinking about the role of foster carers is absolutely critical. There is a diverse set of tasks, and you have to consider whether it can be undertaken by a homogenous group. I am not suggesting that there should be more regulation or separation, but we need to think clearly about people doing different tasks, and whether we manage that in a uniform way. The point that I have probably laboured is that we need to look at the skills of the social workforce that can undertake direct work. We need to raise the value of direct work with children and young people to a status that it has lost, really. Coming from a training organisation, I would have to conclude by saying that we need to think about training.

There is a risk that, as budgets become tight, training is the first thing that stops; it is crucial that training both for foster carers and for agencies is maintained, and that sometimes that training takes place externally. If all the training is done in-house, which can be cheaper, there can be a lack of debate and discussion, which can help people to think and reflect.

[86] **Helen Mary Jones:** That is very helpful. Do Members have any other questions that they would like to raise with the witnesses, or points that they would like to put? I see not.

[87] Diolch i chi am eich cyflwyniad Thank you for your valuable presentation gwerthfawr.

[88] I welcome Angela Burns, who has just joined us—I am glad that you were able to get here. I also welcome our second set of witnesses, and I thank them for coming today, and for providing a paper, which was very useful. I know that two of you have come a long way, from north Wales, so we are particularly grateful for the effort that you have made. I welcome Julie Gillbanks, the assistant director of Action for Children Cymru, Stacey Burnett, project manager for Taith Newydd Fostering, and Anne Roberts, project manager of Denbighshire residential services. We have your useful written evidence, so we will go straight into a set of questions based on that, if that is okay with you.

[89] I will begin with a question to all three of you. Can you outline for the committee the services that you provide in Wales for looked-after children, including the fostering and residential care services? I do not know who wants to start.

[90] **Ms Gillbanks:** I can begin on residential provision, which perhaps is more relevant to north Wales, where two of us come from. Stacey can provide information about the fostering services. Action for Children provides two traditional children's homes for looked-after children, which are both in north Wales. We had one other home that has since closed. So, we have the two homes in north Wales and we offer a huge number of short-break services for children with disabilities. Those services have to comply with the legislation, and there is a debate about whether those children are looked-after children. So those two traditional children's homes constitute the Wales provision, and there is a large school in Headlands in south Wales.

[91] **Ms Burnett:** With regard to fostering provision, we have a generic fostering service based in Newport that covers the 10 south-east Wales authorities that are now part of the SEWIC group. As part of that service, we provide services for children aged 0 to 18 across the board. Some services are purchased by the local authority looking for external placements in addition to their in-house provision. In addition to that, we provide the respite service for Monmouthshire County Council for children with disabilities. We have recently won the tender for Powys County Council, so we will be providing short breaks for children with disabilities and their families across Powys.

[92] **Helen Mary Jones:** Anne, do you want to add anything to that?

[93] **Ms Roberts:** No, I think that Julie has covered the residential side.

[94] **Ms Burnett:** There is another division to the service for looked-after children, namely the multidisciplinary intervention service Torfaen project. It is a contracted service for Torfaen local authority, which sits within the child and adolescent mental health service, working with foster carers and children with particularly challenging behaviours in order to maintain them within the community. Action for Children also provides that service.

[95] **Ms Gillbanks:** A number of therapeutic services throughout Wales provide those services to looked-after children. They may not be quite as intensive as the MIST project, but

it keeps placements together.

[96] **Helen Mary Jones:** In light of all that experience across Wales, in your view, how effective are the commissioning arrangements for the services that you provide in ensuring that the placements meet the needs of the individual child?

[97] **Ms Burnett:** Primarily, the children's commissioning support resource database that came into being a few years back is the main source of commissioning for independent agencies such as ours. There are some advantages to the use of that system, but there are disadvantages to us, as an independent agency. We now have access to a limited amount of information about the needs across Wales, and that information is available to local authorities, but, previously, we used to know what sorts of children they were, what the presenting behaviours were, and where referrals were coming from, so that we could target recruitment campaigns for particular types of carers in the areas where there was the greatest need. We no longer get that information through the database. Primarily, 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.

[98] I am not sure whether you are aware that the SEWIC authorities are now implementing an independent placements tendering process, which is another way of commissioning placements from independent providers. We are not sure how that is going to fit with the database system, because they seem to be two different systems, coming at the issue from two separate viewpoints.

[99] **Helen Mary Jones:** I am sorry to interrupt, but for the record, please explain what SEWIC is.

[100] **Ms Burnett:** SEWIC is the south-east Wales improvement collaborative. It is a group of 10 authorities across south Wales, working together to try to improve outcomes for children in the looked-after system. That is its purpose.

[101] **Helen Mary Jones:** I knew that, but people watching may not have.

[102] **Ms Burnett:** It is introducing this individual placement tendering process, which is at odds with the CCSR database, so we are not sure how those things are going to fit together.

[103] **Angela Burns:** On that, can you identify why it is introducing an alternative process, given that there is already one in place and given that you say that you believe that the policy, legislation and guidance around arrangements for taking children into care are good and that when the systems work, they work really well, why bother to reinvent the wheel?

10.20 a.m.

[104] **Ms Burnett:** That is a difficult question to answer, because we are not the local authority. I think that there is something about the database that enables local authorities to do a shortlisting exercise at the first line, if you like. They can input into the system placements that they require with particular criteria. That will then throw up a shortlist of placements that meet those needs. One of the criticisms of using the database is that it is very difficult to keep it updated, because 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. So, that is one of the frustrations with the

system.

[105] With the individual tendering process, they send out a tender document, which is basically a needs assessment of the child, to all the providers and then they wait to see what they get back. So, they know that what they get back is an accurate, up-to-date picture of what is out there. That is the primary difference really.

[106] **Helen Mary Jones:** That is helpful. In evidence that we have already received, it has been put to us that using database systems is—I believe that these were the words used—no substitute for knowing the child and the potential placements. It is easy to be romantic about the old days, and people of my generation tend to loathe computers. The traditional fostering set-up would be that the local authority would have its team of foster carers and they would know those foster carers and the child. It is very different now; we have children with a much more complex range of needs, so I am not saying that that would work, but would you have a view about it? The view that was being put to us was that, sometimes, the database-based systems got in the way of, rather than promoted, that human contact.

[107] **Ms Burnett:** I think that there is something in 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.

[108] **Helen Mary Jones:** Would either of the other witnesses like to add anything on the effectiveness of placements?

[109] **Ms Gillbanks:** In general, our residential services work in partnership with the local authorities. If we have a vacancy, we open it up to other authorities, and it is interesting that we have not had any response at all through the system when beds have been vacant. It is about the partnership relationship. We still retain that relationship, and that dialogue goes on about the individual children who are placed. It can be very useful. We have inspectors inspecting our services who are trying to restrict the type of service provided to almost a tick box that says ‘we take children who have been sexually abused’, or ‘we do not take children who have been sexually abused’. The experience of a manager looking at the child’s information can often mean that he or she makes judgments about children who can be cared for together, and a tick-box exercise would never match those children. That is our experience. Anne can talk far more about that sort of thing. As we still have that system, it is certainly helpful, especially when you have a service that just provides resource for one authority. You have to have a mix of children. You cannot provide a service that just meets one need or you would have an endless number of children out of county and an endless number of vacant beds.

[110] **Helen Mary Jones:** Do you want to add anything to that, Anne?

[111] **Ms Roberts:** I would reiterate what Julie is saying, namely that it is about the placements and how well matched the children are, and about having those conversations with the local authority to make sure that the compatibility of the children is right.

[112] **Christine Chapman:** Many of the questions that I had have already been touched on, but I will pick out a few others, if I may. On the CCSR—you have discussed this at length—do you think that the system could be reformed to address the issues that you have

mentioned?

[113] **Ms Burnett:** Yes, potentially. The database could be opened up to be a much more general tool that people involved in providing services for looked-after children could access. We could all then use that evidence and try to ensure that it is up to date and accurate. One of my fears is that, because the information from the database is not as up to date and as accurate as perhaps it could be, any decisions that are made or any forward planning that is based on that information will be flawed, as the information is flawed to begin with. If it were opened up as a system that operated across Wales, it might become a better system to use. This goes back to the issue of relationships and what was said about the good old days. There are negative points in relation to that, too, with regard to level playing fields and making sure that you have the best service for the child and for the needs of the child, rather than going to the people that you have always gone to in the past. There are some advantages to that, but it has to be managed in a way that is transparent. For me, it is about transparency.

[114] **Christine Chapman:** Should we have a new system? You talked about reforming the current system, but what about a new system?

[115] **Ms Burnett:** We have many systems in place and, for me, the issues relating to looked-after children and children within the care system are not about systems. If the systems are used and implemented well, they are great. It is a people issue, rather than a systems issue.

[116] **Ms Gillbanks:** They are just tools. There is a lot of skill involved as well.

[117] **Ms Burnett:** It is the implementation of those tools that determines whether they work or not.

[118] **Christine Chapman:** Going back to the individual placement tendering process—you talked at length about that—what would you say are the strengths and weakness of the process?

[119] **Ms Burnett:** A strength is that you see what level of need is out there. That is one of the big differences between that and the database: you get all the referrals, whether you can meet them or not, and you get to see what the need is. You can then make decisions on whether or how you can respond to that, if gaps in the market have been identified and so on.

[120] One disadvantage for me is that, as we understand, 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. So, we do not know about the decisions. We can give anecdotal information, but hard evidence is very difficult to get when you do not see how the process works.

[121] **Angela Burns:** I am delighted that you mentioned the word that no-one else ever wants to talk about: price. One concern that I have, which has been borne out by some of the cases that have come to me in my constituency work, is that the tendering situation can be fairly bare of detail. You have perhaps seen the situation where the tender goes out to a wide variety of providers, who then say, 'We have to try to provide a place for this type of child with this type of need. That will be at this price'. In goes the price, the local authority says, 'Yippee, that one is great because that is the lowest price', or a price that is compatible; the local authority accepts that bid, but then gets hold of the child and finds out—you are both nodding—that the child has multiple requirements that would cost more money. The local authority is stuck in a tough situation, the child is in an even tougher situation and, in fact, everyone loses, including the local authority. I hope that that was not too leading a question.

10.30 a.m.

[122] **Helen Mary Jones:** We do not mind leading questions to aid a good cause, Angela. The witnesses are nodding.

[123] **Ms Burnett:** I would absolutely agree with everything that you have said. We have seen that. Over and above that, we have also seen the tendering process being used to drive the price down. That is, 'If you can offer it at this price, we will go with that placement.' There are frustrations—if you are looking at outcomes for children, stability rates, and all of those things that children need, it is sometimes difficult to see that the needs of children are uppermost. I understand the pressures within local authorities to remain within budgets or to cut budgets in many cases. Looked-after children cost a lot of money, but they will cost a lot more in the long run if we do not get it right in the first place.

[124] **Angela Burns:** I totally concur with that opinion.

[125] **Helen Mary Jones:** Thank you, that is helpful.

[126] **Eleanor Burnham:** You said that information sharing with foster carers and agencies has improved, but that where it fails, it is usually due to weaknesses in social services departments. We heard in earlier evidence that many of the social work teams are fragile and that there is little stability. How serious and widespread is the lack of social work capacity to effectively manage this and other aspects of placement, in your view? In the other evidence that we have received, the lack of experience of many social workers has been highlighted. That was a very important point that was made earlier.

[127] **Ms Gillbanks:** Anne, who directly manages one of the children's homes, is probably the best person to give you that information.

[128] **Ms Roberts:** Social workers tend to move from team to team or they do not stay within the job for very long. I have experience of children having two or three social workers within one year. That does not provide stability for young people and the social workers do not know the case well enough.

[129] **Eleanor Burnham:** Coupled with what you said about the data.

[130] **Ms Roberts:** Yes. The young people suffer because of the instability and the movement.

[131] **Ms Burnett:** I would like to add to that. I worked in local authorities for 12 years in child protection, before moving to Action for Children. That was almost 10 years ago. I have seen a big change in the stability of teams within local authorities during that time. It was beginning to happen when I left the local authority. That has accelerated and many teams are now filled with agency workers and the turnover of staff is very high. 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.

[132] Social workers have also become case managers. They are facilitators. They do not do the direct work with children any more, because they do not have the time, the capacity or the space to do that. That was beginning to happen when I left. You would arrange to do a six-week programme of direct work with a child, child protection would come in and would take priority, so you would have to let that child down. Therefore, you eventually stop making those appointments because you do not want to keep letting the child down. Social workers in

local authorities are more like case managers and direct others to do that work.

[133] Interestingly, I had a conversation last week with someone who is just completing the three-year social work degree. She is in her final placement in a local authority team. The disparity between what she is being taught as part of her social work course and what she can practice in reality is huge. She is already disillusioned and she has not even got into the profession yet. She says that she is taught great practice and theory in college that she wants to implement, but it is impossible because case loads are too high, you do not get the supervision, and managers are struggling with large and transient teams. It is important that what we are teaching potential social workers marries with the way in which they will be able to implement that in practice.

[134] **Eleanor Burnham:** So, who is doing the work with the children, if it is not being done by the social worker?

[135] **Ms Burnett:** Agencies like ours are doing a lot of that work through family centres and community-based centres.

[136] **Ms Gillbanks:** Often, the direct work is done by some of the least qualified people. That is not to say that they are the least experienced workers, but there are teams of family support workers, who are often dedicated and have spent a lot of time in that post and the direct work will be done by them rather than by the social worker, who is managing cases. It is one of the few professions these days where you go up the ladder and quickly move out of working directly with children. So, those skills and experience are often lost because the people who have the relevant understanding and level of skill and knowledge do little direct work with children.

[137] **Eleanor Burnham:** What about the voluntary sector? I understand that much of this work is done by the voluntary sector.

[138] **Ms Gillbanks:** As agencies, we run the children's homes or family centres. We have a lot of family centres.

[139] **Helen Mary Jones:** Before I bring you back in, Eleanor, I would like to explore something with Stacey. You talk about the change that has taken place in the last 10 years, which would certainly tie in with the other evidence that we have been given. You may be more comfortable expressing a personal opinion rather than doing so on behalf of Action for Children, but what accounts for that change? I will use a value judgment term, and you might not want to: why has the stability worsened so much? Most people do not go into social work because they want to manage cases—they want to change people's lives. Can you give us a feel for what you think has happened in that time?

[140] **Ms Burnett:** From talking to colleagues, who are still in that system, there is a sense that this is about meeting targets and ticking boxes. It is about showing evidence, and the focus is on that rather than on the work, but they should go together. However, in order for them to go together, people need time within their caseloads to do that. Their caseloads are often too big or are not managed effectively. Julie is right: many of the middle managers in local authorities are young and inexperienced practitioners who have gone up through the ranks quickly because of the staff turnover. So, that depth of experience to guide, advise on and monitor these aspects is no longer there. I am all for evidence and outcomes; we live in a world where we have to provide evidence of value for money and so on, but that has to be done alongside the capacity to do the work—it cannot be an either-or situation and I am afraid that, over the last 10 years, it has become an either-or situation.

[141] **Eleanor Burnham:** On independent providers having routine access to children's

files, should that be the case and, if so, at what stage in the process should that access be given and what issues does that raise for confidentiality and children's rights?

[142] **Ms Roberts:** We have found it useful, over the last couple of years, to have been given the right by the local authority to whom we provide residential care, to go in and read the children's files. They have given us a lot of background information on what has happened in that child's life. Therefore, when the residential staff work with them, we know exactly what we are working with and we know their history. We can then make links with the family and see why the child behaves in a particular way. That helps us to put in place strategies to work with that behaviour and to get other help that we may need to work with the child. It gives us a more holistic picture of the child's needs and how we can work.

[143] **Helen Mary Jones:** Do you get that information prior to agreeing to a placement or once the placement is agreed?

[144] **Ms Roberts:** No; we would look at the files when the placement starts. On confidentiality, we would not look at a child's files until we knew that he or she was definitely going to be placed with us. We would then send the link worker for that child in to read the file so that they could get all the background information.

[145] **Helen Mary Jones:** Having accepted a placement, and after your staff member has gone in and read the file in depth, have you ever questioned whether that was the right placement to have accepted? I am thinking about the amount of information that is available prior to a placement and then, quite properly, the in-depth information that you get once the placement is made.

10.40 a.m.

[146] **Ms Roberts:** It has never really had an impact on a placement, but I would say that it is usually a lot of very different information from what we were given on the referral.

[147] **Eleanor Burnham:** That leads very nicely to my next point. Quite often, foster agencies and carers receive information that is unproven—you give an example about a child who was said to have displayed sexual behaviour, but it turned out that it was sexual swearing. So, how should the provision on information on looked-after children that is contentious or unproven be managed?

[148] **Ms Gillbanks:** It is important how that information is provided and, if it is unproven, it is clear in the information that is provided to us what has been said and what was stated. We can judge. Our experience and knowledge helps us to understand that this is something that we might need to bear in mind, but it will not have an impact. It is about making sure that that information does not become the accepted norm for that child. That is why it is helpful to read the full information around a child because we can formulate our own opinions. The staff who provide that information need to make clear what is fact and what is opinion, and clarify that in how that information is presented. Stacey might have more to add from a fostering background.

[149] **Ms Burnett:** Given that you work with one authority, I think that it is easier for you to have that relationship; we work across south-east Wales, and now north Wales, therefore, we do not have the relationships with local authorities in order to be able to do that. Actually, I think that it is probably a social work task anyway. I think that social workers should be reading their own files and doing the chronologies—they should have all that information and they should not be passing it to outside agencies for them to do that work. That work should be done within social work departments. Also, information becomes like Chinese whispers if people do not have the opportunity to go back and read all the files when they take over a new

case—the files can be quite lengthy for some children. If they do not have time to read them, it becomes like Chinese whispers and transfer summaries are only as good as the information that people think that they have.

[150] I did some independent work with a young man who was 15 years old and had learning disabilities. He had been in residential care since he was five years old and he was placed out of county. My task was to go to do some life-story work with him and to do an assessment to see where he would go post-16 because he had to leave the residential placement at the age of 16. I had an opportunity to go back and read every single file that had ever been written—he had been adopted as a baby, so it went right back to his birth. The story that I was given when I first picked up the case was entirely different from the story in the files. That child's history was not as it had been presented to me and we are able to reunite that young man with his adoptive family. The view of the local authority was that his family had abandoned him, walked away from him and did not want anything to do with him, but that was not the case. So, incorrect information can have catastrophic outcomes for children and young people, but it is a mammoth task to go back and read seven files that are several inches thick, including the minutes of every meeting and so on. It takes weeks and weeks to do that and social workers do not have the capacity to do it.

[151] **Helen Mary Jones:** That is really important. I would like to go back to what Anne was saying about not changing the placement necessarily, but changing how that placement is dealt with and managed, and what that young person gets within the placement. When you are talking about professional staff, I can see that it is appropriate for them to go back and read through the whole file. This is perhaps a question for Stacey more than the other two of you. To what extent is it appropriate for foster carers to have access to that information? There is a question about capacity: if you are looking after a child in your home, there is a question about whether you can read through files that we all know can be several inches thick. Do you think that there is any difference between the information that a professional placement holder should have and the information that is shared with foster carers?

[152] **Ms Burnett:** I do not think that I would advocate foster carers reading local authority files, because I think that it is the professional 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.

[153] **Helen Mary Jones:** So we should go back to the time when, on taking over a case, you as the social worker would read the whole file?

[154] **Ms Burnett:** Absolutely.

[155] **Ms Gillbanks:** I support everything that Stacey said. We have good practice in our authority, talking about this, on accessing a file. However, that has developed because we have not had good summaries and good information provided to us.

[156] **Helen Mary Jones:** That is very helpful.

[157] Before I invite you to ask the next set of questions, Lynne, I welcome you back to the committee. It is nice to see you back. We had a very able substitute in Ann Jones. We place on record again our gratitude to Ann for substituting all the way through, but we have missed you, Lynne, and it is nice to have you back.

[158] **Lynne Neagle:** Thanks, Chair.

[159] The written evidence states that children's participation in their placements is very patchy. How could this be addressed, and are there any examples of good practice that you could share with us?

[160] **Ms Roberts:** We have young people who have chosen residential care over foster care. They have made that choice based on the fact that they do not want the same kind of attachment to a foster carer as they do to the residential staff, because residential staff change shifts and they are not there all the time. Being able to make that choice has been quite a move forward for those young people. So, they have had some choice about their placement, but we do get some young people who say that they do not want to be in residential care, but they do not want to go to foster care either. As good parents, you sometimes have to make those kinds of decisions for young people, because they are not ready or old enough to live independently, or do not have the skills to do so.

[161] **Ms Burnett:** There is evidence of good practice in fostering, in that there have been incidents where young people have been able to meet potential foster carers, and have been able to choose whether to go with them or not. That does happen, but it is variable. That is the key. Also, it is about relationships. If the young person or child has a good relationship with the social worker, that enables that to happen. If it involves somebody that the child has never met before, the child will not be in a position to say, 'Actually, I don't want to be here', or, 'Actually, no; this is not what I want'. It is about that relationship.

[162] **Lynne Neagle:** The other question has been covered, I think, Chair.

[163] **Helen Mary Jones:** Yes. I think that we did touch on that. Angela has the next set of questions.

[164] **Angela Burns:** We talked a lot about how children might come in to care, whether it is a private placement, a home or whatever. What happens once they are there? What is the monitoring process? What are the current arrangements, and do they need improving? Where does the buck stop? Where is the accountability for those looked-after children?

[165] **Ms Burnett:** We are very clear in the fostering system that the child remains the responsibility of the local authority. The local authority is the case holder; we are providing a service. We are accountable to the local authority, which is purchasing that service from us, and to the child with regard to achieving the outcomes that we set out to achieve at the beginning of the placement. So the accountability and the responsibility are quite clear. Within local authorities, there can sometimes be conflict between different services. So, education, health and social services do not always work together as corporately as they might to meet a child's needs, particularly where there are cross-boundary issues. If a child is placed in a different authority area to the one from which they come, things such as education can sometimes be difficult. At other times, however, when people work together, the outcomes are fantastic and the systems work really well, but that does not always happen. The lines of accountability are very clear, however.

[166] **Angela Burns:** When you say 'we', do you mean you as the independent company, or you as a foster carer? I am interested in exploring the line that the foster carer who has to look after a child 24 hours a day, seven days a week often regards himself or herself as the parent, and yet appears not to be able to be a parent to that child.

[167] **Ms Burnett:** Again, I think that the practice is variable. Some authorities are happy to delegate those responsibilities to the carer—with regard to things like allowing the child to stay overnight with a friend. 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.

10.50 a.m.

[168] **Angela Burns:** What happens if the person whom you need to go back to get permission from is not available or has gone on holiday? My point is that this is all about the system, about social workers and foster carers, but I struggle to see where it is about the child. For example, a kid comes home from school and asks, ‘Can I stay with Annie tonight—they are having a pyjama party?’ and the response might be, ‘I will have to phone up some stranger you have never heard of to find out whether it is okay—oops, sorry, they have all gone home because it is past 4 p.m.’.

[169] **Ms Burnett:** 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.

[170] **Helen Mary Jones:** We may want to make recommendations about making some of that guidance a bit more statutory.

[171] **Angela Burns:** You also made a comment about children who are placed away from their home authority. Do you think that they have more or fewer difficulties?

[172] **Ms Burnett:** They have more difficulties in general, because of the difficulty in co-ordinating services.

[173] **Angela Burns:** Why are they placed away from their home authorities, as a matter of interest?

[174] **Ms Burnett:** It can be for a variety of reasons. They could be placed outside of their home authority deliberately—it could be a positive choice. It could be that there are no available placements within that locality. That is the issue about matching. Local authorities that are trying to keep their costs down and to keep children placed within their own in-house carers are filling up their placements, so they have no vacancies to be able to match. That is one of the downsides of trying to keep costs down and to fill your own placements first—you will run out of placements. We had a referral of a six-month old baby and a two-year-old. Ordinarily, they would be very easy to place with an in-house carer—they are not the types of children that we would look to an outside agency to provide a service for. However, the local authority placements were full. You have to carry a level of vacancies to be able to match, but there is a cost attached to carrying those vacancies, because you then pay retainers to carers to be empty, and you must pay staff because they must still be supported, trained and supervised, and so on. So, there is a cost attached to having vacancies.

[175] **Angela Burns:** Does that have an impact? Is it a case of ‘I have a child here, I have only one vacancy left, the match is not great but I will squash them together’?

[176] **Ms Burnett:** Yes.

[177] **Angela Burns:** Okay. Do you have any comment on the role of the independent reviewing officer? You mentioned that in your submission You make the comment that because the independent reviewing officers are part of the authority, it is exceptionally difficult to get the authority to change the view that it may have on a particular placement. Can you expand on that a bit more?

[178] **Ms Burnett:** Our experience is that decisions or recommendations are made in reviews with the support of reviewing officers. Local authorities do not have to agree with

that, and they say that the independent reviewing officers do not make decisions, and that that is a local authority function. 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.

[179] **Eleanor Burnham:** I have a tiny question. In her evidence, Jenny McMillan mentioned that vacancy rates needed to be about 10 per cent to 15 per cent. Would you concur with that?

[180] **Ms Burnett:** Yes, I would—I think that that is about right.

[181] **Ms Gillbanks:** It is important to mention that 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.

[182] **Helen Mary Jones:** Angela, do you have another brief supplementary?

[183] **Angela Burns:** Yes. You have talked a lot about the role of social workers and people not understanding the whole case. In your experience, when deciding on a match, has anyone ever involved the advocate of the child?

[184] **Ms Burnett:** No.

[185] **Angela Burns:** I assume that you support the principle of every child having an advocate who should be independent, fair and who will fight only for the child and no-one else, particularly not a council. I see that you do.

[186] **Angela Burns:** I assume that you have never had an advocate involved.

[187] **Ms Gillbanks:** We have advocates, but not at that point.

[188] **Angela Burns:** So, an advocate, who has all the information about this child's needs, cannot wade in and say, 'Hey, match them with these people'.

[189] **Ms Gillbanks:** It is quite possible for that to happen if they have had an advocate in a previous placement, but it is not within our experience.

[190] **Christine Chapman:** To what extent are the issues affecting children placed with foster carers similar to those for children in residential care?

[191] **Ms Gillbanks:** To comment on something that was said earlier, in our experience, there is a difference, because we work in partnership with the local authorities. We talked about access to staff in making decisions about the young people but, in residential care, we probably have more say over their day-to-day care, and the expectation is that the local authority is responsible for the planning for that child or young person. However, the day-to-day care is our responsibility and we make the decisions. If we need access to a senior colleague, we tend to get it quite quickly because the relationship is different, given that, in the main, we work exclusively with one home. Each home works exclusively with one local authority, which makes for easier relationships, especially if you get to go to a senior person, because they do not change as frequently as social workers may, generally.

[192] **Helen Mary Jones:** So, there is not necessarily a huge difference in the process for a placement, then.

[193] **Ms Roberts:** I do not think that there is much that is different, no.

[194] **Ms Gillbanks:** Residential care can often be seen as the end of the line, as a placement of last resort, but we certainly do not take that view. We think that it should be on the spectrum of choice. We know young people and we think that, sometimes, the message generally given is that they would not want to go to residential care, and it is the last place that they should want to go to. In fact, many of these very difficult teenagers cope better when they do not have to make a one-to-one relationship with the carer. I am not saying at all that they all do, but that does happen.

[195] **Ms Roberts:** Fewer residential placements break down than fostering placements. Our children have usually had a number of placement breakdowns before they arrive at the residential unit, and children could make a positive choice to come to residential care rather than have all those foster placements.

[196] **Ms Burnett:** There seems to be a continuum. In the first instance, we try to keep children at home. If they cannot stay at home, we try to accommodate them within families, and there is much more of an emphasis on kinship care now. If that is not possible, the next step is to arrange in-house carers if at all possible. Only when that is not possible do children go to outside agencies, and only when that is not possible do they go to residential care. So, children find themselves on a continuum. With each breakdown of a placement, if decisions are not right at the beginning, it is more likely that they will end up in custody. So, there seems to be this continuum that children can find themselves on if we do not get the matching and the planning process right in the first place.

[197] **Helen Mary Jones:** In your written evidence, you emphasise that changes to policy, legislation and guidance are not needed and that existing systems are adequate. It is also clear from other elements of your evidence and what you have said today that it is not working. Could you give us some guidance about what you think needs to change? What recommendations on the placement of children and young people should we make to make those systems work effectively for those children?

[198] **Ms Gillbanks:** I heard the end of the evidence given by Jenny McMillan about workforce development, and investing in and valuing direct work with children. I can only echo that view. We should invest in making sure that the social work staff are valued for the work that they do, and that direct work with children is seen as equal in worth as going in at the management structure. It should be rewarded in that way. We invest in their training, knowledge and understanding of the systems, ensuring that those systems are put into effect in a robust manner, because there is a lot of uncertainty about them currently.

11.00 a.m.

[199] **Helen Mary Jones:** I know that Members may want to raise other points, but we are now out of time. I am sure that Members, as well as the witnesses, some of whom have travelled a long way, will need to leave us promptly. I apologise to those Members who had comments to make, but we need to bring the meeting to a close. I thank the witnesses from Action for Children Cymru for some very useful evidence, both orally and written. Thanks to Julie, Stacey and Anne for making the time to be with us.

[200] The next meeting of the Children and Young People Committee will take place on 7 July, when we will look further at the arrangements for placements in care. For Members' information, due to family commitments, I will not be present at that meeting, so my colleague, Nerys Evans, will be here instead, and will take the chair, if Members are content with that. The clerk will make arrangements for that.

[201] Gyda hynny, tynnaf y cyfarfod i'w derfyn. Diolch, bawb. With that, I bring the meeting to an end.
Thank you all.

Daeth y cyfarfod i ben am 11.01 a.m.
The meeting ended at 11.01 a.m.