



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

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

**Dydd Mawrth, 22 Medi 2009
Tuesday, 22 September 2009**

Cynnwys
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Procedural Motion

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg. Mae hon yn fersiwn ddrafft o'r cofnod. Cyhoeddir fersiwn derfynol ymhen pum diwrnod gwaith.

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. This is a draft version of the record. The final version will be published within five working days.

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)
Sandy Mewies	Llafur (dirprwyo ar ran Lynne Neagle) Labour (substitute for Lynne Neagle)

Eraill yn bresennol
Others in attendance

Donna Davies	Pennaeth y Tîm Plant Agored i Niwed, yr Adran Iechyd a Gwasanaethau Cymdeithasol Head of the Vulnerable Children Team, Health and Social Services Department
Freda Lewis	Cyfarwyddwraig y Rhwydwaith Maethu (Cymru) Director (Wales) Fostering Network
Robert Tapsfield	Prif Weithredwr y Rhwydwaith Maethu Chief Executive, Fostering Network
Gwenda Thomas	Dirprwy Weinidog dros Iechyd a Gwasanaethau Cymdeithasol Deputy Minister for Health and Social Services

Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

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

Dechreuodd y cyfarfod am 9.16 a.m.
The meeting began at 9.16 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Helen Mary Jones:** Croesawaf aelodau'r pwyllgor yn ôl ar gyfer y tymor newydd. Atgoffaf bawb y bydd y cyfarfod yn cael ei gynnal yn ddwyieithog. Gan fod Cymraeg a Saesneg yn debygol o gael eu defnyddio, mae'n fuddiol i'r tystion sicrhau bod yr offer cyfieithu yn gweithio. Gellir

Helen Mary Jones: I welcome committee members back for the new term. I remind you all that the meeting will be conducted bilingually. As Welsh and English are likely to be used, it is advisable that the witnesses check that the translation equipment functioning. The headsets available here and

- defnyddio'r clustffonau sydd yma ac yn yr oriel os oes gennych broblemau clywed. in the gallery can be used if you have a problem hearing what is going on.
- [2] Atgoffaf bawb i ddiffodd ffonau symudol, 'mwyar duon', *paggers* a phethau felly. Nid yw'n ddigon i'w gadael yn 'dawel' gan eu bod yn amharu ar yr offer darlledu a'r offer cyfieithu, felly mae'n rhaid ichi eu diffodd. I remind everyone to switch off their mobile phones, their BlackBerrys, and their pagers and the like. It is not enough to put them on 'silent' as they can interfere with the broadcasting and translation equipment, so, please, switch them off.
- [3] Os bydd y larwm tân yn canu, rhaid i ni ddilyn y tywyswyr, a fydd yn dweud wrthym y cyfeiriad y dylem fynd iddo. If the fire alarm sounds, we must follow the ushers' instructions. They will tell us which direction to take.
- [4] Gofynnaf i'r Aelodau wneud datganiadau o fudd. Gwelaf nad oes dim. I invite declarations of interest from the Members. I see that there are none.
- [5] Mae gennyf nodyn byr. Bydd yr Aelodau a'r staff yn ymwybodol o'r ffaith ein bod ni, dros yr haf, mewn rhai o'r digwyddiadau mawr, megis Sioe Frenhinol Cymru a'r Eisteddfod, wedi gofyn i blant a phobl ifanc Cymru beth y maent hwy'n ei gredu sy'n berthnasol i ni ei drafod. Cymerodd dros 2,000 o blant a phobl ifanc ran, ac mae'r staff wrthi'n edrych ar y pleidleisiau. Daw adroddiad felly yn ôl i'r pwyllgor unwaith y bydd y staff wedi cael cyfle i fynd drwy'r adborth i weld pa faterion a godwyd. Yr wyf yn croesawu'n fawr y ffaith bod cynifer o bobl ifanc wedi penderfynu cymryd rhan, ac yr wyf yn diolch i'r staff am eu gwaith yn trefnu rhywbeth a oedd yn wahanol i unrhyw beth a wnaed gan bwyllgorau'r Cynulliad o'r blaen. I have a brief note. Members and staff will be aware of the fact that, over the summer, at some of the major events, such as the Royal Welsh Show and the Eisteddfod, we asked the children and young people of Wales what they think is relevant for us to discuss. Over 2,000 children and young people participated, and staff are now in the process of looking at the votes. A report will come back to the committee once staff have had the opportunity to sift the feedback to see which issues were raised. I warmly welcome the fact that so many young people decided to take part, and I thank the staff for their work in arranging something different to anything undertaken previously by any of the Assembly's committees.
- [6] Bydd yr Aelodau hefyd yn ymwybodol, yn drist iawn, fod Rita Phillips, y dirprwy glerc, wedi ein gadael ni dros yr haf. Mae hi wedi mynd i weithio ar secondiad i Lywodraeth y Cynulliad. Yr wyf yn siŵr ein bod am gofnodi ein diolch i Rita am ei holl waith. Ar secondiad y mae hi, ac efallai y daw hi yn ôl atom ryw ben ac y bydd yn gwybod popeth am sut y mae'r Llywodraeth yn gweithio. Members will also be aware, sadly, that Rita Phillips, the deputy clerk, left us during the summer. She has gone to the Assembly Government on secondment. I am sure that we wish to record our thanks to Rita for all her work. As she is on secondment, she might well return to us at some point having learned all the ins and outs of how the Government works.
- [7] Croesawaf Annette Millett, sydd gyda ni heddiw. Bydd hi'n gweithio fel dirprwy glerc am gyfnod byr hyd nes y bydd Sarah Bartlett yn dod ôl o'i chyfnod mamolaeth. Croeso cynnes, Annette, a diolch am eich cyfraniad. I welcome Annette Millett, who is with us today. She will act as our deputy clerk for a short period until Sarah Bartlett returns from maternity leave. A warm welcome to you, Annette, and thank you for stepping in.
- [8] Cyn i ni symud ymlaen at yr eitem Before we move on to the next item on the

nesaf ar yr agenda, deallaf fod ymddiheuriadau wedi dod oddi wrth Lynne Neagle. Diolchwn yn fawr i Sandy Mewies am gytuno i ddod yn lle Lynne. Croeso cynnes i chi i'r pwyllgor, Sandy.

agenda, I understand that Lynne Neagle sends her apologies. We therefore thank Sandy Mewies for agreeing to substitute on behalf of Lynne, and we extend a warm welcome to you, Sandy.

9.19 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

[9] **Helen Mary Jones:** Croesawaf Freda Lewis a Robert Tapsfield o'r Rhwydwaith Maethu—nid dyma'r tro cyntaf i chi'ch dau fod yn yr adeilad hwn, wrth gwrs. Hon yw'r bedwaredd sesiwn o gymryd tystiolaeth ar y pwnc pwysig hwn, a diolchaf i Freda a Robert am ddod yma heddiw. Gan ein bod wedi derbyn eich papur—a diolch i chi amdano—trown yn syth at y cwestiynau, os yw hynny'n iawn gyda chi.

Helen Mary Jones: For this item, we welcome Freda Lewis and Robert Tapsfield from the Fostering Network—this is not your first appearance in this building, of course. This is the fourth evidence-gathering session on this important subject, and I thank Freda and Robert for attending. As we have received your paper—for which we thank you—we will turn immediately to the questions, if that is okay with you.

[10] I have the first question. Please decide between you who takes what and pass the questions between you as you see fit. I will begin with a fairly broad question. What distinctive contribution does fostering services make to the care, development and wellbeing of looked-after children?

9.20 a.m.

[11] **Ms Lewis:** In Wales, as you know, 75 per cent of looked-after children are cared for in fostering families. It is essential that we look at improving fostering to make a difference to those children. As you know, there is a great deal to do, and we have suggested in the paper some ways forward that might be of use to you. I have asked Robert to come along, because he has an overview of fostering across the UK, so he may have information that might inform your thinking about the way forward.

[12] We have no doubt that everyone is trying to do their best for children but, increasingly, children are coming into care having had very difficult experiences and having had to overcome a lot of difficulties. So, we are asking foster carers to have many skills. It is more than being a parent and it is more than just loving a child; they have to understand attachment theory, appear in court, write reports, and engage with a range of professionals, as well as do the best that they can for these children and maintain contact with those children's families. A huge raft of skills and knowledge is required. While people are trying to do the best that they can, a lot more can be done to help them. Robert, I do not know whether you want to pick up anything additional.

[13] **Mr Tapsfield:** The only points that I would add are that we see enormous concern across the UK about the poor outcomes for children coming into the care system. However, the research tells us that we are right to be concerned about poor outcomes, and that local authorities and fostering services could and should do much better for those children. We are clear about that. Nevertheless, those young people do better than they would have done had they not come into foster care, and most young people speak well of being in foster care. That is not to say that we should be in any way satisfied by that, because there are far too many occasions when it does not work. It is worth saying that the evidence from research across the UK is that, for young people in care, whether foster care or residential care, it is the quality of

the relationship that they have with their carers that is the single most important factor in influencing how they will do. So, whenever we think about how to plan and develop services, we must ask ourselves how it is helping and supporting the quality of relationships between the foster carer and the young person.

[14] **Christine Chapman:** Good morning. Your written evidence highlights weaknesses in the foster placement agreement, including insufficient information and, in some instances, a lack of such an agreement. How widespread are these problems, and what should be done to address them?

[15] **Ms Lewis:** I refer you to the report that Care and Social Services Inspectorate Wales recently published on the independent reporting officer service. If you look at the bulk of that report, you will see that there are a lot of comments about care plans. For example, it says in one part that there is inconsistent recording of care plans and that many documents purporting to be care plans simply state, 'Will continue in foster care'. That is not care planning. We have to set objectives for a child. What outcomes are we looking for? Unless we do that, we cannot expect our foster care placement plan to reflect that so that the foster carer can work effectively with a child. It also says in the CSSIW report that the quality of plans across Wales needs to be improved. I do not know where we are with numbers, which was your original question, but there is a great deal of concern that they are not working as they should be and that they are not updated. It should be a living document. It should say, 'This is the child, these are the issues, and this is what we need to do about them'. That allows you to make the right placement, because, as Robert has said, leading on from the relationships, placement stability is the key. If you can plan to make the right placement for a child, in the right setting, where they will be comfortable, and with foster carers with whom they are comfortable and who can meet their needs, you will have a better chance of better outcomes for them.

[16] **Sandy Mewies:** On the transfer of information, in your paper, you touch on the importance of the correct information going to the correct people, and you talk very specifically about health. In my experience, particularly with children who have had many fostering places, education is a real stumbling block for sharing information. Very often, the Data Protection Act 1998 is used as an excuse, but it does not apply. Is it still a significant problem, and, if so, what can be done to address it?

[17] **Ms Lewis:** Absolutely. There are real issues to do with the sharing of information and they have to be overcome. In health, some of that is about mechanisms. For example, although it is not consistent across Wales and there are big varieties, in some local authorities, the looked-after children's nurse undertakes health assessments and feeds them into the care plan, which then feeds into the placement plan. In other areas, it is the designated doctor who undertakes 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.

[18] The mechanism for the transfer of medical records is that a child is registered permanently with a general practitioner. If that registration does not happen, those records do not transfer. Again, there is variation in what happens.

[19] With education, it is quite clear that foster carers are not as involved as they should be, and we have recently done a piece of work for the Welsh Assembly Government looking at carers' involvement in the education plans. Again, those plans should be living documents, worked through with the foster carer, the child, and the education and social services, but that clearly does not happen. It is a sad reflection of the situation when a foster carer says, in response to that survey, 'I have been fostering for 10 years and I have never heard of PEPs'. It

is crucial that personal educational plans are completed. So, there are training issues. Much of this is about changing the culture of people, about working together, and you are absolutely right about people hiding behind the Data Protection Act.

[20] Foster carers do not need to know all there is to know about a child and his or her background, but there are really crucial things that they should know, such as the child's history, how long a child is likely to be with them, how much of the national curriculum they have done, what their previous experience of education is, whether they are statemented, or whether they should be statemented and it has not been addressed. 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.

[21] We have done some work, and I have sent you a copy of Amy's diary, which helps professionals to understand their role. The Welsh Assembly Government funded the production of that. It is designed to show in a user-friendly way the issues that a young person faces in school life. It tells teachers and social workers what they should be doing. It was not designed to be a document that would sit on the shelf. It has gone out to all high schools in Wales and all looked-after children's teams, and I have made sure that it has gone into the social work training libraries. I have highlighted it, as we are trying to get social workers to think about working interprofessionally.

[22] **Eleanor Burnham:** Yr wyf yn ddiolchgar i Sandy Mewies am ofyn hynny, gan yr oeddwn wedi bwriadu gofyn yr union un cwestiwn. Darllenais dros yr haf ein bod yn ddiffygiol iawn mewn rhai mannau o ran rhannu gwybodaeth allweddol, yn enwedig am broblemau dwys fel problemau ymddygiad, a dylid rhannu'r wybodaeth gyda gofalcwyr maeth. Yr wyf yn falch o glywed y bydd hynny'n digwydd.

Eleanor Burnham: I am grateful to Sandy Mewies for asking that, as I had intended to ask exactly the same question. I read over the summer that we have extreme weaknesses in some areas with regard to sharing crucial information, particularly about serious problems such as behavioural problems, and that information should be shared with foster carers. I am pleased to hear that that will happen.

[23] Yr ydych yn pwysleisio bod prinder gofalcwyr maeth. Hoffwn wybod pa effaith y mae hynny'n ei gael ar gynllunio wrth leoli plant. Sut y gellid datrys y problemau dwys hyn?

You have emphasised the shortage of foster carers. I would like to know what effect that is having on planning when placing children. How can these serious problems be solved?

9.30 a.m.

[24] **Ms Lewis:** The Fostering Network has undertaken a survey over the years to look at the shortage. We have identified that, in Wales, there is a shortage of 700 foster carers. The issue is that you need a pool or a range of foster carers, who have different skills and knowledge, so that you are not just placing someone somewhere because there is a place available. That poses challenges for authorities. As an organisation across the UK, we hold a national campaign in May, Foster Care Fortnight—and Helen Mary Jones is always supportive of it—which raises the profile of fostering to see what we can do about recruitment. Is there anything else that you want to take up regarding the UK, Robert?

[25] **Mr Tapsfield:** This is a common issue across the UK and, as Freda said, having a range of options available allows a fostering service to make the right placement at the right time. 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.

[26] **Angela Burns:** One point that you made clearly in your paper is that there is an ageing foster carer population. Do you have any views on what we could do to entice younger parents and families, and I assume that single people would also be attracted to come into this? There is a dearth of people throughout the UK who are prepared to undertake what could be deemed as a public service career.

[27] **Mr Tapsfield:** Understanding that the age of foster carers is probably increasing is very important, but it is also important to understand why that is. Twenty years or so ago, it was very common for young families to foster, and to foster other young children while their own children were very young. That is less common now, and there may be some good reasons for that. Many of the young people coming into foster care have been ill-treated or abused, and many may have been victims of sexual abuse, and parents who have young children may rightly be nervous about placing such children within their own families. So, we think that there may be some good reasons why it is often older people who come forward to foster, and we may be picking up experienced parents to be foster carers. That does have implications, though, because people who foster may do so for less time, because they will reach the age at which they want to stop sooner. So, that has implications for the turnover. While there are efforts to be made to recruit people of all ages, we do not necessarily think that the answer is to find more ways of recruiting young families, because there are circumstances in which people with young children are rightly choosing not to foster the more challenging young people who are coming into care today. However, as I said, that has implications for the turnover.

[28] **Angela Burns:** May I just ask one more small but perhaps slightly controversial question? Is there a danger of people looking at fostering as a career and therefore applying a more professional bias, thinking, 'I will become a foster carer and foster all my life long'? If they choose to do that, is there a danger of losing the other elements that make a good foster parent?

[29] **Mr Tapsfield:** 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. So, there is no evidence that people who need to bring in an income are less loving as foster carers. There is substantial evidence that, in many families across the UK, both parents—where there are two parents—need to bring in an income to the family. If we are to attract foster carers who might be of that age when they are returning to the workforce or needing to work, unless we are prepared to pay them, it simply will not be possible.

[30] 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. The increasingly challenging children being fostered mean that more training and expertise is required with regard to foster carers. In that sense, it is clearly a job of work and love, so it is a career in that sense. People who foster will tell you very quickly that they would not, and that you should not, do it for the money. 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. So, it is about a package of support that includes money, and that is absolutely key to being able to recruit people of the quality that is needed and to retain them in the workforce.

[31] **Helen Mary Jones:** I remind Members and witnesses that we have another 10 questions that we need to try to get through in the next half an hour, so perhaps we can make our questions and answers as succinct as possible. I know that that is a big ask, because this is a very complex field and there is an awful lot to be said, but we have to finish at 10 a.m., because we have had to fit this around the Deputy Minister's diary, and we were rather lucky to get her here.

[32] **Eleanor Burnham:** Beth yw **Eleanor Burnham:** What are the advantages manteision gofal maeth tymor hir i'r plant of long-term foster care for children in care? sydd mewn gofal?

[33] Was that succinct enough?

[34] **Helen Mary Jones:** It was.

[35] **Ms Lewis:** 'Stability' is the answer—being able to build relationships with foster carers and have the experience of family life, and not having to change schools or move away from their families. It is clear that long-term fostering should have a greater prominence as part of placement choice.

[36] **Helen Mary Jones:** Angela is making a face, and when she does that, I cannot say 'no'.

[37] **Angela Burns:** In your report, which is superb, you make a very strong statement that most children in foster care want to stay there and do not want to be adopted. I would be interested to hear what research that you have to back that up. I ask about this because, in the last two years, I have dealt with about 30 children who have either been fostered, are in the process of being adopted or who have been adopted, and every one has been desperate to have a forever family—to be adopted. So, that statement leapt out at me and I was surprised by it.

[38] **Mr Tapsfield:** There is no doubt that, for very young children, one seeks adoption if they cannot be—

[39] **Angela Burns:** I will interrupt you, if I may, to say that the children that I have been dealing with have been aged eight, nine, 11—they are in that sort of age bracket.

[40] **Mr Tapsfield:** The research that Gillian Schofield and others have done suggests that many older children do not want to be adopted because they do not want to lose the connection with their own family, but they want to be able to grow up in another family that they can also see as being their own. So, the emphasis is not that those who do not want to be adopted should not be adopted, as obviously they should, but that adoption is not the answer for all children. For the significant numbers of older children who are coming in, we should not be looking at this as a case of adoption or nothing. Long-term foster care can be equally as valid in providing them with the security that they need. However, for older children who want to be adopted, one should be trying very hard to place them with adoptive parents.

[41] **Christine Chapman:** You state that the children's commissioning support resource system does not appear to be working as effectively as it should. Can you outline the shortcomings of the CCSR and suggest ways in which they should be addressed?

[42] **Ms Lewis:** We are not a fostering agency, so we do not use the CCSR. So, the information that we have has been passed to us or we have observed it. Not all local authorities use it for their internal placements, and that leads me to ask how you get a picture of provision and need across Wales. If local authorities worked in partnership with the independent fostering providers, using available data—which does not exist at present—that

could be overcome. They could plan where the need is and plan together how to address that need. You need to go back to look at what its original purpose was, restate it and look at whether it is doing what it set out to do.

[43] **Angela Burns:** I want to talk about information sharing between the other agencies, not just the local authority and the foster carer. Could you give us a brief overview of the guidance that is currently available?

9.40 a.m.

[44] **Ms Lewis:** There is a concordat around information sharing. I am not sure how widely it is used. It is something that I do not know a great deal about, so it would be wrong for me to comment too much on it. However, there certainly should be a culture of sharing appropriate information. I highlighted some of the difficulties with regard to health; it is the system and not the individuals. In education, again, it is often the system, but it comes down to the individuals. However, if the foster carer is recognised as being a part of the professional team working with the child, then information is more likely to be shared effectively, because people will see that they need to receive information. Our concern is that foster carers are not seen as being a part of that team. That will come about as a result of the care council naming them as part of the childcare workforce, which currently does not happen. If they were seen in that way, it would move us forward a great deal.

[45] **Angela Burns:** Thank you. My second question is about the risks associated with individual placements. What you have said chimes with what has been said to me by foster carers: they have children placed with them and they have no real understanding of their issues. There have been some drastic outcomes. For the record, it would be worth noting that your report states that 53 per cent of foster carers who responded to your survey said that, in the last three years, a child had been placed with them for whom they were not given all of the information needed to care for them safely; 81 per cent had not been given information about the child's general behaviour; 70 per cent had not been told about the history of abuse suffered by the child; and over 30 per cent had not been told about the child's medical requirements. I do not think that we need to say any more on this subject, as I think that we have covered it with Sandy's questions and those asked by Eleanor. There is enough information, but it is sitting in a drawer somewhere and it is not getting out.

[46] **Ms Lewis:** It is clearly not being shared, which is not good for children.

[47] **Sandy Mewies:** I am sorry, Chair, I understand the need for brief questions.

[48] **Helen Mary Jones:** No, it is fine; we have caught up now.

[49] **Sandy Mewies:** We talked earlier about the liaison with health, but I am particularly concerned about education, because that is the field that I know about. It is dreadful that foster carers do not have all of the information that they need about a child, particularly given the disastrous performance of looked-after children in education and the lack of encouragement that they get to go on to further education, and the consequences for their later life. This is why I mentioned, in particular, children who are moved from place to place. There are several dangers in that. The first is that that child can just disappear. He or she goes from one school to another and, unless the headteacher assiduously follows what is going on, it is possible to lose sight of that child. That is extremely dangerous.

[50] The second thing that concerns me is that—I am not talking about recent experience—in my experience, schools have not been aware that a child has been placed in foster care. All of the children in the playground know, but the teachers do not. That is not right. You said that the problem is the system. The practice of health, education and social

services working in silos was supposed to have vanished a long time ago. I do not think that it is good enough to say that the system is the problem. We have been working at this for years. Does there have to be a form of compulsion on this concordat or do we just shrug our shoulders and say 'Well, it is the system'?

[51] **Ms Lewis:** Absolutely not. We would totally support the belief that there needs to be an improvement with regard to the sharing of information. There are looked-after children co-ordinators who have responsibility for education. I am not convinced that they have the authority that they need in linking with schools. It appears that they cannot always get the information that they need. There needs to be greater recognition of the foster carer as part of the role. There are certainly problems. Robert, do you want to pick up on the broader aspect?

[52] **Mr Tapsfield:** No.

[53] **Helen Mary Jones:** With regard to the sharing of information with foster carers specifically—I fully accept the point that the sharing of information between agencies is pretty poor as well—what barriers are identified in the information that you have from foster carers? Why are people not being told about such basic things as a child's likely behaviour and any history of abuse that they might know about? What is getting in the way?

[54] **Mr Tapsfield:** Unfortunately, there is no simple answer to that. The information that we have is that there are a number of themes. One is simply the issue of the quality of social work. For example, 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.

[55] Secondly, there are misunderstandings about data protection and confidentiality, which means that people do not realise that they can and should share this information. Thirdly, as Freda said, 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.

[56] Finally and unavoidably, there are times when the temptation for a local authority is not to share information that they think could put people off looking after a child. We also know that people often do not share information when they should. So, all of those factors are present and need to be addressed if the culture is to be changed and if foster carers are to get the information that they need in order to provide safe care to their own families and to those children whom they foster.

[57] **Helen Mary Jones:** I will allow two supplementary questions from Eleanor and Angela for you to answer together, just to save time.

[58] **Angela Burns:** Having talked to many foster carers, I am appalled by what goes on. You have just referred to yet another bunch of co-ordinators. The system is awash with people who are not doing their jobs very well: with co-ordinators who do not co-ordinate and with information providers who do not provide information. Is the nub of this—Robert touched on it—to put the foster carer at the centre of this web and empower them by giving them the same rights and responsibilities as a parent? If the foster parent is looking after a child for whatever length of time—a month, eight months or 12 years—they are that child's parent, so should we not empower them and give them the ability to phone the county council and the former social worker and say 'Stop fudging: I want this, this and this', and to phone the former school and ask it to pass on the information to the new school? Would putting the foster parent at the centre of that web make the difference? My fear is that, while we undertake this inquiry, there is still this bundle of people who swim around the pool but do not get to the heart of the matter.

[59] **Mr Tapsfield:** I applaud what you say and I think that you are right, but achieving it will be a real challenge. We know—this does not only apply to foster care—that empowering those who are at the lower levels in the hierarchy is difficult; it is difficult for them. This is about empowering them and requiring them to set high expectations. It is also about ensuring that we have recruited, trained and supported people of sufficient quality to be doing this job. So, we are talking about a whole system that is designed to place foster carers more at the heart of things and to give them a bigger role. However, action on all fronts is required in order to achieve that.

[60] **Angela Burns:** The objective of this exercise, Chair, is to focus on the child, but after the child, the second most powerful and responsible people have to be those who are closest to them, namely the people who tuck them up in bed at night.

[61] **Helen Mary Jones:** That is true, but a problem that is often unacknowledged is that power is finite and you cannot empower some without taking that power away from others. That is where the difficulty comes in and we may want to say some fairly rigorous things about that.

[62] **Eleanor Burnham:** We have also heard from someone who represented the teaching profession and I was quite taken aback with that gentleman's view that teachers were only there to teach. I was involved in a minor way with dysfunctional 14 to 16-year-olds throughout north-east Wales before I became an Assembly Member and I believe that we are all here to help. Sharing information is crucial, despite the Data Protection Act 1998, behind which people often hide. This particular gentleman was a union representative and he categorically said that teachers' job was to teach, but surely education and educating is part of that—

[63] **Helen Mary Jones:** We should say for the record that he was accompanied by another teachers' union representative who was thoroughly horrified by what he said and a great many teachers would also take a very dim view of what he said.

[64] **Eleanor Burnham:** I know, but I am only expressing the point that was made to us, which I find difficult to accept. I am sure that it is all part of the big equation that we should try to tackle. I think that we can do things differently in Wales.

[65] **Helen Mary Jones:** I think that we should continue with the questions.

[66] **Eleanor Burnham:** Fine, but I have not asked many supplementary questions this morning. I will ask my last question in Welsh again.

9.50 a.m.

[67] Sut y gellir trefnu bod plant sydd How can the participation of looked-after
mewn gofal yn cyfrannu mwy at y broses o'u children in the placement process be
lleoli? increased?

[68] **Ms Lewis:** Children tell us that they are not involved in decision making and they are not kept informed. Often, because we have a shortage of foster carers, there is not a huge choice of placements for them, but you have to be up front and honest with them about that. I have come across a very good example where children are supported in the review process. 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.

[69] **Christine Chapman:** I think that Robert touched on this earlier on. This question is to do with the other children of foster carers. How effectively are the needs and views of sons and daughters of foster carers taken into account when children are placed in their families?

[70] **Ms Lewis:** Again, it varies incredibly—so sons and daughters tell us. Foster 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. All of us build up friendships in our childhood and that has to be managed. They have to be supported through that. The other issue that came up recently, when Helen Mary met with a group of them, was about endings. That is something that we have not focused on a lot. They said, 'I came home and they were gone'. So, 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 family 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.

[71] **Sandy Mewies:** In your report, you talk about variation in the way in which the care that foster children receive is monitored. In some ways, with 22 local authorities and 22 different departments, that may not be entirely surprising; however, you talk about this and say that it is variable. Should the statutory minimum be increased to secure more regular contact or are there other ways in which improvements could be made? My addendum to that would be that some placements need rather more monitoring than others. I do not want to knock social workers here—they are damned if they do and damned if they do not. They work terribly hard, they often have heavy caseloads, and my personal view is that councillors have a responsibility as corporate parents in this. It is a role that is very often ignored completely or misunderstood, and it has been that way for many years. Therefore, should there be more than the statutory number of visits—I have given you my view on that—and how effective are the arrangements for reviewing the placements for looked-after children?

[72] **Ms Lewis:** There is quite a lot in that question, so perhaps I can unpick it a little. Clearly, the level of monitoring that you would want depends on the type of placement. So, if we are talking about long-term fostering, in which you are looking to place a child for several years, do you need the same sort of input as you would for a child who is placed for several weeks?

[73] Foster carers need to be given the authority and the support to do the job. They need to know that the social worker is there for them, and I totally support that. We are not here to knock social workers, local authorities or anybody else; we are here to promote good practice and to help people. Foster carers need to know that support is available to them; they do not need people there all the time, so long as they are there if they are needed, and—I have lost my train of thought, sorry. I have had a senior moment.

[74] **Sandy Mewies:** Can you cover the monitoring of long-term placements?

[75] **Ms Lewis:** I know what I wanted to talk about; it is the authority for the foster carer to do the job. That is crucial. It is not clear what level of authority they have. In the foster placement agreements, of which I have brought a copy from the regulations for you to see, it is very clear what foster carers can and cannot do, but in reality, it does not happen like that, and they are hindered in what day-to-day decisions they can make. That needs to be clear early on.

[76] **Mr Tapsfield:** There is a real challenge there, because it is commonly said that when children are well placed with foster carers, as can and does happen, then we need to make a lighter-touch arrangement to support them. However, all the available evidence and research shows that not enough placements last long enough, so we need to be concerned about withdrawing support. There may be times when less support is needed, but there will also be times when they need more. The support survey that you quoted from has also shown us that people place a high value on having good-quality children's social workers and good-quality support for their fostering service. When they get that, they are extremely pleased, and that is important to them. The challenge and the worry is whether removing the minimum requirements would lower the level of support available to people when they need it, because it is most important that you can get the support when you need it.

[77] **Sandy Mewies:** Thank you for that. I guess that means that there has to be a certain degree of high-quality training, trust and monitoring for everyone involved.

[78] I do not think that you had a senior moment, Freda; I think it was a Mystic Meg moment, because you looked ahead to the question I was going to ask next, which is about the equality of opportunity that children in foster care get. It seems to be restricted in some ways because of the decisions that foster carers are permitted to take. The question is: how does this affect the wellbeing of looked-after children, and how should these problems be addressed?

[79] My personal question to you is this: should not these things be ironed out during case conferencing before a foster carer takes over a placement? The social worker should know the needs of the child and what that child faces in school and whether he or she will be asked on school trips and so on. Surely, these are things that could be case-conferenced before the placement starts, never mind halfway through. Is this done, or not?

[80] **Ms Lewis:** 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. There is a case—you will know it, Chair—of a young woman, a 14-year-old, who is involved with the Air Cadets who wants to have a career in the Royal Air Force.

10.00 a.m.

[81] She goes to meetings on a Friday night and goes flying on a Sunday, but the foster carer cannot sign for her to go flying on a Sunday. Even though she has been in the placement for four years and has attended this group for two years, there is still no agreement in place. We were able to get that sorted and help her to do that, but we should not be involved in cases like that. When you have a long-term placement, all that should be sorted out in advance, as you said. Children are being put at a disadvantage because it is not being sorted out in advance.

[82] **Helen Mary Jones:** Thank you for that. I had a couple of questions about the role of foster carers and the children's services workforce, but I think that we can leave those because some of the issues are addressed in your paper. If there are any outstanding questions, we will write to you. However, I have one final question to end this session. Are there any other recommendations, other than what is in the paper and what you have mentioned in this meeting today, that you would like this committee to make to the Welsh Government when we make our report? To make things even more difficult for you, if there was one thing that we could recommend and go after to get the Government to change, what would that be?

[83] **Mr Tapsfield:** I will mention two and Freda will mention one.

[84] **Ms Lewis:** I had hoped that you would ask for my top three wishes, because I have them written down here.

[85] **Helen Mary Jones:** You will get your three wishes then.

[86] **Mr Tapsfield:** One is that young people are leaving care too young, and unless we grapple with the most vulnerable group and find ways for them to stay longer in foster care, we will struggle with poor outcomes in years to come. It is about grappling with that so that they are able to stay in care for longer. The second issue is that we have been waiting for a while in Wales for the vulnerable children strategy to set out how the Welsh Assembly Government will progress an agenda to transform outcomes, and saying urgently that it is very badly needed. We have been waiting too long for that.

[87] **Helen Mary Jones:** That is to do with our legislative process where everyone has to wait for a very long time for everything. Freda, what was your wish?

[88] **Ms Lewis:** My top three were the naming by the care council of foster carers as part of the childcare workforce, in order to give a strong message that they are part of the professional team. It would be good if we could sort out that delegating authority, because it impacts on children's lives and it could be sorted out immediately. We should be setting a mandatory fostering allowance across Wales, because there is a lot of confusion as it is not clear who is paying what, where and when, and I think that that would make a difference as well.

[89] **Helen Mary Jones:** Those sound like useful wishes, and I can see other committee members nodding. I thank you both very much, and I will take the opportunity to pay tribute to the work that the Fostering Network does in supporting foster carers and foster care across Wales. Diolch yn fawr iawn i chi.

[90] **Ms Lewis:** Thank you.

[91] **Helen Mary Jones:** Yr wyf yn awr yn croesawu'r Dirprwy Weinidog, Gwenda Thomas. Yr ydym yn hynod ddiolchgar ichi am roi o'ch amser i fod gyda ni. Yr wyf hefyd yn croesawu Donna Davies, pennaeth y
Helen Mary Jones: I now welcome the Deputy Minister, Gwenda Thomas. We are very grateful to you for taking the time to be with us. I also welcome Donna Davies, head of the vulnerable children team. Thank you

tîm plant sy'n agored i niwed. Diolch yn fawr both for being with us. If you are content, we
 ichi eich dwy am fod gyda ni. Os ydych yn will move straight to the questions.
 fodlon, trown yn syth at y cwestiynau.

[92] I will ask the first one, and in doing so I thank you very much for your paper, Deputy Minister. Your paper highlights the responsibilities of a wide range of people for the wellbeing of looked-after children, including elected members, social workers and foster carers. How does the Government of Wales aim to ensure that at every level there is sufficient awareness of the difficulties facing looked-after children and a commitment to securing the best possible services for them?

[93] **The Deputy Minister for Social Services (Gwenda Thomas):** There are wide-ranging policies, regulations and practices in place to safeguard the welfare of children. If we start with the principles of placement, achieving stability of placement for the 4,633 children in a placement—which is the latest figure that I have for the number of looked-after children—is a key objective for the Welsh Assembly Government. It is important to remember that the principle to which we work is that every child has a right to remain within his or her family. That is the commitment of the Welsh Assembly Government, and that has been stated on many occasions. Where that is possible and where it is for the welfare of the child, the Welsh Assembly Government has developed policies to ensure that that can happen. Around 20 per cent of children who are looked after are now looked after by family or friends. That is an achievement.

[94] There is a concern that some of the children who are in the care of local authorities have multiple placements in a year. I am glad to tell the committee 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. The core assessment at the beginning of the process is very important. Local authorities are improving, but, as we know from the CSSIW report, there is variability of performance and we need to move towards more consistency in achieving a core assessment and a review of any care plan. In addition, in my view, it is exceptionally important that that care plan is shared with foster carers or, wherever a child is placed, that the contents of the care plan are shared, and done so effectively.

[95] **Helen Mary Jones:** Thank you, Deputy Minister. Before I bring in Christine Chapman, I will ask you a bit more about family placements, because it is clearly good for the child if the child can be with an aunt, uncle, grandparent or close family friend. It is also true that some of those carers do not then receive the same support that a carer in a formal fostering placement would receive, whether that is financial support or care and support for dealing with a child's possibly difficult behaviour. Does the Government have any plans to increase the support that is available to those family carers? It is excellent that so many children are now able to stay within the family, but it has been put to me informally that some local authorities may be using that as care on the cheap, because they do not have to pay as much as they would to a formal foster carer. I know that that is not what you as a Government would want.

[96] **Gwenda Thomas:** There is variability in the way in which some foster carers, particularly family placement carers, are treated, and there is an issue here, in that we need to develop appropriate skills for those family placement carers and that we also need to look at the way in which we fund or resource those carers. I think that we will consult shortly to improve the funding that is made available to fund these carers and also look at funding them appropriately and in compliance with the level of care and the complexity of care that they provide, will we not, Donna? We have a wide range of foster carers, as you know; some are professional and some will provide care to children who have complex needs. We need to look at family placement carers and we need to look to make fees available to them that

would be appropriate to the care that they offer and provide.

[97] **Ms Davies:** To clarify some points attached to that, as the Deputy Minister said, it is important that we have a diverse range of foster carers. There is an increasing emphasis on care by family and friends, which is very important, because we know that the outcomes for children are better in terms of relationships. We have just completed the work that the Deputy Minister talked about, so we are informed by a study and a piece of research, which we only received this week. We will be going out to consultation later this autumn to try to come up with a more proportionate and fairer system of allowances and fees that recognise proportionality to encourage local authorities to pay some standard in living allowance, as it is called, across the board. In addition to that, local authorities can now pay allowances under the Act. Some do so. This report sets out those that do and do not support. However, it is important, as the Deputy Minister said, that we are looking for a more equitable system.

10.10 a.m.

[98] **Helen Mary Jones:** I am sure that when the time is appropriate, Deputy Minister, the committee would be interested in seeing that research.

[99] **Gwenda Thomas:** Yes, indeed.

[100] **Helen Mary Jones:** It would be very helpful to us. I now call on Christine Chapman.

[101] **Christine Chapman:** I turn now to commissioning placements for looked-after children. The committee has heard evidence that there are some problems with the children's commissioning support resource, such as under-resourcing and inconsistent use by local authorities, and that it is not as effective as was hoped. Are you satisfied, Deputy Minister, that, allowing for some improvements, the CCSR can be an effective tool for assisting local authorities in placing looked-after children?

[102] **Gwenda Thomas:** I am firmly of that view. It is not to say that we do not need to tweak around the edges but I do think that developing the CCSR has been a very positive way to move forward. Our priority is to ensure that there is a wide range of quality placements in Wales to meet the diverse needs of looked-after children. With regard to CSSIW, I think that the Welsh Assembly 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 a whole range of organisations and agencies working together. The CCSR has already facilitated that collaboration.

[103] The process of commissioning and tendering is mechanistic, as we know, and it is necessary to ensure at all times that we achieve the best placement for a child. It is also important to remember that the CCSR is a very small but important part of local authorities' arrangements for placements. We are very pleased—as I am sure that Donna will agree—with the contribution that the CCSR is already making to local authorities' local placement strategies and leadership. I pay tribute to the Association of Directors for Social Services and the Welsh Local Government Association, and the leadership that they have also taken in developing three regional collaborations, working together and pooling resources. The CCSR has facilitated all of that. I did notify the committee that there would be a presentation by the looked-after children's group, but I would be more than pleased to arrange for the CCSR to make a presentation to the committee so that you have the opportunity to ask your own questions and to scrutinise how the CCSR is developing.

[104] **Helen Mary Jones:** Thank you, Deputy Minister. We may very well want to take

you up on that. I can see that Members are looking interested.

[105] **Christine Chapman:** To move on, are resource constraints increasingly likely to force local authorities to make more placement decisions based on cost rather than suitability?

[106] **Gwenda Thomas:** I hope not, because it is fundamental that the placement that is chosen for a child is based on what is best for the child. The Welsh Assembly Government has re-invested £150 million in placements and made that available to local authorities. When you think about the question of cost—to refer back to the CCSR, and to pay tribute to you, Christine, in your previous role, as it is important to do that; you did a lot of work in encouraging local authorities to better manage their expectations and their resources—I think that we could look back to that as a time when we started to see improvements.

[107] Through the implementation of local placement strategies, it is true to say that many local authorities have achieved positive service delivery and business benefits by, for example, reducing the significant reliance on out-of-county placements. As a result of those improvements, one local authority achieved a reduction of £1.3 million in 2007-08 in its spend on children's placements and increased capacity and improved the stability of the children in its care. Therefore, there are ways to look at costs, but in a very positive way—instead of looking at it as a cheap way of providing, it is a matter of looking at how resources can be better spent. That is one good example.

[108] **Angela Burns:** Good morning, Deputy Minister. My questions are to do with information exchange. In your paper, you say that poor practice in the information exchange between other bodies involved in a child's care often leads to breakdown of the placement and so on. You and I have discussed this quite a bit, and I went to your presentation on the children's commissioning support resource. Would it be useful for the CCSR to be broadened out so that it could take in all of these other bodies that are supposed to exchange information but that do not? We rely on the co-ordinators, but we are hearing evidence again and again that the co-ordinators are not co-ordinating, and therefore the foster carers are not getting the information they need about the children's medical needs, educational needs, social background and so on.

[109] **Ms Davies:** It is not so much to do with the CCSR; the arrangements for what information should be shared are set out in regulations and guidance. It is not part of the CCSR database; these are core social services functions.

[110] **Angela Burns:** My point was that perhaps it should be part of that.

[111] **Ms Davies:** The Deputy Minister is going to be consulting on this. As she mentioned, there is variability. Information sharing and the effectiveness of the process are down to effective care planning and placement planning. Those activities are completed by social workers. We know from the inspectorate that some of these are not as good as they should be, for a number of reasons, and there needs to be better recording. Where it breaks down seems to be because that information is not being passed on to other practitioners. There are good reasons why some information within those plans could not be shared with a foster carer, but that is not insurmountable. There are ways in which we can ensure that the main information is shared.

[112] Under data protection and other laws, looked-after children fall into two categories. There are those who come through the court process, for whom the local authority has parental responsibility, and there are those who are placed through voluntary arrangements—and, as the Deputy Minister said, more family and friends are involved in those and they account for a big chunk of the care system. In many of those cases, parental consent is required for information to be shared. However, we recognise that that is sometimes used as a

barrier. So, as part of the new arrangements to strengthen things generally—because it is not just about foster care, but about care planning arrangements as a whole—we will be requiring more of what we are calling ‘front-loading’. When a child comes into care, the parents will have to consent to greater flexibility with regard to the range of information that can be shared.

[113] **Angela Burns:** Forgive me for pursuing this point, but you use words like ‘some’, and we have just been talking to representatives of the Fostering Network Wales, who said that 81 per cent of foster carers have not been given information about the behaviour of the children they are caring for and that about 70 per cent have not been told about the history of abuse suffered by a child. These figures represent far more than ‘some’. I am not necessarily referring to the 20 per cent of children who are looked after by family and friends; there is another 80 per cent out there that the Fostering Network Wales says are simply not getting the information that they need from the social workers. They are not getting the medical and educational information that they need. I am horrified to take away from our discussion the impression that the reason why this information is not being shared comes down to legality.

10.20 a.m.

[114] **Gwenda Thomas:** I thank you, Angela, for what you have brought to my attention—that came from the real world of foster caring. There have been clear duties in regulations and national minimum standards since 2003 that require local authorities to make available information to foster carers to protect the child that is being placed, as well as any other children that they may have responsibility for. We have had the unfortunate case lately where information sharing was not as good as it should have been, and we all know the result of that. It is important to look at this, and foster carers are now subject to inspection every year, which has been a big step forward. 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. We need to look at how we improve the situation. At the outset I mentioned the care plan, and any information in that plan that can be shared should be shared.

[115] **Helen Mary Jones:** Before we bring in Eleanor Burnham, Ms Davies mentioned in response to Angela Burns that there is some information that should not be shared with foster carers. With my professional background, I might have some understanding of that, but for the record and for the benefit of a lay person, could you explain why we are not sharing all kinds of information with those families that we are asking to take vulnerable and sometimes damaged children into their homes? Could you give us some examples of information that, for legal or other reasons, might not be shared? If I am taking a child into my home, I want to know everything about that child, particularly if I am putting that child in close proximity to my own children. However, I appreciate that there are some constraints, so perhaps you could give us some examples for the record.

[116] **Gwenda Thomas:** This is technical in nature, so I ask Donna to give some examples to the committee.

[117] **Ms Davies:** As you say, there is no hard and fast rule, but, for example, we would expect that all the information that you mentioned, and which it would be sensible to share—relating to the child’s experiences, health, and emotional and physical state—should be shared. However, there are limitations on some of the family history information, because the assessment domains and the care plan look quite broadly at the family dynamics, and, sometimes, it could be stigmatising to share information on that. As I said earlier, there is no reason why some of the information aggregated from the plan cannot be shared; some of it can be anonymised, and other aspects can just be made available.

[118] To pick up on Angela's earlier point, I appreciate that the Fostering Network Wales has reported on a cohort of foster services that it looked at. The services are inspected every year, and they are sharing information, and targets are measured; the inspectorate has a different view to some other perspectives. We need to look at the evidence in the round about what is shared and not shared.

[119] **Helen Mary Jones:** With your permission, Deputy Minister, I will specifically ask Ms Davies if we can have an example of the kind of information about the rest of the family that should not be shared. It is difficult because each case is completely individual, but if, for example, there were abuse allegations relating to the siblings of the child, I would want to know that too, because there would be every likelihood that a child from an abusive family would have seen, or possibly been a victim of, abuse. So, can you give one specific example of that kind of information?

[120] **Ms Davies:** If there is any overriding risk to the foster carer's family, the child themselves, or other children in that family, then that is the type of information that must be disclosed. There are different interpretations by professionals of some information, and that is the issue. The Fostering Network mentioned earlier that we have the Wales accord, which has clear guidelines and templates to give professionals some level of protection. Information sharing is difficult across a number of services, not just in this service, but it is an area that we need to be looking at and perhaps placing a better focus on in training. You gave examples of information that should definitely be made available to foster carers, because it is required, as I just indicated to the Deputy Minister, in schedule 6 to the regulations, which lists all those type of things, including the things that you just mentioned.

[121] **Gwenda Thomas:** Would it be helpful to make available to committee the duties in the regulations and in the national minimum standards introduced since 2003 that set out the requirement and the duty to share information?

[122] **Helen Mary Jones:** Yes, that would be very helpful, Deputy Minister, because I still feel that I am slightly short of specific examples of what would not be shared. Some of that information may be difficult to discuss in open committee so perhaps you could give us a note with some examples of the sorts of things that at present a foster carer would not or should not be told. Eleanor, do you want to come in?

[123] **Eleanor Burnham:** Yes. I am very unhappy about what Ms Davies has just said. We all had some experience of dealing with fragile and vulnerable young people before we came to this Assembly, and I am particularly concerned about what you said because I think it is fudging. We have received lots of testimony that clearly states—and I would go along with it—that unless there is a specific reason why information cannot be shared, you are just putting up a smokescreen. It is very difficult—

[124] **Helen Mary Jones:** In fairness, we have asked for some examples and the Deputy Minister has agreed to supply them.

[125] **Eleanor Burnham:** Absolutely, but I would just like to make my feelings known. I feel very strongly about this.

[126] **Helen Mary Jones:** That is understandable.

[127] **Eleanor Burnham:** Aside from the legislative parental issues, foster carers, as we are all aware, have very intimate dealings with fragile young people, along with their own family. I want to press the point that very often they are bringing up these young, vulnerable people alongside their own family.

[128] **Helen Mary Jones:** Your point is well made. Can we move on to the issue of the participation of children?

[129] **Eleanor Burnham:** Hoffwn gwestiynu'r Dirprwy Weinidog ynghylch cynnwys y person ifanc yn y penderfyniad ynglŷn â'u lleoliad. Nodwch yn eich tystiolaeth ysgrifenedig fod gan weithwyr proffesiynol ddyletswyddau cyfreithiol i roi sylw i ddymuniadau a theimladau plant a phobl ifanc pan fydd y penderfyniadau ar gyfer eu lleoli yn cael eu gwneud. Mae'r pwyllgor wedi clywed tystiolaeth sy'n awgrymu bod yr arferion yn y maes hwn yn anghyson. Sut fydd y Llywodraeth yn rhoi sylw i'r mater pwysig hwn?

Eleanor Burnham: I would like to ask the Deputy Minister about the involvement of the young person in the decision regarding their placement. You state in your written evidence that there are legal obligations on professionals to take account of the wishes and feelings of children and young people when the decision about their placement is being made. The committee has taken evidence that indicates that the practice in this area is inconsistent. How will the Government address this important issue?

[130] **Gwenda Thomas:** Yr wyf yn cydfynd â chi bod hwn yn fater hollbwysig a'i bod yn hanfodol bod llais y plentyn bob amser yn cael ei glywed. Felly, gwelwn o dan Ddeddf Plant a Phobl Ifanc 2008 y bydd dyletswyddau ar awdurdodau lleol i sicrhau bod llais y plentyn yn cael ei glywed. Yr wyf yn falch o ddweud y byddwn, yn sgîl y ddeddf honno, yn ymgynghori yn gynnar y flwyddyn nesaf ar ddeddfu yma yn y Cynulliad er mwyn sicrhau gofyniad cyfreithiol i bob un sy'n ymwneud â lles a dyfodol plant wrando ar leisiau'r plant hynny.

Gwenda Thomas: I agree with you that this is a crucial issue and that it is paramount that the voice of the child is always heard. Therefore, we see under the Children and Young Persons Act 2008 that there will be duties placed on local authorities to ensure that the voice of the child is heard. I am pleased to say, following on from that legislation, 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.

[131] **Eleanor Burnham:** Yr ydym wedi derbyn llawer o dystiolaeth am hyn. Mater arall yw'r amseru, fel bod rhywun yn gwrando ar y plentyn neu'r person ifanc yn gynnar yn y broses. Gwelaf fod Voices from Care Cymru wedi ysgrifennu erthygl yn un o gyhoeddiadau Plant yng Nghymru yn sôn am yr hyn y maent eisiau i'r Llywodraeth ei wneud o safbwynt y newidiadau a'r polisïau diweddaraf. Mae am gryfhau a datblygu gwasanaethau a threfniadau cyllido, sy'n trafod anghenion, barn a phrofiadau plant a phobl ifanc sy'n derbyn gofal ac ar ôl iddynt adael y gofal hwnnw. Felly, mae hefyd yn fater o amseriad. Mae'r erthygl yn codi materion allweddol ac yn gwneud awgrymiadau ynglŷn â lleoliadau, addysg, dysgu anffurfiol a datblygu, ac mae hyd yn oed yn sôn am helpu pobl ifanc sydd mewn gofal drwy roi arian iddynt er mwyn iddynt allu parhau gyda'u hobiau ac unrhyw beth y tu hwnt i'w haddysg. Felly, mae llawer o

Eleanor Burnham: We have received a great deal of evidence about this. Another issue is that of timing, namely that the child or young person is listened to early in the process. I see that Voices from Care Cymru has written an article in one of Children in Wales's publications outlining what it would like to see the Government doing with regard to the recent changes and policies. It wants to see the strengthening and development of financial services and arrangements, which take account of the opinions and experiences of children and young people who receive care and after they have left that care. So, it is also an issue of timing. The article raises crucial issues and makes suggestions regarding placements, education, informal learning and development, and they even mention assisting young people in care by providing funding so that they can continue with their hobbies and any other extra-curricular activities. So, there is a lot of work

waith i'w wneud, a gobeithiaf y gall y Llywodraeth wneud y gwaith hwnnw.

to do, and I hope that the Government will be able to do that work.

10.30 a.m.

[132] **Gwenda Thomas:** Fel yr wyf wedi'i ddweud, credaf ei bod yn hollbwysig bod llais y plentyn yn cael ei glywed drwy gydol ei fywyd ifanc. Mae Arolygiaeth Gofal a Gwasanaethau Cymdeithasol Cymru wedi cynnal archwiliad o rôl y swyddog adolygu annibynnol. Mae plant wedi ymateb, ac mae canran fawr ohonynt yn teimlo bod pethau wedi gwella oherwydd y rôl y mae'r swyddog adolygu annibynnol yn ei chwarae, bod eu lleisiau'n cael eu clywed, a'u bod yn cael dweud eu dweud yn llawer amlach ac mewn ffordd fwy effeithiol. Mae hynny'n gadarnhaol. Yr oedd hynny'n gynwysedig yn fy mhapur i'r pwyllgor, a chredaf fod y canrannau wedi'u cynnwys yn y papur hefyd i ddangos sut y mae pethau'n gwella. Mae mwy i'w wneud, ond mae Llywodraeth y Cynulliad am danlinellu, ym mhob agwedd ar ein polisiau, ein bod yn ystyried plant fel pobl sydd â hawliau. Yr ydym am danlinellu gwaith Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn, sydd yn tanlinellu'r holl bolisiau. Mae'n rhaid inni bob amser sicrhau bod polisiau sy'n ymwneud â phlant, yn enwedig y rheiny am y plant mwyaf bregus, yn parchu eu hawliau.

Gwenda Thomas: As I have said, I believe that it is vital that the voice of the child is heard throughout his or her young life. The Care and Social Services Inspectorate Wales has held an audit on the role of the independent reviewing officer. Children have responded, and a high percentage of them feel that things have improved because of the role that the IRO plays, that their voices are being heard, and that they can have their say much more often and more effectively. That is positive. That was included in my paper to the committee, and I believe that those percentages are also included in the paper to show how things are improving. There is more to do, but the Assembly Government wants to underline, in every aspect of policy, that we consider children to be people with rights. We want to underline the work of the United Nations Convention on the Rights of the Child, which underlines all policies. We must always ensure that policies relating to children, especially those on the most vulnerable children, respect their rights.

[133] **Helen Mary Jones:** I think that we all welcome that, and the commitment to legislate is welcome because it will ensure that policy commitments at a national level to take a rights-based approach can be driven through.

[134] You referred to the role of the independent reviewing officer. Sandy, I believe that you have a question that follows neatly on from that.

[135] **Sandy Mewies:** Good morning, Deputy Minister. You have referred to the audit and, although it is better news—the percentages are better than they have been in the past—there is still some way to go in ensuring that children and young people are fully engaged in the process. In your written evidence, you highlight weaknesses in the role of independent reviewing officers. Do you have any plans to make improvements to the role of the IRO? What powers, if any, does the Children and Young Persons Act 2008 provide to strengthen the regulatory framework for IROs?

[136] **Gwenda Thomas:** We 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. Donna, are we consulting on that?

[137] **Ms Davies:** On the 2008 Act, we are putting together an enormous exercise on how we can pull together and change what I call the whole spine of the care system. We are looking to strengthen that, from assessment to care planning, review and monitoring. A big

part of that will be a consultation event that will be held next month to talk about early changes that we would like to make around care planning and review arrangements. The IRO feature is pretty new—it has been around for about three years—and it is bedding in and is having an impact, but we still have issues about the status of IROs in the authority and about their taking cases on human rights to the Children and Family Court Advisory and Support Service and about their being able to operate independently. So, we will be looking at new areas to strengthen the role. At present, the duty is on local authorities to create that service. We will be going one step further and will be consulting the Deputy Minister 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 to, it. So, we will strengthen a whole range of things with regard to the IRO. The IRO is only as good as the process that he or she monitors and examines, so it is important to ensure that we get better quality in the care-planning process.

[138] **Gwenda Thomas:** It is also about ensuring that, in this process, we do not dilute the independence of the role of the reviewing officer. To me, that is fundamental.

[139] **Helen Mary Jones:** Thank you, Deputy Minister. The committee has heard evidence of problems with the recruitment, retention and training of social workers, and that those problems are affecting the practice and quality of service. Your written evidence suggests that vacancy rates could be almost 12 per cent. Of course, we know that those rates are not even across Wales; in some places, they are a great deal worse, and in others they are somewhat better. What steps is the Government of Wales taking to address these issues?

[140] **Gwenda Thomas:** Earlier this summer, I announced my intention to establish a national workforce task group for social care, and the work of that group will be very important indeed. It will consider a range of workforce matters, including the terms and conditions of social workers. The British Association of Social Workers gave a presentation here at the Assembly, which I think you attended. Following that, the fact that this task group will begin its work shortly has been well received. I am sure that you will agree that this work would not be best taken forward by a single organisation. We have to bring everyone together within the task group so that we look at the wider picture, to develop and, importantly, recognise the work that social workers do. It is a very tough job, particularly in front-line children's services. Good progress has been made in enhancing the social care workforce, and the number of graduates applying to become social workers has risen significantly. There was one young lady, a constituent of Angela's—and I am sure that she will not mind me sharing this example of good practice with the committee—who was working in Angela's office and who showed a lot of interest. She will be doing work experience with me next week. The more we as Members can do to try to increase the interest in this work and to allow an insight for students into how the Welsh Assembly Government works, the better. I am pleased about that.

[141] **Helen Mary Jones:** That is excellent. Before I bring in Eleanor Burnham for her next question, it is clear that someone has a BlackBerry, a mobile phone or something else switched on. Apart from the fact that it is slightly disruptive for the committee, it does affect the translation and broadcasting equipment. Could everyone please check that their electronic devices, of whatever kind, are switched off?

[142] Eleanor, a hoffech ofyn eich Eleanor, would you like to ask your next cwestiwn nesaf? question?

[143] **Eleanor Burnham:** Mae'r pwyllgor **Eleanor Burnham:** The committee has wedi clywed tystiolaeth bod prinder gofawr heard evidence that there is a shortage of

maeth yng Nghymru. Beth ydych chi, y Llywodraeth, yn ei wneud i wella'r sefyllfa ac i gynyddu nifer y bobl sydd ar gael?

[144] **Gwenda Thomas:** Mae hwn yn fater hollbwysig. Mae prinder rhieni maeth, yn ogystal â phrinder sgiliau a hyfforddi. Rhaid inni sicrhau ein bod yn talu sylw priodol i'r agwedd honno. Mae rôl rhieni maeth yn bwysig, ac mae enghreifftiau o Gymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru a Chymdeithas Llywodraeth Leol Cymru yn gweithio yn rhanbarthol i greu diddordeb mewn gofal arbennig—er enghraifft, drwy drefnu gwyliau byr i blant anabl—a hefyd er mwyn denu rhieni maeth i ddangos diddordeb. Yr hyn sy'n bwysig yw ein bod yn darparu fframwaith i ddatblygu gofal o fewn teuluoedd hefyd—ac mae hynny'n hollbwysig, oherwydd wrth sôn am rieni maeth, golygwn ofal o fewn teuluoedd ac ymhlith ffrindiau hefyd, yn ogystal â rhieni maeth proffesiynol. Cafodd ardaloedd arloesol eu sefydlu ar gyfer y timau integredig cymorth i deuluoedd.

10.40 a.m.

[145] Yr ydym wedi dewis tair ardal i fynd â'r gwaith hwn ymlaen ac i edrych ar sut y gallwn gefnogi teuluoedd yn y man cyntaf i geisio cadw'r plentyn o fewn y teulu. Rhaid inni dderbyn bod canran uchel o blant yn mynd i mewn ac allan o ofal, ac mae canran uchel iawn ohonynt felly yn dychwelyd at eu teuluoedd yn y pen draw. Felly, yr ydym yn sôn am ddarparu gofal dros dro i ryw 2,000 o blant yng Nghymru. Rhaid inni ddatblygu enghreifftiau gwahanol o ofal maeth a phroffesiynoldeb ymhlith y rhieni. Rhaid hefyd ystyried pob agwedd o'r hyn sydd orau i'r plentyn unigol. Dyna sy'n bwysig: yr hyn sydd o'r budd mwyaf i'r plentyn. Yr ydym wedi ceisio denu rheini maeth ar draws y sector. Mae'r sefyllfa'n gwella, ond, wrth gwrs, mae wastad mwy i'w wneud.

[146] **Eleanor Burnham:** Mae gennyf un cwestiwn atodol.

[147] **Helen Mary Jones:** Na, mae'n ddrwg gennyf, ond mae'n rhaid inni symud ymlaen gan mai dim ond 5 munud sydd ar ôl.

[148] Christine, you have the next question.

foster carers in Wales. What are you doing as a Government to improve that situation and to increase the number of people available?

Gwenda Thomas: This is a crucial issue. There is a shortage of foster carers, as well as a shortage of skills and training. We have to ensure that we pay appropriate attention to that aspect. Foster carers play an important role, and there are examples of the Association of Directors for Social Services Cymru and the Welsh Local Government Association working on a regional basis to create interest in providing special care—for example, by arranging short breaks for disabled children—and also to attract more foster carers to show an interest. What is important is that we provide a framework to develop care within families as well—and that is crucial, because when talking about foster parents, we are talking about care within families and within a network of friends, as well as with professional foster carers. Pioneer areas were established for the integrated family support teams.

We have chosen three areas to take this work forward to see how we can support families in the first instance to try to keep the child within the family. We have to accept that a high proportion of children go in and out of care, and so a very high percentage of them return to their families at the end of the day. So, we are talking about providing temporary care to around 2,000 children in Wales. We need to develop different exemplars of foster care and professionalism among these parents. We also need to consider all aspects of what is best for the individual child. That is what is important: what will be of most benefit to that child. We have endeavoured to attract foster carers across the sector. The situation is improving, but, of course, there is always more to be done.

Eleanor Burnham: I have one supplementary question.

Helen Mary Jones: No, I am sorry, but we have to move on given that there are only 5 minutes left.

[149] **Christine Chapman:** What is being done to ensure that the skills and knowledge of staff and carers working with looked-after children reflect the range of needs, including relating to the Welsh language, disability and ethnicity?

[150] **Gwenda Thomas:** Work is being done among the black minority ethnic communities and on the Welsh language to try to develop the availability of provision, but perhaps Donna can be more explicit about the range of it.

[151] **Ms Davies:** Are you talking specifically about foster carers and supporting them, or the broader agenda?

[152] **Christine Chapman:** I am talking about foster carers.

[153] **Ms Davies:** As the Deputy Minister said, we are doing a range of things to recruit a diverse group of foster carers. As well as working with BME communities, we are looking at the unaccompanied asylum-seeking children reform programme in Wales to see how we can take more unaccompanied asylum seekers. It is important that we build capacity. We have identified Wales as an area that will take clusters of certain communities because we have the infrastructure and capacity to support communities of these children.

[154] More broadly, we are working with the Care Council for Wales. Core training is available locally, but we are currently working on a national 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. Under that new framework, we will consider how we can build links and develop skills and training to encourage foster carers, particularly among young people, who want to develop this work into a potential career. It is now becoming a career. The studies that we have completed show that it is increasingly becoming a professionalised career. So, this is about how we develop a framework to mirror the difference between the skills of these individuals and the fees and allowances that they are paid. We are 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.

[155] **Helen Mary Jones:** Sandy, your question follows on directly from what the Deputy Minister and Ms Davies have told us.

[156] **Sandy Mewies:** Some witnesses have suggested that foster carers should be treated as part of the childcare workforce and receive better training and remuneration, but others have argued against such a trend. What are your views on that, Deputy Minister?

[157] **Gwenda Thomas:** We should think of foster carers as the valuable resource that they are. Remuneration should reflect the level and complexity of care that they provide. As I said earlier, we are taking this thinking forward also by looking at paying—for want of another word—more informal carers within families. We want to pay them to reflect the important role that they play, so perhaps we can have different levels of remuneration for different levels and complexities of care. That is the way forward.

[158] I want to add something on the previous question, if you will allow it, Helen Mary. I mentioned this briefly in response to Eleanor, but the development of the integrated family support teams is pioneering in itself. It is groundbreaking. 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 could be used to trial more 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. I am really excited about this, because we are ready to go with it, and there is funding, so perhaps it will show us the way to create better connections between local authorities, social workers and foster carers right across the board. Rolling that out would be—

[159] **Helen Mary Jones:** Angela, does that answer your question?

[160] **Angela Burns:** It does. I just wanted to ask two brief additional questions. I did not pick up from the paper whether the independent reviewing officers are a part of the IFST.

[161] **Gwenda Thomas:** They can be.

[162] **Angela Burns:** Secondly, where exactly do the foster carers fit in with this? Much of the evidence that we have heard is that they are often treated as though they are right at the end of the chain of care for a child. They are not involved, they are not a part of the core team, and everyone acts around them so that they are always the last to know. I wanted to know whether they are in the IFSTs, and whether the IROs are a part of the IFSTs.

[163] **Gwenda Thomas:** The IFSTs will work together in the interests of the family and the child. We have legislative competence under the National Assembly for Wales (Legislative Competence) (Social Welfare and Other Fields) Order 2008, which allows us to look at the needs of people up to the age of 25. That is unique in the UK, and allows us to bring in Welsh solutions to Welsh needs. The IFSTs are all about early intervention and the best interests of the child, and of course there will be children who are best looked after outside the family, within local authority care. That needs to be recognised early, and needs to be effective, with a view to bringing the child back into the family fold or, if that is not possible or is not in the best interests of the child, to looking at how we develop the services that that child needs from a very early point when the difficulties arise.

[164] **Helen Mary Jones:** Ms Davies wants to come in at this point, and I am aware that there are supplementary questions, but we are already 5 minutes over the time that was allocated to the Deputy Minister, and we have one other important item of business to discuss before Members go to their groups. I am afraid that we will therefore have to move on to our final question, about resourcing, as we need to put it to the Deputy Minister today.

[165] We are all aware that there will be a challenging financial climate for public services in the coming years, and there will be an increasing demand for adult social care services. Are the kind of significant improvements that you have been talking about wanting to make for vulnerable and looked-after children likely to be negatively affected by the very difficult financial circumstances and the increased pressure on the need to provide adult social care?

10.50 a.m.

[166] **Gwenda Thomas:** I am not going to say that we are not moving into difficult financial times, because we are. However, I think that I mentioned the investment of £150 million. I also gave the example of an authority that had saved £1.3 million by using the resources available to it in different ways. We have got to look at that, and we have to work with local authorities. The Social Services Improvement Agency has a great deal of work to do here, and it is quite prepared to do it. You will also know that I have announced that I am

setting up a social services commission, and we are currently discussing its terms of reference and looking for membership. That will stretch across all social services responsibilities. I am sure that your committee will want to contribute to the work of the commission and look at how best we can take social services forward in Wales. 'Fulfilled Lives, Supported Communities' has set out the modernisation agenda, but we will look to the commission to look not only at the future direction of social services, but its future funding. We are just about to start work on that.

[167] **Helen Mary Jones:** Thank you, Deputy Minister. We thank you and Ms Davies for coming. I apologise to Members, because I know that there are so many supplementary questions that we wanted to ask, but I am also conscious that if I do not get you out of here in time for your group meetings I shall be in trouble.

[168] **Gwenda Thomas:** I just wish to say 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. As someone who was keen to see this committee set up, I am grateful that you are giving this important issue your serious consideration.

[169] **Helen Mary Jones:** Thank you, Deputy Minister. I know that there were a few points where Ms Davies wanted to come in but we had run out of time, so, if there are any points of clarification that you would like to make arising from today's discussion that are not addressed in your paper, in addition to the further information that you have agreed to provide, we would appreciate receiving those.

[170] Diolch yn fawr i chi am eich amser. Thank you for your time.

10.53 a.m.

Cynnig Trefniadol Procedural Motion

[171] **Helen Mary Jones:** Cynigiau fod **Helen Mary Jones:** I move that

<p><i>y pwyllgor yn penderfynu gwahardd y cyhoedd o weddill y cyfarfod yn unol â Rheol Sefydlog Rhif 10.37(vi).</i></p>	<p><i>the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).</i></p>
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[172] Gwelaf fod y pwyllgor yn gytûn. I see that there are no objections.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.53 a.m.
The public part of the meeting ended at 10.53 a.m.*