**SOCIAL SERVICES AND WELL-BEING (WALES) ACT**

**TRAINING MODULE**

**Looked After and Accommodated Children**

**December 2015**

# Contents

[1 Contents 2](#_Toc437501387)

[2 Introduction 3](#_Toc437501388)

[2.1 Who is this Module for? 3](#_Toc437501389)

[2.2 Aims and Learning Outcomes 4](#_Toc437501390)

[2.3 Key Words 4](#_Toc437501391)

[3 Training Module 5](#_Toc437501392)

[3.1 Introduction 5](#_Toc437501393)

[3.10 Care and Support Planning 21](#_Toc437501402)

[3.20 Placements 39](#_Toc437501412)

[3.25 Keeping in Touch 48](#_Toc437501417)

[3.28 Review 51](#_Toc437501420)

[3.31 Leaving Care 54](#_Toc437501423)

[3.37 Children in the Secure Estate 65](#_Toc437501429)

[3.39 Summary 67](#_Toc437501431)

[4 Links to Key Resources 69](#_Toc437501433)

[4.1 Links to Regulations and Codes of Practice or Statutory Guidance 69](#_Toc437501434)

[4.2 Useful Links to Other Materials 69](#_Toc437501435)

# Introduction

The Social Services and Well-being (Wales) Act 2014 introduces wide-ranging reforms that have major implications for the learning and development needs of the sector workforce. In advance of the Act coming into effect on 6 April 2016, the Care Council for Wales has developed an evolving national learning and development plan to support its implementation. A key strand is the development of learning materials for those whose roles are most affected by the changes and consequently require training.

This training module forms part of the suite of learning materials that has been developed by the Institute of Public Care at Oxford Brookes University. These materials summarise and explain the regulations and codes of practice or statutory guidance that underpin the Act. They are designed to help those whose roles are most affected to understand and implement it. The suite of learning materials contains training modules, PowerPoint presentations and other learning material for each of the following areas:

1. Introduction and General Functions
2. Assessing and Meeting the Needs of Individuals
3. **Looked After and Accommodated Children**
4. Safeguarding

This training module has been written for learning facilitators and includes exercises, suggested group discussions, points of reflection and case studies that facilitators can use either in their entirety or to pick and choose from as they see fit when designing a learning programme based on the [PowerPoint presentation](http://www.ccwales.org.uk/edrms/157077/). As well as this training module and linked PowerPoint presentation, there is also a [summary](http://www.ccwales.org.uk/edrms/157079/) and a shorter [overview presentation](http://www.ccwales.org.uk/edrms/157054/).

## Who is this Module for?

This training module is about looked after and accommodated children and young people, and those leaving care. It explores Part 6 of the Act and relevant aspects of Part 11 relating to children and young people in the secure estate. It is intended to be used to develop learning programmes for:

* Practitioners in children’s social services in local authorities, including the Youth Offending Service and support staff
* Practitioners in education services, early years, schools and colleges involved with looked after children
* Health staff involved in the assessment and care of looked after children
* Independent Reviewing Officers
* Residential care managers and voluntary and private sector managers involved in the care of looked after children

## Aims and Learning Outcomes

The aim of this training module is to explore Part 6 of the Act and relevant aspects   
of Part 11 in more detail. The intention is to improve the well-being of looked after children and care leavers in Wales.

By the end of the learning programme participants will:

* Understand the aims and ethos of the Act and what it is intended to deliver
* Be aware of the duties and powers under the Act relating to looked after and accommodated children
* Have explored the ways in which looked after children are to be accommodated and maintained
* Have identified changes to contacts and visits to looked after and previously looked after children
* Have explored the arrangements for leaving care
* Understand the implications of meeting the care and support needs of children and young people in the secure estate
* Reflect on the implications of the Act for them and changes needed in their practice

## Key Words

The suite of learning materials contains a [**glossary**](http://www.ccwales.org.uk/edrms/157072/) of key words referred to in the Act, regulations and codes of practice or statutory guidance. The following key words, definitions of which can be found in the glossary, are relevant to this module: abuse, adult, advocacy, advice, assessment, care and support, carer, care leaver, child,   
co-production, eligible needs, harm, neglect, personal education plan, personal outcomes, permanency, placement plan, prevention, relevant partner agency, safeguarding, welfare, well-being, WASPI.

# Training Module

This training module can be used to assemble a pack of relevant learning materials for each participant to take away. There is a linked PowerPoint presentation, which can be printed as a handout with space for learners to make notes. The training module matches the PowerPoint presentation and each slide in the presentation is reproduced below. The training module also includes **key learning points**, a range of **activities** that can be used to support learning and **facilitators’ hints and tips**, which signpost to existing good practice / resources or suggest ways of delivering the materials. For more information, please look at the [Facilitator’s Guide](http://www.ccwales.org.uk/edrms/157071/).

## Slide 1

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| Aims and learning outcomes |
| * This training explores Part 6 of the Act and relevant aspects of Part 11 in more detail * By the end of the training you will: * Understand the aims and ethos of the Act * Be aware of the duties and powers under the Act relating to looked after and accommodated children * Have explored the ways in which looked after children are to be accommodated and maintained * Have identified changes to contact and visits to looked after and previously looked after children * Have explored the arrangements for leaving care * Understand the implications of meeting the care and support needs of children and young people in the secure estate * Reflect on the implications of the Act |

### Facilitator Notes

1. This presentation is about Part 6 of the Act and relevant aspects of Part 11 relating to children and young people in the secure estate. It is intended for:

Practitioners in children’s social services in local authorities, including the Youth Offending Service and support staff

Practitioners in education services, early years, schools and colleges involved with looked after children

Health staff, nurses and medical practitioners involved in the assessment and care of looked after children

Independent Reviewing Officers

Key partners such as probation officers involved with the supervision of young people following detention

1. The aim of the presentation is to explore Part 6 and relevant aspects of Part 11 in more detail. By the end of the learning programme you will:

Understand the aims and ethos of the Act and what it is intended to deliver

Be aware of the duties and powers under the Act relating to looked after and accommodated children

Have explored the ways in which looked after children are to be accommodated and maintained

Have identified changes to contact and visits to looked after and previously looked after children

Have explored the arrangements for leaving care

Understand the implications of meeting the care and support needs of children and young people in the secure estate

Reflect on the implications of the Act for you and changes needed in your practice

### Activity – Discussion

1. What role do you have in supporting children who are looked after or who are care leavers?
2. What is the purpose of this training session for you?
3. What do you hope will be different as a result of this training?

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| Facilitators’ hints and tips  It is helpful at the start of a session to identify who is in the room – their professional background, role and organisation. The questions above can help you to start to understand learners’ motivation. Answers are likely to be mixed; some people will have been told to come to training and others will have chosen to. It is important to encourage people to think about: their individual motivation (what they want to change and why), their responsibilities (what they will be checked up on), and supports in their workplace that will help them use this learning.  Research shows that it is not enough to deliver information to people. The aim is for learning to be transferred into practice so that people’s way of working changes. This is helped by:   * Individual motivation – ensuring that people identify what they want to change and why, helping them to set goals to use the learning, reviewing those goals (this training module includes an action planning exercise at the end). * Design and delivery of the training – using methods and activities that work for people (this training module includes a range of activities). * Support – from managers and colleagues to use learning (the action planning exercise includes space to identify how people will be supported to use their learning).   When you have an idea about who is in the room, it can be helpful to note particular experience or expertise. You could ask people to talk about their role in small groups – ideally with people that they don’t usually work with. After five minutes ask them to share their answers as a whole group. There are likely to be a range of different answers. Some people will have more specific responsibilities than others. |

## Slide 2

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| Contents |
| * Introduction * Care and support planning * Placements * Keeping in touch * Review * Leaving care * Children in the secure estate * Summary |

### Facilitator Notes

1. This presentation starts with an overview of the Act, although it is assumed that participants have already undertaken general awareness training about the Act
2. The Act is underpinned by several overarching duties. We will the look at these duties briefly before moving on to care and support planning, placement options, visits, and support for care leavers
3. We will also briefly look at children and young people in the secure estate
4. We will finish with a summary and action planning

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| Facilitators’ hints and tips  This is an opportunity for the facilitator to outline for participants the timings and key activities of the learning programme. The training module notes and slides are split up into the different sections above so that you can pick the elements that you want to use. |

## Slide 3

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| Introduction |
| * The Social Services and Well-being (Wales) Act will be implemented from 6 April 2016 * It replaces many previous laws and gives effect to the policy set out in *Sustainable Social Services for Wales: A Framework for Action* * People * Well-being * Prevention * Collaboration * It brings in new duties and covers adults, children  and carers |

### Facilitator Notes

1. You need to be ready to implement the Act from 6 April 2016.
2. The Act aims to reform and simplify the law: it repeals many previous laws and guidance relating to care and support and replaces them with this Act. It builds on the White Paper ‘Sustainable Social Services for Wales: A Framework for Action’ to modernise the law for care and support in Wales.
3. It brings in new duties for local authorities, local health boards and other public bodies, and covers adults, children and carers.
4. Some of the changes in the Act are not completely new as they were previously best practice, but were not a statutory requirement. This means that the impact of the Act will be slightly different at a local level depending on how best practice had previously been implemented.
5. Shown in the box are the key principles that underpin the design of the Act. The Act aims to change the way **people’s** care and support needs are met – putting an individual at the centre of their care and support and giving them a voice in, and choice and control over, reaching the personal outcome goals that matter   
   to them.
6. Central to the Act is the concept of **well-being** – helping people to maximise their own well-being. We will talk more about well-being in slide 5.
7. The Act attempts to rebalance the focus of care and support to **prevention and earlier intervention** – increasing preventative services within the community to minimise the escalation of needs to a critical level.
8. Strong partnership working between organisations and co-production with people needing care and support is a key focus of the Act. The Act requires a culture change from the way in which services have often been provided, to an approach based on **collaboration**, and an equal relationship between practitioners and people who need care and support.
9. These principles will enable people to be at the centre of their care and support and ensure their well-being will be central to any decisions made about their lives.

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| **Key learning point**  The Act covers care and support for adults, children and carers. One of its key aims is for individuals to be at the centre of decisions and to be supported to have choice and control over their lives. |

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| **Facilitators’ hints and tips**  Note that for the first time there will be completely separate social services legislation for Wales and England. The main difference between them is that the Social Services and Well-being (Wales) Act 2014 applies to adults and children and carers whereas the Care Act 2014 for England is mainly confined to adults and carers. Part 6 of the Act is the counterpart of the looked-after children and leaving care provisions of the Children Act 1989. Those provisions will be disapplied in Wales so that the different primary legislation above will apply in England and Wales. |

## Slide 4

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| Parts of the Act |
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### Facilitator Notes

1. The Act is made up of 11 parts and they all, except for Part 6, are relevant to adults and children. The first part gives an overview of the whole Act and defines some key terms such as **‘adult’** whichmeans a person who is **aged 18 or over** and a **‘child’** which means a person who is **aged under 18**.
2. Part 2 outlines the overarching duties that relate to anything people do under the Act, including the well-being duty. Under Part 2 there are also requirements to undertake a population assessment, and provide preventative services and an information, advice and assistance service as well as the duty to promote social enterprises / diverse forms of delivery.
3. Part 3 defines the circumstances in which a local authority must assess a person’s needs for care and support, whether an adult, child or carer, and how assessments are carried out.
4. Part 4 describes the national eligibility criteria and how individuals’ needs are to be met, which will mean changes to local systems and processes.
5. Part 5 identifies the circumstances in which a local authority may charge for providing or arranging care and support for adults or preventative services.
6. Part 6 sets out local authority responsibilities under the Act for looked after and accommodated children, and arrangements for leaving care, and together with Part 2 it replaces most of Part III of the Children Act 1989. It is the only part of the Act that specifically focuses on children, but it is important to note that children are included throughout the Act, and in the overarching duties, that support people of all ages.
7. Part 7 of the Act brings in new, statutory safeguarding arrangements, including a duty to report an adult or child at risk and for authorised officers to apply to the court for an “adult protection and support order”.
8. Part 8 specifies the social services functions of local authorities and provides grounds for intervention by Welsh Ministers where a local authority is failing in those functions.
9. Part 9 requires local authorities to promote co-operation with their relevant partners, and imposes a duty on their relevant partners to co-operate with –   
   and provide information to – the local authorities. It also establishes Regional Partnership Boards.
10. Part 10 provides for complaints about social services and new rights to complain about private social care and palliative care. It also provides for advocacy services to be made available from the point of first contact to enable individuals to engage and participate in their care and support, including the requirement to arrange an independent professional advocate for looked after children.
11. Part 11 unsurprisingly covers a variety of things including the new duty of local authorities to meet the care and support needs of adults in prison, youth detention or bail accommodation in Wales, and the care and support needs of children and young people in prison, youth detention or bail accommodation in England and Wales.

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| Facilitators’ hints and tips  This introductory section gives a brief overview of the Act as it is assumed that participants have already undertaken general awareness training about the Act. It  will be worth using slides 3 and 4 to check with learners their general awareness of the Act so that you can expand on this introduction if necessary. There is a short video (3 minutes 12 seconds) from Mark Drakeford, Minister for Health and Social Services, available to download or show from the Information and Learning Hub [resources](http://www.ccwales.org.uk/learning-resources-1/overview-and-awareness/) section in which he speaks about the aims and implications of the Act. |

## Slide 5

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| The well-being duty |
| C:\Users\mypc\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.IE5\6YCAIJ4F\clipart-kids[1].jpg  A person exercising functions under this Act **must** seek to promote the well-being of people who need care and support **and** carers who need support |

### Facilitator Notes

1. Part 2 of the Act requires *“any persons exercising functions under the Act to*   
   *seek to promote the well-being of people who need care and support, and carers who need support.”* This overarching duty applies to local authorities (and organisations they have delegated functions to) and their practitioners when, for instance, carrying out an assessment or providing information and advice. This is an overarching duty that has to be met by everyone exercising functions under the Act (this includes Welsh Ministers, local authorities, local health boards and other statutory bodies).
2. Practitioners must look at what children and families can contribute in achieving their well-being and empower them to contribute to achieving their own well-being, with the appropriate level of support. This will involve building on people’s resources, including people’s strengths, abilities, and families and communities.
3. In the Act well-being is defined with eight aspects common to all ages:

physical and mental health, and emotional well-being;

protection from abuse and neglect;

education, training and recreation;

family and personal relationships;

contribution made to society and involvement in the local community;

securing rights and entitlements;

social and economic well-being (including not living in poverty); and

living in suitable accommodation.

1. In relation to a child, well-being also includes:

physical, intellectual, emotional, social and behavioural development

“welfare” as that word is interpreted for the purposes of the Children Act.

1. [**Handout: Well-being and welfare**](http://www.ccwales.org.uk/edrms/157293/)**.**
2. The Children Act 1989 talks about welfare rather than well-being: welfare has a particular meaning under the Children Act 1989 and will continue to do so. The concept of well-being rather than welfare for children was first introduced in law   
   in the Children Act 2004. The concepts of welfare and well-being overlap a great deal. Language in the Act reflects the newer concept of well-being, which includes the existing considerations of welfare that are set out in the Children Act 1989.
3. While all aspects of well-being in the definition have equal importance, it is likely that some aspects of well-being will be more relevant to one individual than another. Practitioners should therefore adopt a flexible approach that allows for   
   a focus on which aspects of well-being matter most to the child and family concerned and co-produce solutions with people.

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| **Key learning point**  A person exercising functions under the Act must seek to promote the well-being  of children. |

### Activity – Exercise

1. In small groups, ask people to look at the [**handout on well-being and welfare**](http://www.ccwales.org.uk/edrms/157293/) and to consider how well-being and welfare fit together.

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| Suggested answer:  There is no conflict between well-being and welfare. Welfare has a particular meaning under the Children Act 1989 and will continue to do so. Language in the Act reflects the newer concept of well-being. Any activities under the Act must be done with  the overarching aim of promoting the child’s well-being. This includes the existing considerations of welfare that are set out in the Children Act 1989.  The concepts of well-being and welfare overlap a great deal. They are concerned with how good a life a child has. This includes a range of areas that help a child to develop and grow. Well-being and welfare is not just the absence of abuse, neglect and harm. It also includes positive efforts to ensure that children have opportunities and that their rights are upheld. |

## Slide 6

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| Other overarching duties |
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### Facilitator Notes

1. As well as the well-being duty there are other overarching duties that underpin the Act, and the local authority must take steps to ensure that all activities are delivered in a way which complies with these duties. These duties apply to local authorities (or other organisations they have delegated functions to) and their practitioners when working with a child who may have needs for care and support, even if it has not been established that the child has such needs or if those needs would be eligible.
2. Four of these overarching duties apply in all cases, whether an adult or a child. The duty to:

Ascertain and have regard to the individual’s views, wishes and feelings, in so far as is reasonable practicable

Have regard to the importance of promoting and respecting the dignity of   
the individual

Have regard to the importance of providing appropriate support to enable the individual to participate in decisions that affect them to the extent that it is appropriate in the circumstances, particularly where the individual’s communication is limited for any reason

Have regard to the characteristics, culture and beliefs of an individual, including language

In the context of these overarching duties a requirement to ‘have regard’ to a particular matter is similar to a requirement to ‘consider’ or ‘take into account’   
that matter.

1. Two overarching duties apply specifically to adults:

To begin with the presumption that the adult is best placed to judge their   
own well-being

To have regard to the importance of promoting their independence where possible

1. In relation to children there is also the duty to:

Promote the upbringing of the child by the child’s family, in so far as doing so is consistent with the well-being of the child

For under 16s, to ascertain and have regard to the views, wishes and feelings of those with parental responsibility, in so far as is practical and consistent with the child’s well-being

1. Key to the Act for children is the importance of promoting the child’s upbringing within the child’s family, if this is consistent with the child’s well-being. This means seeking to de-escalate the need for formal intervention in the lives of children and young people and to strengthen the capacity of families to care for their children wherever it is safe to do so.

### Activity – Questions

1. What do these overarching duties mean in relation to your practice?
2. Do these overarching duties have any implications for your organisation,   
   its systems arrangements or processes?

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| Facilitators’ hints and tips  The overarching duty to have regard to the characteristics, culture and beliefs of an individual reinforces existing legislation and guidance for anyone in Wales to be able to live their lives through the medium of Welsh if they choose to do so. This means that peoples’ cultural identity and language needs must be at the heart of care and support because it is an essential element to good quality care and high professional standards. See the [**handout Active Offer**](http://www.ccwales.org.uk/edrms/157016/).  “More than Just Words....” a [strategic framework for Welsh language services](http://gov.wales/topics/health/publications/health/guidance/words/?lang=en) in health and social services provides a systematic approach to improve services for those who need or choose to receive their care and support in Welsh. The aim of the framework is to ensure that organisations and practitioners recognise that language is an intrinsic part of care and support, and that people who need services in Welsh get offered them. This is called the ‘Active Offer’ and means moving the responsibility from the person to ask for services through the medium of Welsh, to the service which must ensure it provides them.  This could be an opportunity to review learners’ approach to and implementation of the Active Offer. For example, do practitioners ask ‘what language would you like the service / assessment in’ or ‘what language(s) are spoken in the home’? You could discuss the way in which professionals record and act on the language choice or requirements of people with care and support needs.  You could also ask learners to imagine how they would feel if they had to describe  an emotive experience in their second language. Would you be able to accurately convey your feelings? Would you feel comfortable doing so?  It may be more difficult for people to accurately describe an emotive experience (or any experience) in their second language. A report ‘[Different words different worlds: the concept of language choice in social work and social care](http://www.ccwales.org.uk/edrms/151050/)’ (E Davies, undated) highlights the role that different languages have for bilingual people in expressing themselves. “*Clients have a choice as to what language to use and thereby have the ability to select the word that most clearly captures the essence of what they are trying to communicate. Bilinguals can also use their second language to serve a distancing function when discussing troubling events*.” (page 15) There are likely to be examples of existing good practice in providing services in the medium of Welsh. There will be particular skills and knowledge that people need. It is important that the cultural context of language is considered as well – for example, how conversations take place, manners and rituals. |

## Slide 7

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| Human rights |
| https://encrypted-tbn1.gstatic.com/images?q=tbn:ANd9GcSUuKdV3FJAB3jd9bcQ16lZdNjfTBrtpoTwK49DyxZyKOpf4mMF |

### Facilitator Notes

1. The overarching duties also include human rights. A key part of practitioners’ roles under the Act is to empower children by helping them to assert these rights. This is a key change. While some local authorities and organisations have been voluntarily respecting and delivering human rights in their work, from April 2016,   
   a person exercising functions under the Act will be required to demonstrate ‘due regard’ to the UN conventions.
2. In particular, when working with children under Part 6 you must have ‘due regard’ to the **United Nations Convention on the Rights of the Child** UNCRC. This includes four articles that are general principles:

Non-discrimination (article 2)

Best interest of the child (article 3)

Right to life, survival and development (article 6)

Right to be heard (article 12)

1. A person exercising functions under this Act in relation to disabled adults or children **must have due regard to the United Nations Convention on the Rights of Disabled People** (UNCRDP). This includes:

Children with disabilities to have all human rights and fundamental freedoms on an equal basis with other children, including the right to express their views freely, and the best interests of the child shall be a primary consideration (article 7)

Equal access to the built environment, transport, information and communication and for all the barriers to the above to be identified and removed (article 9)

Living independently and being included in the community (article 19)

Freedom of expression and opinion, and access to information (article 21)

Respect for home and the family (article 23)

Education (article 24)

Habilitation and rehabilitation (article 26)

1. The Code of Practice for Part 2 of the Act also makes it clear that public authorities must not act in a way that is incompatible with rights under the **European Convention of Human Rights**. This includes:

Article 2 – right to have life protected

Article 3 – right not to be subjected to inhuman or degrading treatment

Article 5 – right to liberty and security

Article 6 – right to a fair hearing

Article 8 – right to respect for private and family life, home, and correspondence

1. Human rights can be absolute rights, limited rights or qualified rights. Absolute rights mean rights that the state can never infringe, and include the right to protection from torture and inhuman and degrading treatment. Limited rights are rights that may be limited under explicit and finite circumstances, such as the right to liberty. Qualified rights are rights which require a balance between the rights of the individual, and the rights of the broader community or the state. They include the right to respect for private and family life; the right to manifest one’s religion or belief; freedom of expression; freedom of assembly and association; and the right to peaceful enjoyment of property. More information on the Human Rights Act can be found in the Ministry of Justice’s publication [Making sense of human rights: a short introduction](https://www.justice.gov.uk/downloads/human-rights/human-rights-making-sense-human-rights.pdf).

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| **Key learning point**  You need to know the rights that children have and work to uphold them. |

Facilitators’ hints and tips

‘Children's Rights in Wales’ is a web resource produced by Save the Children with part funding from the Welsh Government. It is designed to help local practitioners, policy makers, managers and strategists develop their understanding of children's rights and how to adopt a children's rights perspective to their work. The ‘Children’s Rights in Wales’ website contains lots of useful information, resources, training and interactive materials for both children and professionals on all aspects of children’s rights and the UN Convention on the Rights of the Child. It can be accessed here: [www.childrensrightswales.org.uk](http://www.childrensrightswales.org.uk)

## Slide 8

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| Looked after children |
| * The principal duty of a local authority looking after a child (Section 78) is that it must: * safeguard and promote the child’s well-being * make such use of services available for children cared for by their own parents as appears to the authority reasonable in the child’s case. * Safeguarding and promoting the well-being of a  looked after child includes the duty to promote their educational achievement, and the duty to assess periodically whether child has care and support needs and to meet those needs |

### Facilitator Notes

1. Section 74 of the Act defines a child who is looked after as a child who is in the care of a local authority i.e. is subject to a care order or an interim care order under Section 31 of the Children Act 1989, or who is provided with accommodation by the local authority for a continuous period of more than   
   24 hours.
2. The circumstances in which a local authority must provide accommodation for   
   a child are that the child is in care (Section 79) or as set out in Section 76 where   
   it appears:

There is no person with parental responsibility for the child

The child is lost or has been abandoned

The person who has been caring for the child has been prevented from providing the child with suitable accommodation or care

The well-being of a 16-17-year-old is likely to be seriously prejudiced if it does not provide them with accommodation

The child is in police protection, in detention or on remand (Section 77).

1. Practitioners will recognise that Section 76 is framed in very similar terms to Section 20 of the Children Act 1989 which it replaces. There are some important differences however. Section 20(4) of the Children Act 1989 (local authority may accommodate a child even though a parent / person with parental responsibility   
   is able to provide him / her with accommodation) is not replicated in the Act, and Section 22(5) of the Children Act 1989 (provision of accommodation for young people under 21 in a community home) also is not repeated.
2. Section 76(1)(c) – parent is prevented (whether or not permanently, and for whatever reason) from providing the child with suitable accommodation or care – also provides the legislative basis for the provision of a series of planned short break placements, e.g. for disabled children, where it has been assessed that the packages of short breaks are such that the child’s well-being will be best safeguarded by being a looked after child under Part 6 for the periods in which they are away from home.
3. The principal duty of a local authority in relation to looked after children is set out and described in Section 78 of the Act. The principal duty is that a local authority looking after a child must:

safeguard and promote the child’s well-being

make such use of services available for children cared for by their own parents as appears to the authority reasonable in the child’s case

1. The key duty is to safeguard and promote the child’s **well-being** (which includes their welfare). This duty was previously set out in the Children Act 1989 at Section 22(3) (a) and related to the child’s ‘welfare’. Therefore, this new duty is broader in that it refers to well-being as defined in Part 2 of the Act. This reflects the fact that the promotion of well-being is an overarching duty of the Act.
2. Safeguarding and promoting the well-being of a looked after child, includes the duty to promote their educational achievement. Education stability is key, and all involved with supporting looked after children should encourage and believe in high aspirations and be committed to helping the child to achieve the highest educational outcomes and ambitions comparable to all children.
3. It is important to note that safeguarding and promoting the well-being of a looked after child includes the duty to assess from time to time whether the child has general care and support needs under Part 3 of the Act, and to ensure that eligible needs are met. This will require a local authority to assess a child’s needs and provide services to meet those needs if the particular need is not already being met.
4. The Section 78 duty makes it clear that looked after children should be treated the same as all other children and hence the local authority must ensure all services and supports are made available to the looked after child as needed, including services in the community to enable them to participate and live their lives the same as children not looked after.
5. In addition, Section 78 specifies that before making any decision with respect to   
   a looked after child (or a child the local authority proposes to look after), the local authority must have regard to:

the views, wishes and feelings of any person whose views, wishes and feelings the authority considers to be relevant

the child’s religious persuasion, racial origin, and cultural and religious background.

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| **Key learning point**  Looked after children should be treated the same as all other children and hence  the local authority must ensure all services and supports are made available to the looked after child as needed to enable them to participate and live their lives the same as children not looked after. |

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| **Facilitators’ hints and tips**  The introduction of the Act will replace, in parts, some of the **Children Act 1989**. The children in need provisions of Part 3 (Section 17) of the Children Act 1989 will be disapplied in relation to Wales. The legal authority for the provision of services for children and their families, including disabled children, will instead be Parts 2 to 5 of the Act. However, the general care and support system for Wales under Parts 2 to 5 does not apply in the case of looked-after children. Instead, Part 6 of the Act contains local authority obligations in relation to looked-after children.  While the concept of a child in need disappears from the Act, the looked-after children and leaving care provisions of the Act are in many (but not all) respects similar to those provisions which they replace in the Children Act 1989.  The child protection and court proceedings provisions of the Children Act 1989 are not materially affected by this Act and so continue to apply in both England and Wales. This includes Part IV (care and supervision proceedings) public law and  Part II (orders with respect to children in family proceedings) private law.  The changes made as a result of the **Children and Families Act 2014** continue to apply in relation to Wales.  Part V of the Children Act 1989 (protection of children, including the Section 47 duty to **investigate** significant harm) also still applies. The Act introduces a new duty in Wales to **report** children at risk under Part 7. |

## Slide 9

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| Culture change |
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### Facilitator Notes

1. It will be important to explore with learners the potential impact that these overarching duties and principles have on current practice in supporting looked after children and their families – as summarised on this slide.
2. Emphasis should be given to the centrality of the child and their meaningful involvement. This means honest communication and active listening to, and acting on, their wishes, feelings and views about their care and support, and the aspirations and personal goals they wish to achieve.
3. Identification of the strengths, skills, capacity and support available from within themselves and from their wider family, friends and community is also fundamental to the child’s care and support and their well-being. Families should be supported to build on these strengths and be helped to clarify what support they need to make the changes they need in life.
4. Children’s needs are holistic and all agencies have a role to play in safeguarding and promoting their well-being. It is vital to work together in a coordinated way and have clarity about each agency and individual responsibility to meet identified outcomes for a child.

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| Facilitators’ hints and tips  The emphasis on these elements of work with children and families and the skills required may be different from current or previous approaches. It may be appropriate therefore to explore with learners how their current or previous approach to care planning for looked after children differs (or not) from the aims in Part 6 and from the underpinning principles in the Act. It may mean stopping doing some things, building on good practice already happening and prioritising new ways of working. |

### Activity – Discussion

1. What do you think will be different for you in your practice and for the families you support in working to these key overarching principles?
2. What kind of changes will you need to make to the way you work to role model an outcome-based approach to the care and support of looked after children?
3. What current approaches, either in your personal practice or in your service can you identify that you may be able to consolidate and build on?

## Slide 10

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| Care and support planning |
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### Facilitator Notes

1. End of section on overarching and key duties and links to other parts of the Act. We will now explore the care and support planning requirements in relation to looked after and accommodated children and young people.

## Slide 11

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| Care and support planning framework |
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### Facilitator Notes

1. Assessing the needs of children and deciding how to meet those needs is a fundamental part of work with looked after children.
2. The process brings together children who are looked after, their families, carers and multi-agency professionals to plan and review the child’s care and support.
3. It is about open and honest communication and information giving and sharing so that children and their families can make informed contributions as equal partners and understand the decisions made.
4. It explores the family strengths and also clearly identifies what needs to change so that the child’s needs can be met.
5. It clearly identifies and sets out the roles and responsibilities of each of the family members, carers and practitioners, in the context of shared parenting, in meeting the identified needs and delivering the support together.
6. Identification of the personal outcomes for the child is central to the process. Clarity about the contribution that each agency and individual will make to the achievement of those outcomes and how they will be measured needs to be provided.

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| **Key learning point**  Care and support planning must be developed in partnership with the child, their family and all relevant professionals involved with the child to ensure there is an agreed understanding of how the needs will be met, by whom and the personal outcomes achieved. |

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| Facilitators’ hints and tips  Inter-agency working is essential to ensuring that the full range of a child’s  well-being and development needs are considered and addressed in order to achieve the child’s agreed outcomes. This multi-agency contribution and responsibility continues once a child is looked after.  All elected members and professionals of the local authority as corporate parents need to be concerned about the child and must take the following principles into account when engaging with them and making any decision about them:   * Is this good enough for my own child? * Is this tailored to the child’s individual needs, particularly if they are more vulnerable than other children? * Does this provide a second chance if things don’t go as expected?   This collective concern needs to encompass all aspects and all stages of the child’s life: their education, health and well-being, what they do in their leisure time and holidays, how they celebrate culture and how they receive praise and encouragement for their achievements. |

## Slide 12

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| Key change – assessing and meeting  needs of children |
| * Section 17 (children in need) of the Children Act 1989 is repealed * Assessment and meeting needs is provided for in  Part 3 and Part 4 of the Act:   **Section 21** Duty to assess the needs of the child for care and support  **Section 37** Duty to meet the care and support needs of a child   * Introduces: * Common principles for assessment * Assessment based on analysis of 5 key elements * National eligibility criteria for care and support |

### Facilitator Notes

1. Detailed information on assessing the needs of children and adults, and how best to meet thoseneeds, are set out in the regulations and code of practice relating to Parts 3 and 4 of the Act, which replace Section 17 of the Children Act, and these are covered in detail in the training module [Assessing and meeting the needs of individuals](http://www.ccwales.org.uk/learning-resources-1/assessing-and-meeting-individual-needs/). They include a range of common principles for assessment and introduction of assessment based on a comprehensive analysis of **5 key elements** to ensure that the person’s circumstances are considered holistically:

personal circumstances;

personal outcomes;

barriers to achieving outcomes;

risks if outcomes are not achieved; and

strengths and capabilities.

1. Part 3 also introduces **national eligibility criteria.** For children it is that:

their needs are caused by physical or mental health, age, disability, dependence on drugs or other substances, or if the need is unmet it is likely to have an adverse effect on the child’s development

that neither the child, the child’s parents or guardians are able to meet the need, either alone or together or with the support of others or with assistance from community services

As a consequence, they are unlikely to achieve one or more personal   
well-being outcomes unless the local authority provides or arranges care   
and support

1. Where the child is assessed as having eligible needs, care and support to meet the need(s) should be provided to the child and family under Part 4 of the Act. If the outcome of the assessment is that the circumstances set out in Section 76 apply and the child needs to be looked after, the local authority must provide accommodation for the child. In this case services under Part 4 can still be provided to meet the identified, assessed need of the child, support the child in their placement and work with the family to address any identified concerns, which are preventing them from caring for their child.

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| **Key learning point**  A child may not become looked after simply because an assessment under Part 3 identifies needs. Services could be provided to the child and their family under Part 4 that does not result in a child becoming looked after. |

1. Where the assessment produces reasonable cause to suspect that a child who lives, or is found, in their area **is suffering, or is likely to suffer, significant harm**, the authority shall make such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare. **Section 47 of the Children Act 1989**.
2. Where these inquiries indicate the need, the local authority must decide what action, if any, it may need to take to safeguard and promote the child’s welfare. The investigation will form an in-depth assessment of the nature of the child’s needs and the capacity of his or her parents to meet those needs within the wider family and community context. [**Module 4 Safeguarding**](http://www.ccwales.org.uk/learning-resources-1/safeguarding/) of this suite of training materials covers the safeguarding requirements of both children and adults in more detail.

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| **Key learning point**  Where there is reasonable cause to suspect that a child is at risk there is no need to determine eligibility for care and support. |

## Slide 13

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| Care and support planning process |
| Assessment InfoShow of handsFitting together a jigsawCircle of children |

### Facilitator Notes

1. Regulations set out the arrangements which the local authority must make for looking after a child. The making of a care and support plan is central to these requirements.
2. The plan must be informed by an up-to-date assessment. For those children already known to social services, an up-to-date assessment and a plan may already be in place under Section 54 of Part 4 of the Act. The Part 6 care and support plan should complement and build on any existing Part 3 assessment and Part 4 plan. If the child has not been assessed before being looked after, an assessment needs to be carried out to inform the care and support plan.
3. It is essential that children and their families participate as fully as possible in the assessment and care planning process in determining and meeting their identified care and support needs and personal well-being outcomes. It is essential to ensure that the process is accessible to them and is delivered in a style and manner appropriate to their age, disability and cultural needs.
4. To facilitate their full participation, children and their families should have all relevant information made available to them through their language of choice and preferred means of communication. Information should be accessible in Welsh and English, reflecting the Welsh Government’s Strategy ‘More Than Just Words’.
5. In carrying out the assessment, the local authority must assess the developmental needs of the child, and seek to identify the outcomes that the child wishes to achieve (to the extent it considers appropriate having regard to the child’s age and understanding), and the outcomes that the person(s) with parental responsibility for the child wish to achieve in relation to the child) and what contribution they can make to achieving those outcomes.

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| **Key learning point**  The child’s wishes, feelings and views are crucial in defining and achieving their personal outcomes. They should be supported by a range of people involved with them to formulate wishes and feelings, which are achievable and compatible with  their well-being. |

1. The assessment must also consider the child and family’s strengths, the capabilities of the parents to meet the child’s needs, capacity to change and the risk and protective factors to achieving the outcomes to safeguard and promote the well-being of the child.

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| **Key learning point**  There is a presumption that a disabled child has needs for care and support in addition to, or instead of, the care and support provided by the child’s family (Section 21(7) of the Act). |

1. It is essential when carrying out an assessment to consult all those concerned with the child and to co-ordinate the involvement of all relevant agencies and individuals who are significant to the child. This also avoids duplication of multiple assessments, and ensures the assessment is multi-agency and shaped around the holistic needs of the child in order to achieve the agreed outcomes.
2. The critical issue for practitioners will be deciding which intervention will achieve the best possible outcomes for the child and family’s particular circumstances. Guidance sets out questions that will need to be considered in reaching this decision:

What are the options for interventions which might help to support strengths and / or meet identified needs?

What resources are available?

Which agency or professional approach is the child, family and / or carer most likely to respond to?

Which intervention is most likely to produce the most immediate benefit and which might take more time?

What should be the sequence of the interventions and why?

In considering a return home, what is the likelihood of achieving sufficient change within the child’s timeframe?

1. Where possible, i.e. if the child is known to social services, the care and support planning process should begin before the child is accommodated. Where this is not possible, the Part 6 care and support plan must be prepared within 10 working days of the child’s first placement arranged by a local authority.
2. If an application for a care order is made under Section 31 of the Children Act 1989 a Care Plan must be provided for the court. Section 31A provides that the local authority must prepare a care plan for the child within the timetable set by the Court. No order can be made until the court has considered the plan. A Part 6 Care and Support Plan may be used as a child’s ‘court’ care plan if it meets the requirements imposed by Section 31A Children Act 1989. In Wales, this is set out in the National Assembly for Wales Circular, 1/2000.

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| **Facilitators’ hints and tips**  The Welsh Government’s priorities are to support families to care for their children and de-escalate the need for formal interventions in their lives. Section 15(2)(f)(1)  of the Act seeks to reduce the need for proceedings for care or supervision orders under the Children Act 1989. Where it is necessary to look after a child, priorities are:   * Greater stability for the child by supporting continuation of friendships and relationships with people important to them and consistency in their education. * Greater range and choice of placements locally so children can live close to home and community. * Acting sooner to find the right permanency solution for each child. |

### Activity – Discussion

1. How will the way you assess and plan care and support for children and their families change under the new Act?
2. What practical examples of early intervention can you think of within your own / or your teams day-to-day practice that have strengthened the capacity of families to continue caring for their children?
3. How can these preventative interventions be built on and developed?

## Slide 14

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| Advocacy |
| * Provide independent advocacy services for looked after children * Inform children and young people of the availability of the services and their entitlement  to them   Looked after children and young people have a right to be supported to express their needs, views and wishes and be able to fully participate in the assessment and planning process and in decisions which affect them |

### Facilitator Notes

1. The child is central to the care and support processes of assessment and planning, and any safeguarding enquiries, and they must be empowered   
   and supported to express their needs, views and wishes and be able to fully participate in the process and in decisions which affect them. Advocacy is about speaking up for children and young people, empowering them to make sure their rights are respected and their views, wishes and feelings are heard at all times.
2. Social care, education and health professionals working with children and young people all have a key role to play in supporting young people to have a voice, to speak up for children and young people and make sure their rights are respected and their views, wishes and feelings taken into consideration.

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| **Key learning point**  Supporting a child to participate effectively in the assessment and planning process is a key element of demonstrating ‘due regard’ for the purposes of the UNCRC. |

1. Advocacy can be provided at different levels such as by somebody the child choses, family, relative, friend, teacher or carer. Children should be helped to understand the choices open to them and the differences between the options and the local authority should facilitate the support and advice required to enable the individual to assume the advocacy role.
2. There may be occasions where this support is not available or appropriate or there are conflicts of interests in them acting as advocate and the child needs an independent professional advocate to enable them to engage in and participate in the process.
3. Section 178 of the Act restates the existing duties of local authorities to make arrangements for the provision of assistance and advocacy to looked after children and former looked after children. Local Authorities must provide independent advocacy services for looked after children and those leaving care, and inform and advise children and young people of the availability of the services and their entitlement to them, together with help to access an advocate.
4. Children must, wherever possible, be given an opportunity to meet an advocate and agree the arrangement before the advocate’s appointment is confirmed and any information shared with them. Where children request a change in advocacy arrangements or the need to do so has been brought to the local authority’s attention, this should be acted upon.

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| **Key learning point**  Each level of advocacy – independent, formal practitioner and informal family / peer – has an important role to play in support of a child or young person and you must have a good understanding of the benefits and limitations of each. |

1. The Code of Practice for Part 10 of the Act specifies when local authorities   
   must consider the advocacy needs of an individual, including to enable them to participate in any assessment or planning processes for their care and support needs; where decisions are being made about a child’s placement or readiness   
   of a young person to move from their care placement to more independence and when a child or young person believes that a concern or problem is not being resolved and they intend to or are considering making a representation.
2. Under the Act, the National Outcomes Framework for Social Services sets out well-being outcomes for people who need care and support and carers who need support this includes advocacy. The framework states people must speak for themselves and contribute to the decisions affecting their lives, or have someone who can do it for them. The achievement of this must be measured.

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| **Key learning point**  Looked after children must be provided with information about the available advocacy services in the area and be assisted to access them if they choose. |

### Activity – Discussion

1. What do you consider to be the main barriers that a child or young person may have to fully participating in their care and support planning?
2. At what stages in the assessment and planning process is this likely to be   
   most crucial?
3. What do you think are the key skills, knowledge, behaviours that individual professionals need to enable children to fully participate?
4. What do you think are the key organisational actions and practices that need to happen to enable children to be supported to fully participate?

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| **Facilitators’ hints and tips**  As well as enabling individual children to express their views and feelings regarding their care planning and other decisions that affect them, it is also important for agencies and organisations to provide opportunities and enable the collective voice of looked after children to be heard in order to share their experience of services and inform practice and further service development. Two examples of good practice are described below.  **Carmarthenshire County Council** has enabled a group of looked after children and young people from across the county to produce training materials for foster carers, social workers and teachers. They have produced two PowerPoint presentations with backing music, including one about KICCIT! – a charter for looked after young people to raise awareness of their rights and to help people understand how they can have their say. The children and young people use the term ‘stand up, speak out’ to describe ‘advocacy’. To accompany the PowerPoints and to help raise awareness of ‘stand up, speak out’ they have developed graffiti posters.  **Voices from Care Cymru** is a user group of young people who are, or have been, looked after in Wales. The group organises conferences and other consultative events with looked after children and young people, for example about the Children First programme. |

## Slide 15

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| Overarching care and support plan |
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### Facilitator Notes

1. **The Part 6 care and support plan is the central and overarching plan for the looked after child, which incorporates required assessments and plans into one integrated single plan.**
2. It should reflect the multi-agency contribution necessary to ensure that it addresses the full range of the child’s well-being and developmental needs   
   in order to achieve the agreed outcomes**.**
3. It must incorporate the child’s health plan and personal education plan (PEP). See slides 18 and 19 below for further detail on the requirements of these plans.
4. It will also include the placement plan for the child. This will set out how the placement will contribute to meeting the child’s needs and personal outcomes from the care and support plan. Slide 23 gives more detail on the requirements   
   of the placement plan.
5. By the time of the second review a long-term plan for the child’s upbringing   
   (a permanency plan) should be in place. Slide 17 gives more detail on the plan   
   for permanence.

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| **Key learning point**  The Part 6 care and support plan brings together in one place all the key multi-agency information from the assessment of the child’s development and care needs and from any other assessments of the child and family. |

### Activity – Discussion

1. What steps would need to be taken to ensure that the Part 6 care and support plan is truly overarching and contains information from all key agencies and individuals, including the child, family and carer?
2. How might this differ from current practices?
3. How might any differences of views or wishes, e.g. between child and parent be managed and reflected?

## Slide 16

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| Part 6 care and support plan |
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### Facilitator Notes

1. [**Handout Content of a Part 6 Care and Support Plan**](http://www.ccwales.org.uk/edrms/157052/)
2. There are specific requirements regarding the preparation and the content of   
   the Part 6 care and support plan for a looked after child. The Care Planning Placement and Care Review (Wales) Regulations 2015 specify that the Part 6 care and support plan should contain the information outlined in the above slide.
3. This is **additional** to the content specified in Part 4 for a care and support plan, which is:

The specific, achievable, child-focused outcomes which have been identified

The actions to be taken by all to help the person to achieve those outcomes

The needs that will be met through the delivery of care and support

How progress towards achieving those outcomes will be monitored

The review arrangements and date of next review

Where appropriate care and support plans should also set out:

The roles and responsibilities of the individual, carers and family members and practitioners

The resources required from each party

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| **Key learning point**  It is important that the Part 6 care and support plan records essential information which will help the child, child’s parents and carer to understand why decisions have or are being made. |

1. It is a duty under Section 95 of the Act to promote and maintain **contact** between the looked after child and their parents or person with parental responsibility, significant relatives, siblings, friends, or other person’s connected with the child, unless it is not reasonably practical or consistent with the child’s welfare. Contact arrangements made in partnership and shaped around the needs of the child must be set out in the plan, including any assistance or expenses that will be made to help contact. The child’s views and feelings about contact should be regularly assessed.
2. To facilitate the maintenance of contact, parents must be informed of where the child is living as long as this does not prejudice the child’s well-being and equally a parent or somebody who has parental responsibility for the child must keep the local authority informed of their address: failing to do so without good reason could lead to being found guilty of an offence.

## Slide 17

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| Plan for permanence |
| Permanence includes:   * Emotional permanence (attachment) * Physical permanence (stability) * Legal permanence (who has  parental responsibility)   Achieving permanence for the child is a key consideration from the time a child becomes looked after. The care and support plan from the outset should set out how permanence will be achieved |

### Facilitator Notes

1. “Permanence”, including emotional, physical and legal permanence, provides an underpinning framework for all work with children and families to give a child a sense of security, stability, commitment and identity.
2. From the beginning of the planning process, as informed by all relevant agencies and the wishes and feeling of the child, it will be necessary to consider and identify how permanence will be achieved for the child. By the time of the second review of a child’s care and support plan, a long term plan for ‘permanence’ for the child’s upbringing (a ‘permanency plan’) should be in place.
3. A range of options for permanence exist – return to birth family, placement with family and friends, long-term foster care or adoption – all of which can deliver good outcomes for a child.
4. For some children, where it has been possible to address the factors / risks   
   that led to the child becoming looked after, a return home can be a successful outcome for permanence. In these situations, ongoing and thorough assessment of the child’s needs, risk, and the parent’s capacity to change and meet needs must be carried out. Assessment for, and provision of, any support and advice to enable the family to continue to care for the child once he / she returns home must be detailed in the care and support plan. Research shows that failed reunification and subsequent returns to care are damaging for children and   
   young people, so it is important to ensure that risk is thoroughly assessed prior   
   to reunification.
5. It will be important for children and young people who do not return home to be helped make sense of their identity through individual work, such as life story work and maintaining contact with significant people in their lives in whatever manner best meets the child’s needs.
6. See also the facilitator notes for slide 20 on provisions for “foster to adopt” placements aimed at reducing the time to adoption and increasing stability and security for children where it has been decided that adoption is the best permanency option.

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| **Key learning point**  Planning for permanence is vital in ensuring that children have a secure, stable and loving family to support them through childhood and beyond. |

### Activity – Discussion

1. What might be the factors you need to consider when making plans for permanence and deciding on the best long term options to meet an individual child’s needs?

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| **Facilitators’ hints and tips**  The NSPCC has developed the [Taking Care](http://www.nspcc.org.uk/returninghome) practice framework: an evidence-informed risk assessment and planning framework for use by local authority social workers when deciding whether a child can be returned home. The Taking Care practice framework is designed to provide a more robust assessment and decision-making process and to inform and support work with children and families throughout the reunification process, including once a child has returned home. |

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| **Case study**  Charlie has been known to services since his birth. Social care became involved with his mother because of her neglect of his older brother. There were concerns that she would also not be able to care for Charlie. He was placed with foster carers at birth. Permanence was first identified when he was three months old. A relative was assessed as a permanent carer but the assessment concluded that this was not a suitable permanent placement for Charlie. He lived with his first foster carers for the first nine months of his life, and developed a strong attachment to them. His mother did not attend contacts and has not seen Charlie since he was two months old.  It was decided that adoption was the best permanency plan for Charlie. Charlie was matched with his prospective adoptive parents when he was eight months old, and moved to live with them a month later. Charlie bonded well with his prospective adoptive parents and appeared relaxed and happy in their care. It took 16 months from Charlie’s first contact with services to when his Adoption Order was made.  **Questions**   1. Do you consider this to be a successful outcome for Charlie? If so, what are the main reasons? 2. What supports can you identify to help ensure that Charlie develops and maintains a positive sense of identity?   **Suggested answer**   1. It could be suggested that this is a successful outcome for Charlie as:  * He became looked after at birth due to concerns about his mother’s ability to care for him and hence he has not lived with his birth family or developed early attachments with them. * His mother ceased all contact with him from the age of two months. * The plan for permanence for Charlie’s upbringing and how this could be achieved was decided quickly and at an early stage in his life. * Initially options of trying to place Charlie with family relatives had been explored but excluded as not being able to meet his needs. * Charlie was matched with prospective adoptive parents by eight months old and appeared to bond well with them. * The process of seeking permanence through adoption was achieved quickly  for Charlie, preventing drift and providing him with security and stability from an early age.  1. In order to help Charlie develop a positive sense of identity it will be important to support the adoptive parents to communicate openly and honestly with Charlie as he develops and support him in his hopes, interests and aspirations. Individual work, or supporting the carers to do so, with Charlie to enable him to understand and make sense of his situation would be beneficial as he develops. There are a range of tools to assist this, which practitioners will already be using, such as life story work, memory box, pictures and relationship circles. |

## Slide 18

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| Health assessment and plan |
| * A doctor examinining a childAssessment of child’s physical, emotional and mental health * Health history of child and family * Current arrangements for health and dental care and any planned changes * Treatment and monitoring for identified health needs * Routine health checks and screening * Preventative measures such as inoculation * Health promotion and effective personal care |

### Facilitator Notes

1. There is a requirement for the local authority to make arrangements for   
   a registered medical practitioner or registered nurse to carry out an initial assessment of the child’s health, including emotional and mental health, and provide a written report before the child is placed, or if this is not practicable,   
   it should be complete by the first review, subject to child “of sufficient understanding” consenting.
2. It is the responsibility of the local authority to make sure that health assessments are carried out. Local health boards have a duty to comply with requests from local authorities for assistance to make sure that the assessment happens.
3. The health plan is developed from the health assessment and will form the health element of the Part 6 care and support plan. It should specify actions and services to be provided to meet the identified health needs, timescales and outcomes and who is responsible for each action or service delivery.
4. The plans must ensure that looked after children have access to universal programmes of health and development reviews, necessary immunisations, dental check-ups and other health promotion services as for any other child. Where a young person is disabled or has other special needs, continuity of specialist care is an important consideration.
5. Subsequent health assessments should take place:

At least once every 6 months for children under 5

At least once every 12 months for children aged 5 and over

Any issues raised and actions required should be considered and recorded as part of the care and support plan review process.

1. There is no requirement to carry out a health assessment if a child or young person judged to be of sufficient understanding refuses consent, but in these cases the child’s health needs and outcomes should be considered as part of the overall Part 6 care and support planning process.

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| **Key learning point**  The child’s health needs and outcomes, including mental health, should always be considered as part of care and support planning |

### Activity – Discussion

1. What are the key factors to consider in promoting good health outcomes for looked after children?
2. How can young people be engaged effectively in making healthy choices?

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| **Facilitators’ hints and tips**  Best practice has shown that children and young people are more likely to participate in health assessments when:   * They are encouraged and supported to attend. * The assessment is designed to address the issues that are most important  to them. * The assessment takes place in a suitable and accessible young person  friendly environment.   It is clear from evidence that the health of looked after children historically has  been disadvantaged with neglected routine immunisations and screening, lack of appropriate care for known conditions and failure to diagnose health and mental health problems. The importance of promoting the healthy development and lifestyle of looked after children is key to achieving better outcomes. There are many good practice examples of service developments and provision to help address this, two  of which are described below.  **Cardiff Children First Health Team –** Funded by the Children First initiative, a specialist team for looked after children has been established to promote the healthy development of individual looked after children and provide children looked after  with better health outcomes. The team offers health care and looked after health assessments by “nurse- led questionnaires” to young people between the ages  of 11-18 years who are looked after in Cardiff’s residential units, some foster placements and those who are supported in independent living. There has been a significant improvement reported in health outcomes for children looked after since the service began.  **Swansea Looked After Children Health Team –** The LAC Health Team was devised to complement the existing local authority LAC Team and work across traditional agency boundaries. It aims to improve accessibility to equitable health care services, develop innovative practice to promote healthy choices and lifestyles and participate in health assessment processes with partner agencies. The team  has offered holistic child focused assessments which are health promotion led with production of health plans. They also ensure implementation and evaluation of plans by liaison with carers and attending statutory reviews and input into foster panels, adoption panels, complex needs and out of area panels to highlight health needs. The service has been developed that is both accessible and acceptable to children and young people, positively influencing their access to information and advice regarding a wide range of health related issues and promote healthy choices. Young people independently contact team members by phone and text for health advice and support. 1:1 and group health promotion is offered and flexibility in venue and time is also offered. The service has seen a substantial increase in the numbers of looked after children and young people participating in their health assessment. |

## Slide 19

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| Promoting educational achievement |
| Every looked after child must have an effective **personal education plan** to help them fulfil their potential and achieve their educational outcomes and aspirations:  A group of children in a classroom with a teacher   * Objectives and targets for the child’s educational aspirations and leisure interests * Child’s educational history – progress, achievements, disruption * Existing arrangements for the child’s education and any specialist support in place * Arrangements to minimise disruption of education and training * Carers’ role in supporting the child’s educational achievements and leisure interests |

### Facilitator Notes

1. Local authorities are required to promote educational achievement as an integral part of their duty to safeguard and promote the well-being of looked after children and young people. All involved with supporting looked after children should be committed to helping the child to achieve the highest educational outcomes and ambitions comparable to all children and should understand how they contribute to promoting the education of looked after children and help them succeed.
2. Particular attention needs to be given to the educational implications of any decision for the child. Educational stability is key and every effort should be made to minimise any disruption to the child’s education and arrange care placements which enable the existing educational provision to be maintained. This means that the local authority should try to ensure that the child can continue at the same school even if they no longer live in the immediate neighbourhood if this is reasonably practical and consistent with the child’s well-being and wishes. Additional support may need to be provided to help the child stay in the same school and this needs to be demonstrated in the Personal Education Plan (PEP).
3. This is particularly significant for young people in Key Stage 4 as they approach GCSEs or equivalent qualifications. Regulations impose particular requirements on making placements for looked after children in Key Stage 4 and a move should only be made in exceptional circumstances and when all other options to maintain the school placement have been explored and exhausted.
4. Where disruption is inevitable, particular care must be taken to ensure that the arrangements for the child’s education and training continue to meet the child’s needs and are consistent with their personal education plan. The designated person at both the current and new schools must be consulted. Regulations require that appropriate arrangements are made for the child’s education or training before any care placement is made.
5. The PEP should be initiated as part of the care and support planning before the child becomes looked after. If this is not possible in an emergency placement,   
   it should be initiated within 10 working days. It should have been developed and available for the child’s first statutory review meeting of the child’s Part 6 care and support plan (28 days after first accommodated).
6. The development of the PEP should be done in partnership with the child, the school, carers and other relevant professionals so that it fully reflects the needs   
   of the child, is up to date and implemented. It should be reviewed in partnership as part of the statutory review of the wider care and support plan for the child.

**Facilitators’ hints and tips**

The **Welsh Government’s Strategy on ‘Raising the ambitions and educational attainment of children who are looked after’** 2015 aims to establish a national aspiration for the educational outcomes for looked after children leading to considerable progress in attainment for these children and young people in all   
key stages. The educational attainment rates for children who are looked after is significantly below that for other mainstream children at all key stages e.g. in 2013,   
at Key Stage 3 the overall pupils in Wales category has an attainment rate of 77% compared with only 36% for children who are looked after. As a consequence, only   
a small number of children who are looked after progress to further and higher education and the children looked after statistics for 2014 show that 45% of care leavers, who had their 19th birthday during the year ending 31 March were not in education or employment (NEET).

The strategy recognises the positive approaches that have been happening to improve these outcomes and sets out further actions required by all key partners, including the Welsh Government, local authorities, schools and colleges, to support children who are looked after to achieve better educational outcomes and fulfil their potential. The actions are based on three main themes:

A. Effective leadership – roles and responsibilities

B. Building effective partnerships and collaboration

C. Effective teaching and learning

They are supported by three other important areas:

D. Making better use and strengthening the knowledge and information held about children who are looked after

E. Strengthening funding arrangements to support the education of children who are looked after

F. Participation with children who are looked after to inform strategic approaches and operational decision making

**A Cardiff University report, November 2015**, commissioned by the Welsh Government, has found that only 8% of care leavers progress to full time education by age 19, compared with 43% of all young people and that only 2.4% of looked after children in Wales progress on to higher education. (The full report can be accessed in the resources section at the end of this module.)

Co-ordinated work by the Welsh Government, the Higher Education Funding Council for Wales (HEFCW), Reaching Wider regional partnerships, higher education institutions and the involvement of other organisations and professionals aims to widen access to higher education for care leavers. Examples of good practice include:

**The Bridgend Council looked after children education (LACE) team** – has linked with Cardiff University Coursework Mentoring Club and the University 'Confident Futures Summer School'. Up to six looked after young people attended the monthly group meetings at the University. Each is supported by a student mentor studying in their third year. The monthly meetings are an opportunity to meet up, eat, chat and get help with their course work, inspire and encourage them to achieve their goals.   
It also offers the opportunity to experience the university environment, meet and make friends whilst offering an insight into life at university and raise aspirations. At the end of the mentoring the programme, the young people are given the opportunity to attend the 'Confident Futures Summer School'. This is a two day event aimed   
at giving young people in care the chance to experience student life in a safe and supported environment. The Bridgend LACE team arranged four workshop carousels with Glamorgan University through the HEFCW 'Reaching Wider – Reaching Higher' project. Up to ten young people at Key Stage 4 were invited to the events and enjoy a day at the university sampling a range of courses such as, drama, animation, music and film-making.

### Activity – Discussion

1. Why do you think that looked after children’s educational attainment rates in Wales are significantly lower than children who are not looked after?
2. How can your role contribute to promoting the education of looked after children and helping them to succeed?

## Slide 20

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| Placements |
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### Facilitator Notes

1. End of section on care and support planning. We will now explore the requirements on placement provision and support

## Slide 21

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| Placements |
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### Facilitator Notes

1. A “placement” means an arrangement by which a local authority places a looked after child in a suitable home environment in order to safeguard and promote the child’s well-being.
2. However, there are many children who cannot live with their parents who are being brought up in “informal” arrangements with family and friends, referred to as **family and friends care**. Children living in family and friends care should receive the support they and their carers need to safeguard and promote their well-being, and full use should be made of the assessing and meeting needs arrangements in Parts 3 and 4 of the Act to work proactively with the child and carer to maintain this living arrangement.
3. Where a decision has been made that a child should be looked after by the local authority, in keeping with the duty and aim of promoting the upbringing of a child by their family, there is a clear emphasis in the Act that arrangements must be made for the child who needs accommodation to live with a parent or a person with parental responsibility or residence / child arrangement order, unless it is not consistent with the child’s well-being or reasonably practical. An assessment of the parent’s capacity to care for the child and review of the case should be carried out and the feelings of the child and views of any other relevant person ascertained before making any decision.

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| **Key learning point**  Where possible a looked after child should live with a parent or person with parental responsibility or residence / child arrangement order. |

1. Where this is not possible, preference should next be given to placement with a relative, friend or other person connected to the child, so that the child continues to be brought up in their family or community environment. The suitability of the carer and home and the wishes of the child need to be assessed and where the child is in care (i.e. subject to a care order or interim care order) this person will need to be registered as a foster carer.
2. If neither of these is possible, a range of sufficient local alternative provision should be available including foster carers, children’s home, supported lodgings (for 16-17 year olds) – also where appropriate placement with prospective adopters or in secure accommodation.

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| **Key learning point**  Each type of placement may support positive outcomes for a child. Which placement is the best for an individual child will depend upon a child’s particular needs and circumstances. Not all placement options will be ‘realistic’ for each child. |

1. In deciding on the best type of placement for a child, due regard must be given to the views, wishes and feelings of the child and of their parents, the child’s religion, culture, sexuality, and any disability, including emotional and mental health and language needs. Contact arrangements with family, and leisure opportunities with friends are also an important consideration.
2. Wherever the child is placed, local authorities must maintain the child’s placement and put in place support and services, including supports under Parts 3 and 4,   
   to increase the capacity of the carer to meet the child’s needs and identified outcomes from the care and support plan.
3. **Short breaks** away from home to support a parent’s continuing care of a child, can be provided under Parts 3 and 4 of the Act, for example for a disabled child, or there will be some children whose packages of short break care will be such that their well-being will be best safeguarded by them being a looked after child for the periods they are away from home, and hence the short break provision is provided under Part 6 (Section 76(1)(c) of the Act). Where pre-planned short breaks in the same setting are provided under Part 6, the normal requirements   
   for care and support planning are modified. Regulations specify the circumstances in which modifications such as a modified plan and less frequent reviews are permitted.

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| **Key learning point**  Everybody must do all they can to support an accommodated child to be cared for by their parents or wider family in the future, if safe and appropriate |

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| **Case study**  Matthew is nine year old boy of black Caribbean heritage. He is on a care order and placed and matched in long-term foster care. His original permanency plan was to seek an adoption placement, but this was not achieved as no suitable family to meet his needs was identified.  Matthew has a range of disabilities including global developmental delay, a shunt in his head to prevent fluid on the brain building up, and other medical complications. He remains with long-term foster carers where he was initially placed five years earlier. They are a white couple in their 60s who are committed to him but do not want to adopt or seek a special guardianship order.  Matthew’s mother disappeared after the care proceedings but has recently been located by Matthew’s new social worker. She lives in a neighbouring authority with her two-year-old daughter. His mother was surprised to hear that Matthew was not adopted and pleased he was with the same foster carers. Matthew remembers his mother and would like to see her. The foster carers are very worried that this will upset and disturb Matthew.  **Questions**   1. How can the social worker, carers and mother work together to facilitate  positive contact? 2. What specific support needs might the foster carers have? How can these  be met? 3. What specific support needs might Matthew and his mother have? How can these be met? 4. What are the factors that will need to be addressed in considering the best permanency option for Matthew? 5. What do you consider to be the most positive outcome for Matthew?   **Suggested answer**   1. It will be important for the social worker to spend individual time with Matthew,  his mother and the carers to help them to prepare and manage the contact. Each should be helped to explore expectations, hopes and any anxieties about the renewed contact in ways that are accessible and appropriate to them. For Matthew this could include tools such as pictures and relationship maps. 2. Support for the carers may include work with them to understand how Matthew needs to be helped to gain a sense of identity and make sense of his situation and the importance of promoting contact with his family and relatives to  facilitate this. 3. It will be important to provide opportunities to assess what impact the contact is having on Matthew as it progresses and enable him to express his feelings and wishes about it. Consideration needs to be given to managing the contact in the most comfortable way for all parties. This includes exploring and agreeing the best place for contact to take place for all, times, and the nature of the contact. The mother should be supported practically and financially if needed. 4. Factors to consider for the best permanency option for Matthew may include:   Assessment of the progress of the contact  Length of time that Matthew has been placed with the carers  Mothers situation and relationship with her daughter  Matthews cultural background  Meeting Matthew’s health needs  Matthews wishes and feelings  Wishes and feelings of mother, sibling and carers.  How best to achieve stability, security and sense of identity for Matthew |

**Facilitators’ hints and tips**

The number of children placed for **adoption** in Wales increased from 300 in 2011-12 to 386 in 2014-15 – an increase of 29%. The Welsh Government’s aim is to reduce the time taken between looked after child placement to adoptive placement to   
13 months or less for those children where it has been decided that adoption is the permanency option to meet their needs. Section 81 of the Act makes provision where a local authority is satisfied that the best permanency option for a looked after child is adoption that the child must be placed with a prospective adopter, known as a “foster to adopt” placement. The “foster to adopt” arrangements under the Act can only take place where the possibility of the child being reintegrated with the birth family has already been discounted.

### Activity – Discussion

1. What factors would need to be considered when deciding on placement choice?
2. How do you identify what are the ‘realistic placement’ options for a child?
3. What do you think may be the advantages and disadvantages generally for each type of placement option?

## Slide 22

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| Placements must… |
| Regulations set out clear requirements for **out of area placements** and introduce a new “**order of preference”** for such placements | |

### Facilitator notes

1. The Act introduces a range of provisions to strengthen placement choice and stability. Section 75 requires that local authorities must ensure that, so far as   
   is reasonably practical, they are able to provide looked after children with accommodation within the local authority’s area and that meets the children’s needs. The aim is to have a range of accommodation in the area capable of meeting different needs to improve quality and choice of placements locally.
2. Consideration must always be given to the placement enabling the child to live locally and close to home, to support contact with family and allow for continuity of health care and education or training. Siblings should always be placed together so far is reasonably practical, and the accommodation should be suitable for a child’s needs if the child is disabled.
3. However there are occasions when a placement **out of the local authority   
   area** will be in the child’s best interests and regulations set out the requirements for considering these placements. The child’s case must be referred to a representative panel before an out of authority placement is made, or as soon   
   as possible afterwards.
4. The panel should bring together representatives of agencies who will assist   
   with planning the placement and meeting the child’s needs during placement,   
   to include:

Representatives, including from health and education, from the local authority where the child is to be placed

Budget holding representatives from local authority children’s services, education departments and local health board with responsibility for commissioning services

Professionals and agencies that will need to contribute to delivering the child’s Part 6 care and support plan

1. The purpose of the panel is to:

Determine that there is no placement in the area capable of meeting the child’s needs, or that an out of area placement is more consistent with a child’s needs

Ensure that the child’s health and educational needs will be met and   
by whom

Agree funding for the placement and agreement and buy-in from all representative partners

1. A **new requirement** as set out in the regulations is that local authorities considering an out of area placement should try to place in the following **order   
   of preference:**

Within a local authority in Wales bordering the responsible authority

Within any other local authority in Wales

Within a local authority in England

Subject to the requirements of section 124 of the Act, outside England   
and Wales

For Welsh authorities that border English authorities, there is some flexibility   
in that placement in a neighbouring English authority may be considered after consideration of placement in a neighbouring Welsh authority and before placement in another Welsh authority, if for example it would enable the child   
to stay in the same school or to continue receiving specialist support.

## Slide 23

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| Placement plan |
| A family in front of a house   * Clarify roles and responsibilities and  how the day to day tasks will be shared between the carer and local authority as corporate parent * Provide the carer with essential information about the child – health, education, emotional and behavioural needs, likes/dislikes routines and management * Ensure the child and carer receive appropriate help and support to meet the needs of the child   A placement plan must set out how the placement will contribute to meeting the child’s needs. It will form an integral part of the overall Part 6 care and support plan: |

### Facilitator Notes

1. The placement plan should be added to the Part 6 care and support plan before the child is placed, or if this is not possible, within five working days of the start of the placement and then reviewed every three months.

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| **Key learning point**  The placement plan will form an integral part of the child’s overall care and support plan and in practice will form a distinct section within that plan. The plan should identify why and how an identified placement best meets a child’s needs. |

1. The content of the plan is outlined in the slide, and is set out in regulations, and must include essential information the carer needs to know in order to safely care for the child.
2. The carer should be given a copy of the overarching care and support plan and information about the child’s family background and why the child is looked after. The carer needs to know about their role in implementing the plan, for instance with regard to the child’s health, education and cultural needs, contact with family duration of the placement and the long term plan for the child.
3. Agreement about the delegation of responsibilities between parent, local authority and carer and who can make various day to day and other decisions about the child needs to be discussed with all parties and clearly specified in the plan.

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| **Key learning point**  The carer needs to know about their role in safeguarding and promoting the child’s well-being. |

### Activity – Discussion

1. What key essential information should a carer know about a looked after child at the commencement or soon after a placement is made?

## Slide 24

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| Secure children’s home |
| A looked after child can only be placed in secure accommodation if:   * History of absconding and likely to abscond and suffer significant harm or * Likely to injure him / herself or other people   And   * Only after obtaining a secure accommodation order from the courts (after a pre court application period of 72 hours)   Underpinning principles:  *“No child shall be deprived of his or her liberty unlawfully or arbitrarily.  The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.”*  Article 37b UNCRC |

### Facilitator Notes

1. Placement in a secure children’s home can sometimes be the most appropriate way of responding to a child’s needs.
2. The decision to place a child in a secure children’s home and hence restricting their liberty, should only be made where it is absolutely necessary and other options have been considered and ruled out.
3. There are strict restrictions on the grounds, as described in the above slide, and on length of time that a child or young person can stay in a secure children’s home. If the criteria cease to apply for keeping a child in secure accommodation, then a plan for change of placement in a community setting must be implemented, following a statutory review of the care and support plan.

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| **Key learning point**  A placement in secure accommodation should only continue for as long as it remains necessary to meet the needs of the child. |

1. Regulations place a **maximum** period of 72 hours in any consecutive 28 day period that a child may be kept in secure accommodation without the authority   
   of the court and only if one of the criteria shown in the slide is met (absconding   
   or likely injury). The 72 hours is to allow sufficient time to prepare the court application and notify the child’s parent, independent visitor and any other   
   person who needs to be informed.

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| **Key learning point**  A child should be helped to prepare for the court hearing and be informed of their right to be legally represented in court and have an independent advocate. |

1. A child can only be retained in secure accommodation (subject to the maximum 72 hour pre-application period) after obtaining a secure accommodation order from the court. The maximum initial period a court may authorise a looked after child to be kept in secure accommodation is three months. A further application needs to be made to the court if it is considered that the child’s placement needs to continue beyond this initial period. The court is able to authorise a child to be kept in secure accommodation for a further period of six months at any one time.
2. **For children under the age of 13, approval of the Welsh Ministers must be obtained** before any placement in a secure children’s home or application to court is made. For children over the age of 13, the decision to place in a secure children’s home prior to court authorisation can only be made by the Statutory Director of Social Services, but may be delegated to a Head of Service – Children’s Services.
3. Regulations require the local authority to appoint at least three people (at least one of whom should not be a member or officer of the local authority) to review the secure accommodation placement decision within one month of the start of the placement and then subsequently every month. The review must have regard to the welfare of the child and consider:

Whether the criteria for keeping the child in secure accommodation continue to apply

Whether the placement in secure children’s home continues to be necessary

Whether any other type of accommodation would better meet the child’s needs

If the review panel conclude that any of the above applies, the local authority must convene a statutory review of the child’s care and support plan to consider options and plan any move to an alternative placement

**Facilitators’ hints and tips**

Applications to place a child in secure accommodation in Wales will be made under **Section 119 of the Act**.But if the child is to be placed in secure accommodation in England the application will need to be made to the court under **Section 25 of the Children Act 1989**.Courts in Wales can hear applications under Section 119 of the Act or Section 25 of the Children Act 1989.

## Slide 25

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| Keeping in touch |
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### Facilitator Notes

1. End of section on placements. We will now explore the visiting and keeping in touch requirements for looked after children.

## Slide 26

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| Visits to a looked after child |
| * Looked after children must be visited to ensure:   **Duty to appoint an independent visitor when considered to be in the best interests of the child**   * their well-being continues to be safeguarded and promoted * they feel supported * they receive the advice or information they need * they are able to talk about their hopes and aspirations, worries  and concerns * personal goals and outcomes from their plan are checked * additional support or services are identified if needed * their response to family contact is checked |

### Facilitator Notes

1. The local authority must ensure that a looked after child is visited wherever the child is living. Visits form part of a broader framework for supervising the child’s placement and ensuring that the child’s well-being continues to be safeguarded and promoted and their personal outcomes met.
2. The **minimum** frequency of visits is set out in the regulations: within one week of the placement, and then at intervals of not more than six weeks. However, if the needs of the child require it, the child or carer request it, or there is a period of change, then more frequent or additional visits will be necessary.
3. Successful visits should achieve the outcomes summarised on the slide. They should enable a positive, open and honest relationship to develop between   
   the child and social worker, so that the child has the opportunity, and feels comfortable, to share their feelings, hopes and any worries they have about   
   their placement, enabling any difficulties to be addressed.
4. There is a further duty, if the child does not object, to appoint an independent visitor to visit, befriend and advise a looked after child if it appears to be in the child’s best interests. Regulations specify that the appointment of an independent visitor must be considered where:

The child has not lived with a parent, or somebody with parental responsibility, during the preceding 12 months; or

There has been infrequent or no contact between the child and their parent.

Factors such as issues with building positive relationships, difficulties going out, or likely engagement in risky behaviour should also be taken into account in deciding whether an independent visitor would be in the child’s best interests.

1. The child’s wishes and feelings about having an independent visitor must be ascertained and they cannot be appointed if the child objects. Similarly, the continued need for an independent visitor should be considered at each review and the relationship ended if the child objects to it.

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| **Key learning point**  Visits are not only about checking the progress of the placement, but are an opportunity for proactive engagement with the child about his or her hopes  and aspirations. |

### Activity – Discussion

1. What do you think are the key skills, behaviours and tools required to ensure effective communication with children about their wishes and feelings?
2. How might these be different for children, dependent on their age and abilities?

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| **Facilitators’ hints and tips**  Practitioners will probably be using a range of tools to help them to communicate with children and gain their views and feelings. Examples may include:   * Using pictures or drawings * Using mind maps or spider diagrams * Using tools form the NSPCC [Solution-focused Practice](https://www.nspcc.org.uk/globalassets/documents/publications/solution-focused-practice-toolkit.pdf) toolkit to help children explore their strengths, where they want to go and what they need to get there   Other examples of communication tools for working with disabled children who may have limited speech include communication passports, communication books or charts with pictures or symbols, electronic and multimedia communication. Mencap have a range of [communication resources](https://www.mencap.org.uk/about-learning-disability/information-professionals/communication) for communicating with people with learning difficulties or complex needs. |

## Slide 27

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| Children in other establishments |
| When notified the local authority must:   * Assess the needs of the child for care and support * Arrange for the child to be visited in the same way as visits to other looked after children * Provide services as appropriate to meet care and support needs   Children accommodated:   * **by health authorities or education authorities** –  duty to notify the local authority where child is normally resident * **in care homes and independent hospitals** – duty to notify the local authority where the care home or hospital is located |

### Facilitator Notes

1. Section 120 of the Act requires any local health board, health authority or education authority to notify the responsible authority **(where the child is ordinarily resident**) when it is providing or intending to provide a child with accommodation in Wales for a consecutive period of at least three months.
2. Section 121 places a similar requirement on care homes and independent hospitals in Wales where a child is accommodated, but in this case the person ‘carrying on’ that home or hospital must notify the local authority **where the home or hospital is located.**
3. When notified under Sections 120 or 121 the local authority must:

Assess the child under Section 21 of the Act (duty to assess the needs of a child for care and support)

Visit the child under Section 122 of the Act. Visits must be carried out in the same way and same minimum frequency in the first year as visits to other looked after children as described in the slide above. After the first year the minimum frequency of visits is not more than three monthly intervals.

Provide services and support (Section 123) that the child needs under Part 4 of the Act. This includes help to stay in touch with their family.

Consider the extent to which it should exercise any of its other functions under the Act or the Children Act 1989.

## Slide 28

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| Review |
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### Facilitator Notes

1. End of section on keeping in touch and visiting requirements. We will now explore the review requirements of the Part 6 care and support plan.

## Slide 29

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| Review of the care and support plan |
| The child’s care and support plan must be formally reviewed at regular intervals and before any proposed change to address: |

### Facilitator Notes

1. The review of the Part 6 care and support plan is a key component of the care and support planning process.
2. Regulations set out the minimum statutory frequency for reviews. The first review must be carried out within 20 working days of the child first becoming looked after. The second review must take place no more than three months from the first review, and subsequent reviews must be carried out at intervals of no more than six months.
3. However these are the **minimum** requirements and reviews should be arranged more frequently if the child or young person’s needs require it or if substantial changes to the care and support plan are needed.
4. The purpose of review is to consider the plan, monitor progress, make any required changes to the plan and reconfirm the plan for the well-being of the child
5. The child’s participation and involvement in their review is central to ensure their views, wishes and feelings are heard and any issues or concerns identified, as well as ensuring that the reasons for any changes are explained to and understood by the child.

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| **Key learning point**  No significant change to the child’s care plan or placement should take place without it being discussed and decided at a statutory review meeting. |

### Activity – Discussion

1. What are the potential barriers and issues that might prevent a child’s participation and engagement in their review?
2. What can you do to make review meetings comfortable for children and young people and ensure their meaningful involvement?

## Slide 30

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| Changed role of Independent Reviewing Officer |
| * Ensure the care and support plan provides a real response to each looked after child’s needs * ReviewPersonally speak with the child and ensure weight is given to  their views * Ensure the child fully understands any changes * Ensure there is no “drift” * Identify gaps * Monitor the local authority as a good corporate parent, including actions against poor practice * Make sure the child knows about their right to an advocate * Ensure a review takes place prior to ceasing to be accommodated |

### Facilitator Notes

1. Local authorities must appoint an Independent Reviewing Officer (IRO) to regularly review and monitor the child’s care and support plan.
2. The IRO should bring a degree of objectivity and independent oversight to monitoring the local authority’s performance and actions in relation to their legal responsibilities towards each child and ensuring the Part 6 care and support plan, actions and outcomes fully reflects the needs of the individual child.
3. The IRO should chair the reviews of all children who are looked after and ensure that all those involved in the review are able to contribute.
4. The IRO should seek to ensure there is a plan for permanence in place for the child by the second review.
5. The role of the IRO is extended to strengthen the child’s voice in their care planning and review process. The IRO is required to speak in private with the child prior to the review to personally establish their views, wishes and feelings and any issues. This requirement is intended to ensure that the child is properly consulted on matters relating to his/her care, is given the time to contribute to the content of the meeting and to check how the child would like to make the most meaningful contribution to the review.
6. Practitioners are required to inform and consult with the IRO if any significant changes to the child’s plan or placement have happened or are proposed, or if any review decisions have not been carried out. The IRO is required to consult with the child about any significant change.
7. The IRO is further empowered to identify and challenge any areas of poor practice and to take action if the local authority is in breach of its duties to the child, which includes making a referral to the Children and Family Court Advisory and Support Service Wales (CAFCASS Cymru). Section 100(3).
8. The IRO is also under a duty to ensure that looked after children are informed in the most appropriate way of their right to:

make a complaint and how to do this;

an independent advocate; and

apply for an order or seek discharge of an order.

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| **Key learning point**  The Act introduces changes to the role of the IRO to enable them to have a more effective and objective oversight of the child’s case, strengthen the child’s voice and ensure the plan meets their needs and is understood by the child. |

## Slide 31

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| Leaving Care |
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### Facilitator Notes

1. End of section on reviews. We will now explore responsibilities to young people leaving care and support for them to prepare for increased independence.

## Slide 32

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| Six categories of young people |
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### Facilitator Notes

1. [**Handout: Six Categories of Young People – Main Statutory Obligations.**](http://www.ccwales.org.uk/edrms/157051/)
2. Section 104 of the Act defines six categories of young people in respect of leaving care and the main statutory obligations for each category as set out in the   
   hand out. **These categories replace those previously referred to under the Children Act 1989 of relevant, eligible, former relevant child, and qualifying.**
3. A pathway plan should be developed for young people in categories 1, 2, 3 and 4 (see next slide).
4. A personal advisor must be appointed for young people in categories 1, 2, 3 and 4 (see slide 34).
5. The local authority must safeguard and promote the well-being of young people in **category 2** by making sure they have enough money to live on; have a suitable place to live and are supported in relation to education, training or employment.
6. For **category 3** young people, the local authority must, as appropriate to their well-being, help with the cost of living near their place of employment or education or training, make a grant towards education or training costs, including a one-off higher education bursary, and help with university / higher education or college holiday accommodation.
7. **Category 4** young people must be supported if needed by being helped with the cost of living near their place of education or training, holiday accommodation and having a grant towards education or training costs or one-off higher education bursary.
8. If the local authority considers a young person in **categories 5 or 6** need   
   support, they must help with living expenses, the costs of living near employment or education and help with education or training costs or they may provide accommodation and holiday accommodation. Regulations set out which local authority is responsible for providing aftercare services for young people in categories 5 and 6:

for young people who were formerly looked after the relevant authority is the one that last looked after them; or

for young people who qualify under any of the other provisions, the relevant authority is the one in the area that the young person has asked for help.

1. All qualifying young people who have been previously looked after must have an assessment of their needs to establish whether they require information, advice and support. For young people who do not have an existing pathway plan, a similar plan should be drawn up outlining what care and support will be provided
2. It is important to note that a young person who does not qualify as a care leaver i.e. was not looked after for a total of 13 weeks from age 14 which ended after they reached age 16, may also need information, advice and assistance and this support should be provided under Part 4 of the Act (Meeting Needs).

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| **Key learning point**  You must understand the categories of young people and the statutory obligations towards them. |

### Activity – Scenario Exercise

**Owen** was looked after from the age of six and remained with the same foster carer for 12 years. At 16, he was successful in his GCSEs, surpassing his predicted grades. He did not want to go on to further or higher education, and moved into his own rented accommodation at 18. At 19 years of age he decided he wanted to do more and applied and was accepted onto an access course at university, which led to him pursing a degree course at a second university.

**Megan** is 17 years old. Following her mother saying she could no longer manage Megan’s behaviour, at age 15 she was accommodated with foster carers under Section 20 of the Children Act 1989. Megan remained with foster carers for a period of 14 months, and then moved in with her grandmother. She now wants to move into more independent living.

**Kylie** is 19 years old. She was looked after in a residential unit by the local authority from the age of 13 until she left care at the age of 18. She has been engaged in a retail training programme at her local further education college with a supermarket chain and is now seeking full-time employment in a major retail chain.

1. What category of young person under the Act does each young person described in the scenario above belong to?
2. What are the statutory obligations for each young person?
3. List the supports and services available in your locality that would be available to support each young person.
4. Are there any barriers or gaps to the young person accessing these services?

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| **Suggested answer:**  **Owen** is a category 4 young person – a young person who reconnects to care for education or training purposes. The statutory obligations towards Owen include:   * helping with expenses to live near the university * making a grant to meet his education expenses * paying a higher education bursary * appointing a personal adviser for Owen * preparing a pathway plan   These duties continue until he reaches 25 or until the course finishes if this is after  he is 25.  **Megan** isa category 2 young person – a care leaver under 18. The statutory obligations towards Megan include:   * safeguarding and promoting her wellbeing by maintaining her, providing or maintaining supported lodgings for her, and helping her with education,  training or employment * preparing a pathway plan based on an assessment of her needs * keeping the pathway plan under regular review * providing a personal adviser for the child   **Kylie** is a category 3 young person – care leaver aged over 18. The statutory obligations towards Kylie include:   * contributing to living expenses to enable Kylie to live near the retail store where she is, or will be, employed * doing what is appropriate to promote her well-being * keeping in touch with the Kylie * continuing to keep her pathway plan under regular review * continuing the appointment of the personal adviser for Kylie   These duties continue until Kylie reaches 21. |

## Slide 33

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| Pathway plans |
| * The pathway plan should build on the Part 6 care and support plan and include the young person’s: * health and development, including mental health and  emotional well-being * education, training and employment * aspirations, skills and educational potential * contact with parents, wider family and friends * money management. * arrangements for keeping in touch * services and support for a successful transition to adulthood |

### Facilitator Notes

1. From the age of 16 a pathway plan should be prepared for category 1, 2, 3 and 4 young people. The pathway plan will build on and subsume the Part 6 care and support plan. It will include the information and services from the care and support plan (including the young person’s health and personal education plans), be based on an up-to-date assessment of the young person’s needs and set out the young person’s aspirations and personal goals. It must reflect high aspirations for the young person and include the services and actions for all involved to develop resilience and skills to equip the young person to make a successful and positive transition to adulthood.

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| **Key learning point**  Preparation for transition to adulthood should not start on a young person’s 16th birthday, but should be integral to the care and support planning throughout their  time in care. |

1. The care leaver is central to their pathway planning and their views must be gained and incorporated in the pathway plan. The young person should be given a copy of the plan, which should be written in a language that is easily accessible to the young person. As they mature and develop, care leavers should be able to take increasing control over the pathway planning process and review.
2. It is essential that discussion takes place with the young person, and their views taken into account, about who else will be involved. The current carer of the young person and the designated person in the school or college must be consulted, as well as other key people if reasonably practical, such as the parents, independent visitor, personal advisor, IRO and health specialist.
3. The pathway plan must remain a “live” document and be reviewed at intervals agreed at the first review: either three or six months, but reviews should always be brought forward if there is any risk to stability or if the young person requests it. It is good practice for the plan to be reviewed at an early stage (usually   
   28 days) after any change in the young person’s accommodation.

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| **Key learning point**  Young people should be encouraged to take increasing responsibility for the review of their personal pathway plan. |

1. A review must take place before any move to “leave care” is made. This must evaluate the assessment of the young person’s readiness for the move and   
   agree that the young person has developed the skills necessary to manage the transition.
2. Local authority responsibilities for **disabled care leavers** are the same as for   
   all other care leavers, but there may be other responsibilities under different legislation and processes, such as to meet their special educational needs. It is important that these processes are as streamlined as possible. Joint protocols should be drawn up in each local authority to avoid duplication and to identify   
   how the pathway planning process relates to other frameworks for transition to adulthood for disabled young people.
3. **Unaccompanied asylum seeking children** making the transition from care to adulthood have both a leaving care status and an immigration status. Pathway planning should cover all areas that would be addressed for all young people   
   and include any additional needs arising from their specific immigration circumstances. Guidance recommends that plans should be based around short term achievable goals for the young person while their immigration status is unclear, together with a longer term plan for if the young person gets permission to stay in the country, and a plan for their return to their country of origin if not.
4. The final year of pathway planning for all care leavers should be focused on identifying sources of community based care and ensuring that the young   
   person is aware of and helped to get all required forms of care and support as appropriate to their needs to enable them to continue to have a positive experience of adult life.

## Slide 34

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| Personal advisors |
| RecordsWellbeingSupportA meetingPlanAdvice |

### Facilitator Notes

1. Local authorities must appoint a personal advisor (PA) for care leavers to keep   
   in touch, offer support and advice, coordinate services and to participate in implementing and reviewing the pathway plan. They will be the key person   
   co-ordinating the care leaver’s support.
2. The young person’s views about the kind of person they would want as a PA should be taken into account when matching a PA with a young person.
3. The slide outlines the key functions expected of the PA, and the kind of support that an individual young person can expect from their PA should be included in their pathway plan.
4. The PA must be in regular face-to-face contact with the young person and visit them in their accommodation as detailed in the individual plan, and maintain other forms of keeping in touch, such as texts, emails and phone contact.
5. As the young person matures and develops, PAs will need to strike a balance between being “hands off”, allowing the young person to have increasing control, and intervening when the young person needs support. This may require the PA to allow the young person to take risks and to be given more than one opportunity to succeed or a second chance if things do not go as expected.

## Slide 35

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| Support for independence |
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### Facilitator Notes

1. Responsibilities for support to all care leavers apply until they reach the   
   age of 21 or, if they are being helped with education or training, up to age 25   
   or until the agreed programme of education or training ends, which can take   
   them beyond 25.
2. Preparation, planning and support for greater independence should be integral   
   to the care and support planning throughout the child’s looked after period and not confined to when the young person reaches 16. As well as practical skills   
   this should also encompass emotional preparation for leaving care and the development and maintenance of relationships with people who will be able to continue supporting them.
3. Support for care leavers must cover all aspects of the young person’s life, as detailed in the slide:

Financial capability, how to manage day-to-day finances and take up entitlement to benefits and income maintenance services.

Information about housing options, such as supported lodgings, supported accommodation schemes, independent tenancies in the social and private rented sectors and how to access accommodation advice and supports to maintain accommodation.

Support the young person to develop their confidence and decision making capacity.

Information about education, training and employment opportunities, such as apprenticeships, traineeships and vocational courses. Building on the young person’s personal education plan, career planning and work experience opportunities should be offered and aspirations for further, higher and post-graduate study encouraged.

Support in finding and maintaining employment.

Information about maintaining positive health and well-being, including how to access targeted and specialist health services, including sexual health, or support about mental health.

Information about leisure sporting and cultural opportunities to enable care leavers to enjoy and participate in community life.

1. The young person must be provided with information and clarity about the provision of supports and assistance that the local authority is responsible for   
   (as detailed in the notes to slide 32).

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| **Key learning point**  All involved with the care and support of the young person has a role to play in ensuring he or she develops the skills necessary to have a successful transition to increased independence and adult life. |

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| **Case study**  **Part One**  Rhys came into care for the second time when he was 12. He had a number of placements in residential care homes. As Rhys approached his 16th birthday through his pathway planning his social worker and personal adviser recognised that although he had many practical skills, there were concerns about his emotional resilience. He just did not have the coping strategies to manage in the wider community as he was used to living in a supportive and protecting environment. Rhys remained in care for just under a year after his 16th birthday while workers tried to prepare him for living more independently.  **Questions**   1. What approaches could the social worker or personal advisor take to identify support and build on Rhys’s skills and increase his emotional resilience? 2. What supports and services are you able to identify in your area that may help Rhys develop independence skills?   **Suggested answer:**  Using a strength-based approach, Rhys could be supported in building his confidence by working with him to help him to identify and recognise his strengths and abilities and reframe his self-perception to positively emphasise his personal resourcefulness. Ways of enabling him to practice and reinforce his practical skills could include participation in young people independence projects, personal training, volunteer or befriender support.  **Part Two**  Just before his 17th birthday Rhys moved into a local foyer where he stayed for  six months. It became obvious he was vulnerable to peer pressure and he began smoking cannabis and drinking alcohol. He was unresponsive to training or education programmes offered, and was given 28 days’ notice, during which time he refused support from foyer workers and his social worker. Social services were forced  to make decisions on his behalf – they moved Rhys to a flat provided by an independent accommodation provider for 16-18 year-olds. As soon as Rhys reached 18 he was allocated social housing from the local authority. Although extra support was put in place, he did not engage, and within six months he had a large overdraft, crisis loans, loans from independent lenders and outstanding utilities totalling £2,000 of debt. Part of this debt was due to Rhys buying drink for his friends, who took advantage of his vulnerability. It became apparent that Rhys was not coping or did not like living alone and he eventually abandoned his flat. He gave the keys to a  so-called friend who damaged the property and caused neighbourhood nuisance. The arrears and damage totalled £1,800 when Rhys gave up his tenancy. Rhys was now relying on his friends to put him up. Two weeks before Christmas his failure to pay board resulted in him being asked to leave. His social worker managed to secure emergency accommodation at a hostel, but again he was asked to leave when he refused support, damaged his room and did not pay his personal charge. Rhys is currently in a bed and breakfast. No other local supported housing provider will accept him due to his behaviour and the housing department have assessed him as intentionally homeless. He is currently on notice from the bed and breakfast for not paying his personal charge.  **Questions**   1. Can you identify key stages and factors during Rhys’s journey that may have led to this outcome for him? 2. What are the key issues and barriers that need to be addressed? 3. What are the alternative approaches and supports that could have been put in place to secure a better outcome for Rhys? 4. What are the supports and services available in your area that may have  assisted Rhys?   **Suggested answer:**  Key factors and issues in Rhys’s journey which may have contributed to this outcome and need to be addressed include:   * A very unsettled early life – two separate care episodes and frequent change of placement when looked after * Lack of significant or consistent relationships in his childhood. * Lack of stability and sense of security * Negative relationships and friendships as a young person, vulnerability to  peer pressure * Substance misuse * Inability to engage Rhys in supports |

## Slide 36

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| “When I am Ready” |
| Young people in residential care can choose to move to a foster placement before 18 if they wish to access “When I am Ready”  New duty  Arrangements for care leavers aged 18 and above to continue living with their foster carers. Local authorities must:   * Check whether the young person and foster carer wish to make a post-18 living arrangement * If so, facilitate the arrangement, provided the local authority is satisfied that this is not inconsistent with the young person’s  well-being |

### Facilitator Notes

1. The Act introduces new duties towards young people in foster care who wish to continue living with their foster parents after age 18, referred to as “post 18 living arrangements” in the Act. The Welsh Government, in partnership, introduced the “When I am Ready” scheme through which the statutory duties to provide advice and other support to facilitate post-18 living will be fulfilled.
2. The main aims of “When I am Ready” are:

to provide stability and continuity for young people as they prepare   
for independence

to improve the life chances of looked after children

to provide looked after children with increased opportunities to exercise choice and control over their lives

1. The overall outcome is that the young person will have the time and support to develop the necessary skills and resilience to make a successful transition to independent living when they are ready. Although the young person does not need to be in education, training or employment, there is a clear expectation   
   that the young person will commit to undertaking skills development to prepare   
   for the future.
2. A “When I am Ready” arrangement may be made where:

the young person was a looked after child immediately prior to their   
18th birthday and was living in a foster carer placement arranged by the   
local authority; or

the carers were acting as approved foster carers for the young person; or

the young person and the foster carer both wish to enter into a “When I am Ready” arrangement, the local authority considers this to be in the young person’s best interests and the arrangements have been set out in the   
young person’s pathway plan.

1. Young people in residential care may only access “When I am Ready” at present if they can be moved into a foster placement before their 18th birthday. They should be informed about “When I am Ready” during the pathway planning process to enable a move to happen if they feel the arrangement would be right for them. The possibility of extending “When I am Ready” to residential care is currently under review.
2. It is important to note that these arrangements differ from foster placements and the legal basis on which a young person lives in the foster home changes. The young person becomes an “excluded licensee”, which means in effect they are lodging in the home and the carer will receive a “When I am Ready” allowance rather that fostering allowances and fees. There are special arrangements agreed with DWP and HMRC governing payments for “When I am Ready”, which are set out in the Code (and forthcoming good practice guidance).
3. Six months before the young person reaches 18 years of age, a meeting should take place to convert the care and support plan into a **“Living Together Agreement”**, setting out the outcomes the young person wishes to achieve, and how these will be supported. The arrangement will begin on the young person’s 18th birthday. The Living Together Agreement should be monitored and reviewed during the six monthly pathway planning reviews.

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| **Key learning point**  As part of pathway planning at 16, you must check whether the young person and foster carer wish to enter into a “When I am Ready” arrangement at 18 and include this in their pathway plan. Where they do, the local authority has a duty to facilitate this arrangement. |

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| **Case study**  Rhiannon is 19 years old. She was looked after by local authority foster carers for five years and was able to remain with them through a “post 18 living” arrangement. Rhiannon’s foster placement was close to her family and friends and meant she was able to continue with her education in the school she had attended prior to becoming ‘looked after’. Rhiannon gained her GCSEs and then went to college and was successful in gaining full-time employment. Rhiannon eventually moved out of her foster placement to live with her long-term partner but she remains in touch with  her foster parents and stays with them on a regular basis, going back for important events such as Christmas and birthdays.  **Question**   1. What do you think have been the key factors in helping Rhiannon to achieve positive outcomes?   **Suggested answer**:   * Stability of foster placement for five years when looked after * Placement close to family and friends * Continuity of education in same school * She is supported in her aspirations and ability * Successful relationship and security with partner * Her wish to stay with her foster carers was heard and facilitated * Maintenance of key relationships in her life.   In her words, post-18 living arrangements: *“gives young people the opportunity to be with people they want to be with post-18 and provides a stable and secure family unit for them to prosper in.”* |

## Slide 37

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| Children in the secure estate |
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### Facilitator Notes

1. End of section on support to care leavers. We will now explore responsibilities to children and young people who are in the secure estate.

## Slide 38

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| Children in the secure estate |
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### Facilitator Notes

1. Part 11 of the Act and regulations change and clarify the responsibilities towards children, young people and adults who are detained or remanded in the secure estate i.e. prison, youth detention accommodation, approved premises and bail accommodation.
2. The home local authority is responsible for the care and support needs of a child in the secure estate. The home local authority is the authority in whose area the child was ordinarily resident prior to being in custody. For a looked after child, the home local authority is the authority which looked after the child immediately prior to their being detained.
3. If a child is ordinarily resident in Wales, detained in England and has either had no prior involvement with social services, or had been assessed as being a child in need under Section17 of the Children Act 1989 prior to being detained, there is **a dual responsibility** on the Welsh home local authority under the Act and the English local authority where the child is detained, under the Children Act 1989.
4. Regulations modify the care and support planning arrangements for looked   
   after children who are detained or remanded to youth detention accommodation or prison.

If the child was looked after immediately before being detained, the requirement for the Part 6 care and support plan to contain details of the arrangements for accommodation does not apply (the placement plan). Instead, the plan must include a **detention placement plan** which sets out how the placement will safeguard and promote the child’s well-being,to include the wishes and views of the young person and other relevant people.

There is no requirement to prepare a Part 6 care and support plan for a young person who is looked after only by reason of being detained, but a detention placement plan must be prepared.

The requirement to arrange for a health assessment does not apply, but   
all reasonable steps to ensure that the young person is provided with appropriate health care services must be taken.

1. The home local authority must continue to fulfil its duties towards a child in care under Section 31 of the Children Act 1989 whilst detained e.g. to offer advice, carry out visits, reviews or assessments with the aim of continuing to meet their personal well-being outcomes.
2. Regulations state that children who are looked after, but not in care, cease to   
   be looked after when detained, but the Visits to Children in Detention (Wales) Regulations 2015 ensure that the local authority continues to have a duty to visit and keep in touch with these children and arrange for appropriate advice and support to be available to them.
3. Section 97 of the Act extends the duties currently in place under the Children Act 1989 to visit former looked after children – to ensure that a local authority must visit **all** children detained in the secure estate.
4. Regulations also modify the review arrangements for looked after children who are detained. Most of the considerations will still apply, but it will obviously not be necessary to consider whether the placement is the most appropriate, disruption of education or whether there should be a change in the child’s legal status as these are already determined by the fact the child is detained.
5. Some of the Part 6 duties towards care leavers, i.e. pathway assessments and plans, appointment of personal advisors and keeping in touch, continue to apply to category 2 young people during the period that the young adult is detained. However there are some exceptions such as the exclusion of some support for young people in categories 3, 4, 5 or 6, such as maintaining their education, and the support to maintain accommodation for care leavers as these duties cannot be fulfilled by the local authority whilst the young person is detained.
6. If a looked after child reaches the age of 18 and hence transitions to adulthood while in secure estate, the home local authority is responsible for its duties to keep in touch, appointment of a personal advisor, pathway assessments and plan.
7. All responsibilities towards looked after children and care leavers are reapplied when the young person is released. The local authority must contribute to the plan for the young person’s resettlement and the must work in partnership with the YOT / probation service in ensuring the young person receives the support and services they need back in the community.

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| **Key learning point**  The home local authority must stay in touch with children when they are in custody. |

## Slide 39

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| Summary |
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### Facilitator Notes

1. End of section on young people who are detained. We will now summarise this module.

## Slide 40

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| Summary |
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### Facilitator Notes

1. You will need to start thinking about what should change in your agency both strategically and operationally in your practice and in the way your organisation works. You should also be thinking about the implications for your role.
2. The Act aims to secure the well-being of looked after children in Wales.
3. For learning to be transferred into practice and for change to spread, it is important that you:

Reflect on your current knowledge and skills

Identify your learning and development aims

Reflect on how new knowledge relates to your practice

Consider the barriers and enablers to transferring learning into practice

Try out new ways of working in a safe, supportive environment

Identify an action plan showing how you will put learning into practice with support from managers and colleagues

### Activity – Exercise

1. Complete the personal action plan identifying your top three priorities, how you will review your progress, and any further support you will need.

# Links to Key Resources

## Links to regulations and codes of practice or statutory guidance

[Social Services and Well-being (Wales) Act 2014](http://www.legislation.gov.uk/anaw/2014/4/enacted). This is an Act of the National Assembly for Wales which reforms social services law. It was enacted in May 2014. Its overall aim is to make provision to improve well-being outcomes for people who need care and support, as well as carers. More detailed information is contained in the codes of practice on [Part 6](http://gov.wales/docs/phhs/publications/160106pt6en.pdf) (Looked After and Accommodated Children) and [Part 11](http://gov.wales/docs/dhss/publications/151218part11en.pdf) (Miscellaneous and General) and [Part 10](http://gov.wales/docs/dhss/publications/151218part10en.pdf) (Complaints, Representations and Advocacy Services) of the Act.

The Welsh Government has a number of resources in relation to a number of themes relating to health and social care the most relevant to this module are [Measuring well-being](http://gov.wales/topics/health/socialcare/well-being/?lang=en). The Welsh Government has also published a [written statement](http://gov.wales/about/cabinet/cabinetstatements/2015/childrenyoungpeople/?skip=1&lang=en) about the Act and children and young people.

[The Care Planning, Placement and Case Review (Wales) Regulations 2015](http://www.assembly.wales/Laid%20Documents/SUB-LD10400/SUB-LD10400-e.pdf#search=SUB-LD10400)

[The Care Leavers (Wales) Regulations 2015](http://www.assembly.wales/Laid%20Documents/SUB-LD10402/SUB-LD10402-e.pdf#search=SUB-LD10402)

[The Visits to Children in Detention (Wales) Regulations 2015](http://www.assembly.wales/Laid%20Documents/SUB-LD10401/SUB-LD10401-e.pdf#search=LD10401)

[The Children (Secure Accommodation) (Wales) Regulations 2015](http://www.assembly.wales/Laid%20Documents/SUB-LD10403/SUB-LD10403-e.pdf#search=The%20Children%20%28Secure%20Accommodation%29%20%28Wales%29%20Regulations%202015)

[Rights of Children and Young Persons (Wales) Measure 2011](http://www.legislation.gov.uk/mwa/2011/2/contents). A measure of the National Assembly for Wales to make provision for and in connection with giving further effect in Wales to the rights and obligations set out in the United Nations Convention on the Rights of the Child; and for connected purposes.

## Useful links to other materials

All Wales Heads of Children’s Services (2013) [Research on differences in the looked after children population](http://www.wlga.gov.uk/publications-social-services-and-housing/all-wales-heads-of-childrens-services-research-on-differences-in-the-looked-after-children-popula)*.* A research report exploring why local authorities with similar levels of need, have different looked after children populations.

Care and Social Services Inspectorate Wales (2015)[Inspection of safeguarding and care planning of looked after children and care leavers who exhibit vulnerable or risky behaviour](http://cssiw.org.uk/our-reports/national-thematic-report/2014/safeguarding-and-care-planning-of-looked-after-children-and-care-leavers/?lang=en). Report of inspection carried out in 2014 across Wales that includes a national report and an individual report for each local authority in Wales.

Children in Wales *Looked After Children* – available at <http://www.childreninwales.org.uk/our-work/looked-children-2/> (accessed   
19 November 2015). This is the home page for a range of looked after children resources, including information on the Looked After Children Health Exchange.   
It includes links to news, press releases, policy, training, events and resources.

Children in Wales (2012) [Supporting and Promoting the Health Needs of Looked After Children in Wales: A Practice Guide](http://www.childreninwales.org.uk/wp-content/uploads/2014/03/Supporting-and-Promoting-the-Health-needs-of-LAC-ENG-10.pdf). Developed by the Looked After Children Health Exchange, this report is aimed at service providers and practitioners who work with looked after children. It is intended to provide an overview and act as an additional support for providers and practitioners.

Children’s Commissioner for Wales *Homepage* – available at <https://www.childcomwales.org.uk/> (accessed 19 November 2015). Championing the rights of children and young people in Wales. The website provides a wide range of resources and information.

Children’s Rights in Wales *United Nations Convention on the Rights of the Child* – available at [www.childrensrightswales.org.uk](http://www.childrensrightswales.org.uk) (accessed 19 November 2015). A website to help local practitioners, policy makers, managers and strategists develop their understanding of children's rights and how to adopt a children's rights perspective to their work.

The Institute for Research and Innovation in Social Services (2011)[Permanence and stability for disabled looked after children](http://www.iriss.org.uk/resources/permanence-and-stability-disabled-looked-after-children)*.* This review looks at evidence on the experiences of disabled looked after children in relation to permanence and placement stability in the care system.

NSPCC *Children in Care Research and Resources* – available at <https://www.nspcc.org.uk/preventing-abuse/child-protection-system/children-in-care/research-reports/> (accessed 1 December 2015). Various child protection research and safeguarding resources on children in care.

NSPCC (2015) [Achieving emotional wellbeing for looked after children: A whole system approach](https://www.nspcc.org.uk/globalassets/documents/research-reports/achieving-emotional-wellbeing-for-looked-after-children.pdf)*.* This report explores the causes of poor mental health among looked after children and considers how services in local areas can work together to promote good emotional wellbeing for looked after children.

NSPCC (2012) [Returning Home from Care: What’s Best for Children](https://www.nspcc.org.uk/globalassets/documents/research-reports/returning-home-from-care-best-children.pdf)*.* This report form the NSPCC examines the issues around children returning home from care and support for family reunification.

Royal College of Nursing, Royal College of General Practitioners and Royal College of Paediatrics and Child Health (2015) [Looked After Children: Knowledge, Skills and Competencies of Healthcare Staff: Intercollegiate Role Framework](http://www.rcpch.ac.uk/system/files/protected/page/Looked%20After%20Children%202015_0.pdf). This document provides a framework for healthcare staff to understand their role and responsibilities for meeting the needs of looked after children.

Social Services Improvement Agency (2015) [Creating Change: An E-Resource Guide to the changes required by the Act](http://www.ssiacymru.org.uk/home.php?page_id=8596). A resource that will develop over time that articulates the vision underlying the Act and describes the behaviours across the whole system needed to deliver the vision

Social Services Improvement Agency (2011) [What works in Promoting Good Outcomes for Looked After Children and Young People](http://www.ssiacymru.org.uk/home.php?page_id=7142)*.* Originally published in 2007, but refreshed in 2011, this report forms part of a series of [resources](http://www.ssiacymru.org.uk/bocin) developed by Institute of Public Care (IPC) to support the commissioning of services for children in need in Wales.

Social Services Improvement Agency (2012) [In Your Hands: Making Assessment and Care Planning Decisions in Children’s Services](http://www.ssiacymru.org.uk/home.php?page_id=7054)*.* An interactive computer based training pack offering an assessment tool to support and enhance assessment skills and care planning decision making ability**.**

United Nations *Convention on the Rights of the Child (UNCRC)* – available at <http://gov.wales/topics/people-and-communities/people/children-and-young-people/rights/uncrc/?lang=en> (accessed 19 November 2015). In 1991 the United Kingdom formally agreed to ensure that every child in the UK has all the rights listed in the convention. The Welsh Government adopted the Convention as the basis for policy making for children and young people in Wales in 2004.

United Nations *Convention on the Rights of Disable People (UNCRDP)* – available at <http://www.equalityhumanrights.com/about-us/our-work/human-rights/international-framework/un-convention-rights-persons-disabilities> (accessed 19 November 2015). The UN Convention on the Rights of Persons with Disabilities (UNCRPD) is the first human rights treaty of the 21st century. It reaffirms disabled adults and children's human rights and signals a further major step in disabled people's journey to becoming full and equal citizens.

University of South Wales Blogs *Key practical differences for English and Welsh children’s services as a result of the Social Services and Well-being (Wales) Act 2014* – available at <http://glyntafflibrary.blogs.southwales.ac.uk/2015/02/02/key-practical-differences-for-english-and-welsh-childrens-services-as-a-result-of-the-social-services-and-well-being-wales-act-2014/> (accessed 28 November 2015).   
A useful, brief summary of some of the key comparisons between the Act and the Children Act 1989.

Welsh Government (2015) [Understanding the educational experiences and opinions, attainment, achievement and aspirations of looked after children in Wales](http://gov.wales/statistics-and-research/understanding-educational-experiences-opinions-attainment-achievement-aspirations-looked-after-children-wales/?lang=en). A report by Cardiff University for the Welsh Government on research that explored the educational experiences attainment and aspirations of looked after children and young people in Wales.

Welsh Government (2015) [Raising the ambitions and educational attainment of children who are looked after](http://gov.wales/consultations/education/raising-the-ambitions-and-educational-attainment-of-children/?lang=en). This consultation sets out proposed arrangements to further support the educational attainment of children who are looked after, primarily of compulsory school age but also includes transition to further and higher education.

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