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Dear Director,

Care Inspectorate Wales (CIW) - National Review of care planning for children and young people subject to the Public Law Outline pre proceedings

This letter summarises the findings of our activity between the 07 and 10 February 2023. The purpose of the review was to provide external scrutiny, assurance and to promote improvement regarding the quality of practice in relation to the care planning for children and young people subject to the public law outline pre-proceedings.

Summary of findings:

1. Is there a systematic approach to ensuring that the threshold for Public Law Outline pre proceedings has been reached?

- 1.1. Rhondda Cynon Taf County Borough Council (RCTCBC) has established a framework for ensuring that the threshold for Public Law outline (PLO) pre-proceedings has been reached. This was recently re-visited as part of a comprehensive review into its wider PLO-related processes, which was informed by the publication of the President of the Family Divisions' public law working group report published in March 2021.
- 1.2. The local authority invested significantly in this review, resulting in an integrated framework aimed at establishing a more coherent and consistent approach. It recognises the cultural challenge which lies ahead in ensuring that this becomes wholly embedded in practice.

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

- 1.3. A comprehensive suite of revised documents had been developed during the pilot stage of this review. At the core of which was a PLO process map, within which are a series of embedded documents, underpinning decision-making at each stage of the process. These included various iterations of the Social Work Evaluation Tool (SWET), a threshold request, a PLO assessment agreement, and an options analysis aimed at supporting decision-making in gateway meetings.
- 1.4. Practitioners spoken with found the new documentation accessible and a positive tool to support their consistent and timely decision making. This was reflected in those more recent social care records we reviewed.
- 1.5. We found good evidence that a strength-based, outcome focused approach underpins practice, in line with the core principles of the Social Service Well-Being (Wales) Act 2014.
- 1.6. Most of the care and support assessments seen were child-focused, thorough and timely, with the best examples being supported by ongoing assessments and reviews, facilitated by the provision of a range of appropriate support services, and input from multi-agency partners.
- 1.7. Social care records clearly identified concerns, and we saw the detailed options analysis document was utilised to underpin balanced decision making in children and young people's best interests, taking into account a range of presenting factors. The recently revised PLO pre proceedings process has multiple points that trigger consideration of risk, and whether this is manageable under the current arrangements.
- 1.8. In the best examples reviewed, the identification and analysis of risk pre-proceedings was well presented, clearly setting out the basis on which decision making was undertaken, resulting in positive options for both parents and children. Where required, these were supported by access to emergency legal advice, including out of hours.
- 1.9. Social workers have the prevention of breakdown and the maintenance of family unification at the forefront of their practice. Practitioners clearly know families they are working with well, and efforts are made to ensure continuity of relationships wherever possible. However, we also saw examples where children and families had experienced a change of social worker, resulting in inevitable disruption to key relationships. We also heard from partner agencies about instances where the lack of suitably experienced staff had resulted in delays in completing assessments in a timely manner.
- 1.10. It was clear the ongoing increase in demand at the front door, coupled with the enduring difficulties in the recruitment and retention of suitably qualified, experienced staff continues to challenge RCTCBC, in common with many other local authorities in Wales. Senior managers told us a review into the factors behind recent increases seen in demand for Information, Advice and Assistance (IAA) services was due to be completed in May of this year. In addition, extensive work has been undertaken in relation to workforce challenges through the new workforce strategy policy.

- 1.11. Social worker supervisions are clearly focussed on care and support plans, and we saw that timescales are actively monitored to avoid delay whenever possible.
- 1.12. The formal tracking of cases through each stage of the PLO process is currently overseen by both children's services and the legal team. The local authority recognise more rigorous monitoring and oversight of the PLO-related processes are required and have identified this is an area for improvement utilising the Wales Community Care Information System (WCCIS) database by September 2023
- 1.13. Evidence of good quality, readily available legal advice was observed through documents and confirmed during interviews with staff. We heard that there are good relationships between the legal team and social workers which support the timely and effective implementation of PLO processes. The threshold document has a defined section for recording legal advice, meaning that this input is appropriately separated from the assessment by social workers, underlining RCTCBC's professionally led approach.
- 1.14. Families subject to legal planning and pre-proceedings work are given extensive support and opportunities to make effective changes, before further legal action is taken, even where the legal threshold for intervention has been reached. Evidence was seen that when parents successfully engage in helping to improve their children's lives, legal planning is ended but with appropriate care and support services continuing as needed. When identified improvements are not achieved, the local authority takes timely and authoritative action.

2. Are there effective arrangements in place to inform parents and carers about the PLO arrangements and what this process means?

- 2.1. Reflecting their commitment to and recognition of the key role played by their preventative and early intervention services, the local authority has seen a downward trend in the number of children looked after over recent years.
- 2.2. Children and families benefit from a good range of established provision, such as the Resilient Families Service, the IAA Team and the Miskin service. One parent we spoke to was particularly complimentary about the input and support they had received from the Miskin service. This in-house service aims to deliver intensive, family focused interventions over a period of up to 16 weeks, with the aim of improving parenting capacity and supporting parents to care for their children with the minimum statutory intervention.
- 2.3. It was clear that social workers and their senior managers have a good understanding of how the PLO pre-proceedings arrangements work, and a commitment to inform children and families about what this process means for them.
- 2.4. However, they are currently impeded from communicating this to best effect as there was an almost complete lack of easily accessible information about the process available to families and children. We heard that practitioners do spend time explaining both the process itself and specific implications for those involved, in order to assist their greater understanding of what can be a complex process. However, the absence of supporting information for either children or parents / carers inevitably impedes the successful implementation of this

objective, and is recognised by the local authority as an area which must be improved.

- 2.5. It is clear that some improvements have recently been made in RCTCBC's communications with parents, for example to the 'letter before action' in order to both improve both the clarity and accessibility of this document.
- 2.6. We saw examples of timely, integrated approaches to providing effective support in complex circumstances from a range of partner agencies, with well-coordinated provision resulting in positive outcomes.
- 2.7. Newly qualified, and recently recruited social workers in RCTCBC were given regular opportunities to receive training in specific topics, including the PLO and related processes. It would be beneficial to include staff from partner agencies such as health and education in such initiatives, thereby furthering understanding of their particular roles and responsibilities within the PLO process.

3. Do care planning arrangements support timely permanence for children and young people to achieve good outcomes?

- 3.1. Care and support planning is timely, meaningful and directed by the safety and wellbeing outcomes of the child. Examples of creative support were evidenced in care and support packages reviewed, and these resulted in services providing bespoke responses to achieve individually tailored outcomes. We saw that care plans are reviewed regularly, and progress updates are included.
- 3.2. Support was provided quickly while assessments were ongoing, and the resulting care and support plans we saw included realistic timescales for specified outcomes to be achieved. The progress of children with care and support, child protection and looked after children plans is reviewed at regular intervals, in accordance with guidance.
- 3.3. Timely safeguarding action is taken where there is a risk of harm, with swift entry to the PLO process where needed. Effective support from partners within the safeguarding process was evidenced by well attended strategy meetings and initial case conferences.
- 3.4. The local authorities' vision set out in its 2018 Permanency policy 2018 is clear that the first stage within permanence planning is working with children, young people and their families to support them to stay together, balanced against any risk of harm to the child. It goes on to stipulate that where it is necessary for a child to leave his or her family this should be for as short a time as necessary to secure a safe and supported return home. We saw this commitment to keeping children and families together brought into effect in a number of the cases reviewed.
- 3.5. The options analysis form within the PLO process supports timely permanence planning for children and their families. Where there are significant changes during the PLO process, advice is sought from appropriate professionals in a timely manner to escalate or reduce interventions as required, thereby helping to reduce drift in decision making. Contingency planning was a clear focus in some assessments, although more work is required to ensure that this good practice is more widely embedded as appropriate.
- 3.6. The recently completed PLO pilot identified the need for an improved service offer for unborn and newly born children. In order to put this into effect, the local authority has recently agreed to invest significant resource in the establishment of the MAGU project. This is aimed at delivering an integrated care pathway for

- pregnant women and their families across early intervention and edge of care services, that focuses on building skills and resilience and thereby reducing risk.
- 3.7. The need for effective early planning for permanence was recognised and acted upon via the use of family group conferences (FGC's), which was seen in some of the records examined. When used to best effect, FGC's clearly supported families and their wider networks to feel empowered and informed the facilitation of strengths-based care and support.
 - 3.8. However, our findings support the local authorities' own conclusion that in many circumstances, the use of FGC's at an earlier stage of the PLO pre-proceeding process may prove to be more beneficial. For example, more opportunities for re-framing some of the conversations around informal support networks may assist in reducing unnecessary delays in the identification and assessment of alternative carers should this be required.
 - 3.9. Court is recognised as an option of last resort and proceedings are only initiated where the safety and welfare of the child demands it and the legal threshold is met.

4. Do arrangements promote rights-based practice and the voice of child?

- 4.1. There is a strong children's rights ethos and children are helped to understand their rights and entitlements. Whilst they are encouraged to access advocacy support to ensure that their voice is heard the local authority recognised the need to promote access to advocacy earlier in the process and also to do so more robustly, rather than simply recording that the 'active offer' has been made. We found limited evidence of IRO's actively considering whether advocacy would be beneficial for the child or their family members.
- 4.2. It was unclear what specific arrangements were in place to support disabled children and others with restricted means of communication to access the specialist or augmented forms of advocacy they may require. Prior to the inspection, the authority commissioned TGP Cymru Advocacy Services who are able to deliver services to children regardless of age or ability.
- 4.3. Similarly, the need to strengthen the advocacy available to parents at various stages throughout the process had already been recognised, and we were told of plans to enhance this with effect from April of this year.
- 4.4. We heard directly from one parent who felt they were able to participate much more fully in the process after they were supported to access informal advocacy. However, in another involving a parent with limited support networks and documented vulnerabilities themselves, there was no consideration or offer of any advocacy support reflected in the social care record.
- 4.5. Social workers strive to establish the child's perspective and involve them, age appropriately, in their assessments and plans. Again, we heard from practitioners that attempts were made via augmented means of communication and other recognised tools to effectively understand and represent younger children's or those with disabilities lived experience. However, this depth of understanding and individual knowledge was more evident in our discussions with workers, rather than being consistently well represented in the written record used to inform decision making.

- 4.6. We heard from both parties about the positive relations established between Cafcass and children's services, supported by bi-monthly meetings and future plans for this to include further training opportunities for newly qualified social workers. It was apparent that early notification to Cafcass of their required input in forthcoming cases, as recommended in the March 2021 report, had been standard practice in RCTCBC for some time.

CIW will publish a brief national overview report informed by our findings in Spring 2023. We would like to extend our thanks to all those who helped with the arrangements for this activity and to those people and staff who spoke with us.

Yours sincerely



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