

Review of the Public Law Outline in Wales

Making sure children, young people and families get the right support

January 2024



Care Inspectorate Wales check and inspect services. We make sure services do the right things in the right ways. If they don't, we make sure they do something about it.

What this report is about

Local authorities have to make sure all children and young people in their area are cared for and safe. If they have serious concerns about a child, they can apply to the Court and ask for a Care Order. This means the child would leave the family and become looked after.

Before they take Court action, local authorities should work with the family and support them to stay together if possible. This is set out in the Public Law Outline.

From March 2021 - March 2023 we checked if local authorities were doing this, and supporting families in the right ways.

This report tells you:

- more about the PLO process
- more about the review
- what we found

The Public Law Outline (PLO) process

The PLO process sets out the steps local authorities have to follow before applying to the Court. It means they have to give parents opportunities to:

- get support from services
- improve their parenting and take the actions needed so the child can stay with the family

i If a Social Worker thinks a child is in immediate danger, they can go straight to the Court and apply for a Care Order. They don't have to follow the PLO.



About the Public Law Outline (PLO) process

1 The letter

When a Local Authority is considering going to Court, they have to send the family a letter. The letter explains what the concerns are, and invites them to a meeting with Social Workers, solicitors and other professionals.

2 The meeting

This meeting is an opportunity for everyone to work together and:

- make sure parents understand the concerns
- explain clearly what changes the parents must make
- explain what assessments they want to do and why
- agree what support the family can expect and what's expected from them
- give the child an opportunity to talk about their experience and what they want

3 Support for change

A support plan will be agreed so everyone knows what's happening and when.

Social Workers and other professionals work together with the parents to help them improve family life and keep the child safe.

4 Final decisions

After 3 months, if things in the child's life have improved, then no Court action is taken. The family will continue to get support and the child can stay with their parents.

If things haven't improved, the Local Authority will take Court action and apply for a Care Order.

i Parents can bring someone to the meeting to help them understand what's happening.



About the review

This review had two parts.

Part 1 – From March 2021 to March 2022 we ran a survey and asked local authorities how they followed the PLO process. All 22 local authorities in Wales took part.

Part 2 – From November 2022 to March 2023 we looked at the social care records of four local authorities:

- Neath Porth Talbot
- Torfaen
- Rhondda Cynon Taf
- Conwy



We looked at evidence like:

- assessment notes, support plans, case records and Court records
- Local Authority guidance and frameworks about the PLO



We talked to:

- professionals and staff from local authorities
- professionals from Courts and legal services
- CAFCASS Advisors who support families who are going to Court
- children and young people
- parents and carers

At the time of the review

There were **7,042** children who are looked after in Wales.

1,716 children became looked after during our review.

Of those **1,716** children, **863** went through the PLO process.



Our main findings

➔ All local authorities make sure children are safe and take Court action when they need to.

➔ Local authorities have good systems to check and keep children safe.

Lots of local authorities said **the PLO process**:

- helps services to step in early and keep families together
- helps services design support so it meets the family's needs in better ways
- helps services work together
- helps everyone share information in the right ways
- helps professionals make clear decisions
- improves family life for the child
- reduces the number of times they need to take Court action

Children's rights

All children and young people have rights set out in the United Nations Convention on the Rights of the Child (UNCRC). Local authorities said children and young people:

- were told about their rights
- were involved and listened to
- were told they could have an advocate

i Advocate – Someone that listens to what you want/think and then shares this with your family and professionals, like your social worker, teacher, nurses etc.

Main issues

➔ Some families didn't have the same Social Worker throughout the PLO process. This affected their support and outcomes.

Information

➔ There isn't enough information that clearly explains the PLO process. Children, young people and families:

- need easy-to-understand information and advice
- should be told they can have an advocate from the start
- need more time to get involved and have a say in decisions

Demand on services

➔ We need more Social Workers across Wales.

➔ Services have less resources but the number of families needing support is going up.



We asked: Are there clear systems that everyone follows for the PLO process?

What we found:

Local authorities:

- put children first and make sure they are safe
- have systems to help services follow the PLO process
- involve and listen to children and young people
- know how to track and review cases
- have good managers who check the quality of work and give staff support
- have IT systems that track children and families through every stage of the PLO process

Most local authorities have PLO guidance for staff.

Social Workers, professionals and staff:

- know how to make decisions at every step of the PLO process
- work together well, and step in early to stop Court action if possible
- review assessments, plans and spot any gaps in support
- value the PLO process and the time it gives them to work with families
- involve and listen to children's life experiences and views
- look at all the information about the child's life and use it to make the right decisions
- understand risks and know how to reduce them
- know when and how to make a referral if they think a child is at risk
- know how to design support so it meets the family's needs in the right ways
- make clear decisions at the right times

Lots of Social Workers have good relationships with children, young people and families. Families trust them.

Care and support assessments

Most assessments were clear. The best ones:

- set out the strengths the family had and built support around that
- focused support around the child's needs
- included the views of the family
- were checked and updated regularly



Some issues

- ➔ Some children, young people and families don't get assessments fast enough. This delays support.
- ➔ Some families changed Social Worker during the PLO process.
- ➔ Children, young people and families need more information. It needs to be easy to understand and meet people's needs.
- ➔ Parents with learning needs should have more support.

We asked: Are there systems to help services share information and work with parents so they can improve?

What we found:

Local authorities:

- put the child's needs first and make sure they're safe
- take action quickly when they think a child is at risk
- work with legal teams and organisations
- make sure families have support to change
- take action if things don't improve
- make sure families understand the PLO process and what they can expect
- make sure families get their letter and are invited to meet
- train their staff on the PLO process

Social Workers, professionals and staff:

- work well together
- step in as quickly as possible to support families
- share information in the right ways
- make sure children are safe while the family is getting support to improve
- use information about the child's life to make the right decisions
- connect parents to other services and support in the community
- make sure families have support and advice to change
- keep supporting families even if legal action stops

Usually, families have 3 months to improve. But all local authorities give extra time if they can see parents are trying to improve.

Some issues

- ➔ Sometimes information isn't shared quickly enough and that delays support.
- ➔ Some professionals need more training on how to keep children safe during the PLO process.
- ➔ Information about the PLO process needs to be improved.



We asked: Does support help children and young people to have a stable home and achieve good outcomes?

What we found:

Local authorities:

- support children and young people to stay with their families when it's safe
- don't take Court action unless it's necessary
- review support regularly
- make decisions at the right times
- explain decisions to families in clear ways
- give families the best support possible, including community support
- make sure staff have legal advice and training on the PLO process
- work with CAFCASS Cymru to support parents

Social Workers, professionals and staff:

- understand that a stable, loving home is important and step in quickly to support children to have that
- make sure children have the best care and support plans
- make sure care and support plans give families enough time to change
- make sure families are involved in meetings and decisions
- make sure children and young people have a say in decisions about their care and support
- make sure assessments happen quickly so support isn't delayed
- look at all areas of the child's life including the wider family, to see what other support could help
- make sure support is checked and updated

Unborn children at risk

Sometimes an unborn child is at risk of harm from a parent.

All local authorities work with health professionals to make sure unborn babies at risk have a pre-birth assessment.

Some issues

- ➔ Sometimes information isn't shared quickly enough and that delays support.
- ➔ Sometimes the voice of younger children is missing from the assessments.
- ➔ It can be difficult to spot if an unborn baby is at risk. Some local authorities need to do this better.



We asked: Do you promote children's rights and the voice of the child?

What we found:

Local authorities:

- promote children's rights
- involve and listen to children and young people
- make sure decisions are based around what's happening in the child's life and their views
- use technology, including the Mind of My Own (MOMO) app to get children's views
- make sure children and young people know they can have an advocate

Social Workers, professionals and staff:

- understand how important it is to build trusting relationships with children and families
- give children time and support to get involved in decisions
- use lots of creative ways to find out what's happening in the child's life and their views
- make sure children are included in decisions about where they live

Independent Reviewing Officers

Independent Reviewing Officers check children and young people are getting the best support and care. They involve them in their reviews and challenge decisions about support when needed.

Some issues

- Sometimes children and young people's views aren't included in assessments or used to shape their care plan.
- Sometimes a child's voice gets lost if they're part of a big family and have lots of siblings.
- Disabled children and young people need more support to be heard.



Thanks for reading this

You can read the full report here: careinspectorate.wales/public-law-outline-wales

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