

Return to an Address of the
Honourable the House of Commons dated
17th June 1996 for the

**Report of the Examination Team on
Child Care Procedures
and Practice in North Wales**

*Ordered by the House of Commons
to be printed 17 June 1996*

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PREFACE

I was appointed by the Secretary of State for Wales under Section 80 of the Children Act 1989 to undertake an examination of child care and other procedures related to the care and protection of children and the employment and management of staff in the Social Services Departments of the former Gwynedd and Clwyd County Councils: also, to assess the proposals for procedures and practice in the six successor unitary authorities.

I was assisted by a team of three:-

- Michael Simm, Principal Officer (Strategic Commissioning), Oxfordshire Social Services
- Barbara Symons, Independent Child Care & Training Consultant
- Michael Taylor, formerly Director of U.K and European Programmes, Save the Children Fund and Director of Social Services, London Borough of Hillingdon

We started work in early January 1996.

I would like to thank the members of the team for their hard work and evident commitment to the task. We all hope that this report will be of positive assistance and benefit to child care, not only in North Wales, but also in other Local Authorities.

Adrianne Jones CBE
May 1996

CHAPTER 1

INTRODUCTION

Background and Terms of Reference

1.1. On 11th December 1995, the Secretary of State for Wales announced, in a Parliamentary statement, that Miss Nicola Davies QC had reported on her examination of relevant papers held by various agencies concerning child abuse allegations in North Wales and that he had accepted her recommendation that there should be a detailed examination of the child care procedures and practices of the Social Services Departments of both Clwyd and Gwynedd County Councils since 1991. In addition, he announced that he would include an assessment of the proposed practices and procedures of the six new unitary authorities in North Wales which, from 1st April 1996, are responsible for social services matters in their areas.

1.2. The full terms of reference are shown in Appendix I.

1.3. The procedures and practices concerned cover the care and protection of children looked after in local authority residential care, private children's homes, foster care and related management practice and administrative procedures, inspection and complaints. Procedures concerning the full range of local authority responsibilities for children in need and youth justice were not included in the examination.

1.4. This report is the outcome of a comprehensive examination, not a detailed inspection. It is not an inquiry into individual cases or events. It describes the procedures and practices, assesses their effectiveness and comments on them from the perspective of the team's individual and collective knowledge and experience of good practice, drawing on identifiable and nationally recognised standards wherever possible. We identify issues for managers and practitioners and draw conclusions from the examination of written procedures and from information about practice gained from interviews with individuals and with groups of staff. We make recommendations addressed to the local authorities in North Wales, to other local authorities and employers and to the Welsh Office.

Method of work

1.5. The fieldwork in the two counties took place in January, February and March 1996. We examined over 600 documents, including national guidance, local procedures, child care and personnel files and records and interviewed 123 people individually and 101 in groups. Members of the team worked singly and in pairs, visiting 16 children's homes and 8 area social work teams, as well as headquarters based staff. We gained a comprehensive picture and received full co-operation from everyone from whom we sought information.

The context of our work

1.6. Our examination took place against a background of deep concern about child abuse in North Wales: at a time too of massive change and upheaval as Gwynedd and Clwyd prepared to transfer responsibility for the personal social services to the six successor authorities. There was still uncertainty around appointment to some middle management posts and budgets had not been finalised. It was inevitable that people would be looking forward to this change

with greater or lesser enthusiasm. On occasions we recognised that finding relevant material and arranging meetings with key personnel was difficult. It is a credit to those supporting us in our work in the two counties that we were so successful in meeting the demanding requirements of our fieldwork. We would like to express our thanks for this co-operation.

1.7. There are extensive national regulations, guidance and recommended procedures concerning children looked after by local authorities (see Appendix V – References). There were also considerable numbers of local documented formal procedures, some of which were examined by Nicola Davies. She found, for example, that since the implementation in 1991 of the Children Act 1989, Clwyd and Gwynedd County Councils had introduced and implemented formal procedures to investigate and if necessary act upon any complaints by children or staff. However, Miss Davies said she was left with a sense of unease. She says in her published conclusions and recommendations; **“the success of any new procedure depends to a large extent upon the quality of those who seek to implement it”**. This accords exactly with our view and we have given particular attention to the issue of implementation.

1.8. We have kept in the forefront of our minds a guiding principle concerning the rights and needs of children. The understanding and the promotion of children’s rights has been an important facet of our analysis of the quality of procedures and practice. The UN Convention on the Rights of the Child provides a foundation for the values and principles of the policies applied in children’s services. It also serves as a basis for testing the quality and outcomes of procedures. The Convention’s requirement for the child to have a right to express views and have those views and opinions taken into account in any matter of procedure affecting the child (Article 12) is central to our analysis of the service planning and provision along with the protection and complaints procedures in each authority.

1.9. The principles embodied in the Children Act 1989 were of primary importance.

1.10. Our terms of reference related to the period 1991 to the present and consequently we based our analysis of procedures and our assessment of practice upon the requirements of the Children Act and associated Regulations and Guidance. New regulations in respect of matters such as placement, residential provision and reviews were issued in 1991 consequent to the implementation of the Children Act. We have tested the framework established by the Children Act of good practice for looked after children at a policy and practice level and have assessed the awareness of all concerned both of this legal framework and its effective application. In undertaking this comprehensive examination we have had the benefit of access to a range of written material from policy documents to case files, and to individuals including children and parents and the Chairs of the Social Services Committees. These documents and contacts are detailed in Appendices III and IV.

The Local Authorities concerned

1.11. Clwyd

The County had a population of 411,000 (1991 Census updated) located in rural areas with market and holiday towns, the largest urban centre being Wrexham. We were told that many families and individuals experiencing difficulties “escape” to Deeside and the North Wales coast towns from the cities of Manchester and Liverpool and find temporary accommodation in former holiday flatlets and hotels.

1.12. The budget for children's services in 1994/95 was £8,897m, being 17% of the Social Services Committee gross expenditure. This was the largest proportional expenditure in Wales. The Council had six residential homes for children at the time of the examination. (One home was specific provision for four siblings and another was a project with NCH Action for Children). There were also two specialist homes for children with disability. The number of places in Clwyd homes had reduced from just over 100 in 1990/91 to 20 in 1994/95. At 31st March 1995, 77% of children looked after by Clwyd were fostered.

1.13. The senior management team structure, from re-organisation in October 1990, was a Director of Social Services with three Divisional Directors, North, South and East, and two Assistant Directors, one for strategy and the other for operational support and inspection.

1.14. **Gwynedd**

Gwynedd had a population of 235,000 (1991 Census) and a large rural area in which to provide services. Access for clients and transport were major issues. For example, the nearest of the two residential homes for children was some 40 miles distant from the area team in Dolgellau. The holiday camp at Pwllheli and caravan sites along its coast generated a seasonal upturn in demand for services and child protection work.

1.15. In 1993/94, the children's services budget was £1.8m – just under 5% of the total Social Services Committee gross expenditure. The average for similar councils assessed by the District Auditor was 10%. Gwynedd had the lowest proportional expenditure in Wales. There was residential provision in two homes for up to twelve children. The third home closed in 1995. Residential provision for children with disability was included with specialist adult facilities. Almost three quarters of the looked after children were placed in foster care.

1.16. The senior management team structure had a Director and Deputy Director of Social Services with five Assistant Directors (four holding a service specific brief and one support services). The five Area Managers joined this body to make a Departmental Management Team.

The New Unitary Authorities

1.17. With effect from 1st April 1996, the County Councils of Gwynedd and Clwyd were replaced by six Unitary Authorities, within the same overall geographical boundaries. Five of the new Social Services Departments are within an area previously served by only one of the County Councils. Indeed, the three Councils in former Clwyd are almost totally aligned with the boundaries of the three Divisions of the Clwyd Social Services Department. The exception is Conwy, which brings together parts of Gwynedd and parts of Clwyd.

1.18. The population of each of the six new authorities is:

Ynys Mon	69,800
Gwynedd	117,500
Conwy	108,600
Denbighshire	110,900
Flintshire	122,000
Wrexham	123,600

1.19. All six authorities have appointed a Director of Social Services from the senior or departmental management team in its former County. In Conwy, the Director of Social Services previously worked in Gwynedd and the Assistant Director (Children and Families) previously worked in Clwyd. Only Wrexham has brought together Housing and Social Services under one Director.

CHAPTER 2

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

2.1. Since 1991, when the Children Act 1989 was implemented, there has been a substantial amount of advice, guidance and regulation available to social services authorities in England and Wales. There is evidence of the impact of this in Gwynedd and Clwyd where changes in the legislation and associated policies and practices resulted in progressive tightening of operational, management and personnel procedures. We found a framework of policies and procedures in place. There were some significant gaps, however, including a lack of updating and an ad hoc and fragmented approach to documenting guidance to staff and managers. Procedures were not codified. Insufficient attention was given to the formulation and maintenance of comprehensive procedures.

2.2. Written procedures must be in place to ensure the safety and wellbeing of children. They are an essential part of the management of social services. They convey instructions, information and guidance. They are ineffective, however, if they do not make it clear whether they contain instructions to be followed without exception or guidelines which staff can exercise according to their own discretion. In this respect, there was some confusion about the status of some procedures in both Gwynedd and Clwyd, including the process of recruiting and selecting staff, their supervision and important child care practices such as planning and review.

2.3. Good procedures can improve practice when they are a part of management. This involves personal briefing and supervision of staff as well as documentary reference. Procedures should not, however, in our view, be so elaborate or voluminous that they are difficult to refer to nor dominate the decision making to such an extent that they are insensitive to the needs of individual children. A balance has always to be struck between devoting time and resources to creating proper procedures on the one hand and to helping staff to make sound professional judgements on the other. Given the complex nature of child care work, we have concluded that more needs to be done to develop, assess and acknowledge the competence of social workers, after their initial professional qualification, and of managers. Our recommendations reflect this.

2.4. It is the implementation and application of policies and procedures which need addressing by local authorities in particular, paying special attention to the following issues:

- the formal recognition by the local authority of children's rights, as expressed in the UN Convention and the Children Act, to be evident in policy and in practice;
- an open and unequivocal commitment by elected members and departmental managers to put the well being of children first, by facilitating and resourcing good practice in child care and in management and by confronting poor practice and performance wherever it exists;
- strong leadership and pro-active, rather than reactive, senior management;
- the development of effective relations and communication between managers and their staff and between elected members and managers;

- a clarity of roles and responsibilities in senior management teams and oversight by one person, at that level, of all services for children 'looked after';
- consistent application of key policies and standards, with internal and external inspection;
- systematic and sustained attention to implementation and monitoring of procedures;
- rigorous and integrated performance review, individual appraisal and staff development programmes;

2.5. Most of the new authorities have adopted en bloc the child care policies and procedures and relevant personnel and other procedures of their predecessors. They have stated their intention to review them. It is important that this is done thoroughly and promptly and that they are clearly identified and indexed. Senior managers should be fully aware of the status and quality of the inherited procedures.

2.6. In Conwy, some staff will have been used to working to the former Gwynedd County Council procedures and some to Clwyd's. The task there is immediate, otherwise accountabilities could be dangerously unclear and obscured.

2.7. The new authorities should ensure they maintain a focus on children's services. They must guard against being distracted from this. An ability for one person at departmental management team level to maintain an oversight of the whole child care system is a pre-requisite of good and safe practices. If there is purchaser provider separation at second tier, then it is the Director of Social Services personally who must take this responsibility. It is not satisfactory to share it amongst a team or different people. Where the accountable person, whether the Director or another senior manager, has other responsibilities as well, this must be monitored in terms of the effect the competing demands are having on their oversight of the children's services. We found in both Gwynedd and Clwyd that the structures gave rise to a confusion of accountabilities because no such clarity of responsibility was evident.

2.8. Local authorities carry onerous responsibilities in respect of social services. Many elected members are new and inexperienced. They and their officers have to build relationships and trust. There were problems between individuals over roles and responsibilities in the former two counties. These problems impeded effective work and such problems need to be confronted. The Chief Executive clearly has an important contribution to make in anticipating and resolving problems and creating a culture of good practice based on valuing people and on performance management.

2.9. External monitoring plays an important part in safeguarding standards and protecting children. Local authorities are required to work under the guidance of the Secretary of State. There are inevitable tensions between local responsibility and accountability and external scrutiny, including government oversight. However, in the field of child care, external inspection and monitoring by central government is an essential function. It has of course to be done effectively. Such external inspection and monitoring should be properly resourced. We do not consider it to be at present, in Wales.

2.10. The development and promotion of good practice is another important element in the relationship between local authorities and the Welsh Office. The

Development Work Programme of the Social Services Inspectorate Wales should always be drawn up in consultation with the unitary authorities and reflect mutual priorities, in our view.

2.11. We have noted that meetings are being arranged between the social services policy division of the Welsh Office and individual Directors of Social Services and their senior managers. We hope that this will make it possible for the Welsh Office to monitor the adequacy of resource and service levels as well as standards. Like local authorities, it needs to make strategic judgements about what can and cannot be afforded when issuing policy and practice guidance. We raise this issue because we see a growing mismatch between needs, services and resources. Encouragement to improve practice (which we think is needed) has to take this into account.

2.12. The level of resources for child care in the former Gwynedd County Council was seriously low and the disaggregated budgets for Ynys Mon and the new Gwynedd Council are similarly affected. Budget reductions in some of the other authorities have further restricted their capacity to maintain, much less improve, their child care practices.

2.13. Most of our findings and recommendations do not have significant resource implications, but we are aware of the pressures under which the new authorities are working. We consider that an action and implementation plan, worked out jointly between the Welsh Office and the authorities concerned and supported by a development fund, would assist in bringing about and monitoring the desired changes, which are recommended in our report.

2.14. In the field of child care, none of the new authorities in North Wales can be entirely self-sufficient. Each will have to contract with other providers and work with neighbouring local authorities to commission and provide some of the services in the long term as well as on an interim basis. An ability to share information and databases of child care resources would also assist in improving practice. We realise that the new authorities will want to provide as many services as possible locally, but we found instances at the time of our examination where their intention to do it by themselves raised serious questions about quality.

2.15. We question the capacity of the new authorities to undertake strategic planning and fulfil their mandatory obligations in respect of children's services plans without external assistance. The written guides to good practice which are available to assist social services authorities to plan and contract for residential care for children, for instance, need promoting in Wales in the context of children's services plans. Also, practical assistance is needed to develop the necessary planning skills. This could be done through a Welsh Office funded special project which should offer help to local authorities to improve their analysis of need and strategic planning of services.

SUMMARY OF RECOMMENDATIONS

Strategic planning

1. The new unitary authorities should define as a matter of urgency the status of procedures inherited from their predecessor authorities and identify clear accountabilities for decision making.
2. Local authorities should pay particular attention to auditing foster care placement patterns as part of their analysis of need in furtherance of their children's services plans.
3. Local authorities, in assessing their needs for residential care, should recognise that it is unlikely that they can be entirely self-sufficient. Collaborative commissioning between neighbouring authorities, and including Education and Health authorities, could provide a range of facilities that could best meet the needs of children and young people.
4. Local authorities should plan on the assumption that they will at some time make placements in expensive external facilities, including secure accommodation, and that the financing of such placements should be a corporate priority if it cannot be achieved through the social services' budget.
5. The new unitary authorities should examine their placement arrangements to ensure that any alternatives to residential care or foster care which are developed will meet the requirements of the Placement of Children Regulations 1991.
6. The Welsh Office should offer assistance to local authorities to enable them to undertake the task of developing a comprehensive placement strategy as part of their strategic plans for children.

Child protection

7. The ACPC for Conwy should formulate and implement new child protection procedures as a matter of urgency and the revision of current procedures for the five other ACPC's in North Wales should be given priority, with clear publication and implementation programmes.
8. The ACPC's in the six unitary authorities should draw upon the report commissioned by the Welsh Office "Protecting Children in Wales" and make reference to the SSIW ACPC Inspection (1996) in formulating their work programme for 1996/97 and beyond.
9. The retention of a North Wales Child Protection Co-ordinating Committee beyond the year 1996/97 should be reconsidered positively by the unitary authorities.
10. The Welsh Office and the Department of Health, in collaboration with Local Authority Associations, should provide advice to local authorities and ACPC's about how to set up inquiries and reviews in cases where criminal investigations, other legal proceedings or claims for compensation may not have been concluded. Guidance should also be issued on publication of the results in these circumstances.

Child care planning

11. The new unitary authorities should adopt the Department of Health Looking After Children materials. Particular emphasis should be placed on ensuring that appropriate care plans are developed in all cases.

Residential care

12. Local authorities should analyse the extent and circumstances of unplanned admissions to residential care. This analysis should seek to provide a basis for reducing the level of such admissions, and the number of establishments to which they are made. Statements of purpose for establishments should accurately reflect the demands placed upon them.

13. Local authorities, in conjunction with health and education services, should ensure that children and staff in residential care have access to a range of specialist support services.

14. Local authorities should ensure that the case files on children and young people should contain separate and clearly discernible sections on reasons for admission; the care plan, background information; a pen-picture and photograph and other well-ordered and dated material which is regularly updated.

15. Local authorities should develop administrative systems and records which are properly integrated into the overall system of quality and efficient services. The understanding and maintenance of such systems should be supported by focussed training.

16. Local authorities, with the support of the SSIW, should consider establishing a North Wales forum for residential care managers to share information about good practice and consider specialist issues affecting their day to day work. The independent sector should be included in this forum.

17. Independent sector homes should continue to press for quality care plans for children at the time of admission and for continuing commitment to reviews as an explicit part of the placement contract.

18. The Welsh Office should clarify the status of registration of independent residential homes for children with facilities in more than one local authority. This should address both registration and inspection requirements and, where appropriate, lead authority arrangements.

19. The unitary authorities should clarify their inspection arrangements for residential homes for children within their area and advise the homes accordingly as a matter of urgency.

20. Local Authority Inspection Units should:

- (a) seek clarity from independent providers on their treatment programmes and aspects of the supervision of young people and include comment upon them in their formal reports;
- (b) examine in detail the process of recruitment and selection of staff in independent homes and report accordingly.

Foster care

21. Consideration should be given by the Welsh Office, in conjunction with the Department of Health, to establishing a review of the recruitment, selection and support of foster carers.

22. The Welsh Office should undertake an inspection of foster care services in the new unitary authorities of Gwynedd and Ynys Mon, in particular focussing upon the adequacy of resources allocated to support foster carers.

Management

23. Local authorities should introduce a monitoring system which ensures that matters of policy which require follow-up action and progress reports back to Committee are acted upon.

24. Directors of Social Services in the new unitary authorities should examine their senior management team membership to ensure that there is one designated person with overall policy and service responsibility for children's services.

25. Local Authorities should review the effectiveness of their arrangement for members to visit children's homes, and also their policy on visits by external line managers to ensure that they are a positive part of the system for looking after children well.

Personnel and employment

26. The unitary authorities should take steps to adopt and maintain a capability policy and train managers in its use.

27. Directors of Social Services and Chief Personnel Officers in the new authorities should ensure that they have in place, within the first six months, systems and procedures to:

- (a) ensure that all appointments to residential child care posts, including sessional, temporary and relief staff, are made in accordance with the standards set out in the Warner Report;
- (b) monitor the implementation and effectiveness of their recruitment and selection practices.

28. Employers should provide personnel procedures manuals for social services managers.

29. Employers should review arrangements and standards of practice for appointing to social work and other posts, including managers, in children's services in the light of nationally recommended good practice for residential child care workers.

30. The Welsh Office should commission work to prepare a practice guide for local authorities on the co-ordination and compatibility of the various procedures involved in dealing with allegations of abuse of looked after children.

Staff development and training

31. Local authorities, perhaps working collaboratively, should ensure that they provide specific and targeted training for residential child care staff, including child development.

32. The Welsh Office, Department of Health and CCETSW, in conjunction with local authorities and professional associations, give consideration to establishing a post-qualifying programme of training, leading to a nationally recognised award for social workers who carry complex and demanding child care responsibilities.

33. Employers should give priority to management development programmes, targeted at senior managers initially, with support from the Welsh Office.

Inspection

34. Chief Executives in the unitary authorities should assure themselves as to the capacity, performance and standing of inspection in respect of children's establishments in their local authority and satisfy themselves that Advisory Committees are in place.

35. The Welsh Office should arrange joint seminars for Chief Executives and Director of Social Services of the unitary authorities to promote awareness and understanding of their respective responsibilities in relation to inspection and to share information about good practice.

36. Inspectors and managers of residential child care services should draw upon the Social Services Inspectorate's handbook "Standards for Residential Child Care Services" (1994) as a basis for setting and monitoring the quality of services.

37. The new unitary authority of Gwynedd should review facilities for children with disabilities in adult residential establishments and inspect them in accordance with the standards required for children's residential care.

38. Each local authority should check whether children with disabilities are accommodated in adult residential provision on a permanent or respite basis and, if so, arrange an inspection according to standards for children's residential care. The Welsh Office should seek reports on the outcome of this from Directors of Social Services along with their plans to develop appropriate facilities.

39. The Welsh Office should give urgent consideration to increasing the SSIW's inspection capacity in relation to children's services.

Complaints

40. The unitary authorities should consider the resources applied to representations and complaints procedures effective under the Children Act 1989 and test the quality of them against the 16 standards and criteria given in the SSI third overview report "Inspection of Complaints Procedures in Local Authority Social Services Departments" (January 1996).

Children's rights

41. Local authorities should re-examine the capacity of their services to take account of the views and wishes of children and young people in the light of the principles of the UN Convention on the Rights of the Child and the Children Act 1989.

CHAPTER 3

STRATEGIC PLANNING & CORPORATE RESPONSIBILITY

3.1. It must not be forgotten that the decisions, or absence of decisions, taken by Social Services Committees and senior managers have a direct impact upon practice at an individual level with children and their families. These practices determine the quality of the experience of those in receipt of services. Nowhere is this more crucial than in relation to the care of children.

3.2. In **Children in the Public Care (1991)**, Sir William Utting had this to say of the role of elected members:

“Members of Social Services Committees should not be concerned solely with managing the authority’s services and the prudent husbandry of its resources; they are responsible also for discharging the Council’s role as good parent towards the children in its care. It is significant to note the detail in which local authority responsibilities are spelled out in statute, regulations and guidance, which exceed any statements in law of the responsibilities of natural parents.”

In this section, we explore the extent to which this degree of emphasis upon corporate responsibility has been apparent in Gwynedd and Clwyd.

Strategic planning

3.3. In relation to children’s services, the over-riding aim of strategic planning is to provide better services for children. To achieve this it is vital that the best fit obtainable should be achieved between assessed needs and service provision.

3.4. There have been marked changes in the numbers of children looked after over the last decade and a half and even more substantial changes in the balance of provision available. They have come about partly through changes in the law (especially the Children Act 1989), partly by developments in professional practice and also in response to changes in the wider society. Only in a fairly limited sense do they appear to have happened as a result of conscious planning. The sharp movement away from residential care, so evident over the last few years in Clwyd and apparent also in Gwynedd, mirrors similar developments in much of England and Wales.

3.5. In 1980, there were 95,300 children in care (using the nomenclature of the time) in England and Wales. By 1994 this had declined to 53,000 children looked after. In the same period the numbers in residential care had reduced from 40,000 to 7,900, and while the numbers in foster care remained fairly constant, their proportion of the total number of children looked after increased dramatically.

3.6. The recent emphasis upon the need for children’s services planning culminated in Welsh Office Circular 20/96 which followed on from the advice given in Welsh Office Circular 11/94. The Children Act 1989 (Amendment) (Children’s Services Planning) Order 1996 lays a duty on local authorities to assess the need for provision of services under Part III of the Children Act in consultation with other authorities and bodies and to publish plans to meet these needs.

3.7. Such plans will only become meaningful if there is a clear corporate and senior management understanding of their purpose, and of the practical steps required to achieve this. In turn, this level of understanding will only be achieved if children's services issues are accorded appropriate priority, against other conflicting priorities.

3.8. In the following section we seek to provide a number of indicators of this level of priority and then use them to shine a light on the recent experience of Gwynedd and Clwyd.

3.9. **Framework for assessing service planning – key issues**

- Signs of **commitment to assessing need** and to informing strategy as a consequence of that assessment. This requires the development of robust information systems.
- Clear indications of **responding to the implications of legislation and guidance** and other significant developments (e.g. Children Act 1989, Warner Report, Welsh Office Guidance, etc).
- **Commitment to children's services** by the Council and senior managers. Evidence that children's issues (and corporate parenting responsibilities) are at the forefront of the Authority's considerations.
- **Development of a clear achievable strategy** in which children looked after are accorded significant prominence and children's views are taken meaningfully into account.
- **Development of policy, translated into procedure, and mechanisms, for monitoring and review** which establish:
 - (a) it is being implemented;
 - (b) it remains consistent with ongoing assessment of needs;
 - (c) it remains congruent with the organisational structure of the Department and its associated devolved accountabilities;
 - (d) appropriate inspection and regulatory functions are in place and are taken account of;
 - (e) a means (e.g. a departmental forum) for linking policy and practice, ensuring feedback between the planning and operational systems.
- **Resourcing of the strategy** at a realistic level. Reviewing this resource level in the light of changing demands to ensure that there remains a good level of achievement of strategic goals to an agreed quality standard to avoid the development of wish-lists.

Gwynedd

- **Assessing need**

3.10. In **Children's Services Planning Guidance** issued by the Department of Health, it is noted that the earliest round of children's services plans varied in effectiveness. In particular studies confirmed what had been emphasised in the Audit Commission's **Seen But Not Heard**, that few strategies for children's services were based upon more than rudimentary assessments of need.

3.11. In 1993/94 the District Audit Service carried out detailed studies in all local authorities in England and Wales entitled **Promoting the Well Being of**

Children and Young People. Almost universally, as in Gwynedd, these studies re-emphasised the importance of needs based services and identified the absence of a coherent method for establishing need in the local authorities examined.

3.12. The District Auditor's report comments:

“The Department’s strategy includes a broad analysis of the needs of the County. This analysis has not been translated into explicit service priorities.”

It goes on to recommend that the Department's definition of 'children in need' should be incorporated into its strategy document and should be used to develop local service priorities.

3.13. Without coherent information systems needs cannot be measured, priorities cannot be established and no means exist to ensure that resources are targeted effectively to fulfil the Council's strategic intentions. This was recognised on a number of occasions. We did not find evidence, however, that such an analysis of need had taken place.

- **Responding to legislation and guidance**

3.14. In Gwynedd, the Children Act 1989 was seen as an opportunity to re-examine child care practices and there are clear indications that efforts were made to re-orient the philosophy of the Department. A much greater emphasis was placed on prevention and working in partnership with families. This emphasis was most evident at Headquarters and led to changes in procedure and shifts in policy that were not, however, always implemented in area teams.

3.15. A number of staff and managers described to us their experience of a departmental culture where there appeared little value to them in drawing attention to the implications of legislation, guidance and advice, which were seen to have significant resource implications.

3.16. Certainly a systematic reading of Committee and Sub-Committee minutes from 1991 to the present does not lead us to judge that there was a commitment to ensure that the Council kept abreast of good practice and sought to learn from the plethora of external reports and guidance available. When, (and this was not as often as would have been expected), such reports were furnished, they were either noted or a report back was requested, of which we saw no evidence (e.g. Warner implementation).

- **Commitment to children's services**

3.17. No discussion of children's services in Gwynedd can fail to be dominated by the issue of resources, which will be addressed in more detail later. The comments above indicate that there was a general absence of responsiveness to the changing climate of children's services in the light of guidance and research. Taken together these issues produce a seemingly uncontestable view that children's services, and thus the needs of children, were not accorded an appropriate level of priority, either at member or senior management level.

3.18. Gwynedd over the period under examination spent less of its social services budget on children's services than any other local authority in Wales. The District Auditor's report pointed out that budgeted expenditure for children in 1993/94 was a third less per child than in its comparative family of local authorities. Along

with most other local authorities, attempts were made in Gwynedd to cost the implications of the Children Act 1989. The issue of resources was often cited in the Children's Sub-Committee as a reason why developments could not take place, and on occasions this shortfall would be referred to Social Services Committee. There is, however, no evidence subsequently that the Council then accorded sufficient priority to such notifications to act upon them.

3.19. Elected members have an important responsibility to ensure that the Council exercises, with appropriate care and concern, its corporate parenting responsibilities. One manifestation of this responsibility concerns their visits to community homes. Over the last few years this arose as an issue on a number of occasions, with the Director of Social Services seeking to clarify their responsibilities and ensure that a system was in place to co-ordinate the visits.

3.20. Despite this, at Children's Sub-Committee on 15th November 1994, it was reported that, over a period surveyed, of 40 reports that should have been submitted of members' visits, only four had been and that there was no record of other visits having taken place.

3.21. Committee did, however, authorise two separate independent inquiries into incidents involving children looked after (Ty'r Felin and the care of a foster child) during the period under examination. What is not clear is the extent to which the recommendations made by these inquiries were acted upon.

3.22. In Gwynedd children with learning disabilities, and additionally those with other disabilities, were incorporated into services provided for under the All-Wales strategy. While the Children Act 1989 emphasised that children with disability are children first and that they are entitled to the same range of services as other children defined as 'in need', they are also, when looked after by the local authority, subject to the same protection as other non-disabled children. What is at issue, therefore, is not whether services for children with disability were delivered from a specialist children's team or from a disability team, but whether their needs as children were fully recognised.

3.23. In Gwynedd, at the level of practice we noted some confusion, and it appeared that at Committee level the needs of disabled children were not addressed. Because of the organisational structure, it was not at the Children's Sub-Committee but at the Elderly and Handicapped Sub-Committee, that issues would have been raised. Our examination of Sub-Committee records revealed no such discussion over the last three years.

3.24. That there was an inherent confusion about accountability in the senior management structure is addressed elsewhere in this report. This confusion was addressed by the District Auditor's study, but by that time had reached a point when little could have been done without a wholesale reorganisation. Indeed the District Auditor appeared to mistake the line management structure in his report although this was not commented upon at Social Services Committee.

3.25. This confusion, and the reports that were made to us of personal and professional conflicts that arose from it, was marked. At all levels, in all locations visited, this has emerged as a key issue in our fieldwork. Clearly the comments received have varied in the perception of where the problem lay, not least in relation to where the commentator was located within the structure. The problem militated against serious discussion of children's issues at senior management level. While those interviewed commented on it, this view is confirmed by an

examination of both senior management and departmental management team minutes for the period. We found that there was a marked absence of sufficient engagement at senior management level in key children's services responsibilities.

- **Development of a clear achievable strategy**

3.26. Gwynedd's '**Strategy for Children**' document was a clear and well-argued response to the philosophy of the Children Act 1989. It must also be pointed out that by the time we undertook our fieldwork it was a document which appeared to be congruent with the prevailing philosophy of practice at area level. Those we interviewed who were seeking to take its central thrust forward into practice considered that it made assumptions about resources which never materialised. The strategy existed but it failed the test of achievability.

3.27. This is made explicit in a minute of the Children's Sub-Committee which was referred at Social Services Committee, on 21st February 1995. Referring to '**Strategy for Children**' the minute states:

"Chapter 5 outlined ways in which the policies, philosophies and analysis contained in the first four chapters might be translated into a viable and competent strategy in terms of operations and service delivery. It provided a shopping list, which, if resources allowed, would be the basis for further investment.

It was noted in this report that the targets and timescales for the achievement of specific objectives listed in Chapter 5 of the strategy document had not hitherto been met due to lack of resources."

- **Development of policies and procedures**

3.28. It follows that policies developed within Gwynedd to address key areas of children's services were likely to be influenced in practice by issues, referred to earlier, concerning structural confusion of accountabilities and resource shortfalls.

3.29. However, it should be emphasised that very real efforts were made when the Children Act 1989 was being implemented to align policy afresh and to provide clear procedural guidelines flowing from this exercise. Gwynedd's procedural manual was comprehensive and widely accessible, not least because it was available on disk in all local offices. We found its language difficult on occasions. It also reflected some of the uncertainties inherent in the structure. There are frequent references to officers based at 'Head Office'. Sometimes these refer to a 'requirement to consult'. On other occasions it is suggested that social workers 'are strongly advised' to consult Headquarters principal officers. Whether consultations took place, appeared from our fieldwork, to be a matter of local office, or sometimes individual officer decision.

3.30. A mechanism was needed to ensure that policies, and the procedures flowing from them, were being implemented. This situation is, of course, not unique to Gwynedd and underlines the need for authorities to have a clear perspective on which policies have tight properties that must at all times be adhered to, and which can be seen as more 'loose' and open to variable interpretation.

- **Resourcing the strategy**

3.31. It has already been noted that Gwynedd's child care strategy was not resourced at a level to allow for its translation into a set of priorities for action and

this problem was commented on a number of times. In addressing the **Strategy for Children**, the **Report of the Independent Inquiry in Relation to a Foster Family**, the **Report of the District Auditor, Fostering Services in Gwynedd** and **Night Duty in Homes for Young People** (and these are merely examples), similar comments were made about each of them, for example:

“Members of the Sub-Committee expressed concern ... that there seemed to be insufficient expenditure on children and family services in the county. It was felt that this apparent imbalance ... needed to be looked at and addressed.”

“Grave concern was expressed by members of the Sub-Committee regarding this situation and they emphasised the dire need for permanent night carers in the authority’s three units for young people. It was strongly felt that priority should be given to ensuring permanent night cover at these homes.”

“Further investment in personnel would strengthen the service both to children and foster carers alike ... the development of the service remains a priority.”

3.32. Despite having to operate in this difficult financial climate, the commitment and dedication of the operational staff was evident.

Clwyd

3.33. In addressing the response to corporate responsibility for children’s services in Clwyd during the period from 1991, it is impossible, and undesirable, to ignore the climate in which such responsibilities were being exercised following the disclosure of widespread abuse in its children’s homes. Throughout this period and up to the very day of its demise as a county council, Clwyd Social Services Department devoted much attention to responding to the consequences of this abuse, and the impact of the criminal trials that flowed from it.

3.34. This is the context in which the strategies and operational activity in relation to children took place over the last five years. At both member and senior officer level, there is therefore every reason to expect that a high level of attention would be consistently applied to ensuring that the errors of the past were fully investigated and that services in the present were operating transparently to an acceptable quality, at least. In the following section, using the same template as applied in Gwynedd, we will seek to test whether that assumption holds true since 1991 to the actions, or absence of action, of both members and senior managers.

● Assessing need

3.35. It has already been noted that few local authorities have to date developed even rudimentary methods for strategically assessing need in children’s services. No such assessment had taken place in Clwyd. Furthermore, the authority adopted the definition of children in need given in the Children Act 1989, but did not, as many other local authorities did, seek to expand upon this by developing discrete categories that lent themselves to further enumeration.

3.36. The report of the District Audit Service in noting this did, however, make the point that there was recognition that such an analysis of need was necessary but that it had not been undertaken “due to a lack of funding”. It went on to point out that in 1993 an exercise was carried out to assess whether the budget had been equitably distributed between the three Divisions, using available indicators of

deprivation (as opposed to discrete child care indicators). The exercise showed that the budget was distributed broadly in accordance with these indicators.

3.37. The three Divisions each produced a Divisional Service Plan for **“Services to Children and Families”** for timescales, in the case of South from 1995–98, for the North from 1994–96 and East from 1995–96. In each there were attempts to identify needs at either the macro-level, using poverty and other associated indicators, or in relation to individual service users (e.g. children looked after, independent young people in need). That such beginnings were generally placed in the context of targets, augurs well for their successor unitary authorities. All such documents, including the County Overview Service Plan, were presented to the Children and Families Sub-Committee.

- **Responding to legislation and guidance**

3.38. Clwyd initially responded well to the challenge of the Children Act, establishing an implementation group made up of staff from both the centre and divisions. This was chaired by one of the Divisional Directors, under the new devolved structure in operation from late 1990. In retrospect, this coming together, in what could be described as a “matrix management” system of operational and planning staff probably marked the high water mark of co-operation. Over the remaining years of the existence of Clwyd County Council, we were told of an increasing tension between policy and operations which at first widened the gap between them and then became, with the ascendancy of the divisions, an almost total eclipse of the centre. We believe that this contributed to a discernible tendency which we found for policies either not to be implemented or to be carried forward patchily as divisions picked and chose what they would put into practice.

3.39. There is evidence that most significant developments in the wider child care context (including key reports and guidance) were reported to the Children and Families Sub-Committee, often in some detail. This was so at least into mid-1993. There was then a lull which perhaps reflected internal managerial changes before a very considerable body of material was presented in 1995. This was described by development officers as a “catching up” exercise. It was also suggested that had Clwyd as an authority existed for a further year, the backlog of policies to be developed would have been addressed. What remains open to question is whether sufficient effort was made by senior management to ensure that there was follow through into practice flowing from these policies.

3.40. We were told by a number of staff we interviewed that Clwyd was good at making policy, but that it rarely ensured that it was implemented. It was apparent that staff in area offices were infrequently aware of departmental, as opposed to divisional, policies. Many fieldwork staff felt that headquarters and corporate senior management were remote and almost irrelevant. The tendency, already well developed because of the substantial devolution to divisions, had become, by the time of our examination, even more sharply defined in preparation for the move to unitary authority status.

- **Commitment to children’s services**

3.41. The level of resources allocated to children’s services is taken as a measure of commitment, then Clwyd, in spending 17% of its total social services budget on children, spent more proportionately than any other Welsh authority. This resourcing was apparent to, and appreciated by, staff who expressed only limited concerns about financial constraints.

3.42. As has been shown, most key issues were addressed by Committee and decisions were taken in response to them. What we found lacking, however, was evidence that these decisions, and their impact, were monitored and reviewed. Frequently at Children and Families Sub-Committee, reports would be noted and further information sought for a future date. In many instances there was no evidence of any report back.

3.43. Following the Bryn Estyn trials, a focus of Committee attention was appropriately upon issues related to residential care. As is reported elsewhere there can be little doubt that conditions in Clwyd's residential facilities underwent major improvements in the period under examination. It is apparent that councillor' visits to establishments took place and reports on these visits, and guidance on how best to exercise their responsibilities, were presented to the Sub-Committee.

3.44. The stock of Clwyd's own residential provision was rapidly diminishing. We do not know whether this speedy reduction was driven by policy or motivated reactively by a desire to reduce the possibility of a recurrence of the problems associated with children's homes. It could not be argued that the closure programme was based on a well developed analysis of the accommodation needs of the children and young people. In effectively diminishing the prospect of placement choice, the potential benefits of residential care, appropriately planned and differentiated in function, were apparently ignored. This occurred, in spite of a policy commitment agreed at Social Services (Children and Family Services) Sub Committee in February 1992, to implement the recommendations of the Welsh Office Review of Children's Homes in Wales "**Accommodating Children**".

3.45. It could be anticipated that with the degree of adverse focus on children's services arising from the dreadful revelations of child care practice and abuse in the 1980's, the attention of senior management would be particularly and consistently directed towards that area of their responsibility. This was not, however, much in evidence during the period of our study. Furthermore, the period since 1991 is characterised by a confusion about who in the management structure had lead responsibility for children, an increasing gap between the role of planning and development officers at the centre and staff in the divisions, and the growth of divisional autonomy that undermined the capacity of the Department to ensure, or even seek, consistent policies and practices towards the children that should have been central to its concerns. It is indeed ironic that it was precisely in this latter period that Clwyd moved from having a lead at Assistant Director level for children's services to a situation where there was no member of the departmental management team with overall responsibility for children's services, apart, of course, from the chief officer.

- **Development of a strategy**

3.46. The District Audit Report notes that in February 1994, the Assistant Director (Strategic Planning) presented a report to Senior Management Team entitled "**Strategic Planning for Children's Services**". In this report the Assistant Director, who at that time had eleven officers reporting to him, only two of whom had a child care focus, identified the following problems in Clwyd's strategic planning to date:

- (a) a lack of coherence;
- (b) a lack of corporate vision and direction;
- (c) the presence of tensions between the centre and divisions; and

(d) below standard work on policy direction and co-ordination.

3.47. We were informed that too little attention had been given to these issues as the department had concentrated in the previous two years on community care implementation.

3.48. In its response to the District Auditor, Clwyd accepted this deficiency, but saw the solution deriving from a revised planning mechanism that involved the creation of a Children's Strategy Co-ordination Group. This was charged with providing a corporate perspective on county wide issues to "ensure coherent development across divisions on key strategic issues". Additionally, Divisional Development Groups were created to take forward local planning on children's services issues. The latter were clearly in evidence and contributed substantially to the Divisional Service Plans that will form the basis of the Children's Services Plans in the successor unitaries. We saw no evidence of results from the activities of the Children's Strategy Co-ordination Group and officers interviewed who referred to it did not believe that it had any significant impact.

● **Development of policy and procedures**

3.49. It has been noted that it was not uncommon for policies to remain in limbo between agreement and implementation. This was exacerbated by the divisional structure that meant that on occasions divisional policy was agreed by Children and Families Sub Committee without a commitment that it be adopted in other divisions.

3.50. Where policies were clearly developed there was rarely evidence of a planned implementation process. Even more rare was a mechanism to audit or review their implementation and their impact. The divisions operated in such a way as to result in the headquarters based development officers, who could have exercised this function, becoming increasingly marginalised.

3.51. When the "**Leaving Care Strategy**" was adopted this divisional approach was recognised. Each division was to adopt the strategy, but was "required to develop its own method of service delivery consistent with county policy, taking into account local need and circumstances". Thus, it should not be surprising that we found that some staff in area offices were unclear about the existence of the policy or whether it had been introduced locally.

3.52. The absence of a clearly defined Departmental Child Care Procedural Manual gave staff what they perceived of as considerable local and professional autonomy. It also potentially left them exposed and on occasions with no clearly defined details to direct their activity. By implication, this procedural gap contributed to an absence of clarity in relation to accountability.

● **Resourcing the strategy**

3.53. Reference has been made earlier to the relatively strong resource base to children's services in Clwyd. This was evident not only in looked after services, but also in family support. In reducing the number of residential homes at a rapid rate, Clwyd had placed considerable emphasis upon the development of preventive services. In this respect there is a visible link between strategy and resourcing although again such developments occurred unevenly between divisions. East Division divested itself of residential care and advanced its use of alternatives such as youth support teams.

3.54. The impact of these changes was not monitored and we are doubtful that the strategy is sufficiently grounded in a realistic analysis of need. The risk of the strategy is that too great an emphasis is placed upon developing alternatives to looking after children formally. Imaginative packages (a phrase used on more than one occasion to describe services so resourced) may not always be in the best interests of children. There is a need for sound professional judgement about what is the best placement, or support package, which can most effectively protect or promote the welfare of each individual child.

Recommendations

- 1. The new unitary authorities should define as a matter of urgency the status of procedures inherited from their predecessor authorities and identify clear accountabilities for decision making.**
- 2. Local authorities should pay particular attention to auditing foster care placement patterns as part of their analysis of need in furtherance of their children's services plans.**
- 3. Local authorities, in assessing their needs for residential care, should recognise that it is unlikely that they can be entirely self-sufficient. Collaborative commissioning between neighbouring authorities, and including Education and Health authorities, could provide a range of facilities that could best meet the needs of children and young people.**
- 4. Local authorities should plan on the assumption that they will at some time make placements in expensive external facilities, including secure accommodation, and that the financing of such placements should be a corporate priority if it cannot be achieved through the social services' budget.**
- 5. The new unitary authorities should examine their placement arrangements to ensure that any alternatives to residential care or foster care which are developed will meet the requirements of the Placement of Children Regulations 1991.**
- 6. The Welsh Office should offer assistance to local authorities to enable them to undertake the task of developing a comprehensive placement strategy as part of their strategic plans for children.**

CHAPTER 4

CHILD CARE PRACTICE

Child Protection

4.1. Social Services Departments have a statutory duty to investigate whenever they have reason to suspect a child is suffering or is likely to suffer significant harm. They have to decide what action to take to safeguard or promote the child's welfare. (Children Act 1989 Section 47). The investigation duty applies wherever the child is living, including with foster parents, in a children's home or residential school.

4.2. Our terms of reference required an assessment of the child protection procedure and practice focussing upon the guidance given through the Area Child Protection Procedures in respect of looked after children. We examined the understanding and application of the procedures in local authority and private sector homes in the two counties and in family placement. Given the circumstances of actual abuse experienced or the high level risk of abuse which has resulted in many children becoming looked after and being placed by the two local authorities, we consider it essential that child protection procedures are not only sensitive to the needs of these children but also that there is clarity over respective roles and responsibilities in the child protection investigation and any action which flows from it.

4.3. The Clwyd Area Child Protection Committee produced the fourth revised edition of its Child Protection Procedures in September 1993. The Gwynedd Child Protection Committee published its current Child Protection Procedures, bilingual, in 1993. Both sets of procedures accurately reflect the requirements and practice guidance of the Children Act 1989 and "**Working Together**". The procedures in both local authorities covered the response to alleged abuse by foster carers, allegations of child abuse by professionals of children with whom they have contact, abuse carried out by children who abuse each other and abuse concerning children in residential settings including schools. These sections are sound both in raising the possibility of abuse in residential and family placement settings and giving clear definition to the action required.

4.4. Following events at Cartrefle children's home, which resulted in convictions in October 1990 for twenty offences of sexual abuse of children, an Independent Panel of Inquiry was established to review these matters and to submit its report to the Clwyd ACPC. The report was received by the Director of Social Services in July 1992 and he expressed the intention of reporting this in full to the ACPC and to the Social Services Committee. The County Solicitor advised of constraints to full publication because of the potential claims by young people against the Council. The Crown Prosecution Service, because of concerns that publication might prejudice the trials which might take place, stated that the report must not be published.

4.5. Consequently, all the Director of Social Services was able to put before the Committee on 27th October 1992 were the Panel's conclusions and his response to them. The Cartrefle Report, with its full conclusions, has never been published and only received limited circulation within the social services department. There was a departmental audit established to check the response to the published recommendations. It clearly proved difficult to obtain responses from each of the

three divisions within the timescale given and we could find no departmental implementation plan for changes responding to this audit. Some managers and staff voiced their frustration to us that the Cartrefle report had not been published and that there had been no clear action arising from it. Our reading of the report suggests that a number of the issues that we have identified were of concern then and suggestions that were made for responding to them should have been followed through.

4.6. The Clwyd Area Child Protection Committee undertook a Case Review under Section 8 of **“Working Together”** in respect of a fifteen year old girl, who, in April 1994, was allowed to remain in an unsuitable placement, where she was subjected to serious sexual assaults which resulted in the conviction of four people. The Review Report was submitted to the Welsh Office on 1st March 1995 and the Social Services Committee received an “outcome and measures subsequently introduced” report on 19 September 1995. The Social Services Department formulated a clear action plan responding to the concerns raised in this case. However, they acknowledged a failure to produce a full child protection plan and there was a recognition that there had been a breach of Children Act regulations. Changes were made in placements policy and in the monitoring of child protection practice in all divisions. Divisional child protection co-ordinators were appointed and documentation was introduced.

4.7. This case, the circumstances of which are not particularly unusual in terms of initial presenting problem and level of judgement required, highlights the need for managers regularly to test that procedures are being implemented in day to day practice and that staff are clear about the timing of reference to a manager to endorse a plan of action.

4.8. In Gwynedd County Council the department established an independent inquiry, in September 1994, into allegations made by a young woman at Ty'r Felin. These had been written in her diary and the diary had been stolen whilst she was resident at the home. Managers also wished to obtain independent analysis of the quality of staffing and care at Ty'r Felin. A report presented to the Children's Sub-Committee on 26th June 1995 contained an analysis of the improvements to the home and a powerful criticism of the previous regime. Some of the recommendations of the report reflected earlier concerns which had been reported, e.g. staffing levels, and these had not been progressed apparently because of a lack of resources. However, many of the staff development and changes in the regime had been achieved. Nevertheless in October 1995, the Social Services Committee had resolved to close this home.

4.9. Clwyd County Council established an Independent Review Panel (April-November 1995) following the death on 21st November 1994 of a sixteen year old boy looked after in a special residential project. The Panel report has been lodged with the Welsh Office and the formal response of the Acting director of Social Services to the forty eight recommendations of the report was discussed in March 1996. An action plan for the four successor authorities is being prepared.

4.10. We believe there is a danger of departmental managers and members seeing the process of initiating a review and of producing a report as being an end in itself. We consider that there has to be clear investment in the objective review of cases and in definitive action, open to regular monitoring flowing from such reviews. This was not always the case in respect of the reports outlined above. The commitment to action in respect of the most recent report in Clwyd must be ensured. We were also concerned about the apparently timeless constraints placed

upon the publication and consequent use of findings of the Cartrefle report. These were a contributory factor to the lack of departmental action. In the light of recent events around the publication of the Jillings Report, we believe that action needs to be taken by Government to clarify issues of status, indemnity and extent of publication of case review material.

4.11. In both Clwyd and Gwynedd, partnership projects had been established with specialist voluntary organisations, NSPCC and NCH Action for Children, providing assistance with assessment, counselling and therapeutic support to children and families where abuse has occurred. We consider that these projects, which made an important contribution to skills and knowledge in child protection and provided a useful point of reference outside the local authority for service development and training, should be maintained by the successor authorities and that the other authorities assess the potential for such initiatives within their boundaries.

4.12. The Clwyd and Gwynedd ACPC's have been replaced by six new Area Child Protection Committees based in the new local authority areas. The SSIW initiated an inspection to examine the arrangements that the (then shadow) unitary authorities planned to have in place to ensure there would be ACPC's able to undertake the tasks set out in paragraph 2.12 of "Working Together". The inspection also examined the way the Social Services Departments undertake their lead responsibilities, particularly in monitoring implementation of local procedures, the efficiency of arrangements and in securing legal advice to the ACPC. The report on this inspection, along with "**Protecting Children in Wales**", a report commissioned by the Welsh Office on the role and effectiveness of Area Child Protection Committees (June 1994), should be considered by the ACPC's in the unitary authorities. These reports need also to be considered by each social services department senior management team in terms of the child protection work programme.

4.13. The Clwyd and Gwynedd ACPC's commissioned The Bridge Child Care Consultancy Service to prepare model child protection procedures, guidance and information for use particularly by staff working in the new authority of Conwy, where there is a bringing together of staff who previously worked to Gwynedd and Clwyd procedures. These were produced in January 1996 and provide a good basis for new procedures in Conwy and in the other five unitary authorities. There is a formal requirement to produce local procedures and this needs to be part of the child protection work programme of each authority.

4.14. One of the inevitable effects of local government reorganisation will be to disrupt historic inter-agency relationships and require the establishment of new working partnerships to ensure consistent and quality child protection procedures and practice across the six authorities. We recognise the need for strong ACPC's at the unitary authority level. However, we also believe that the proposition to retain a North Wales Child Protection Co-ordinating Committee is sound and should be endorsed by the six unitary authorities as an aid to consistency and a positive support to the partner agencies concerned with child protection working across the new authority boundaries. Whilst not specific to child protection procedures and practice in residential and family placement services, this will generally aid consistency and quality as well as providing a source of monitoring and review, which could well focus upon looked after children.

4.15. We are satisfied that procedures in Gwynedd and Clwyd were in place to ensure that any allegation of abuse in respect of a looked after child could be

properly investigated. We found staff and foster carers in both departments who were aware of these procedures and understood their role and responsibilities in relation to them.

4.16. There must be concern in a period of major change and with the development of new working partnerships and practices that the consistent adherence to procedures could be jeopardised. The local authorities need to ensure that child protection procedures which are intelligible and applicable locally are prepared and issued as soon as possible.

Recommendations

7. The ACPC for Conwy should formulate and implement new child protection procedures as a matter of urgency and the revision of current procedures for the five other ACPC's in North Wales should be given priority, with clear publication and implementation programmes.

8. The ACPC's in the six unitary authorities should draw upon the report commissioned by the Welsh Office "Protecting Children in Wales" and make reference to the SSIW ACPC Inspection (1996) in formulating their work programme for 1996/97 and beyond.

9. The retention of a North Wales Child Protection Co-ordinating Committee beyond the year 1996/97 should be reconsidered positively by the unitary authorities.

10. The Welsh Office and the Department of Health, in collaboration with Local Authority Associations, should provide advice to local authorities and ACPC's about how to set up inquiries and reviews in cases where criminal investigations, other legal proceedings or claims for compensation may not have been concluded. Guidance should also be issued on publication of the results in these circumstances.

Child Care Plans and Reviews

Contact with area teams

4.17. Our terms of reference required that we should examine practice in each of the six geographical areas which would become new unitary authorities on 1st April 1996. Visits were made to three area offices in Gwynedd and interviews were held with six team managers from four area teams and thirteen fieldworkers. In addition, thirteen files were examined to assess the quality of planning and review and to assist in an analysis of the impact of procedural guidelines. In Clwyd, four area teams were visited. In all, nine team managers and forty-eight fieldworkers were involved in discussions. Fourteen files were reviewed.

4.18. All files in both authorities had been chosen at random by members of the examination team from lists prepared to illustrate different care histories. In each office, where appropriate cases existed, the file of at least one young person in residential care was examined. Other categories examined were young people with lengthy care histories, children recently admitted to the looked after system and children with disability.

Fieldwork teams

4.19. In all offices visited we gave an open invitation to social workers to join us for a structured discussion. This was in addition to interviews with team managers and, usually, their line managers. We were impressed with the responses that these invitations elicited in all offices visited. In each case the majority of social workers arranged to be present and the meetings were characterised by frankness and a noticeable commitment to good practice in work with children and their families.

4.20. As could be anticipated given the sharply contrasting budgetary allocations to children's services, there were marked differences in the administrative and support systems available to teams in Gwynedd and Clwyd. We believe that such were the deficiencies in that support in Gwynedd, that social workers were unduly hampered in fulfilling their core tasks. Almost all recording was handwritten and there was only very limited availability of administrative support to ensure the efficient running of the planning and review systems for individual children. In contrast in Clwyd, there was generally a high level of administrative support and this was reflected in the quality of file presentation and administrative system.

Recording

4.21. Despite the differences noted above, all the files produced at random were notable for their up to date recording. No prior preparation of the files chosen was possible as timescales were necessarily tight. Almost all files examined showed evidence of recording within the previous two weeks.

4.22. Although we noted the SSIW experience appeared to be that case recording in Gwynedd was invariably in English, this was not the case in our visits to three area offices there. In Dolgellau, Llandudno and Caernarfon, at least half of all recording and letters on file was in Welsh. This led us to rely on translators supplied by Gwynedd County Council who performed willingly and efficiently.

Planning and review

4.23. Over recent years much attention has been placed by research on the importance of well-organised planning for individual children. This was given significant emphasis in the Children Act 1989, in particular in accompanying regulations e.g., **Arrangements for Placement of Children (General) Regulations 1991** and the **Review of Children's Cases Regulations 1991**. This emphasis on planning was responding to research evidence (e.g. Farmer and Parker) which showed that worryingly large numbers of children, even in the late 1980's, were drifting in the absence of a coherent child care plan.

4.24. It is therefore necessary not only to monitor whether reviews are taking place in fulfilment of statutory requirements (which was universally evident in the files studied in both authorities) but also to assess whether they are assisting qualitatively in ensuring good measurable outcomes for children.

4.25. At the root of any system of assessment and planning for children must be a comprehensive assessment of need leading to a coherent child care plan against which future progress, or absence of progress, can be measured in the process of review.

4.26. What we found in almost all the files we examined was an observance of formal review procedures (these varied between offices in both authorities), but without any articulated and recorded initial child care plan. As a consequence

reviews were either confirmations of the status quo (i.e. continue the placement) or a reaction to unforeseen events. In the Social Services Inspectorate Briefing Paper **“How Well Are Children Being Looked After?”** which we recommend the Welsh Office to disseminate in either its original form, or one adapted to Welsh conditions, the following statement is made:

“Our inspection of 243 case files revealed that on the whole care plans lacked specificity, particularly in relation to clear aims and objectives, targets, allocation of tasks and timescales. What objectives there were tended to reflect the range of services available rather than a thorough assessment of the child’s needs and the range of options which might be considered. There was a general lack of analysis in plans for children and case files failed to make clear how and why key decisions had been made.”

4.27. As this survey had been undertaken over two years in 28 English local authorities, it is probably not surprising that the very same conclusion could be reached in both Gwynedd and Clwyd. In drawing attention to this we are not doing so only to highlight bad practice, but to indicate that there is room for improvement in the planning process that can be obtained effectively and efficiently by using tools now available.

4.28. **The Looking After Children** programme was being operated in one Division in Clwyd experimentally and in part in another. Gwynedd had planned to introduce it in 1995/96, but unfortunately this initiative foundered and planned training had to be cancelled, as the SSIW did not produce a translation of the forms into Welsh in time.

Supervision and monitoring

4.29. All area teams visited had supervision arrangements in place. It was frequently evident, for example, that social workers’ recording was countersigned by team managers in supervision sessions and files at times included details of case discussion during supervision.

4.30. Team managers appeared highly valued by their staff. If anything we were concerned that, in both authorities, in some offices, they were almost seen as the upper boundary of management with social workers having little awareness of the purpose and responsibilities of more senior managers.

4.31. If team managers were seen as the upper limit of authority by social workers in some offices, this had the effect of both increasing the perceived autonomy of staff, and increasing the burden of responsibility upon them. Few felt they could look to more senior managers, or the senior management system, consistently for support. That such support was available was not in question. What is worrying is that a culture could develop that could lead to some area teams operating with only very limited connection to their overall Department. It was notable that where clear policies and procedures existed, some officers used them and others did not. Where, instead, teams developed their own, sometimes better procedures, these were in turn not picked up by managers and generalised to other teams.

4.32. In the District Audit report on Gwynedd, it is commented that:

“Many fieldworkers regard Headquarters’ generated guidelines as a challenge.”

We do not believe this situation was unique to Gwynedd. It was present in Clwyd and provides emphasis to our conclusion that senior managers must ensure that the implementation of procedures is backed up by regular and effective monitoring.

Recommendation

11. The new unitary authorities should adopt the Department of Health Looking After Children materials. Particular emphasis should be placed on ensuring that appropriate care plans are developed in all cases.

Residential Care

4.33. At the time of our examination, Gwynedd had one local authority run children's home and one provided in conjunction with a voluntary organisation, making a total of twelve places. Ty'r Felin, which had nine places, closed in the autumn of 1995. At 31st December 1995, Gwynedd had eighteen children in residential care, compared with 139 in foster care.

4.34. Clwyd had six directly provided homes, including one special facility for a sibling group, plus one run by a voluntary organisation on their behalf and one provided jointly with a local NHS Trust and a housing association. In 1991, Clwyd had 103 places in eight homes and twenty places in 1994 in seven homes. At 31st March 1995, Clwyd had 244 children looked after, of whom 190 were in foster care.

4.35. In the **Strategy for Children** (1994), Gwynedd makes reference to its policy and objectives for residential care. The **Clwyd Divisional Service Plan for Children** (1995) summarises the policy and provision including action taken to address care standards and the recruitment and selection of staff.

4.36. The size and location of the children's homes and their allocation to the six unitary authorities is as follows:-

- **Ynys Mon**

Queens Close, Holyhead: 5 places

- **Gwynedd**

Cartref Bontnewydd: 7 places
(Voluntary organisation), nr Caernarfon

- **Conwy**

Belgrave Road, Colwyn: 3 places
Llwyn Onn, Rhos on Sea: 3 places

(New unit for children with disabilities unopened)

- **Denbighshire**

Medea Drive, Rhyl: 2 places
Llys Garmon, nr Ruthin: 4 places

- **Flintshire**

Cornel Clyd, Buckley	2 places plus respite care (in conjunction with Housing Association and NHS Trust)
Clivedon Road, Connah's Quay:	2 places plus outreach work (run by voluntary organisation)

- **Wrexham**

Cherry Hill, Wrexham:	6 places
Tapley Avenue, Wrexham:	2 places plus respite care

Information about private homes, which were subject to registration and inspection by Gwynedd and Clwyd **and** had young people from those authorities placed there, is included later in this section.

The children and young people

4.37. Contact with each home normally involved two half-day visits, one in which the team member met principally with the head of the unit and the second to examine records and documentation. On either or both visits, opportunities were taken to meet staff and young people. Based on these contacts we provide a snapshot of the children and young people being looked after in the particular days in January, February and March 1996 when our visits took place.

4.38. Despite the significant changes which occurred on 1st April 1996 through local government reorganisation, most of the children and young people who were there then will still be there. Those who have moved on will probably have been replaced by others with similar stories to tell. In order to preserve confidentiality, specific homes and locations are not identified.

4.39. In one Unit, two children were both thought to have experienced sexual abuse by adults, and both had suffered previous placement breakdowns. In another, two had histories of being sexually abused, rejected and were now described as aggressive. The common denominator of the backgrounds of the young people in two other establishments was rejection by adults – initially parent(s) and other family members, later rejection by substitute carers. In a further establishment, several members of the same family had been sexually abused, and in another home, severe difficulties were identified resulting in a “mix” which could only be described as highly volatile. One young person was known to have a problem with alcohol and other substances and to have experienced foster home breakdown prior to admission. Another resident whose family relationships had broken down, was known to be sexually active and a further resident who had spent several years living in residential care was said to have a history of aggressive behaviour and sexual abuse.

4.40. The particular needs of children with disabilities were profound and invariably of chronic status. Because of the predominance of respite provision in the establishments in Clwyd involving numbers of children and young people, it is not possible to provide illustrative profiles in quite the same way. It was, however, possible to meet children who were unable to communicate through normal speech; some of whose autism clasped them in thought and behavioural disorders; and to hear of others who, whilst loved and cherished within their families, nevertheless present their parents and brothers and sisters with enormous stresses

and strains. In Gwynedd, there were no specialist homes for children with disabilities. This is commented on in Paragraph 6.11.

4.41. These profiles are by no means unusual, nor are they peculiar to North Wales; the residential establishments run by most local authorities in England and Wales could present similar constellations of children and young people with similar background experiences. This fact needs always to be borne in mind by service providers, policy-makers and social commentators at whatever level they exist and in whatever direction their powers are exercised. Typical and familiar as the circumstances described undoubtedly are, it would be unacceptable if they ever came to be regarded with complacency, as run-of-the-mill. What has happened to the individual young people who are looked after by local authorities, and whose lives have been caught up in events often beyond their comprehension or powers to control, will remain uniquely painful and distressing for the majority of them.

4.42. It might, then, be regarded as axiomatic that those charged with looking after such profoundly disturbed and disturbing children and young people would be amongst the most highly skilled, trained and experienced. We comment on staff development and training in paragraphs 5.59 to 5.72.

4.43. We would like to place on record that we found substantial evidence of staff enthusiasm and commitment – sometimes, it must be said, in the face of enormously complex and distressing circumstances presented by the children and young people, and of worrying resource and organisational difficulties within the social services. It must be acknowledged that undoubtedly high levels of personal skill and talent are possessed by many members of the residential workforce, some of it re-enforced by many years of practice.

4.44. Finally, in presenting some information about the children and young people, we include some of their views – their “wishes and feelings”, to employ Children Act terminology and philosophy. These are culled from a study carried out in 1993 by one former Clwyd Social Services Division. The objective was to find out what those then being looked after in residential units thought about a number of important themes. Whilst it would be improper to make inflated claims as to the nature of representativeness of findings from this study, we consider that the comments contained in it are probably as typical of the views and attitudes of children and young people in residential care as the personal histories referred to above. Putting the two together confirms the complex and demanding nature of life in residential care for the young people themselves and upon the staff.

4.45. Almost half of the twenty six children and young people who responded to the Clwyd Study had also been in foster care; for twenty, this placement was at least their second. Asked why their previous longest placements had broken down, 33% said they had been naughty, or were said to have been naughty; 25% had been removed in order to return to their parents; 16% had been removed in order to go to a more permanent placement.

4.46. Seventy seven per cent of the children found a variety of positive things to say about being in a children’s home. Outings and staff help and support rated most highly, closely followed by living in a safe place and opportunities for companionship. Disadvantages were also aired, though a significant number of children did not identify any major problems. Other children’s behaviour, particularly when violent or disturbed, was clearly perceived as being upsetting. Views were mixed as to whether or not those in trouble with the police should live with those who were not – “*...bad kids can influence good kids*”, and “*It’s*

not fair to the other kids who don't have behaviour problems". But, "they all need help at the end of the day", and "...it's not fair to separate them (i.e. have separate units for those with challenging behaviour) ...Some problems are caused by things in the past that the kid can't help, e.g., dad smacked them or abused them or whatever".

4.47. When asked to compare residential and foster care as options, most of those taking part preferred foster care (11) – though eight children were unsure about that. *"...if I'm naughty I know I won't have to be moved out of here like it sometimes happens in foster parents", and "I've sorted out my problems more here than I did in foster care. There's a variety of staff – always someone...(to) understand you when you talk to them".*

4.48. Although 34% of the children thought it important to live in "ordinary" looking homes which were just part of the community, 61% enjoyed living in the large house with plenty of garden, which was where they currently lived – *"more space", "more private", "no traffic....it's quiet".* Fifty per cent wanted to live in the countryside – *"you'd have fields and that, and you'd never get bored".* Peacefulness was important, and animals, trees, rivers, streams, walks and *"places to go away from trouble".* Privacy was valued: *"...no-one can see what the kids are up to, so anything not normal isn't so noticeable".*

4.49. Almost all establishments visited were, at the time of the examination, running at, or close to, capacity. From this it is possible to conclude that the numbers of children and young people requiring residential care have not diminished below the supply of places.

4.50. A predominant pattern for both authorities was for many admissions to be arranged on an "emergency" basis. The SSIW and Social Information Systems Limited 1991 Report **"Accommodating Children"**, contained as one of its major findings the recommendation that a more thorough-going analysis needed to be made of the large number of unplanned admissions into children's homes, so clearly the concerns about this issue are not only long-standing, but have had past attention drawn to them. Without clear evidence and analysis, it is difficult to judge how many of the alleged emergencies may truly be located within this category; but practice wisdom suggests some room for scepticism on the point, which is no doubt what the authors of **"Accommodating Children"** wished to have clarified.

4.51. Meantime, arranging admissions in this way tends to create problems around issues of care planning, and also makes something of a mockery of homes' Statements of Purpose and Function, all of which stress that admissions should normally occur only after full and proper consultation and consideration by all parties concerned. This aspiration is over-ridden when homes' staff, even their Managers, are directed to make beds available. The situation noted reflects that generally found and commented upon in the Support Force's Final Report to the Secretary of State.

4.52. Both Gwynedd and Clwyd had substantially moved away from placing younger children in residential care and were following national patterns of usually providing for those aged 12+. However, this is the point of departure for adolescence, frequently turbulent and unpredictable in the most "normal" of children from the most "normal" families. In the context of the backgrounds identified during the Examination (and it is acknowledged that these are not, in

the main, atypical) the implications for planning and providing adequately in the residential care sector are obvious.

Staffing

4.53. Actual staff establishment numbers seem to be adequate and to conform to the basic rubric proposed in paragraphs 198 and 199 of the Audit Commission's Study "**Seen But Not Heard**". Arguably, however, given the extent and range of young people's personal problems, these basic levels ought to be higher (again, this point is supported by the Audit Commission's comments). Certainly, the staff appeared to experience high levels of stress and there were various reports of staff absences due, amongst other things, to stress-related illness.

4.54. On the occasions when resident young people were seen, the relationships between them and the care staff on duty at the time seemed generally appropriate and relaxed. There was evidence that re-enforcement of the non-smoking policies was needed in some establishments and particularly that staff try to discourage by personal example.

4.56. Several staff referred to feelings of defensiveness or embarrassment when acknowledging their employment with children's residential services in Clwyd or Gwynedd. Some of the men, particularly, referred to awkwardness, or shame, because of what had happened. There was little sense that the impact of events had been talked through with staff in either department.

Care planning

4.57. The term "care planning" is used with imprecision and no real consistency. It can mean what might be termed "proper" care planning as was evidenced in only one children's home case file, when, pre-admission, full and formal consideration is given to issues such as those contained in Children Act Guidance and Regulations, Volume 3 (para 2.62). It can also mean something more akin to a review and, particularly, post-review, to the drawing up of an action plan. The term is also used to describe what staff in children's homes themselves prepare as a plan for their work with a particular child or young person.

4.58. In the first and most formal sense of the term, there is an absence of care planning which probably, at least in part, derives from the situation described in paragraph 4.50, referring to the numbers of emergency and unplanned admissions. This is again consistent with findings in a large sample of local authorities referred to in the Final Report of the Support Force for Children's Residential Care. This situation obviously causes some frustration for residential care staff. It may also seriously jeopardise services for young people when incomplete understanding creates difficulties in the attempt to match service provision with personal need.

4.59. Although residential staff themselves generally accept that fieldwork colleagues are working under pressures, which make it difficult either to plan admissions or to provide required documentation swiftly afterwards, the validity of this perception awaits a consistent and rigorous analysis such as was called for in the SSIW Report, referred to in paragraph 4.50.

4.60. As an exception to this particular finding, however, the homes in Clwyd providing packages of care and support for children and young people with disability were able to confirm high levels of pre-admission care planning, involving parents, other family members if appropriate, unit staff, field social workers and health care representatives.

Reviews

4.61. Staff in the Gwynedd homes were clear that reviews would be held within a month following admission, then after three months. Any longer periods of residency would be reviewed at six monthly intervals. This system seemed to be working at the time of the examination.

4.62. In Clwyd, staff seemed to be aware of the requirements of the Regulations concerning reviews. Not all managers were agreed as to the timing of these, however, particularly the first review. Further, the frequency of subsequent reviews was not always adhered to. Responses from the units caring for children with disability revealed some inconsistency and uncertainty, for example, about the method of conducting reviews and their application to children provided with respite care.

4.63. In all establishments, it was possible to discern policies and practices supportive of the principle of participation in reviews by young people themselves, their parents and family members.

Knowledge of complaints procedures

4.64. Residential child care staff we saw were mindful of the need to ensure that children and young people, or their representatives, were supported in making any complaints.

4.65. In all establishments, private access to a telephone was available, and addresses and telephone numbers of Helplines were usually clearly displayed.

4.66. On admission, children and young people in both former authorities were presented with handbooks, some of which were imaginative and user-friendly, in which written information about representations and complaints was included. Key workers for individual children were also said to be important in raising matters on their behalf. In Gwynedd, cards with named people within the department were given to all those entering residential care so that if they wished to raise matters outside the particular establishment, they would know whom to contact.

Sanctions

4.67. Discussion about this issue took place in the light of the requirements of the Children's Homes Regulations 1991 and the Government circular on permissible forms of control. Managers suggested systems which rely basically on the notion of creating good staff relationships with young people as the main means of maintaining safety and order. When events started to escalate, as inevitably they do from time to time in children's homes, most staff preferred to use means of prevention or diversion, e.g. knowing that tempers are becoming frayed, they would step in to defuse the situation. As one manager explained, these measures of deflection relied upon knowing what was most likely to work with a particular young person. Therefore, staff needed to possess good levels of personal understanding. If these measures are unsuccessful, the most common forms of sanction involved adjustment of pocket money, or the with-holding of treats such as outings or (most popular) restricting use of portable television in own rooms. The verbal accounts were borne out in subsequent examination of the written sanctions book records. Incidents associated, for example, with aggressive or disruptive behaviour were the subject of a separate written report.

4.68. With children and young people for whom verbal communication and physical diversion was more problematic, staff, on occasions, used physical “holding” in order to calm or restrain the child. It was also pointed out that effective liaison with parents or with school staff was important, bearing in mind that matters of control and behaviour might form part of a wider programme of educational development.

Documentation

4.69. In each establishment visited, the plan was to examine routine documents such as statements of purposes, the daily logs, rota documentation and diet sheets. Additionally, permission to read one personal file, chosen at random, was sought.

4.70. In Gwynedd, the homes’ files seen were generally of a satisfactory standard though some room for improvement was noted, e.g. a training folder was haphazard, and a parental request for a child to be accommodated was written on a page from a note-book, signed but undated.

4.71. In Clwyd, the average standard of documentation was acceptable, improved as a result of Inspection Unit visits and recommendations. Two seemed to be especially strong in this area. The others were more variable. For example, one home had a lot of material which was recorded, suggesting that work was being put in, but it was muddled and unstructured. In another, there seemed to be an inordinate amount of repetitive material relating to the children currently in residence.

4.72. Some especially positive items were noted. In Clwyd, particular efforts had been made to provide a standardised daily log, drawn up in consultation with homes’ managers, which seemed generally to be in use, and regarded as effective. One child’s personal file contained a helpful and quite vivid pen-picture – not the norm, but a useful and easy to develop feature. Statements of purpose were in existence, though several were in the process of being redrawn as the functions of units developed. The use made of them was sometimes rather bureaucratic for example, in forming part of the initial documentation given to new residents. Whilst right that they should have access to the information, a brief digest would have been more appropriate in this context.

4.73. Despite efforts made to introduce a more orderly and standardised system of maintenance of children’s files, these were not always easy to follow. Clear initial statements regarding the reasons and the legal bases for admissions were not always available or easy to locate and very little (if anything) in the way of a social history was included. Issues relating to care planning have been discussed separately. Some of the problematic elements were susceptible to easy remedy, for example, planning notes or file entries should be dated.

4.74. Written information about particular homes was available for all children and young people entering the various establishments, and some of it was very good and “user-friendly”. Other such documents were at times over-formal and jargonistic, but at least they existed and would be relatively easy to improve upon.

4.75. Menu records were not always up to date, and the pervading impression was that this particular aspect of record-keeping was not regarded of particular importance. The increasing, and generally welcome trend, seemed to be towards resident participation and maximum flexibility of choice and as a result it could become more difficult to plan meals far in advance. But a more orderly approach

could have been made and some actual dietary improvements introduced. For example, that fresh fruit and a variety of vegetables were regularly included.

4.76. In summary, the overall standard of documentation available conformed to the requirements of the regulations.

Professional contacts and collaboration

4.77. Generally good contacts and relationships were reported between residential and fieldwork staff. On schools, the picture is mixed with some staff in homes reporting good contacts, usually with colleges or with regard to special needs children and young people. They expressed some serious concerns, however, with regard to some mainstream schools with experience of exclusions of young people, which were not compensated for, either educationally or socially, by the home tuition provided.

4.78. Given the particular issues presented by the young people being looked after, there is a predictable need for specialist, psychiatric and psychological services to be available, if not directly to them, then as a support for the staff. Services were not easily accessible, with referrals of individual young people taking about six to eight weeks to process. Routine consultation was not generally available for staff except in one home where staff benefitted from contact with a child psychiatrist involved in working with the children.

Protecting children

4.79. Most if not all residential staff had undertaken some form of in-service training. Individual discussions with managers and with care staff were indicative of appropriate levels of awareness and concern. People knew about formal departmental procedures and how to activate these if concerns arose. Some staff raised questions associated with their own position vis-a-vis possible complaints or allegations made against them. More guidance from management could have been helpful, for instance, to assist staff who were expressing doubts as to how far they should go in establishing physical contact (either to comfort or restrain) in the light of the circular on permissible forms of control.

4.80. This is, however, a highly complex area, where as we show below, gaps in the system continued to exist, and will not be susceptible to solutions such as brief in-service training, and the provision of ACPC Manuals. Close and effective management involvement is a recognised major preventive element with personal supervision being of the essence. From our interviews with staff we concluded that supervision was essentially patchy with the managers of the homes own contacts with their line managers being substantially procedural in nature, and individual supervision within homes remaining variable as to quality and frequency.

4.81. Staff recruitment and appointment procedures have undoubtedly been tightened up, with plentiful references to "Warner" interviews. Relief or "pool" staff are still used to cover staff absences and vacancies and whilst being difficult to quantify, the impression gained was they continue to form a significant part of the workforce. It is essential that such employees go through the rigorous interview procedures normally applied.

4.82. Despite heightened awareness and training, some of the staff were quite sceptical about the practical implementation and departmental responses on some matters which they considered left them potentially vulnerable. For example, anxieties were raised about the consequences of a proposed new staffing ratio in

one case and having to wait too long for a response to concerns about a child protection matter in another case.

4.83. In general terms, we did not discover within the residential service any indications of malpractice. There was, on the contrary, demonstrable evidence of both improvements within the infrastructure, and of high levels of personal commitment and endeavour amongst the staff.

Recommendations

12. Local authorities should analyse the extent and circumstances of unplanned admissions to residential care. This analysis should seek to provide a basis for reducing the level of such admissions, and the number of establishments to which they are made. Statements of purpose for establishments should accurately reflect the demands placed upon them.

13. Local authorities, in conjunction with health and education services, should ensure that children and staff in residential care have access to a range of specialist support services.

14. Local authorities should ensure that the case files on children and young people should contain separate and clearly discernible sections on reasons for admission; the care plan, background information; a pen-picture and photograph and other well-ordered and dated material which is regularly updated.

15. Local authorities should develop administrative systems and records which are properly integrated into the overall system of quality and efficient services. The understanding and maintenance of such systems should be supported by focussed training.

16. Local authorities, with the support of the SSIW, should consider establishing a North Wales forum for residential care managers to share information about good practice and consider specialist issues affecting their day to day work. The independent sector should be included in this forum.

Private Homes

4.84. Our terms of reference included the examination of procedures in residential child care homes provided by private agencies in Gwynedd and Clwyd. We examined only those homes which were subject to inspection and registration and which had provided placement for children or young people from either local authority since 1991. This resulted in visits to five privately owned residential homes, two in Gwynedd and three in Clwyd (one of which had ceased to require registration but submitted application for registration in March 1996).

4.85. The process of the fieldwork involved a half day visit to the homes, meeting with owners/managers. In three homes this involved two team members. We studied relevant procedures and manuals, reviewed all inspection reports, consolidated by discussion with inspectors, and had discussions with some of the fieldworkers who had placed children. We met with representatives of Advice Advocacy and Representation Service for Children and Young People (ASC), who had had contact with four out of the five homes.

4.86. All homes were clear as to their responsibilities under the Children Act 1989 and demonstrated practical awareness of relevant Regulations and Guidance. Staff handbooks/manuals covered the main areas of procedures and practice. However, we were concerned about the sheer size of some of these – in excess of 500 pages in two cases – and the danger of staff being overwhelmed by volume rather than encouraged by good indexing and reference points.

4.87. The issue of child protection in each of the homes was discussed during and was given considerable coverage in Inspection reports. We were generally satisfied that there was sound engagement with the relevant local child protection procedures and a positive relationship with the local fieldwork team to which each would make referral under these procedures. This was confirmed in discussion with the field social work managers.

4.88. It was clear that the admission procedures in operation in each home were dependent upon the commitment of the placing authority to meet necessary standards. Each home, quite properly, put a premium upon good quality admission planning and follow up. However, all acknowledged difficulty in getting their proper expectations met. We found that it was more often the demand of the home for a care plan which produced one rather than an initiative of the placing authority. There appeared to be fewer difficulties in respect of reviews but, in some cases, the onus seemed to rest with the service provider to co-ordinate this activity and to undertake the work required.

4.89. Each of the homes had an appropriate complaints procedure in place and there was opportunity for young people to express views on the quality of care and on other matters important to them. This facility was enhanced in the homes in Clwyd by the availability of the representatives from ASC who were in regular contact with the home and the young people in it, as well as providing a telephone service. The homes appeared to provide adequate opportunity to raise issues of concern within the home and with external contacts. Consistent and explicit systems of sanctions and rewards were in place.

4.90. All the homes largely demonstrated a proper understanding of recruitment and selection procedures drawing upon guidance and the Code of Practice for the employment of residential child care workers produced by the Support Force for Children's Residential Care. It was not possible to assess the level of induction for new staff nor to quantify the volume and quality of supervision. All voiced a high commitment to these aspects of management and these were areas covered by inspection and reported upon. Staff recruitment, selection and vetting appeared to be less comprehensively assessed by inspectors.

4.91. One aspect of recruitment which did cause us concern was the practice which was described to us as "trial periods for staff during the process of selection". As this could involve direct contact with children before all checks had been made, we considered that such arrangements could result in vulnerable children and young people being put at risk if there were substantial opportunities for unsupervised access to them. We urge employers and managers to be mindful of the advice contained in the Support Force Code of Practice about the use of visits to children's homes in the formal selection process and about remaining alert at all times to clues which may indicate sexual or other inappropriate attitudes towards children.

4.92. We consider that the regimes and the treatment programmes in all the homes require careful scrutiny by inspectors and by placing authorities particularly

in situations where young people are cared for away from the residential setting. Arrangements for the supervision of staff who are spending time with and caring for such young people away from the main residential centre need to be particularly robust.

4.93. The managers of all the private homes we visited expressed concern about the quality of inspection they will experience in future. The specialist capacity within the two Inspection Units was available and appeared to cope with the volume of demand for service in the former counties. It was unclear at the time of our examination what the arrangements in the new authorities would be and whether consistency of inspection personnel and specialist capacity would be sustained. A further complication will arise in respect of one home which is developing small residential units on a number of sites in different authorities. The registration status of each of these units and the responsibility of one or more inspection and registration authorities remain unclear.

4.94. Other issues related to inspection are dealt with in that section of our report.

Recommendations

17. Independent sector homes should continue to press for quality care plans for children at the time of admission and for continuing commitment to reviews as an explicit part of the placement contract.

18. The Welsh Office should clarify the status of registration of independent residential homes for children with facilities in more than one local authority. This should address both registration and inspection requirements and, where appropriate, lead authority arrangements.

19. The unitary authorities should clarify their inspection arrangements for residential homes for children within their area and advise the homes accordingly as a matter of urgency.

20. Local Authority Inspection Units should:

(a) seek clarity from independent providers on their treatment programmes and all aspects of the supervision of young people and include comment upon them in their formal reports;

(b) examine in detail the process of recruitment and selection of staff in independent homes and report accordingly.

Foster care services

4.95. In both Clwyd and Gwynedd, there were significant reductions in the proportion of children in residential care and a consequent rise in those placed with foster carers. In Clwyd in 1991/92, 26% of children looked after were in residential care. This had declined by 1993 to 8% and in 1996 to 4%. In Gwynedd, there has been a less dramatic fall from 16% in 1991 to a figure of 8% in 1996. Both counties make considerably less use of residential care, and have a higher proportion of children placed with foster carers than other authorities in England or Wales.

4.96. On 31st March 1995, 77.6% of Clwyd's looked after children were in foster care. 75% of Gwynedd's children were so placed. There are, however, marked contrasts between the two authorities in relation both to the organisation of foster care services and the resource base of such provision. In 1995, Clwyd had access to 300 foster carers and Gwynedd to 170. In both cases, carers providing placement for children with disabilities are included.

Support to foster carers

4.97. In Clwyd, each division had a specialist family placement team. There were also locally based family support workers who supported respite care foster carers for children with disabilities, recruited and funded under the All Wales Strategy. The development of this specialist service, and the scale of specialist support provision, has been a marked characteristic of the last few years and was a necessary component of Clwyd's rapid reduction in its use of residential care. This service is in place in the new unitary authorities, including Conwy.

4.98. In Gwynedd, the recruitment and support of foster carers was predominantly carried out by the Fostering Unit at Cartref Bontnewydd, a voluntary organisation which also owns the residential care facility of the same name. This unit consists of a manager and three family placement workers, one of whom was seconded by Gwynedd County Council. Although technically (and according to procedure) some home study work was undertaken by field social workers in the areas, this practice had almost completely atrophied and effectively the whole foster care service in Gwynedd was managed and supported by Cartref Bontnewydd.

4.99. This relatively small unit was responsible for the support of 170 foster carers spread over a particularly wide and, at times, relatively inaccessible area and for all recruitment and reviewing activity. It is a remarkable achievement of this unit, and in particular a tribute to the skill and dedication of its staff in recent years, that fostering in Gwynedd had provided for the needs of nearly all its looked after children and for the most part to an acceptable standard. At the time of the implementation of the Children Act 1989, it was argued that additional resources were required in this area of service and the establishment of a post of family placement officer in each of the five areas was proposed. No such development was resourced.

4.100. Following the conviction in 1993 of a Gwynedd foster carer and his son for physical abuse of a foster child in the 1980's, Gwynedd County Council established an independent inquiry under the chairmanship of Ron Walton the findings and recommendations, along with the response of the Director of Social Services, were adopted by the Social Services Committee in July 1995, after earlier consideration by the Children's Sub-Committee. Among the issues raised was the need to strengthen the support for foster carers, possibly with additional area-based social work posts linked with the Fostering Unit.

4.101. Although the development of the unitary authorities has removed the majority of carers in Conwy from the responsibility of the Cartref Bontnewydd Unit, we believe that support systems for foster carers remain significantly under-resourced.

Range of carers

4.102. While much is made of the proportionate increase in foster care over the last decade in England and Wales, there has been no overall increase in the number

of carers. It is apparent, however, that in both Gwynedd and Clwyd, there had been a real increase and that, effectively, family placement was the placement not only of choice, but in practice, in nearly all cases. Almost all young people in residential care had had a series of earlier placements including, in many cases, several in foster care.

4.103. It is therefore important to recognise that the use of foster care to a high level can hide considerable turbulence within the system that can adversely impact upon the lives of individual children and young people. It is not the **fact** of family placement, but the **quality** of that experience that is the key issue. All field social workers with whom we discussed this raised the problem of finding appropriate placements to meet the needs of individual children. They did not dispute that placements could be found, but instead took issue on occasions with their suitability either in terms of matching or geography.

4.104. Much attention in recent years has been directed at the phenomenon of unplanned admissions to residential care (e.g. **Accommodating Children and Support Force for Children's Residential Care Publications** – References, Appendix V). Far less has been said about such admissions to foster care. Our fieldwork, in examining files, brought this problem sharply into relief. In one case in Gwynedd, a young woman was admitted to residential care only after she had exhausted all four foster care placements in her area.

4.105. Local authorities should pay particular attention to auditing foster care placement patterns (including disruptions) as part of their analysis of need and service planning. In so doing, they should be mindful of the comments made by Cliffe and Berridge in their study "**Closing Children's Homes: An End to Residential Child Care**" which examined Warwickshire's experience of closing all its residential facilities:

"Senior managers...frequently assert...that every child has a right to a family life. We would take issue with this in part, not because we want to deprive children of loving homes, but because we believe the statement is rather a simplistic one. It is not easy for Social Services Departments to provide older children, in particular, with stable, rewarding substitute family experiences. A rapid succession of foster placements, which are either planned to be short-term or which break down, are not, to us, synonymous with family life".

4.106. We are not asserting that the majority of children are misplaced, but are questioning commonly held assumptions about the virtues of an idealistic vision of foster care that cannot be matched by reality.

Home studies

4.107. A number of foster care files were examined in each authority (see Appendix IV for details). What was clear was that practice had been improving over time and home studies, for example, had in recent years grappled more comprehensively with the demands that were likely to be placed on carers. In both Gwynedd and Clwyd, there were clear and helpful procedural manuals to assist family placement workers. In both authorities there was evidence that the systems for the approval and review of foster carers were appropriate and gave considerable priority to the role of Fostering Panels.

4.108. In those files we examined, however, we recognised a widening gulf between the practices employed in the recruitment and selection of workers for

residential establishments and those in operation for foster care. As we have commented, only a small proportion of children looked after are now to be found in residential care. That children can be vulnerable in foster care is unarguable. We believe the time is ripe to review the whole process of the recruitment and selection of foster carers.

Reviews

4.109. In both authorities, annual review systems for foster carers were established in line with legislation. While there were occasional examples of non-compliance, it was clear that most carers were being appropriately reviewed and that the proportion was increasing on an annual basis as the requirements of the Children Act 1989 were taking hold. Carers were frequently having to take placements of children outside their registration categories. This is not a problem unique to North Wales, but it does underline the need for better strategic planning which addresses comprehensively the varied accommodation needs of children looked after.

Recommendations

21. Consideration should be given by the Welsh Office, in conjunction with the Department of Health, to establishing a review of the recruitment, selection and support of foster carers.

22. The Welsh Office should undertake an inspection of foster care services in the new unitary authorities of Gwynedd and Ynys Mon, in particular focussing upon the adequacy of resources allocated to support foster carers.

CHAPTER 5

MANAGEMENT

Role of senior management and elected members

Senior managers

5.1. We consider that within each social services senior management team, with line accountability to the Director, there should be one designated senior manager to lead on policy and all issues in respect of children's services. In our analysis of the senior management structures, we looked for clarity of purpose, delegation and accountabilities. We also wished to assess effectiveness of communication and means of monitoring policy and procedures.

Clwyd

5.2. A re-organisation in October 1990 established three operational divisions, structured on a geographical basis, with devolved budgets and decision-making. The expressed aim was to facilitate the development of local needs led services. The three divisional directors were members of the senior management team, chaired by the Director of Social Services. The other senior managers reporting to the Director and members of the team were the Assistant Director (strategic planning) and the Assistant Director (operational support and inspection). The chair of the Social Services Committee attended meetings of the management team and occasionally the vice-chair. This could have carried with it an unhelpful blurring of the roles of elected members and officers. We say more about this in the next section.

5.3. As has been suggested earlier, the degree of delegation arising from the restructuring in 1990 created a tension between departmental and divisional responses to policy and practice requirements, whether externally imposed or internally driven. It was not clear who had lead responsibility for children in the department. Like the District Auditor, we found no evidence that the initiatives proposed in response to the Assistant Director's report to the senior management team in February 1994, identifying the problems of lack of coherence and tensions between the centre and divisions, had been followed through sufficiently. It seems likely that the anticipated changes through local government reorganisation halted progress on this matter.

5.4. There was clarity at divisional level, with children and family service managers leading and supporting the strategic direction locally. However, we were advised of an unhelpful tension with the role of the development officers for children located at the centre.

5.5. We found divisional variations in the response to requests for information and in their contribution to central policy development or monitoring. It was clear from evidence provided to us that it was considered that fieldwork staff had an element of choice in the degree to which some departmental policy had to be applied. For example, when the Leaving Care Strategy was launched, no implementation plan was issued. We found considerable variation in the working knowledge of this strategy and in its application across divisions and local teams.

5.6. Inspection reports on residential provision were submitted to the Assistant Director (operational support and inspection) and to a Children's Homes Panel. This was reported by some senior managers to be a centrally driven process and not a support for quality provision. Similar views were expressed about the complaints process, again revealing tensions between local and central responsibilities and perceptions.

Gwynedd

5.7. The departmental structure attempted to align specific client group interests with four assistant directors, each of whom was responsible for resources and service development alongside the five area managers responsible for locally based fieldwork services. All these postholders together with others responsible for training, out of hours team and support services, reported to the Deputy Director giving him a span of control of twelve.

5.8. From our discussions there was evident tension between the assessment function carried out in the areas and the resource allocation and development functions located in headquarters. Whilst it was clear that the Assistant Director (children's services) held responsibility for policy and procedures in this area, there was confusion reported around accountability for practice. For example, some team leaders reported to us that they were unsure whether they were responsible to their Area Manager or the Assistant Director in matters relating to children and where the boundaries of executive responsibility lay. Some fieldworkers made contact directly with the Assistant Director and he with them on individual cases. Principal officers for children's services appeared to be marginalised in the policy implementation process.

5.9. There was no identified cross-departmental forum for validation and promotion of good practice nor for the assessment of changing needs. This gap between fieldwork and other service provision was particularly evident in relation to policy and practice in residential care. The relationship between area managers and principal officers appeared to be based upon perceptions of personal credibility and on previous experience of level of usefulness.

5.10. The line management responsibility for the two local authority residential homes was clear. This meant that there was clarity of accountability for responding to recommendations contained in inspection reports. The complaints process managed by the Principal Officer of the Inspection Unit, with a clear line relationship with the Director, was seen as a self-contained process rather than an aid to improving the quality of services.

Elected Members

5.11. **“The nature of the local authority's responsibilities as parent makes it desirable that elected members retain personal oversight of the way in which they are discharged”.** (Utting Report: Children in the Public Care, 1991)

5.12. Visiting children's homes is one of the ways this oversight is exercised. The legal basis for visiting is Regulation 22 of the Children's Homes Regulations 1991. **“The local authority who maintains a maintained home shall cause the home to be visited once a month and report to them in writing upon the conduct of the homes”.** It is not a legal requirement that visits are done by elected members, but it is generally considered to be desirable.

5.13. Visits by managers and other officers are essential too, not necessarily to fulfil Regulation 22, but to perform their functions as external line managers, or as social workers for the children, inspectors and, in some cases, independent visitors. If Regulation 22 monthly visits and reports are not carried out by members, they should be done by officers and the local authority should ensure that this happens. All visits should have a proper purpose, be planned and child-focused, remembering that children's homes are primarily homes.

5.14. Advice regarding visits is contained in the Warner Report "**Choosing with Care**" (1992), and a **Children in our Care** handbook for members visiting children's homes. (See References, Appendix V).

5.15. In Gwynedd, there were records of members visiting homes. Overall, those recorded took place considerably less frequently than monthly and there were few written reports. There was, however, evidence of informal visits. Sometimes, matters arising in the course of these visits were raised at the Children Sub-Committee.

5.16. In Clwyd, the records in the children's homes showed that they were visited by members. We were told that in recent years just under half of the 33 members of the Social Services Committee elected to be on the rota of visiting members. Arrangements were reviewed from time to time to make them more efficient and effective. There was a special form for reports. There was said to be a question in the mind of some elected members as to the effectiveness of such visits by themselves as "amateurs". Visiting homes for which they have a corporate responsibility and completing a report carries a responsibility for which people, whether members or officers, need to be trained. The provision of information, discussion beforehand and a clear appreciation of the role and purpose of the visit will contribute to the positive benefit of helping to ensure that children and young people are well looked after. Information gathered at each visit should be passed, in writing, to a senior manager as well as to the manager of the home. The interest that elected members take in children's homes should not lead to inappropriate involvement in day to day matters affecting the children and the management of the service.

5.17. The tasks which properly fall to members are set out in paragraph 6.35 of the Warner Report and whilst the report is about children's homes, the tasks, set out below, apply just as well to other children's services. They could assist in clarifying the roles of members and officers generally in relation to children's services.

- **“agreeing the strategic aims of residential child care, by making decisions on what is required of the sector, and its place within the strategy of the organisation;**
- **approving the statement of purpose and objectives to individual homes, and reviewing and modifying them as necessary;**
- **securing and allocating the necessary resources to do the job they have approved;**
- **monitoring performance, by obtaining information about the performance of individual homes and taking remedial action where necessary through their managers.”**

Recommendations

23. Local authorities should introduce a monitoring system which ensures that matters of policy which require follow-up action and progress reports back to Committee are acted upon.

24. Directors of Social Services in the new unitary authorities should examine their senior management team membership to ensure that there is one designated person with overall policy and service responsibility for children's services.

25. Local Authorities should review the effectiveness of their arrangement for members to visit children's homes, and also their policy on visits by external line managers to ensure that they are a positive part of the system for looking after children well.

Personnel procedures

5.18. To be fully effective, child protection arrangements require good general management and personnel practices as well as sound child care procedures and high quality practice. Whilst it is not possible to eliminate all risk that children will be subject to abuse, employer and management action can help to minimise that risk.

5.19. This section draws on a number of standard setting reports and guides for good practice concerning social services employment and personnel policies and practices. (See References – Appendix V). It also takes account of numerous independent reports and inquiries undertaken on behalf of local authorities in England and Wales, including Clwyd and Gwynedd. These reports have made recommendations about management and employment related practices during the course of their inquiries into child abuse.

5.20. No director of social services nor head of an independent child care agency can have been left in any doubt in the past five years that the changes and improvements needed in these areas have required their personal and sustained attention, together with that of elected members and all senior managers. Our examination has confirmed that it has been difficult for them to remain focussed on managing child care, whilst also dealing with the community care changes and budget problems. Despite the difficulties, it must be the responsibility of senior management to keep a proper balance between all the demands. Their practice, like that of middle managers, social workers and other child care staff, needs direction, support, encouragement and oversight.

5.21. Some of the external direction, support and encouragement has come from the work of recent national inquiries which have produced specific recommendations for action, leaving little room for speculation or interpretation as to what needs to be done. In 1992, the Warner Report "**Choosing with Care**" proposed in detail thorough and vigorous selection procedures for the staffing of children's homes. The recommendations were accepted by the Government and both the Welsh Office and the Department of Health issued circulars to local authorities in England and Wales, requiring action. In 1995, the **Support Force for Children's Residential Care** produced a **Code of Practice** for the employment of residential child care workers. This provides a checklist of information and action.

5.22. In 1992, the Howe Report “**The Quality of Care**” was concerned with staff in adult residential care homes as well as those working in children’s homes. The main thrust of the recommendations concerning staffing and management were in line with the Warner Report. In addition to these Social Services specific reports, there are the recognised standards of good personnel and human resources practice produced by, for example, ACAS, the local Government Management Board and the professional associations.

5.23. We have not found that much, if any, additional written guidance is needed. It is necessary, however, for everyone in positions of responsibility to ensure that all the available guidance is used effectively, not only in the preparation of local procedures and guidelines, but also in using and implementing them.

5.24. There is evidence from the inquiries into particular local events in England and Wales that management and personnel practices have needed strengthening and recommendations have been made to the local authorities concerned, for example, in the reports on Cleveland, Ty Mawr, Staffordshire Pindown. The lessons learned from these and other inquiries have been shared publicly and do not need repeating here.

5.25. Taken together, all these reports should have produced action to put in place in Gwynedd and Clwyd a coherent set of personnel policies and procedures, geared specifically to social services and to child care. This happened to a certain extent, but the lack of codification left the impression of a fragmented approach. We do not consider that procedures can give the answer to everything. They are not, in themselves, a mark of good practice and voluminous procedures can be counter-productive. To be effective, written procedures and guidelines must be a part, albeit an essential part, of a framework of action to enable managers to manage well. Another part concerns the practical skills of managers, their ability to exercise judgement, be sensible, decisive and pro-active.

5.26. There is evidence that managers in both Gwynedd and Clwyd were alert to the need to improve personnel and employment practices. Also, attention was given to management development and training. They set out to do better and succeeded in some key respects. There is also evidence from our interviews of unfinished business, sometimes caused by other priorities that diverted attention from child care tasks. Local government reorganisation has dominated the senior management agendas since 1994, with budget problems and community care also taking a large share of attention since 1991.

Performance and capability of staff

5.27. In the context of the findings of previous national and local inquiries, the issue of the performance and capability of staff is of crucial importance and in particular the way in which employers and managers deal with any problems of performance. Linked with this is the essential part that training plays in preparing staff for their role, developing them in it and assisting them to resolve any difficulties. A formal capability policy and procedure is an essential part of the overall management arrangements. Capability is defined in the Employment Protection Consolidation Act 1978 as the ability of a member of staff to perform required work to an acceptable standard by reference to skill, aptitude, health or any other physical or mental quality.

5.28. Gwynedd County Council had an “**Incapability Policy/Procedure**”. Clwyd had not formally adopted a capability policy by the time the authority

ceased to exist on 31st March 1996. There had been the intention to produce one for some years and preparatory work was undertaken. Other work, including, we were told, local government reorganisation, then overtook it. We found that the successor authorities were picking up the issue.

5.29. In 1991, John Banham undertook an independent management review of Clwyd Social Services for the Area Child Protection Committee, into events at and around Cartrefle, a children's home where children were victims of sexual abuse. He recommended, amongst other things, that Clwyd should introduce a capability policy. A proposal to follow up this recommendation, in conjunction with the County Personnel Department, was included in an action plan drawn up by the Director of Social Services and submitted to an independent panel set up by the Area Child Protection Committee in 1990. The fact that this corporate work on a capability policy and procedure was never completed suggests that the momentum was lost and the matter was not given the attention it deserved even though its importance was boosted by the Cartrefle Panel of Inquiry.

Recruiting, selecting and appointing staff

5.30. The general approach of the six unitary authorities initially has been to adopt the personnel policies and procedures of their predecessors with the intention of reviewing them. They have embarked on these reviews and are seizing the opportunity of updating them or making early changes to reflect local circumstances. As shadow authorities they have had to make decisions about the selection procedures for new staff appointments (bearing in mind the requirements of the Staff Commission) and the schemes of delegation for appointing staff. The local schemes of delegation vary one from another, as did those of Gwynedd and Clwyd County Councils. The details of the recruitment and selection procedures and processes also vary within the overall framework of generally accepted local authority practice. For example, Councillors and Committees are involved in making appointments to posts ranging from a relatively low grade in one authority to a much higher grade in another. Clearly decisions about delegated powers will always be subject to local needs and preferences, but there is now sufficient experience and knowledge about what constitutes basic good practice in making appointments, especially to residential child care posts, to warrant each new authority giving careful attention to this matter at a very early stage, and certainly within six months.

5.31. Whatever the level of delegation, there are good practice issues which apply, whether decisions about appointments to individual posts are made by elected members or by managers. The process generally, and in relation to each post, must be effective and competent, requiring investment in terms of preparation and training for all involved, both members and managers.

5.32. The most detailed national standards and guidance concerns employment practice exists in relation to residential child care posts. They are contained in the Warner Report "**Choosing with Care**" and in the "**Code of Practice for the Employment of Residential Child Care Workers**" produced by the Support Force for Children's Residential Care. (References, Appendix V). Much of this concerns basic good management and personnel practice. Staff selection is a core skill of managers. Managers need to acquire this core skill through training, experience and updating. It is not a requisite core skill of Councillors, but appropriate training is needed if they are involved in selecting staff.

5.33. The involvement of councillors in staff appointments should be considered carefully, taking into account:

- the proper distinction between the role of members and managers. Members should not be involved in day to day management;
- good recruitment, selection and employment practices. These should apply to both members and managers;
- the need to develop and sustain policies and standards and monitor their implementation. Members set strategic goals and hold managers to account.

5.34. In addition to residential child care appointments, where the procedures and practice were generally thorough, there was some evidence that more careful attention was being given operationally in both Gwynedd and Clwyd, to other child care and middle manager appointments. There was a framework of County Council wide policies and procedures within which Social Services operated, with the addition of their own specific practices. Their scope included job descriptions, person specifications, vacancy control, application forms, selection techniques, shortlisting, interviews, references, vetting (police and government checks for appropriate posts), temporary and sessional staff, internal promotions, conditions of service, contracts of employment and redeployments. In neither Social Services Department could all the relevant procedures be found together or indexed. It would be useful for Social Services managers in the new unitary authorities to have a procedure manual for ease of reference and to assist good practice. It would also clarify the extent and limits of delegations and discretion in relation to deciding who to appoint and the process to be followed from beginning to end.

5.35. Training for managers is required in understanding and using procedures and in selection techniques. We found some, but not general, use of written exercises and some use of psychometric tests. In Gwynedd some tests were used since 1994 for appointments in children's homes and in two divisions in Clwyd for other posts. A clear lead is needed for managers in future as to the appropriate use of these tests for specified posts in social services.

5.36. The speaking of Welsh is an important issue in all the authorities. It was an essential requirement for staff in direct contact with the public to speak Welsh in the former Gwynedd County Council and now in Ynys Mon and the new Gwynedd Council. Conwy has a clear policy and objective about the desirability of having Welsh speaking staff. The authority is now having to manage the integration of staff from the two different cultures of the former Gwynedd and Clwyd County Councils. In Clwyd there were fewer Welsh speakers. The implications for Social Services is that, in recognising the importance of having bilingual staff, Gwynedd especially experienced a severe shortage of candidates for certain posts, especially at principal officer level. This is likely to affect the successor authorities too, and steps need to be taken to address the problem.

5.37. People will be attracted to work for the new authorities if they provide good quality services and management, offer opportunities for innovative practice and good support for personal development. Exposure to new ideas, collaboration and joint arrangements with other local authorities and agencies could also be helpful, including secondments and exchange staff. Positive action to develop and retain existing staff as well as attract interest from outside should be a high priority.

5.38. Supplementing internal capacity and skills through the use of external consultants can be helpful as long as the specification for the work is clear and the quality of work of consultants can be assured.

Sessional, temporary and relief staff

5.39. Sessional staff were used quite extensively in Clwyd for juvenile justice and family support work. The selection procedure was the same as for other fieldwork posts and the basics were in place as evidenced from a small random selection of files. The procedure for the employment of temporary or relief staff in children's homes in both Clwyd and Gwynedd had been tightened up since 1992, following the publication of the Warner Report, and conformed with essential requirements concerning written application forms, interviews, references and police and other checks. In Clwyd, the ability of the heads of children's homes to appoint casual or relief staff had been withdrawn and appointments to a pool of relief staff involved external managers. This improvement was not perceived in all the children's homes where, it was claimed, "pool" staff form a significant part of the workforce without always going through the rigorous interview procedures normally applied. This discrepancy is a matter of concern and clearly managers should be aware of the possibility that a gap may exist between policy and practice.

Police and other checks

5.40. In both Gwynedd and Clwyd procedures were well established departmentally and with the North Wales Police for the necessary checks to be made within the confines of existing national policy. We find a weakness in the present system in that existing child care staff in post before July 1986, when the present system came into being, cannot be checked. The time taken to complete the police checks was acceptable with a turn round time of between one week and three, including the checks in applicants for private homes.

5.41. In both Clwyd and Gwynedd arrangements were in place for checking the consultancy list maintained by the Department of Health. These appeared to work satisfactorily, recognising the limitations of this list because of the confusion which exists nationally about who can be placed on it. We understand that the Department of Health is presently conducting a review of the consultancy list arrangements.

References

5.42. There were clear policies in both Clwyd and Gwynedd about taking up written references before an appointment was made. A proforma, based on a specimen included in the Warner Report, was in use for applicants to posts in children's homes in Gwynedd and in one Division in Clwyd. Otherwise short, standard letters requesting references were used. We were told that previous employers were sometimes telephoned and asked to supplement information.

Redeployment

5.43. There were county wide policies and procedures and agreements with Trade Unions concerning the redeployment of staff which had a direct bearing on child care posts. In Clwyd, staff from children's homes which closed were, from 1992, only redeployed to other children's homes after an interview to assess their suitability.

Role of managers and personnel officers

5.44. We found some tension between the roles. There was clarity in both authorities that it was managers who were accountable for making appointments and carrying out key personnel policies and procedures. However, departmental personnel officers have more than a back-up and administrative role. A professional and technical personnel function is an indispensable part of managing social services. A dedicated professional post is necessary even if the personnel function is not devolved to the Social Services Department. In both Gwynedd and Clwyd County Councils there were personnel officers within Social Services. Four of the six successor authorities are following that model (Conwy, Wrexham, Flintshire, Denbighshire). Ynys Mon and Gwynedd Councils have central personnel functions, but with staff specialising in Social Services. Whatever the organisational model, personnel officers play a key role in developing, implementing, co-ordinating and monitoring the human resources, policies, procedures and practices. They need the skills and authority to perform their tasks effectively.

5.45. We found in both Clwyd and Gwynedd Social Services that personnel and human resources strategic issues were not well integrated into the management team. Personnel Officers would attend on occasions to present reports but there was a sense in which they seemed to be perceived as bringing issues of marginal importance or too much detail for a busy management team to deal with properly. A representative of management team minutes revealed that ownership of the personnel function by a management team member was not always evident from the way some of the discussions were handled and their outcomes and from the absence of some key issues on the agendas.

Performance monitoring and review

5.46. We found in both Gwynedd and Clwyd that there was a need for systematic monitoring of progress in implementing key decisions. The commitment to this should be evident in the Chief Officer and in the Committee. It should be expressed in systems which provide information to senior managers and to members and which make a reality of finding out what is happening in practice. These systems should include written reports and useful and appropriate statistics. Other means of monitoring, from discussion with users to briefings from staff and visits to service providers are also important.

5.47. Without monitoring action and outcomes, work in committees and management teams is ineffective. We found some examples of this. One example of the need for monitoring concerns the response to the Code of Practice for the Employment of Residential Child Care Workers. (See References, Appendix V). In Clwyd, the Children and Families Sub Committee resolved on 7th November 1995 to insist that the Code of Practice was applied in the Social Services Department, having considered an officer recommendation that its use be "commended". The Committee's decision was then conveyed to those with operational responsibility but, it seemed to us, in such a way as to make it possible for divisional differences in interpretation. In a case like this, where the Committee strengthened the officer's recommendation, thereby stressing the importance of the policy, consistency in its application was needed together with arrangements for monitoring the action taken.

5.48. Completing the management action in this way, and co-ordinating it with previous work on recruitment and selection procedures, commissioned from ISIS consultants, would have provided Clwyd with a more effective process for choosing and managing residential child care staff. The opportunity could also have

been taken, centrally, to decide to which other posts the policies and procedures adopted for children's homes should be applied. Generally this appeared to be left to the discretion of divisional managers.

5.49. In Gwynedd, positive action was taken at middle manager level, with personnel officer support, to apply the standards recommended by the Warner Report in relation to children's homes. We could not find evidence of engagement by senior management and by Committee in the monitoring of these standards.

Disciplinary and grievance procedures

5.51. Procedures existed in both Gwynedd and Clwyd. The successor authorities were in the process of adopting formal policies and procedures. Well-documented procedures should take account of advice contained in **Section 7.10 of the Code of Practice for the Employment of Residential Child Care Workers** (References, Appendix V) about the criteria for the suspension of staff. Staff in children's homes are especially vulnerable to allegations and the procedure needs to take account, first and foremost, of the interests of the child and also of the elements affecting managers and staff. There is also a section (7.11) about disciplinary procedures and rules and a model procedure for hearing disciplinary cases. Expert personnel advice should be available to managers at all stages. A system should be in place to provide a timetable, monitor progress and prevent any unnecessarily protracted proceedings.

5.52. The procedure known in Clwyd as the management interview needed to be properly incorporated into recognised policies covering capability, staff development, appraisal and review.

5.53. In Gwynedd and Clwyd formal complaints by staff were dealt with under the Grievance Procedure. This is common practice. In the course of our examination the issue of whistle-blowing arose. This requires continuing management attention. It concerns blowing the whistle on bad practice. Ideally questions of bad practice should be dealt with decisively by managers through supervision or in appropriate staff meetings, always ensuring that managers listen to staff. But if problems escalate and the whistle-blowing stage is reached it is essential to have guidelines to handle the matter properly. Again, attention is drawn to the Support Force Code of Practice which contains advice. There was some evidence in Gwynedd and Clwyd that managers recognised the issue. The unitary authorities should develop specific guidelines for staff.

5.54. Conducting investigations into allegations of abuse by staff is sensitive and complex, especially as a number of different procedures can be brought into play at the same time, namely:

- child protection investigation
- police investigation
- disciplinary procedure
- complaints and/or grievance procedures

These procedures constitute separate strands, all requiring assessment and investigation. The different strands and stages need co-ordinating and a co-ordinator should be identified for each case. There is now a considerable amount of practical experience in Social Services Departments in dealing with all the

elements involved. It would be helpful if information were shared about the procedural aspects of dealing with allegations of abuse.

Staff supervision

5.55. There were supervision policies in both Gwynedd and Clwyd. In practice they were directed mainly at practitioners and first line managers rather than middle managers and senior managers. They too need appropriate oversight, support and development.

5.56. The appreciation of good supervision and the part it plays in achieving good quality child care should be a priority for the new authorities. It is a means of getting work done well at all levels, though its form and intensity will vary according to the level of responsibility and the experience of the staff concerned.

5.57. Arrangements for supervision of staff within children's homes, whilst formally being the expectation, were considered by staff to be patchy and the quality variable. It was apparent in some establishments that considerable efforts were being made to adhere to an agreed pattern of regular, frequent supervision, either with the head of home, or with a nominated senior staff member. Some of this was linked to NVQ requirements. In other homes, this had slipped, with the head or manager acknowledging their need to re-instate the process. In one establishment, it was acknowledged that some care staff had not been supervised for three months.

5.58. Supervision of staff at all levels should be strictly enforced. To quote from the "**Supervision of Staff in Children's Homes**" (Support Force for Children's Residential Care), this should be a means of:

- getting work done well
- supporting staff
- developing staff

A balance must be maintained between these three elements.

Recommendations

26. The new authorities should take steps to adopt and maintain a capability policy and train managers in its use.

27. Directors of Social Services and Chief Personnel Officers in the new authorities should ensure that they have in place, within the first six months, systems and procedures to:

- (a) ensure that all appointments to residential child care posts, including sessional, temporary and relief staff, are made in accordance with the standards set out in the Warner Report;**
- (b) monitor the implementation and effectiveness of their recruitment and selection practices.**

28. Employers should provide personnel procedures manuals for social services managers.

29. Employers should review arrangements and standards of practice for appointing to social work and other posts, including managers, in children's services in the light of nationally recommended good practice for residential child care workers.

30. The Welsh Office should commission work to prepare a practice guide for local authorities on the co-ordination and compatibility of the various procedures involved in dealing with allegations of abuse of looked after children.

Staff development and training

5.59. Formal appraisal and personal development plans appeared to have a low priority in both Clwyd and Gwynedd. Schemes were started but seemed to run out of steam. Similarly, with staff induction arrangements and the monitoring of reports following completion of probationary periods, the policies and intentions were present but the persistence to make them happen consistently over time was not evident.

5.60. It would be helpful if the new authorities would make the links between induction, probation, supervision, staff development and appraisal in a positive and integrated way. This should provide staff with a positive and supportive experience and lead to better work, demonstrating the link between effective management and good child care practice. There was apparently no system in Clwyd or Gwynedd to monitor the staff development and review schemes.

5.61. A corporate commitment is helpful. The management style and approach of the Chief Executive to monitoring the performance of the chief officers sets the tone and expectation across the authority. Performance review or appraisal must be meaningful and useful to both parties. It would not be helpful if senior management were to be seen as defensive and hostile to outside interference, nor if a Chief Executive were to take little personal interest in children's services and their management. They both have a responsibility to work effectively with each other.

5.62. Directors of Social Services generally are now finding it necessary to work at the interface of other departments and authorities so that corporate and strategic attention can be given to children and relevant management issues. Their capacity and motivation to do this should be led and developed by the Chief Executive, recognising that management approaches need to adapt to today's social services. Self evidently it is about the management of change.

5.63. Management development programmes for Chief Officers need to be planned. They tend to be limited and dependent on Directors of Social Services seeking out opportunities for themselves. This is obviously acceptable up to a point, but we found some evidence of a culture which did not create planned development opportunities for senior managers. Also, in today's culture of contracting and commissioning there could be a danger that the creation of an effective environment in which good child care practice can flourish will be of only marginal importance. We consider that senior managers need to ensure that they provide an environment in which quality practice and service delivery is at the centre of their concerns. We believe that a programme to assist the development of effective managers should be supported by the Welsh Office.

5.64. There is one particular aspect of management responsibility that we wish to highlight at this stage. It concerns communication with staff. This was an issue in both Gwynedd and Clwyd. Significant numbers of staff reported a sense of isolation from management, with feelings of being unappreciated. There is a tendency for such feelings to be expressed especially in decentralised and area based structures. However, we think that managers should not be complacent about this tendency. They would benefit from reflecting on the truism that the more staff understand their managers' aims and ideas and the more they interact with each other the better chance there will be that they will operate in line with the objectives of the organisation. This is important because there is a problem when policies and procedures are not referred to by staff nor implemented. We found evidence of this in both Gwynedd and Clwyd. Sometimes they were out of date. For example, some of the guidance in personnel related matters was ten years old. Other issues arising concern a lack of clarity about the status of some documents – were they instructions or not? Confusion about this can be dangerous.

5.65. All employers need to develop the capacity of managers to achieve good child care outcomes. Therefore, the dominant values should be more concerned with developing and supporting people to provide high quality services rather than fostering a total reliance on written rules and procedures. It is the people who are most valuable.

5.66. Gwynedd and Clwyd had child care training policies and plans. The Welsh Office Training Support Programme, through a specific grant, contributed almost entirely to the ability of the two Social Services Departments to provide a variety of child care training, including child protection, residential care and foster care. The TSP also enabled management training to take place. This was supplemented by training funded as part of countywide management development programmes in both authorities.

5.67. The continuation of focussed child care and relevant management training is of great importance, in our view. The Training Support Programme should assist the Unitary Authorities to give the necessary attention and priority to training. Specialist training, jointly commissioned by neighbouring authorities, could prove to be an effective way of meeting some key training needs, for example, at post qualifying level in child protection. Reference was made by Gwynedd to the development of a post qualifying consortium across North Wales. If this idea comes to fruition and is organised effectively it could have practical benefits for the quality of child care in the six authorities and in other relevant agencies. It could be an important step in developing systems for assessing the competence of social workers, post qualification, who carry demanding and complex responsibilities. A nationally recognised award, following a post qualifying programme of training, is an important element in a national framework of measures to protect children.

5.68. We took a particular interest in training for residential child care workers because of the nature of their work and the problems in the past. The numbers of residential staff across North Wales who hold professional social work qualifications are low. This is not a situation unique to the area, but it needs to be acknowledged. Staff in this sector stand out as a group working under immense pressure and striving to build confidence in an essential service. The closure of children's homes in the last few years has resulted in a loss of qualified staff to residential care. We found considerable pessimism amongst staff there about making good this loss via the Diploma in Social Work.

5.69. In recent years, both departments have made efforts to set in train various programmes of staff development and training, both in-service and external. Some managers expressed reservations, however, and cautioned against any glib assumption that because someone had taken part in a training programme, they would invariably work to a qualitatively different level. This is felt to be a sensible reservation, given that not all existing staff have either the motivation or the ability to meet the expectations of the job which may have changed substantially from the one they were recruited to work in.

5.70. Many of the training events were inevitably a reactive response to particular identified issues: for example, bullying, or managing challenging behaviour. Some staff had participated in, or were currently completing, formal in-service study courses, some linked to Open University programmes. Others were engaged in NVQ programmes. In regard to the latter, both departments were beginning to make considerable use of these as a means of providing training for residential child care staff, but as was pointed out in the Medra Report, an independent report into staff development and training (April 1994), commissioned by Gwynedd, the actual relevance of some of this material was unclear given that the specific child care modules had not come on stream. It now seems that these NVQ modules will be in place in North Wales by summer/early autumn 1996.

5.71. Moves to establish personal training plans and profiles for residential care staff had received some attention, but this appeared to be patchy, and at an initial stage of development in both Gwynedd and Clwyd.

5.72. Given the pivotal position and significance of the legislative context, it is felt that more should be done to integrate the principles of good child care, enshrined in the Children Act 1989, with actual day-to-day work. For example, the staff we interviewed in all establishments said that they had some knowledge of the Act. Most described this as limited and introductory only. They said they were familiar with Department of Health Guidance and Regulations, including Volume 4. There were copies available for staff to refer to as and when necessary, but there was no evidence that this material was used as a basis for discussion and consideration within staff groups. Appreciation of the content of other related documentation including the helpful section on care planning contained in Volume 3 was less evident.

Recommendations

31. Local authorities, perhaps working collaboratively, should ensure that they provide specific and targeted training for residential child care staff, including child development.

32. The Welsh Office, Department of Health and CCETSW in conjunction with local authorities and professional associations should give consideration to establishing a post-qualifying programme of training, leading to a nationally recognised award for social workers who carry complex and demanding child care responsibilities.

33. Employers should give priority to management development programmes, targeted at senior managers initially, with support from the Welsh Office.

CHAPTER 6

ASSURING QUALITY CARE

6.1. All provision of services for looked after children needs to be tested against standards which are understood by children, their parents and those responsible for the services. This requires having comprehensive and comprehensible systems in place which monitor such provision and encourage the voices of young people and their parents to be heard.

6.2. We considered the role and functioning of the Inspection Units in both local authorities, meeting with the Head of Inspection and one Inspector responsible for children's residential homes in each, reading all relevant documentation and reports and testing the experience of the inspection process in each local authority and private sector home visited. We also draw upon the SSIW report "**Quality Care in Children's Homes in Wales**" (March 1995) and the "**Guidelines in Inspecting Residential Care for Children**" (SSIW January 1996).

6.3. We examined the complaints and representations procedures as they applied to looked after children in Gwynedd and Clwyd and tested the understanding and accessibility of these systems to children and their parents in discussion with them. We interviewed those responsible for the complaints procedures and studied annual reports to the Social Services Committee on these.

6.4. Clwyd Social Services Department had established contracts with voluntary organisations to progress children's rights in the authority, to provide advice and representation to looked after children and to support young people who wished to use the complaints process. We interviewed those responsible for these contracts and assessed the contribution made by this service to the realisation of effective support to children and young people in residential placement.

Inspection and registration

6.5. Both Gwynedd and Clwyd had established Inspection Units and met the requirement to inspect all children's homes provided by the local authority and the private sector. (Welsh Office Circular 7/94 January 1994). Each authority had published standards for residential child care – Gwynedd in November 1991, revised in September 1995 and Clwyd in June 1993 with a supplement in July 1994. These documents are thorough and well referenced to the Children Act 1989, Guidance, especially Volume 4, and Regulations on residential care. These both provide a basis for inspection and a consistent framework for analysis. Both local authorities had properly constituted Advisory Panels, but it was clear from what we were told that the work programmes for these bodies and their establishment had been adversely affected by the uncertainties of local government reorganisation.

6.6. It is a requirement that homes run by the local authority must be inspected to the same standards and regulations as homes in the private sector. The standards documents reflect this. However, unsurprisingly, there was a consistent view expressed by owners of the private homes that this requirement could not be met as the outcomes of the process were different for local authority homes, i.e. these homes could not be commercially damaged or even closed down by an adverse

report. We recognise that this perception does cause a difficulty in relationship as the private sector generally viewed inspection and registration as a necessary test to be successfully completed, and the local authority's homes' managers saw the process as an aid to quality services. There was some concern on the part of the private homes' owners about what they perceived to be the "political" contribution to the registration process through the role of members and committees. Some took the view that this could militate against even-handedness in judgements made in reports and could result in influence upon Inspectors. We found no evidence that this was the case. Inspections were up to date and adequate opportunity was given to those responsible for the homes to comment upon reports before final publication.

6.7. Volume of work and specialist capacity were clearly an issue for both Inspection Units. For example, in Clwyd in 1994/95 the Unit had responsibility for the registration and inspection of 266 residential establishments for adults and children of which six were independent boarding schools, two were independent sector children's homes and six were local authority children's homes. The profile of the work was similar in Gwynedd. It is difficult to sustain the priority of children's registration and inspection work and to maintain the specialist skills in the face of such demand from adult services. However, both Units met programme requirements and allocated work appropriately. The difficulty of balancing skills and priorities will be more apparent in the six unitary authorities.

6.8. Chief Executives currently have an important role to play in the performance, independence and standing of Inspection Units. They should satisfy themselves that the Advisory Committee arrangements are in place and known to all relevant interests.

6.9. We considered that the reports of the Inspection Units in Gwynedd and Clwyd were reasonably comprehensive and a reflected analytic process undertaken based on their operational standards. Both authorities could have produced material with more standardisation in format and there needed to be greater clarity between the recommendations concerning "**changes which would improve the quality of service**" and those "**changes deemed essential to be produced to comply with registration procedures**". We believe that the Department of Health SSI publication "**Standards for Residential Child Care Services**", forms a sound basis for the consistent monitoring of standards and reporting, along with specifying requirements for action and facilitating definite follow up. We understand that this report was distributed for information by the Welsh Office and we commend its content to the inspectors and managers of residential child care services in the six new unitary authorities and in the independent sector homes.

6.10. We were concerned that the quality of contact with children in the residential homes inspected varied and the degree of contact was not always recorded. Part of the development of inspection capacity in respect of looked after children must be improving the ability to engage with young people and their parents. Hearing their views on the quality of the services is an essential safeguard. Other measures of "hearing" young people, for example in explicit analysis of the notes of residents' meetings coupled with testing the quality of follow up on these should also be identified. Collaboration with voluntary organisations representing children and young people would also be helpful to the Inspectors in this regard.

6.11. In Gwynedd we were concerned that the inspection of two local authority residential units for people with disabilities did not address the fact that children

were resident. In our opinion inspection of these facilities under the Children Act and the authority's own policy guidance for children's homes was required. It was clear that the assessment and choice of placement was based upon the fact of "disability" rather than the duty to children. We take the view that children with disability should not be accommodated in adult facilities. Given that this situation existed in one local authority where there had been an SSIW inspection on the role of the Inspection Unit (March 1995), we are concerned that it may apply in other Welsh authorities. It certainly requires correction in Gwynedd.

6.12. We consider that the Inspection Units endeavoured to fulfil their aims of setting and testing standards in residential care largely to good effect. In the local authority directly provided homes they seem to be recognised as an aid to quality assurance and sometimes seen as a source of help and guidance. In Gwynedd the inspection material greatly assisted the case for more capital investment to improve the physical state of the homes.

6.13. Future arrangements for inspection, at the time of our examination, were stated to be that Ynys Mon, Gwynedd and Conwy have each set up their own inspection units, whilst Flintshire, Denbighshire and Wrexham have entered into a joint arrangement for the provision of one unit between them.

Recommendations

34. Chief Executives in the Unitary Authorities should assure themselves as to the capacity, performance and standing of inspection in respect of children's establishments in their local authority and satisfy themselves that Advisory Committees are in place.

35. The Welsh Office should arrange joint seminars for Chief Executives and Director of Social Services of the unitary authorities to promote awareness and understanding of their respective responsibilities in relation to inspection and to share information about good practice.

36. Inspectors and managers of residential child care services should draw upon the Social Services Inspectorate's handbook "Standards for Residential Child Care Services" (1994) as a basis for setting and monitoring the quality of services.

37. The new unitary authority of Gwynedd should review facilities for children with disabilities in adult residential establishments and inspect them in accordance with the standards required for children's residential care.

38. Each local authority should check whether children with disabilities are accommodated in adult residential provision on a permanent or respite basis and, if so, arrange an inspection according to standards for children's residential care. The Welsh Office should seek reports on the outcome of this from Directors of Social Services along with their plans to develop appropriate facilities.

39. The Welsh Office should give urgent consideration to increasing the SSIW's inspection capacity.

Complaints

6.14. We considered the manner in which service users were aided and encouraged to raise complaints informally and formally. We were also interested to assess the degree to which the views of young people and their parents were heard and to test out the accessibility of the complaints system.

6.15. From October 1991 local authorities were required to introduce complaints procedures under Section 26(3) and Schedules 6 and 7 of the Children Act 1989. Both Gwynedd and Clwyd had established Children's Representation and Complaints Procedures and both expressed these in the context of wishing **"to create an atmosphere of partnership with children and parents to contribute to the protection of the rights of children in need"**. (Gwynedd Departmental Manual 1.7.33.1.4). Reports had been presented to the Social Services Committee – two in Clwyd and four in Gwynedd by February 1995 – detailing the number and type of complaints at each stage in the procedure and advising of changes in the procedure. Both sets of procedures were properly implemented and met required standards, for example, in the use of independent persons and definition of timescales and appeal processes.

6.16. In Gwynedd, the management of representation and complaints was the responsibility of the Head of the Inspection Unit. Local information leaflets and contact cards had been produced by the Unit for children and young people in departmental residential homes and the children's awareness of them was apparent. It was clear, however, that the pressures upon the Inspection Unit meant that no time could be allocated to the wider promotion and development of complaints procedures, nor could there be investment in staff training in this area.

6.17. In Clwyd, a Complaints Reviewing Officer was appointed by secondment in November 1991 until April 1992. From April 1992 until December 1993 the procedure was managed within Operational Support and Inspection. A Representation and Complaints Manager was appointed in December 1993 and a Representation and Complaints Officer in July 1994. This investment has allowed for active revision of procedures and extensive programmes of training for Service and Team Managers in each of the divisions. The selection process for Independent Persons also included comprehensive information and an impressive training programme which was significantly children's rights focussed. Alternative information on complaints had been issued through the office of the Complaints Reviewing Officer and this was accessible to children and young people in residential care.

6.18. All the residential homes visited evidenced awareness of the complaints procedures and we were encouraged by the reference to this aspect of procedure and practice in all inspection reports. Foster carers in both Gwynedd and Clwyd had received clear information about complaints procedures and there is evidence on both file and in contact with foster carers that these were generally known.

6.19. The understanding of parents and of those who had engaged with the complaints process was, inevitably, mixed. Some of the parents we interviewed in Gwynedd were vague on the procedure and its potential for use by them. In Clwyd, those whom we saw were clear that a procedure existed but less sure about the positive value, if any, of using it. Interestingly, one complainant viewed the benefit of being listened to and understood by the Complaints Officer as the only positive outcome. All felt that the system was bound to work in the favour of Council staff and were, therefore, cynical as to the benefit of it. However, all the

parents considered it proper that there should be a complaints system. Their view was for those servicing it to be more “independent” of the Council.

6.20. Considerable effort had been made in Clwyd to preparing procedures and publicity material for three of the successor authorities. This was not the case in Gwynedd.

Recommendation

40. The Unitary Authorities should consider the resources applied to representations and complaints procedures effective under the Children Act 1989 and test the quality of them against the 16 standards and criteria given in the SSI third overview report “Inspection of Complaints Procedures in Local Authority Social Services Departments” (January 1996)

Safeguarding the rights of children

6.21. In reports to the Social Services Committee and in published service plans, both authorities make reference to the principles of the Children Act and the UN Convention on the Rights of the Child and their commitment to implementing them. This was not particularly evident in practice from our contacts in Gwynedd where the issue of children’s rights was rarely raised. Children’s rights had an organisational expression in Clwyd, but were not strongly voiced in any operational setting. Since 1991, Clwyd had a contractual relationship with ASC (Advice Advocacy and Representation Service for Children and Young People) and, more recently in 1995, the Children’s Right’s Initiative in partnership with the Children’s Society had been launched. Other services such as the NSPCC Helpline and Voices from Care had provided a rights based facility, listening to and hearing the needs and concerns of young people. These services were well documented within the authority and there was promotional literature for ASC in each of the children’s homes supplemented by visits from advocates. There was some inconsistency of perception among homes managers of the basis for the advocacy service and the benefits of it. This we understand has been a continuing difficulty for ASC in developing a wider children’s rights profile in contrast to an advocacy service for individual children.

6.22. We were pleased to note that the contract with the Children’s Society signed by Clwyd on 1st April 1995 continues for three years and will be honoured by four successor authorities. The services to be provided include the co-ordination of all children’s rights services and the development of an independent visitors scheme for young people with training and support for visitors. It will also include the continuation of the advocacy and advice services by ASC.

6.23. Another mechanism for ensuring that the rights of children and young people who are looked after are properly protected is defining the systems by which they make contribution to plans and reviews of their care. Both authorities had clear procedures in respect of reviews and children and young people appeared to engage with these. The lack of initial child care plans meant that it was impossible for us to assess the involvement of young people in decision making at that stage. The parents we spoke to felt that their attendance at review meetings and conferences was frequently token. We were given descriptions on several occasions of parents being invited into a conference room where all other parties

were already assembled and having the distinct impression that decisions had already been reached.

Recommendations

41. Local authorities should re-examine the capacity of their services to take account of the views and wishes of children and young people in the light of the principles of the UN Convention on the Rights of the Child and the Children Act 1989.

The new local government framework

6.24. The challenges and opportunities presented by the creation of unitary authorities are evident in both the planning and delivery of services. From discussions with several of the Chief Executives of the new authorities, we are aware that opportunities to improve the system through corporate working, are being recognised. Evidence of a commitment to this should show in the mandatory children's services plans. A corporate approach should also make it possible for budget priorities to be assessed effectively. Proper attention should be given, corporately, to ensure that budgets do not fall too low.

6.25. The support and assistance provided to children's services by human resources, personnel and other central functions should be evident. The personal involvement of the Chief Executive in ensuring that the Chief Officers of Education, Housing, Social Services and other relevant departments work effectively together is another key element in assuring quality. We found a generally positive attitude towards improving collaborative working and strategic management of children's services.

6.26. Recognition of the need for a new pattern of working with external authorities and agencies is also important. In particular, strategic and service delivery issues should be addressed by Directors of Social Services with neighbouring authorities, without creating elaborate bureaucratic structures. The purpose of this kind of joint working is to ensure that a proper range of services to meet the needs of children is developed.

6.27. Local authorities can, and should, expect close scrutiny in respect of their services for children. Their responsibility to provide 'arm's length' internal inspection units is one important method of monitoring the quality of services. Both the Chief Executive and the Director of Social Services have personal responsibilities to oversee the arrangements. We are aware of the review of inspection arrangements, set up by the Government. Despite the uncertainty about future arrangements, we believe that the Welsh Office should arrange, as a matter of urgency, a joint seminar for Chief Executives and Directors of Social Services to raise awareness about the nature of their respective responsibilities in relation to inspection and to share information about good practice in exercising them.

6.28. External scrutiny by the SSIW needs to be strengthened, in our view. The work of the Audit Commission is also important and, in both Gwynedd and Clwyd, the District Auditor raised fundamental issues about the planning and delivery of children's services. The proposed joint reviews by the SSIW/Audit Commission provide further opportunity for monitoring and reviewing effectiveness.

6.29. It is the core role of the SSIW, however, that is particularly important. However strong the responsibilities and accountabilities of local authorities are (and they undisputedly are), the external inspection and monitoring arrangements should now be strengthened. There are clearly implications in this for resourcing the SSIW. We understand that there are presently 3.8 staff dedicated to inspection for all social services for the whole of Wales and its 22 unitary authorities. Not only is inspection important, but also the monitoring and development of policies and practices. Our examination has led us to form the view that all local authorities and the Welsh Office itself should maintain a range of proper checks and balances.

6.30. There is a need too for a balanced relationship between local authorities and government. We believe that consideration should be given to an All Wales strategic child care forum where local authorities, the Welsh Office and others with key responsibilities for children's services, could address in a practical and concentrated way the strategic issues affecting the continuing development of safe, quality services for children in need.

APPENDIX I

TERMS OF REFERENCE

EXAMINATION OF CHILD CARE PRACTICE & PROCEDURES IN CLWYD AND GWYNEDD

1. Miss Adrienne Jones will undertake an examination of those documents held by Gwynedd and Clwyd County Councils (Social Services Departments) and by all private agencies in those counties which provide residential care for children which are relevant to such provision for the period 1991 to the present. The purpose of the examination is to scrutinize child care procedures and comment on their adequacy and effectiveness; it will look at:

- management, supervision and monitoring of staff at all levels;
- personnel procedures, recruitment of staff at all levels, induction, probationary periods, promotion, redeployment of staff, training plans for staff in residential homes, including overall planning and individual profiles;
- implementation of the care planning and review process, including examination of children's records for supporting documentation;
- implementation of complaints procedures for children and staff;
- assessment of child protection procedures;
- assessment of all books, diaries and logs kept in the various homes.

2. In conducting this examination and assessing procedures and practice, Miss Jones will interview any individual whose knowledge and experience she deems to be relevant. The interviewing of any such individual will be in private. In addition to relevant issues outlined in (1) above, interviews will include exploration of the understanding the various procedures and systems on the part of staff, parents, children and carers. Such procedures to include planning and review, complaints, advocacy and independent visitors.

3. In a similar manner, Miss Jones will investigate foster care in the two counties, examining relevant procedures and other documents and interviewing relevant individuals in private.

4. Miss Jones will endeavour to ensure that the examination of all practice and procedures, including interviews, will include a sample of practice in each of those six geographical areas (presently being parts of Clwyd and Gwynedd) which will become a new authority on 1 April 1996.

5. Miss Jones will investigate the units in Clwyd County Council and Gwynedd County Council responsible for registering and inspecting homes. This will include examining relevant procedures and documents and interviewing relevant individuals in private.

6. Miss Jones may also examine any of the documents and reports which she considers to be relevant.

7. All fieldwork described in Paragraphs 1-5 above will be completed by 15 March 1996.

8. Miss Jones will assess the proposals for procedure and practice of the six new authorities in these areas of responsibility.

9. Miss Jones will report her findings in writing to the Secretary of State no later than 31 May 1996. The report will distinguish, as relevant, between the new local authority areas. Miss Jones will make recommendations for action by local authorities, private agencies and any other agency as appropriate. It is intended that the report will be published as fully as possible, giving due regard to legal considerations and the need for confidentiality.

Welsh Office
December 1995

APPENDIX II

PROFILES OF THE LOCAL AUTHORITIES

1. CLWYD

1.1 Population - 1991 Census Updated

411,000	- North Division:	135,000
	East Division:	141,000
	South Division:	135,000

1.2 Budget 1995/96

Social Services Committee: £40m

Expenditure on children services - looked after children:

- Children's homes £2.47m
- Family placement £1.78m
- Prevention & support: £0.67m
- Field social work: £2.99m

1.3 Places in departmental children's homes (includes disability & respite care beds)

- 1990/91: 103
- 1991/92: 90
- 1992/93: 78
- 1993/94: 44
- 1994/95: 24

To meet inspection guidelines, the number of places in each home was reduced.

1.4 Places in departmental children's homes

Park House, Prestatyn	15 places	Closed 1991
Bersham Hall, Wrexham	14 places	Closed 1993
Cartrefle, Broughton	8-10 places	Closed 1993
South Meadow, Rhyl	15 places	Closed 1993
Gladwyn, Wrexham	13 places	Closed 1995

1.5 Children looked after

- 22/10/93: 430
- 31/3/94: 232 (Some of this reduction reflects more accurate recording)
- 31/3/95: 244 - North: 76
East: 54
South: 114

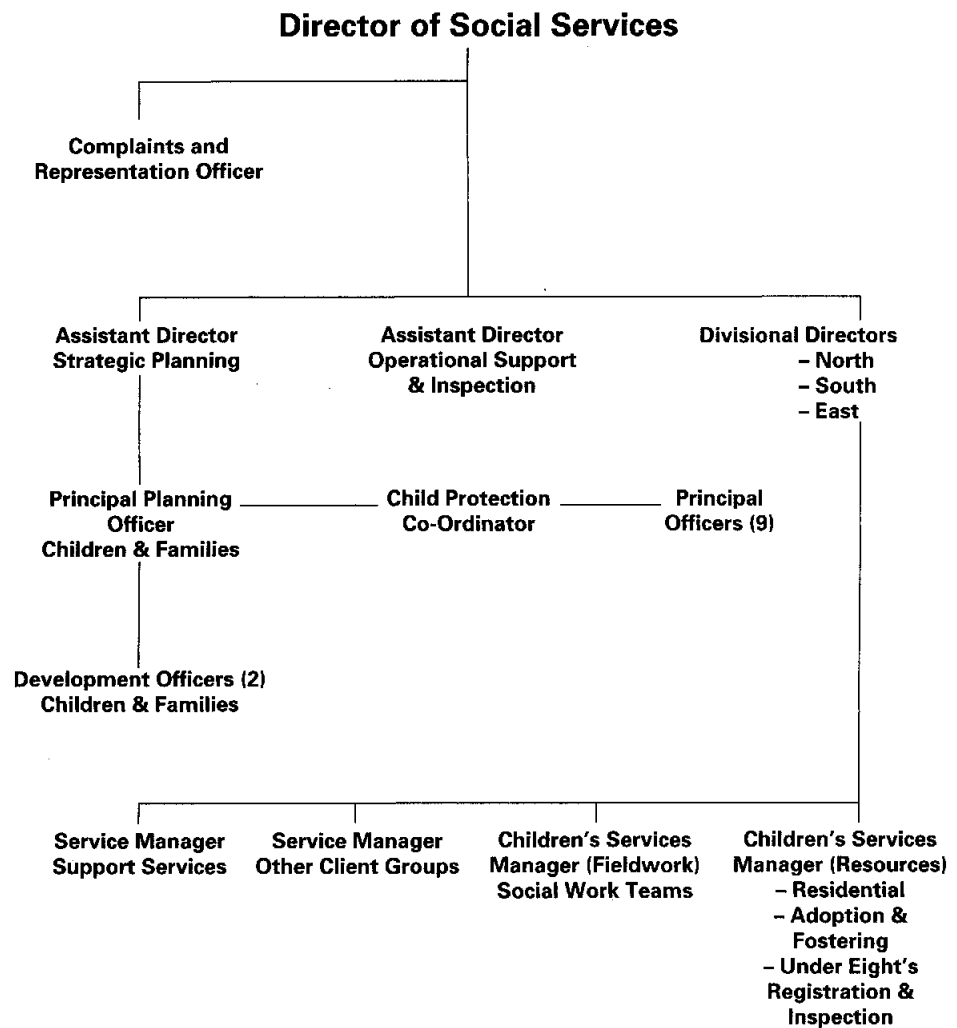
1.6 Children in foster homes

- 31/3/95: 190

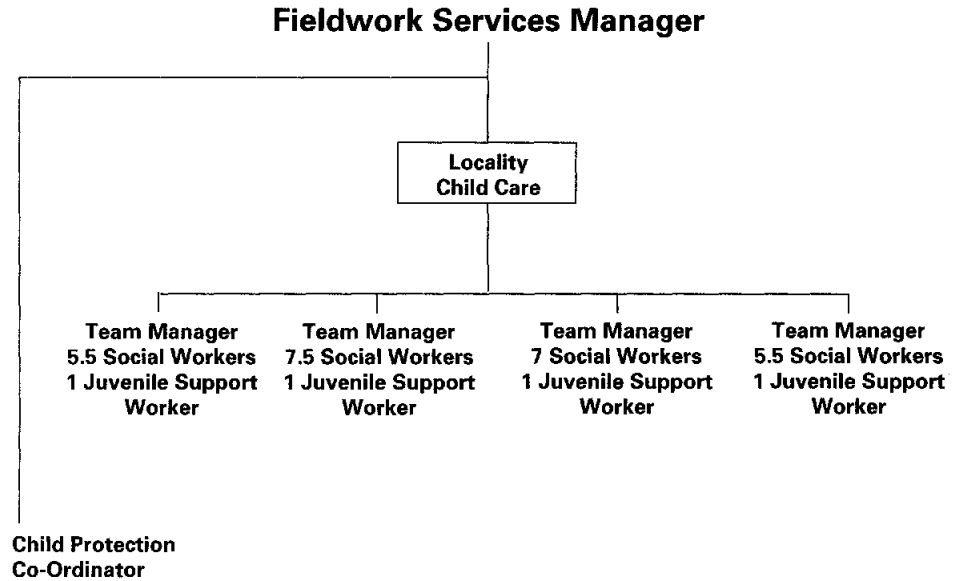
1.7 Child protection register

Year	Children	Families
1991	377	184
1992	300	178
1993	191	112
1994	147	75
1995	147	73

1.8 Departmental structure – with specific reference to children’s services



1.9 Staff in child care teams – one division taken as an example:



2. GWYNEDD

2.1 Population – 1991 Census

235,452 – Ynys Mon:	69,149
Caernarfon/Meirionnydd:	113,331
Aberconwy:	52,972

2.2 Budget 1995/96

Social Services Committee: £35,820,750

Expenditure on children's services:

- H.Q: £167,459
- Area teams: £830,461
- Residential: £775,630
- Fostering, etc: £604,710

2.3 Places in departmental children's homes

Cartref Bontnewydd, Caernarfon	7
Queens Park Close, Holyhead	5
Ty'r Felin, Bangor	7 + 2 independent – Closed late 1995

2.4 Places for children with disability

Y Fron Deg, Caernarfon	3
Tan y Marion, Pwllheli	4
Pant yr Eithin, Harlech	1

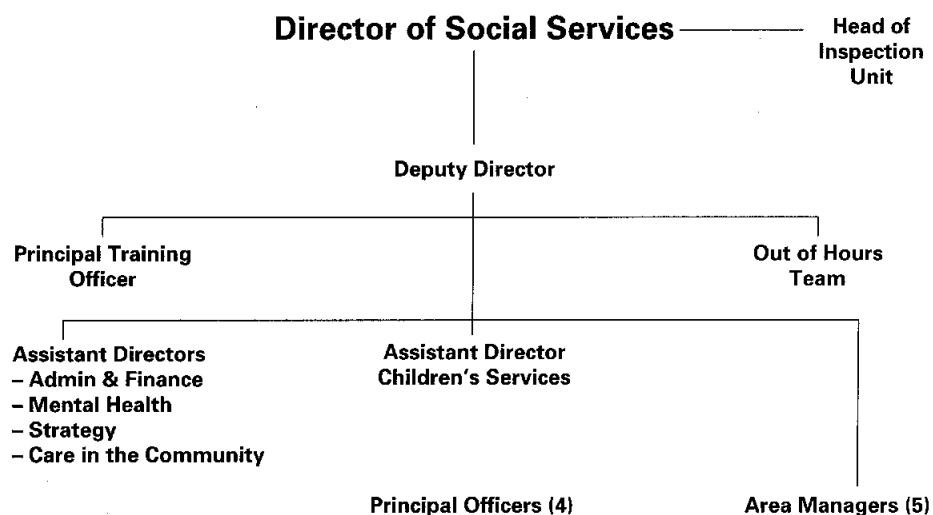
2.5 Children looked after

- 31/3/92: 194
- 31/12/93: 157
- 31/7/93: 157
- 31/7/95: 157 (73 male, 84 female): 139 children were in foster care
18 children were in residential care

2.6 Child protection register

Year	Children	Families
1991	57	N/A
1992	58	32
1993	53	30
1994	47	27
1995	60	52

2.7 Departmental structure – with specific reference to children’s services



2.8 Staff in child care teams – 31/7/95 (whole time equivalent)

	Aberconwy	Caernarfon/ Meirionnydd	Ynys Mon	GWYNEDD TOTAL
Seniors	1.0	4.0	2.0	7.0
Child care social workers	6.0	13.5	7.0	26.5
Others without specialist child care focus	0.6	1.4	1.0	3.0
Total	7.6	19.9	10.5	36.5

2.9 Sources

2.9.1 Clwyd Social Services Department:

- Services to Children & Families - Divisional Service Plan:
 - County Overview 1995/96
 - East Division 1995/96
 - North Division 1994/96
 - South Division 1995/98
- Audit of Accounts 1993/94 - Promoting the Well-Being of Children and Young People

2.9.2 Gwynedd Social Services Department:

- Strategy for Children - 1/1/94
- Inter-Agency Strategy and Service Plan for Children and their Families 1995:
 - Ynys Mon
 - Aberconwy
 - Caernarfon/Meirionnydd
- Audit of Accounts 1993/94 - Promoting the Well-Being of Children and Young People

APPENDIX III

METHOD OF WORK AND WORK PROGRAMME

1. Most of our fieldwork was undertaken in three months, beginning in January 1996. Our schedule and method of work took account of the fact that Gwynedd and Clwyd County Councils would cease to exist on 31st March 1996 and the new unitary authorities were still in their shadow phase. We allocated a specific area of analysis to each of the four members of the team. Much of the fieldwork was done in pairs. This allowed for efficiency in the use of time in the interview and assisted in the validation of findings. Some people were interviewed on more than one occasion and some in more than one role e.g., middle manager and reviewing officer. We also explored new roles and functions with individuals moving to different posts in the successor authorities. Interviews were all pre-arranged and we used checklists of key points to be covered and material to be checked. Discussions were kept informal.
2. All members of the Examination Team found everyone co-operated in giving information about the strengths and weaknesses of the services and generous with their time and in the provision of supporting documentation.
3. Over 400 documents were lodged with the Examination Team in the course of our work. These ranged from procedures manuals in excess of 500 pages to departmental memoranda. A schedule of this documentation is lodged with the Welsh Office. We read Social Services and relevant Sub-Committee agendas, senior and departmental management team meeting minutes and other pertinent Council documents for the period 1991-1996.
4. Arrangements were made for us to meet with parents and foster carers and learn from them of their experience of contact with the social services departments and their engagement in planning and decisions about their children. We also tested the understanding of and, in one case, the direct experience of the use of the complaints system.
5. We made no formal arrangements to interview children and young people. Opportunity was taken on visits to homes to enter into informal discussion about a range of issues including access to complaints and procedures. We used a number of different means to check the involvement of children and young people in the running of the homes and access to social workers and elected members, inspectors and others. Interviews with senior managers and the assessment of documentation provided information about strategic and management and human resources policies, procedures and practices.

APPENDIX IV

FIELDWORK: RANGE & VOLUME OF CONTACTS

1. Clwyd

- Chair, Social Services Committee
- Chief Executive
- Acting Director of Social Services (Formerly Assistant Director – Operational Support and Inspection)
- Former Director of Social Services
- Assistant Director of Personnel (County)
- Senior Assistant Personnel Officer – Seconded to Social Services
- Divisional Staffing Officers (3)
- Assistant Director (Strategic Planning)
- Divisional Directors (3)
- Development Officers (3) – Residential and Field Services
- Child Protection Co-Ordinator
- Service Managers (5) – Residential and Field Services
- Acting Head of Inspection Unit
- Inspector – Children’s Homes
- Representation and Complaints Manager
- Representation and Complaints Officer
- Divisional Adoption and Fostering Officer
- Divisional Child Protection Co-Ordinators (2)
- Local Authority Homes visited – 8
 - 7 Managers interviewed
 - 12 other staff met
 - 6 children/young people seen
 - 1 parent seen at her request
- Private Homes Visited – 3
 - Meeting: 3 Owners/Managers
 - 6 other staff
 - 3 children/young people
- Fieldwork Services – Four local teams visited, one in each of the new Unitary Authorities. Meetings held with 9 Team Managers and 48 Fieldworkers
- Five parents of children who are currently/had been looked after were interviewed. One parent had made a formal complaint.

2. Gwynedd

- Chairman, Social Services Committee
- Chief Executive
- Director of Social Services
- Assistant County Personnel Officer
- Principal Officer (Personnel and Administration), Social Services
- Principal Officer (Personnel), Social Services
- Former Assistant Director (Children & Families)
- Principal Officers – Children’s Services (4): Child Protection, Residential, Adoption and Field Services
- Head of Inspection Unit
- Senior Inspection Officer
- Local Authority Homes Visited - 3 (1 closed)
 - 2 Managers interviewed (one acting)
 - 3 other staff met
 - 3 children/young people seen
- Private Homes visited – 2
Meeting: 1 Owner/Manager
2 Managers
2 other staff
1 young person
- Fieldwork Services:
 - Area Managers (4)
 - 4 Area Offices visited covering each of the new Unitary Authorities meeting with Team Managers (6) and Fieldworkers (13)
- Family Placement Unit
 - Staff (3)
 - Four sets of Foster Carers
- Three parents of children who were currently/had been looked after were interviewed.

3. New Unitary Authorities

Ynys Mon:

- Chief Executive
- Director of Social Services
- Chief Officer – Children’s Services

Conwy:

- Chief Personnel Officer
- Director of Social Services
- Assistant Director of Social Services (Children & Families)
- Service Managers (2)

Denbighshire:

- Chief Executive
- Director of Social Services

Flintshire:

- Director of Social Services
- Director of Personnel

Gwynedd:

- Chief Executive
- Director of Social Services

Wrexham:

- Director of Personal Services
- Service Manager - Children
- Head of Human Resources – Personal Services

4. North Wales Police

- Deputy Chief Constable
- Detective Superintendent
- Detective Inspector
- Detective Sergeant

5. Children's rights

- The Children's Society – Social Work Manager (Wales)
- Advice and Advocacy Service for Children
 - Former Project Leader/Management Committee Member
 - Advocate
- Contact was also made with specialist advisors in Personnel and Inspection and Registration

6. Written material examined**Clwyd:**

- 10 Personnel Files
- 14 Fostering Files
- 14 Child Care Case Files

Gwynedd:

- 3 Personnel Files
- 20 Fostering Files
- 13 Child Care Case Files (including 4 of children with disability)

7. Relevant Social Services Committee agendas, Sub-Committee agendas and senior and departmental management team minutes for the period 1991 - 1996 were read.

8. The Examination Team had over four hundred pieces of written material passed to its members during the period of its fieldwork. These are held by the Welsh Office and a Schedule (29 pages) listing these has been produced.

APPENDIX V

REFERENCES

These documents, which contain further references and bibliographies have been included because they contain standards and advice which acted as benchmarks for us could assist local authorities and child care agencies to assess and develop their own practice.

CHOOSING WITH CARE: The Warner Report HMSO 1992

CODE OF PRACTICE FOR THE EMPLOYMENT OF RESIDENTIAL CHILD CARE WORKERS: Support Force for Children's Residential Care, Department of Health 1995

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STAFF SUPERVISION IN CHILDREN'S HOMES: Support Force for Children's Residential Care 1995

CHILDREN IN OUR CARE: Handbook for Members Visiting Children's Homes, Association of Metropolitan Authorities 1993

GOOD CARE MATTERS – Ways of Enhancing Good Practice in Residential Care: Support Force for Children's Residential Care 1995

A STRATEGIC PLANNING FRAMEWORK:

PART 1: ANALYSING NEED – 1994

PART 2: RESIDENTIAL CARE 1995

Support Force for Children's Residential Care 1995

THE USE AND DEVELOPMENT OF DATABASES OF RESIDENTIAL CHILD CARE RESOURCES: Support Force for Children's Residential Care 1995

CHILDREN'S SERVICES PLANNING & GUIDANCE: Department of Health/DFEE 1996

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SOCIAL SERVICES DEPARTMENT INSPECTION UNITS – THIRD OVERVIEW: Department of Health SSI 1995

SSI INSPECTION OF COMPLAINTS PROCEDURES IN LOCAL AUTHORITY SOCIAL SERVICES DEPARTMENTS: THIRD OVERVIEW REPORT: Department of Health SSI 1996

WORKING TOGETHER UNDER THE CHILDREN ACT 1989:
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CHILDREN STILL IN NEED: ADSS/NCH Action for Children 1996

THE UN CONVENTION ON THE RIGHTS OF THE CHILD: CRDU 1992

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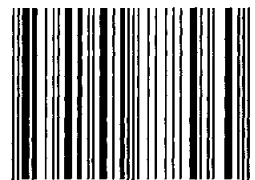
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