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## Why are there higher rates of children looked after in Wales?

### Abstract

Purpose: The paper considers some possible reasons for the relatively high rate in Wales of children looked after by local authorities.

Design/methodology/approach: Selected potential explanations for Wales having higher rates were tested against aggregate data from published 2021 Government statistics. Wales was compared with England and English regions for area deprivation, local authority spending, placements at home and kinship foster care. Descriptive statistics were produced and linear regression employed where appropriate.

Findings: Wales has higher overall children looked after rates and a bigger recent increase in these than any English region. Deprivation in Wales was higher than most English regions. However, a smaller percentage of Welsh variation in local authority looked after rates was explained by deprivation than was the case for England. Spending on preventative services has increased in recent years in Wales whilst decreasing in England and there was not a clear relationship between spending on preventative services and the looked after rate. Wales had a higher rate of care orders placed at home and more children per head of population in kinship foster care than any English region. Some of the explanations that have been suggested for Wales's particularly high looked after rates seem to be supported by evidence from aggregate data and others do not. Practice variation is likely to also be an important part of the picture.

Originality: This is an original comparison of Wales, England and English regions using aggregate data. More fine-grained analysis is needed using individual level data, multivariate analysis and qualitative methods.

Keywords: out-of-home care, Welsh, children in care, foster care, residential care

Paper type: Research paper

### Introduction

The published figures suggest that the numbers of children looked after in Wales on 31<sup>st</sup> March increased by 58% between 2007 and 2021<sup>1</sup>. In 2021 there were 7,263 children looked after in Wales – equivalent to a rate of 115 per 10,000 (Welsh Government, 2021), which is considerably higher than the rates reported in the equivalent snapshots for England and Northern Ireland (Department for Education, 2021a; Department of Health, 2021). Scotland has higher rates, even when children placed at home there and in Wales are taken into account (Scottish Government, 2021).

Faced with rising rates and the increased costs associated, the question as to how to safely reduce the number of children in care in Wales has become a pressing concern. There are a number of reasons to bring down the rising numbers in Wales. Outcomes of being looked after are known to be poor, even including suicidality and earlier mortality (Evans et al., 2017; Murray et al., 2020). Much of the early adversity for children who become looked after occurs before being in care (Luke and O'Higgins, 2018), but the poor outcomes do not speak of a system that is very successful in repairing early trauma. Outcomes for parents of removing children into care are also very important (Broadhurst and

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<sup>1</sup> Since this article was submitted to the journal, the March 2022 census has shown a 2% drop in the number of children looked after in Wales (statswales.gov.wales).

Mason, 2020; Philip et al., 2020), although these tend not to be considered in policy. Even less considered in policy is the potential impact on the communities where there are disproportionate removals of children from families (Bywaters et al. 2020).

Having highlighted the need in his 2018 Leadership Manifesto, in Spring 2019, Wales's First Minister tasked each local authority with developing three-year reduction expectation plans to promote a strategic shift towards prevention, with better support for children to remain with their families and for those children who need to be in care to be closer to home (Welsh Government, 2019a). The success of this approach is recognised as being dependent on local government, the health service, the third sector and the Judiciary working together to ensure that the rights of children in care and at the edge of care are protected. Whilst some concern was expressed that the plans may present perverse incentives to local authorities, switching focus on reducing numbers without giving full consideration as to whether it is safe for a child to remain at home, the Welsh Government has been keen to assert that 'nothing overrides the need to protect children from abuse or neglect' (Welsh Government, 2019b).

Since April 2016, there has been a divergence in legislation between Wales and England as a result of the Social Services and Wellbeing (Wales) Act (2014). The concept of a child in need has been replaced in Wales by 'children receiving care and support', although the scope is effectively the same. This cohort includes children both in care and on the edge of care as well as those who receive support for other reasons, such as for example being disabled or a young carer. Despite the 2014 Act's changes, Wales and England continue to (largely) share the same legal and statutory frameworks for child protection and children looked after, making some comparisons possible between the two countries.

Various possible explanations have been proffered to explain the very high looked after rates in Wales and the variations at a local authority level. A joint statement by the Association of Directors of Social Services and the Welsh Local Government Association (2018) does not make comparisons with other nations but does describe pressures these organisations see as contributing to rising rates of children looked after: welfare demands and austerity, increased awareness of a wider range of child harm, new initiatives aimed at early identification and intervention, placement availability, judicial expectations and a vulnerable social work workforce. Some of these chime with the Care Crisis Review (Thomas, 2018) for England and Wales, which highlighted socio-economic factors affecting family life and changing societal perceptions of risk, as well as the role of professional practice in social services and the family courts.

In explicitly comparing Wales with other UK nations The Commission on Justice in Wales (2019) suggested higher Welsh care rates could be linked to the way in which judges deal with Welsh cases; that local authorities in Wales may have more concern about the welfare of children than English local authorities and that some are paternalistic and interventionist. Others have pointed to Wales having the steepest social gradient of the four nations, with analysis of Census data from 2015 showing a 38% average increase in the rate of looked after children (on 31 March) for each decile of a UK-wide area deprivation measure devised specifically for the Child Welfare Inequalities Project (Bywaters et al., 2020). However, it is likely that there is no single explanation.

Certainly, within Wales, there are areas of both high and low social deprivation. However, the Welsh Index of Deprivation (WIMD 2019), as with its English equivalent, was developed to measure concentrations of several types of deprivation at a small area level. Being area-based, the Indices do not identify individuals who are deprived in different ways nor are they a measure of affluence. Further, within any given geography, there can be people living in deprived areas that would not be considered deprived and vice versa. Without a household deprivation measure for the families of

children looked after, it is therefore difficult to assess the role of household deprivation on its own as a possible reason for the higher rates. However, at an area level there is increasing evidence that both deprivation and within-area inequality are associated with child welfare interventions. Some of these studies are based on England only (Bennett et al., 2020; Goldacre and Hood, 2022; Webb et al., 2020) but Webb et al. (2021) also included Wales and found no significant difference between the countries.

The work by Hodges (2020) highlights the complexity, considering deprivation alongside the proportion of children looked after recorded by social services as exposed to parental substance misuse, parental mental ill-health and domestic abuse. There is no doubt that the prevalence of these parental problems increases the pressure on local authority resources (ADCS, 2021). However, these factors are also affecting local authorities in England so can only offer a partial explanation for Wales's higher rates. Also, to date there have not been studies conducted on the relationship between the proportion of these parental problems on caseloads and the actual prevalence in these communities.

The aim of this paper is to explore some possible explanations for why Wales has higher rates of children looked after, comparing to England using publicly available data at a local authority level and focusing on issues identified by social services leaders in Wales. The research question is:

- To what extent do the published aggregate data explain the difference between Wales and England in rates of children looked after?

## **Research Methods**

In seeking to understand why Wales has higher rates of children looked after compared to England, a descriptive research design has been employed. As such, the objective is to describe the situation rather than explain causal relationships. Whilst this approach is not without its limitations, these initial descriptive statistics are presented to aid the discovery of further plausible explanations, whilst acknowledging that variations in local practice and culture are often too nuanced to measure in a meaningful way.

The issues considered have been selected because they have been raised as possible explanations for the England-Wales differences in meetings of local government representatives attended by the authors. There are several potential reasons for Wales's higher overall rates of children looked that we have heard hypothesised by Welsh social services leaders – both professional and elected. Firstly, they make the point that Wales should not be compared with England as a whole, because Wales is more economically deprived. Rather, comparison should be made with regions of England that have similar levels of deprivation. Secondly, they cite the effect of austerity on the system. Thirdly, they note, based on anecdotal evidence – e.g. from staff in their authorities who have worked in both countries – that Wales may have different placement patterns, namely greater use of kinship foster care, and children placed at home with birth families increasingly have looked after status because family court judges in Wales insist on this. Each of these potential reasons for Wales's higher rates are considered in the article: deprivation, change in spending over time, placement at home and kinship foster care. In each instance, data is collected from local authorities in a consistent manner in both countries to enable trends to be compared.

### *Data and Measures*

Publicly accessible aggregate data were sourced from Government websites – Stats Wales for Wales (<https://statswales.gov.wales/Catalogue/Health-and-Social-Care>) and the UK Government Department for Education for England (<https://www.gov.uk/government/collections/statistics->

[looked-after-children](#)). These aggregate data at an area level are based on routinely collected individual-level administrative data which have been quality-checked and analysed by government officials.

Whilst episode data is collected by local authorities at an individual level, the figures published represent only a snapshot of those looked after on 31<sup>st</sup> March. The data published for the English local authorities additionally includes the characteristics of those starting and ceasing to be looked after each year. To obtain aggregate data on kinship foster care at a local authority and regional level in England, a specific request was submitted to the Department of Education.

Using rates of children looked after, as opposed to raw numbers, enables comparisons to be made where there are differences in the size of the underlying population. Rates for the City of London and Isles of Scilly were excluded from the local authority level analysis, because of these authorities' small populations. However, the data relating to these local authorities are included in the national and regional figures.

Area-based deprivation is typically measured using indices of multiple deprivation, with each constituent part of the UK having their own index. The combined England and Wales rankings for the income and employment domains were released in December 2020, providing an opportunity to make comparisons, based on the most recent data. It should be noted that these were compiled using data from 2015-16 and therefore reflect the position prior to the phased roll out of Universal Credit (Office for National Statistics, 2020). Each of the 34,753 lower super output areas (LSOAs) has been ranked, with the proportion of those which are in the 10% most deprived LSOAs on the basis of the Income Deprivation Affecting Child Index (IDACI) then being determined for each local authority and region to give the extent.

The work of the Child Welfare Inequalities Project, including the CWIP App (Webb and Thomas, 2020) has made spend data on England more accessible. This work, along with that of Hood et al. (2020), Bennett et al. (2021) and Webb (2021a) has highlighted the impact in England of funding cuts made by successive governments and austerity regimes, particularly with respect to cuts to preventative services aimed at providing early help and family support.

Unfortunately, it is not possible to reproduce these analyses precisely for Wales, since this work has relied on the annual s251 return which local authorities are required to submit under the section 251 of the Apprenticeships, Skills, Children and Learning Act 2009. As this legislation does not apply in Wales, it has therefore been necessary to utilise the annual RO3 returns which each local authority make with respect to their revenue outturn for social services. Whilst this is collected in a consistent manner by all English and Welsh local authorities, there have been presentational changes which impact on the ability to consider changes over time. In considering how far back to go when making comparisons, Webb (2021b) premises his assertion that there is a need to go back further than 2012-13 on the fact that some of the largest cuts to children's services came immediately after the 2008 recession and at the start of the Conservative-led coalition government. However, he acknowledges that prior to 2012-13 different numbers of, and differently named, categories were used for grouping together types of local authority expenditure, hence it is necessary to wrangle with different data formats and take steps to ensure that like for like comparisons are being made. The decision was therefore made for the current paper to go back to 2011-12 since data in the public domain prior to this could not be directly compared.

Given the porous boundaries between categories of spend, Webb and Bywaters (2018) argue that the safest way to include data from before 2012-13 when analysing spend on children's services is to create three groups. These groupings are 'safeguarding expenditure', 'children looked-after-

expenditure’; and non-safeguarding, non-children looked after related expenditure’. The first two of these categories, they argue, experience very little leakage due to how closed their interpretation is. This is the approach that has therefore been adopted here, albeit with the data taken from the RO3 revenue outturn for social services. Data from the 2019-20 RO3 returns have been used, since this is the latest year for which figures are available for all English and Welsh local authorities and it is felt that the 2020-21 figures may not be representative, given the impact of the COVID pandemic on local authority spend.

#### *Data Quality and Completeness*

National, regional and local authority-level aggregate results are subject to rounding and statistical suppression. It is important to acknowledge that without access to the underlying individual level data, there are many unknowns, especially in the case of the Welsh data. For example, details of the age profile of those starting to be looked after over the course of the year are not published. Similarly, we know little about the characteristics or legal status of those episodes ceasing in any given year.

The figures used here reflect the latest available in the public domain and are taken from the Looked After Children Census and SSDA903 Returns made by local authorities to the Welsh Government and Department for Education in England. However, it is important to recognise that the year to 31<sup>st</sup> March 2021 covers the coronavirus (COVID-19) pandemic. In reporting their figures, the Welsh Government (2021) note that ‘COVID-19 appears to have resulted in a slow-down of activity, particularly at the start of 2020-21 when Wales was under national lockdown and physical contact between local authorities and children and families was reduced’. As such they feel that whilst it is not possible to determine the exact impact of the pandemic, it is thought to be visible in the data through fewer children starting to be looked after, a higher proportion of children needing care due to family stress or dysfunction, fewer placement moves, and fewer children and young people leaving care. Similar trends are anticipated to have occurred across the UK.

#### *Analysis*

The analysis is bivariate only, with descriptive statistics presented. Where possible and appropriate, bivariate linear regression has been employed. There are no multivariate models, because the aim is to explore the specific possible reasons for Wales’s higher rates hypothesised by social services leaders, each of which is important in its own right, rather than in relation to other factors. Of the four factors: deprivation, change in spending over time, use of kinship foster care and placement at home – there is no plausible theory why these would depend on each other, apart from potentially deprivation and change in time in spending. However, only the spending data set is a time series, so analysis of both factors together is not possible.

#### **Findings**

##### *Should we be comparing Wales to the England average?*

The very different socio-economic characteristics of Wales and England have prompted the suggestion from social services leaders in Wales that it is unrealistic to only compare the respective national rates. Rather we should be comparing Wales with regions of England that have a more similar socio-economic profile, such as those in the North. Table 1 summarises the published looked after rates for each nation and English region, alongside the percentage of neighbourhoods in the 10% most deprived which has been calculated using IDACI. This shows that Wales has higher overall looked after rates than any English region, with an additional 20 children per 10,000 compared to 5 years ago. Only the North East of England has seen increases anywhere close to this.

Table 1: Comparisons of the published rate per 10,000 children looked after by nation and English region, and concentration of deprived neighbourhoods

	2017	2018	2019	2020	2021	Net Change	Percentage of neighbourhoods in 10% most deprived
<b>Wales</b>	<b>95</b>	<b>102</b>	<b>109</b>	<b>114</b>	<b>115</b>	<b>20</b>	<b>15.8</b>
North East of England	92	96	101	107	108	16	22.1
North West of England	86	91	94	97	97	11	16.4
West Midlands	75	78	82	82	85	10	14.2
Yorkshire and the Humber	67	71	74	77	78	11	14.8
<b>England</b>	<b>62</b>	<b>64</b>	<b>65</b>	<b>67</b>	<b>67</b>	<b>5</b>	<b>9.7</b>
East Midlands	55	57	59	61	64	9	9.4
Inner London	58	58	56	57	54	-4	11.6
South West of England	53	55	56	56	56	3	4.9
South East of England	51	51	52	53	53	2	3.5
East of England	49	49	50	50	49	0	4.4
Outer London	45	44	46	45	43	-2	3.3

Source: Stats Wales (2021a), Department for Education (2021a) and Office for National Statistics (2020)

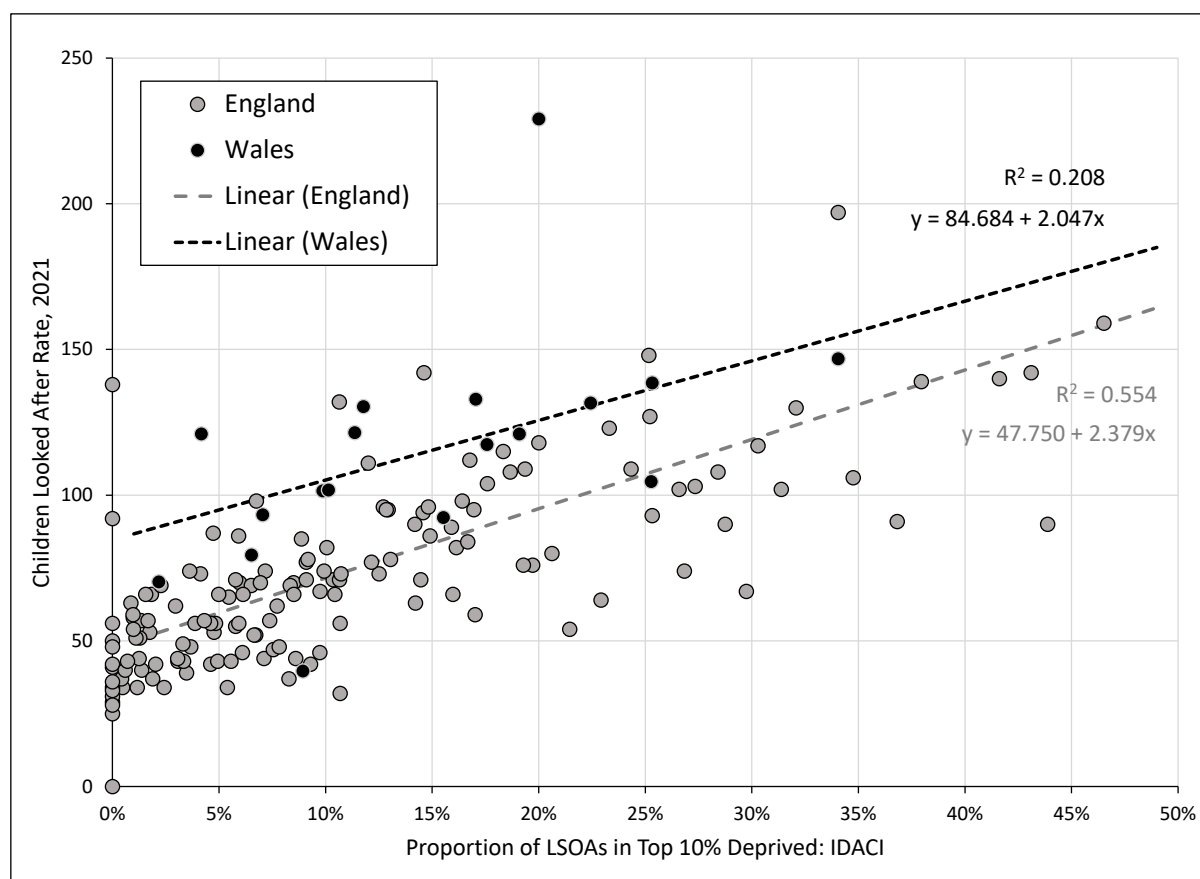
Data available through the Ministry of Justice’s Public Law Applications to Orders tool (PLATO) (Ministry of Justice, 2019) have previously highlighted that rates of applications involving section 31 care orders by Welsh local authorities were not only higher, but also resulted in a higher proportion of care orders being granted than across England and each of its constituent regions (Hodges and Bristow, 2019). This suggests that there may also be variations in legal practice.

This finding on care orders has been further borne out by the ‘Born into Care’ work by the Lancaster Centre for Family Justice. This has demonstrated, using Cafcass data over an eight-year period, that not only has there been a considerable increase in the number of newborns (infants <2 weeks) involved in care proceedings, but there is also significant regional variation. Pattinson et al. (2021) found that in 2019/20 newborns were subject to care proceedings at a rate of 44.7 per 10,000 live births in England, and 68.0 in Wales. However, whilst the rate in London (24.9 newborn babies per 10,000) was markedly lower than all other regions, the incidence rate in the North East of England was more than three times higher at 83.1 per 10,000 whilst those in Wales were found to be little different from those in the North West (68.0 per 10,000 compared to 66.2). The rate in Yorkshire and Humber was only slightly higher at 69.3 per 10,000.

#### *What is the role played by deprivation?*

Although Wales is more deprived than England overall, some English regions (North East and North West) have higher deprivation on this measure than Wales (Table 1). Figure 1 shows the relationship between the local authority proportion of LSOAs in the most 10% deprived and the rate of children looked after on 31<sup>st</sup> March 2021. Simple linear regression has been used to quantify the relationship.

Figure 1: Local Authority Rates of Children Looked After by Extent of Deprivation, March 2021



Source: Office for National Statistics (2020), Stats Wales (2021a), Department for Education (2021a) and Office for National Statistics, 2020.

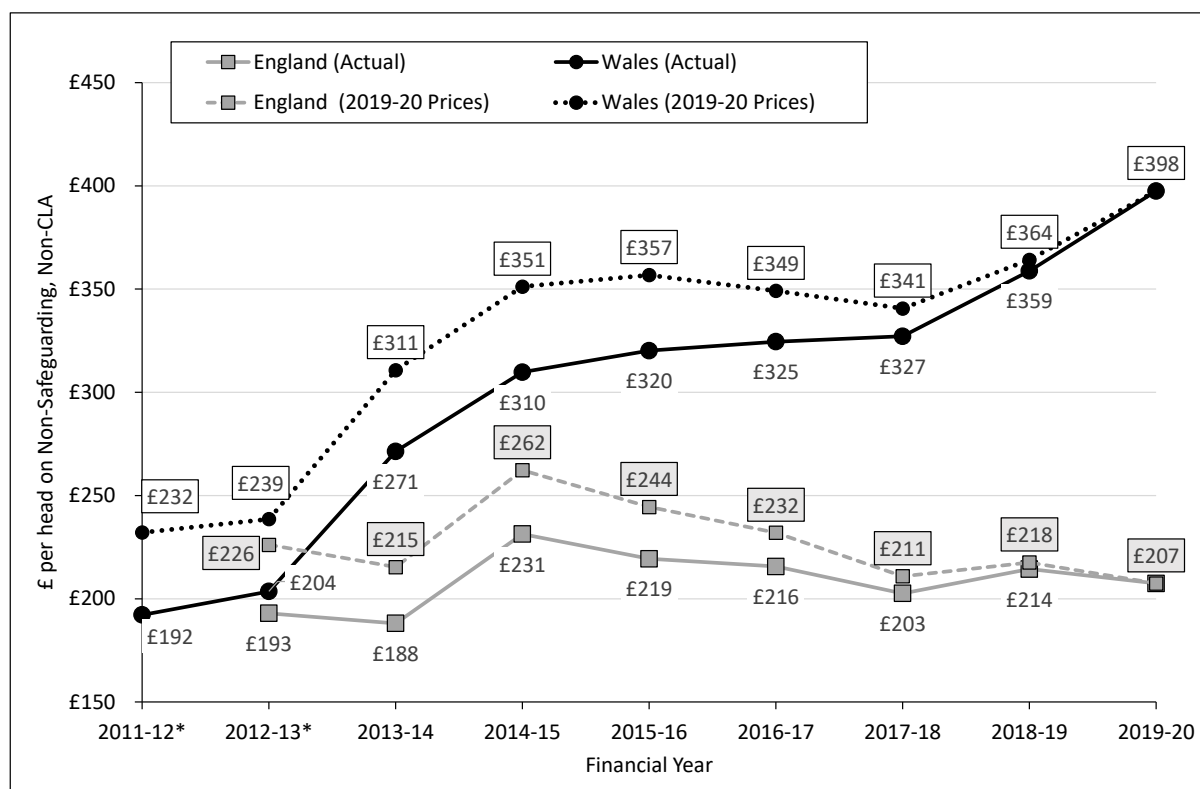
Generally, as the extent of deprivation (IDACI) increases, so does the local authority rate of children looked after. Overall, an  $R^2$  of .464 [ $F(1, 171) = 148.241, p < .001$ ] suggests that this particular measure of income deprivation accounts for almost half of the local variation in rates. However, as can be seen from Figure 1, the respective trends for Wales ( $F(1, 20) = 5.239, p = .033$  with an  $R^2$  of .208) and England ( $F(1, 149) = 180.903, p < .001$  with an  $R^2$  of .548) suggest that there are marked differences in role that deprivation plays in explaining the difference in rates. This result is lower for Wales than previous studies have found for earlier years of data (Elliott, 2017; Hodges and Bristow, 2019; Hodges, 2020), so caution is needed in interpreting the finding on 2021 data alone, but this finding does question simplistic assumptions about the effect of deprivation on children looked after rates in Wales.

### *Spending on children's services*

In 2019-20, £446.6 million was spent on children and families services across Wales, equivalent to £1,136.62 per head of the child population. Of this, £333.3 million was spend on providing services for children looked after (£529.16 per head) whilst £132.2 million was spent on safeguarding (£209.93 per head). The remainder, the non-safeguarding, non-children looked after related expenditure, was equivalent to £397.53 per child being spent on preventative services. As can be seen from Figure 2, this is almost twice the spend per head in England. Adjusting for inflation, it is also apparent that spend on preventative services whilst generally decreasing in England since 2012-13, and particularly since 2014-15, has been increasing in Wales.



Figure 2: Spend Per Head on Non-Safeguarding and Non-Children Looked After Functions (2019-20 Prices)



Note – The years in which there were presentational changes in the revenue outturn figures are denoted by an asterisk. The Retail Price Index has been used to adjust for inflation to 2019-20 prices.

Source: Ministry of Housing Communities & Local Government (2013; 2014; 2015; 2016; 2017a; 2017b; 2019b; 2019a; 2021), Office for National Statistics (2021a; 2021b) and Stats Wales (2021b).

Looking at the regional variation in spend per head in 2019-20 highlights the marked difference in the spend on preventative services in Wales compared to many of the English regions. The exception is Inner London which spent the equivalent of £408.04 per head of the child population. It is likely that this regional figure is distorted by the City of London which due to its small resident population has a disproportionately high spend per head of £1,854.41 - this is more than double that of Kensington & Chelsea which has the next highest local authority spend (£787.78 per head) within Inner London. If both these local authorities are excluded, the regional spend falls to £389.61 per head.

Table 2: The Breakdown of Children and Families' Spend, 2019-20

	0-17 PopN	CLA Services (£m)	Safeguarding (£m)	Non-Safeguarding, Non-CLA (£m)	Total Children & Families (£m)	Non-Safeguarding, Non-CLA (£/Head)
Inner London	753,680	382.5	187.3	307.5	877.4	£408.04
<b>Wales</b>	<b>629,940</b>	<b>333.3</b>	<b>132.2</b>	<b>250.4</b>	<b>715.9</b>	<b>£397.48</b>
Outer London	1,278,750	424.2	248.2	329.1	1,001.5	£257.39
Yorkshire and the Humber	1,169,940	507.4	236.9	259.3	1,003.6	£221.64
North West of England	1,563,460	759.9	306.6	336.2	1,402.7	£215.07
<b>England</b>	<b>12,023,570</b>	<b>5,047.1</b>	<b>2,364.3</b>	<b>2,508.7</b>	<b>9,920.1</b>	<b>£208.65</b>
North East of England	532,060	300.1	138.9	107.3	546.4	£201.72
East of England	1,346,460	467.3	194.9	267.4	929.6	£198.57

South West of England	1,107,480	470.9	243.7	202.7	917.3	£183.01
West Midlands	1,299,800	587.1	238.3	235.5	1,060.9	£181.15
East Midlands	1,002,650	417.5	188.2	169.2	774.9	£168.78
South East of England	1,969,300	730.2	381.3	294.4	1,405.9	£149.51

Source: Ministry of Housing Communities & Local Government (2021), Office for National Statistics (2021a) and Stats Wales (2021b)

Simple linear regression has been used to explore the relationship between spend and local authority rates of children looked after. This suggests that whilst generally those local authorities with the highest rates of children looked after also tend to have the highest expenditure on children looked after and total children and families' services, there is not a clear relationship between spend per head on preventative services and the rate of children looked after [ $F(1, 169) = 10.374$ ,  $p = .002$  with an  $R^2$  of .058]. However, typically the spend per head on preventative services is higher in Welsh than English local authorities. Torfaen and Blackpool – the two local authorities with the highest rates of children looked after on 31<sup>st</sup> March 2020, have a similar level of preventative spend as Lambeth (£372.94, with a rate of 58) and Haringey (£288.54, with a rate of 67) despite their looked after rates being more than three times higher (225 and 223 per 10,000 respectively).

Table 3: The Rate and Proportion of the Children Looked After by Selected Legal Status and Placement Type, 31<sup>st</sup> March 2021

	0-17 PopN	Children Looked After		Placed with parents or others with parental responsibility			Placed with Kinship Carers			Exc. Placed at Home and Kinship Care		
		No.	Rate	No.	%	Rate	No.	%	Rate	No.	%	Rate
<b>Wales</b>	<b>629,940</b>	<b>7,265</b>	<b>115</b>	<b>1,200</b>	<b>17%</b>	<b>19</b>	<b>1,610</b>	<b>22%</b>	<b>26</b>	<b>4,455</b>	<b>73%</b>	<b>80</b>
<b>England</b>	<b>12,093,290</b>	<b>80,850</b>	<b>67</b>	<b>5,910</b>	<b>7%</b>	<b>5</b>	<b>12,430</b>	<b>15%</b>	<b>10</b>	<b>62,510</b>	<b>77%</b>	<b>52</b>
East	1,356,370	6,650	49	190	3%	1	640	10%	5	5,820	88%	43
East Midlands	1,007,900	6,400	64	390	6%	4	980	15%	10	5,030	79%	50
Inner London	760,730	4,120	54	160	4%	2	470	11%	6	3,490	85%	46
North East	533,640	5,790	108	510	9%	10	1,030	18%	19	4,250	73%	80
North West	1,571,580	15,260	97	2,050	13%	13	2,830	19%	18	10,380	68%	66
Outer London	1,286,860	5,550	43	150	3%	1	660	12%	5	4,740	85%	37
South East	1,982,610	10,480	53	540	5%	3	1,300	12%	7	8,640	82%	44
South West	1,112,900	6,270	56	240	4%	2	830	13%	7	5,200	83%	47
West Midlands	1,306,330	11,120	85	950	9%	7	1,840	17%	14	8,330	75%	64
Yorkshire and Humber	1,174,360	9,210	78	740	8%	6	1,860	20%	16	6,610	72%	56

Notes: The shading for the percentages and rates reflects the relative ordering of the data with the highest values being in the darkest end of the grey scale.

Source: Office for National Statistics (2021a), Stats Wales (2021a; 2021c; 2021d) and Department for Education (2021a; 2021b)

### *Legal status*

It is immediately apparent from published national statistics that Wales has lower rates of children voluntarily accommodated – 8 per 10,000 compared to 10 for England. Within this category, unaccompanied asylum-seeking children are also less numerous in Wales than in England. If not voluntary placements, then it must be care orders that are most responsible for driving the higher rates in Wales. There are variations within this category of care orders of course, and some in fact involve children living with their parents, which to some extent muddies the waters, although it should be remembered that a large majority of these children will previously have been looked after away from their birth families.

Across England and Wales, 8% of children looked after are living with a parent or someone else who has parental responsibility for them, equivalent to a rate of 6 per 10,000. Whilst we can learn very little from the published figures about these children and their circumstances, it is notable just how much higher the rate is in Wales relative to England once population sizes have been taken into account. Even when comparisons are made against those English regions which appear to have a more similar profile to Wales, there were 6 and 9 fewer children per 10,000 respectively in the North West and North East of England (see Table 3).

Whilst the circumstances and rationale for each child being placed at home have no doubt been scrutinised as a result of policy changes introduced by the Welsh Government to reduce the numbers of children in care across Wales, it is apparent that this is a practice more common in Wales, and potentially in particular local authorities, with the suggestion being made that some judges do not have confidence in local authorities' work without the oversight of a care order (Justice Commission, 2018). If these children were excluded from the calculations of rates on 31<sup>st</sup> March 2021, there would be the equivalent of 19 fewer children looked after per 10,000 in Wales, giving a rate of 96 rather than 115. The equivalent impact in England would be to reduce the rate from 67 to 62.

If we were to look at the impact at a local authority level, the most significant difference in rates would be in Torfaen where 120 out of the 445 children looked after on 31<sup>st</sup> March 2021 were placed at home. Excluding these children would bring about a reduction in the rate from 229 to 167 per 10,000. Amongst the English local authorities, Blackpool, Hartlepool and Middlesbrough are amongst the top five in terms of rates of children looked after and also would see the biggest impacts as a result of excluding those children placed at home – Blackpool's rate would fall from 210 to 190, Hartlepool would see a reduction from 172 to 149 whilst Middlesbrough would see its rate fall from 172 to 152.

### *Are there more children in kinship foster care in Wales?*

As would be expected, there is also variation in the use and availability of foster placements generally, with the proportion of children placed in foster care in Wales (70%) being very slightly lower than the English average (71%). Within England, the proportion placed in foster care is highest in the South West (74%) and lowest in the North West (67%).

Other family members and friends play a pivotal role in looking after children whose parents are no longer able to. On 31<sup>st</sup> March 2021, there were 14,040 children placed in formal fostering placements with kinship carers, equivalent to 15.9% of all children looked after. However, as can be seen, there are notably higher rates of kinship foster care across Wales than in each English region (Table 3).

At a local authority level, there is considerable variation in practice with the lowest proportions of kinship foster care being in Kent (4%), Westminster (5%), Peterborough (5%) and Derby (5%). The highest are in Rhondda Cynon Taff (34%), Stockton-On-Tees (31%) and Swansea (30%). Unfortunately,

due to statistical suppression it is not possible to determine the proportions in Isle of Anglesey, Wrexham, Ceredigion, Pembrokeshire, Hounslow or Kensington and Chelsea.

It is interesting to look at the effect on the overall children looked after rates of taking out those placed with family. If only those placed with non-related foster carers and in residential care are included, the regional league table is different from that in Table 1 – see Table 3. In Wales, a relatively smaller percentage of children looked after are placed away from family than in many of the English regions, although it needs to be kept in mind that this is in the context of Wales having higher overall rates of children looked after than any English region.

## **Discussion**

Reasons for differences in children looked after rates and how they change over time are multiple and complex. However, our comparison of local authority level data on England and Wales provides initial insights. The analysis suggests that some of the reasons put forward for Welsh rates being higher are better supported by evidence than others.

Area deprivation is not as strongly associated with children looked after rates at a local authority level in Wales as it is in England, on 2021 figures. Although Wales has high levels of deprivation compared with the English regions, it is not the highest. However, it has the highest overall rates for children looked after. Spending on children's services that could be regarded as preventative – i.e., services other than children looked after and safeguarding - is much higher per head in Wales than England (except for Inner London) and has been rising in recent years rather than falling. So although austerity economics will of course have had an effect on families in poverty, especially benefits cuts such as the two-child limit, the effect of austerity on local authority budgets in Wales cannot explain rising care rates.

There are clear differences between the two countries in terms of kinship foster care and care orders placed at home, which do contribute to Wales's higher overall rates. Once these are subtracted from the overall looked after totals, leaving only those placed away from all family, Wales is no longer higher than all English regions. The North East of England has the same rate as Wales for non-kin placement and it should be noted that this region also has the highest level of deprivation, which would suggest high levels of social need. It needs to be kept in mind that in both Wales and the more deprived regions of England, the rates of children looked after are high, relative to less deprived English regions. However, rates in Northern Ireland are historically much lower, despite it being more deprived on some measures (Bywaters et al., 2020), so differences in practice between nations must play a role in this intervention disparity (Mason et al., 2021).

Given the relatively more positive outcomes for kinship care from international research (Winokur, Holtan and Batchelder, 2018; Brown et al., 2019), it is encouraging for Wales to see that it has a relatively higher percentage of its looked after children in kinship placements than England. This percentage is still a minority of the overall numbers, however, and it is important to note that across the globe some other high-income countries, such as the USA and Australia, have a much more substantial proportion of their looked after children in kinship care (Hallett et al., 2021). Globally, kinship care is by far the most common form of alternative care for children (Delap and Mann, 2019).

Not presented in this current paper, but observable from annual data published by the Welsh Government (see Hodges, 2020) is the considerable variation between local authorities within Wales, beyond what is associated with area-level deprivation. Torfaen has 229 children per 10,000 (i.e., more than 1 in 50) with looked after status. Carmarthenshire, in contrast, has 40 and its rates are consistently low, despite a rising trend at a national level (see Forrester et al., 2020). Whilst the

variation in rates within Wales does correlate with deprivation to an extent, the considerable variation between areas suggests variation in practice. Evidence from a survey of Welsh practitioners (Forrester et al, 2022) supports this, in finding that social worker values were associated with care rates.

There are of course limitations to the analysis presented in the paper. Variation within Wales has not been included, because this is covered elsewhere (Elliott, 2017; Hodges and Bristow, 2019; Hodges, 2020; Forrester et al., 2022). Only aggregate data have been available, and Wales has a relatively small number of local authorities, which limits the analytical potential. The addition of individual level data and qualitative research would give more fine-grained detail on this issue. Different studies might require multivariate analysis. Webb et al.'s (2020) multi-level modelling study, for example, found very little local authority variation in England that was not explained by demographic characteristics. Comparisons have not been made in our article with Scotland and Northern Ireland, on the basis that England and Wales have a common family court system, but these further comparisons could be illuminating. Also, most results in the paper are also based only on a snapshot of looked after rates at 31 March 2021. To look at year-round activity might have been more meaningful in some respects, but only England publishes these results. The Welsh Government do have year-round data returned by local authorities but do not publish any aggregate analysis of these. However, the year 2020-21 is likely to be an atypical year because of the pandemic, so the use of a 31 March snapshot is in fact justified. This is because it shows an overall picture of children looked after numbers that reflects decisions taken in previous years as well as the current year, in contrast to, for example, data only on care entries during the last 12 months. The lockdown context affected both nations, meaning a comparison is still valid.

## Conclusion

However, you look at it, rates of children looked after in Wales are high compared with other UK nations, even when accounting for regional variation in England and higher levels of social need. It is important, however, to note the high number of placements with parents in Wales and that removing these from the overall totals does reduce the disparity. Wales also have comparatively high rates of kinship foster care. Practice variation must be implicated in the high rates and variation across Wales. Policy is already in place, with the Welsh Government having been clear for a number of years that the numbers need to reduce. Addressing the practice needed to follow this policy is complex, with many stakeholders involved, including the health service, education and the family courts. It is important that this is not seen as exclusively a social services issue and that those other parts of the public sector contribute to better prevention. That said, social services are the key decision-making organisation. Even if judges are risk-averse and lacking confidence in local authorities, it is the decision of those authorities as to which cases to bring to the court and seek a care order. It is therefore right that there should be expectations of local authorities to bring their numbers down, in line with national policy.

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