

Witness Name: Gillian Baranski  
Statement No.: 1 in Module 8  
Exhibits: 62  
Dated: 12 August 2025

## UK COVID-19 INQUIRY

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### WITNESS STATEMENT OF GILLIAN BARANSKI

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I, Gillian Baranski, the Chief Inspector of the Care Inspectorate Wales, the Welsh Government, will say as follows:

#### Preface

1. I am Gillian Baranski, the Chief Inspector of Care Inspectorate Wales. I have responsibility for ensuring the effective and efficient day-to-day delivery of all Care Inspectorate Wales's regulatory and inspection functions across Wales. This is my first statement for Module 8; two earlier statements have been provided for the purposes of Module 2B and Module 6, I understand the statements have been disclosed as part of those modules **INQ000335481** and **INQ000569773** respectively.
2. At the outset I wish to express my deepest sympathies to all those who lost a loved one, friend or colleague because of the Covid-19 virus. This has been, and continues to be, an extremely stressful and difficult time. I wish to acknowledge the heroic efforts of those working in children's social care and child care services and my deepest gratitude to care service providers and those who worked in the care sector. I recognise that despite those heroic efforts the loss and pain of so many remains incalculable.
3. This witness statement is provided to assist the Covid-19 Inquiry as evidence for Module 8. The contents of this statement are true to the best of my knowledge, information and belief. In preparing this statement I have relied on advice and information from Margaret Rooney (Deputy Chief Inspector) who supported me in the compilation and drafting of this statement.

4. Exhibits in this witness statement are in a bundle marked **M08-CIW-01 to M08-CIW-62**.

### **Roles and responsibilities of the Care Inspectorate Wales**

5. Care Inspectorate Wales is the operationally independent regulator of social care and child care in Wales. Care Inspectorate Wales exercises its regulatory functions on a day-to-day basis on behalf of the Welsh Ministers to provide assurance on the quality and safety of services. The operational independence of the Inspectorate is protected through a Memorandum of Understanding between the Chief Inspector and the relevant Welsh Ministers. A copy of the Memorandum of Understanding is available on the Care Inspectorate Wales website and is exhibited at **M08-CIW-01 - INQ000182573**.
6. Care Inspectorate Wales registers, inspects and takes action to improve the quality and safety of services for the well-being of the people of Wales. Care Inspectorate Wales decides who can provide services; it inspects and drives improvement of regulated services and local authority social services; it undertakes national reviews of social care services; it takes action to ensure services meet legislative and regulatory requirements and responds to concerns raised about social care and child care services.
7. The Regulation and Inspection of Social Care (Wales) Act 2016 (the 2016 Act) establishes the system for regulating adult and children's social care services in Wales. It provides the basis for Care Inspectorate Wales to regulate services as defined in Schedule 1 of the 2016 Act. It is the Welsh Ministers who have the regulatory functions under the 2016 Act, but those functions are carried out by Care Inspectorate Wales on a day-to-day basis in accordance with the Memorandum of Understanding.
8. Part II of the Children and Families (Wales) Measure<sup>1</sup> 2010 (the Measure) sets out the system for regulating child minding and day care services in Wales. The Welsh Ministers have the function of regulating and inspecting child minding and day care services in Wales. The Welsh Ministers' functions in this respect are also exercised by Care Inspectorate Wales in accordance with the Memorandum of Understanding.

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<sup>1</sup> A Measure is primary legislation in Wales.

9. Care Inspectorate Wales regulates the following services which are referred to as “regulated services”.

*Child care services*

10. Care Inspectorate Wales regulates child care services which includes child minders; crèches; full day care; sessional day care; out of school care and open access play provision under the Measure and in accordance with the Child Minding and Day Care (Wales) Regulations 2010 (the 2010 Regulations).

*Regulated children’s services*

11. Care Inspectorate Wales regulates care home services for children, sometimes referred to as ‘children’s homes’; domiciliary support services; residential family centre services, fostering services; adoption services; advocacy services; special school residential services (since January 2024); and secure accommodation services under the 2016 Act and in accordance with the regulations made under section 27 and 28 of the 2016 Act:
  - a. We regulate **adoption services** in accordance with the Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019;
  - b. We regulate **advocacy services** in accordance with the Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019;
  - c. We regulate **care home services, domiciliary support services, residential family centres and secure accommodation** in accordance with the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 (the 2017 Regulations);
  - d. We regulate **fostering services** in accordance with the Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019; and
  - e. We regulate **special school residential services** in accordance with Regulated Services (Special School Residential Services) (Wales) Regulations 2023.

### *Local authority children's services*

12. Care Inspectorate Wales reviews and inspects local authority children and adult social services and reports on the effectiveness of these services. The Social Services and Well-being (Wales) Act 2014 provides the statutory basis for Care Inspectorate Wales to review the way in which the social services functions of local authorities are exercised. Care Inspectorate Wales carries out this function through a combination of inspection and performance evaluation activity. This process is further elaborated later within the statement.

### *Others*

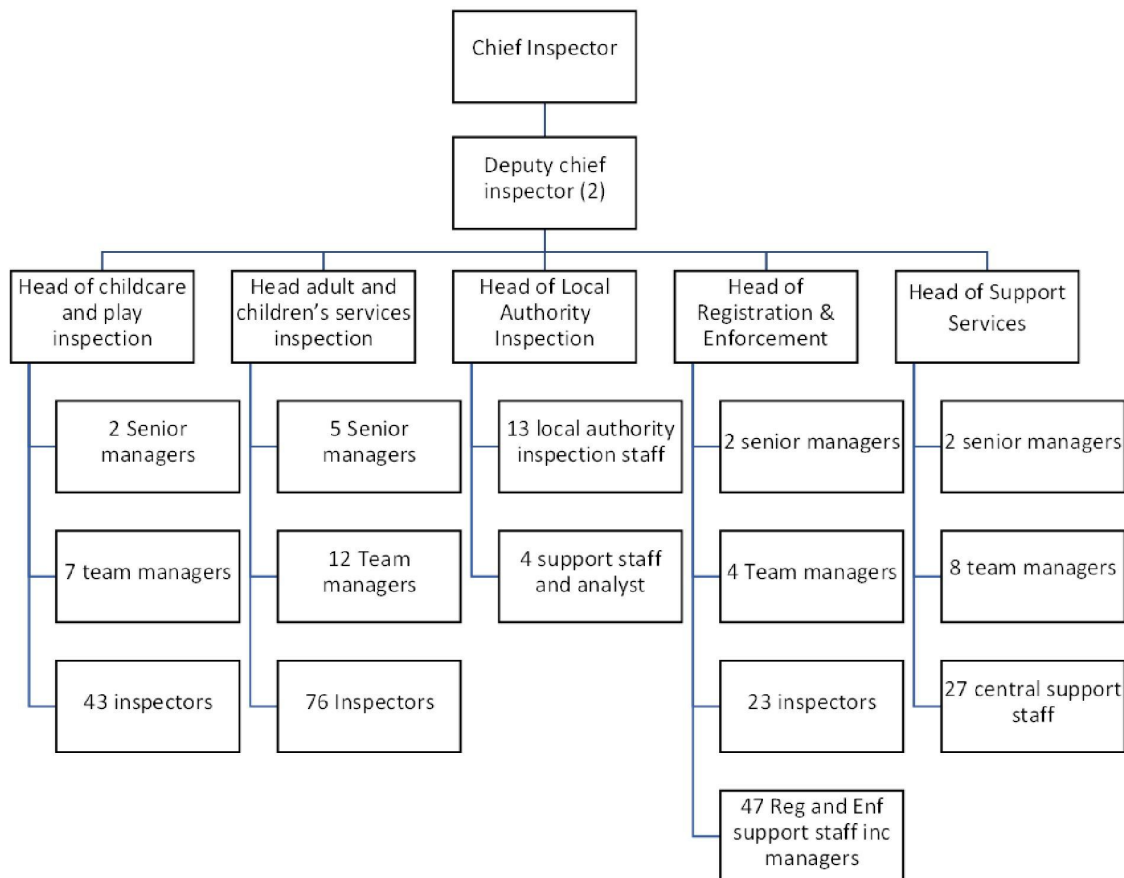
13. In addition, we inspect but do not regulate:
  - a. local authority fostering and adoption services;
  - b. boarding schools; and
  - c. further education colleges accommodating students under 18.
14. The Inspection of Boarding Schools and Colleges (Powers and Fees) (Wales) Regulations 2002, Adoption and Children Act 2002 and Children Act 1989 provide the basis for Care Inspectorate Wales to inspect these services.
15. Care Inspectorate Wales does not have a role in the regulation or inspection of services for children who are in contact with the immigration system unless they are accommodated within a service that is a regulated service as described above, for example foster care. The Inspectorate does not collect nor hold data on individual children who use services.
16. As referred to above, Care Inspectorate Wales does have a role in the regulation and inspection of secure accommodation provided for children within the criminal justice system or those placed in secure accommodation for welfare reasons (there is one such service in Wales), but it does not have a role in respect of accommodation or services for children in the criminal justice system more broadly.
17. As social care, health and education are all policy areas for which the Welsh Government has devolved responsibility, Care Inspectorate Wales's functions were predominantly affected by decisions made by the Welsh Government rather than decisions made by the UK Government or relevant departments. Therefore, Care



Inspectorate Wales was not impacted directly by the decisions made by the UK Government.

### Structure of Care Inspectorate Wales between 1 January 2020 and 28 June 2022

18. I set out the structure of Care Inspectorate Wales below:



19. As Chief Inspector, my role is to ensure the Inspectorate runs efficiently and effectively on a day-to-day basis and discharges its statutory, regulatory and inspection functions. During the pandemic I was assisted in the role by two Deputy Chief Inspectors who oversaw five functional business areas:

- a. Margaret Rooney, Deputy Chief Inspector - led on corporate support services and registration and enforcement; and
- b. Vicky Poole, Deputy Chief Inspector (in post until September 2024) - led on inspection of regulated services (adult and children's services and child care

and play services) and inspection and review of local authorities' social services functions.

20. Both Deputy Chief Inspectors have senior leadership roles to ensure the regulation, inspection and enforcement work of Care Inspectorate Wales is carried out effectively, to a high standard and in accordance with relevant legislation and best practice. They are responsible for ensuring effective communication and collaboration with a wide range of service providers and representatives of the social care sector. They provide senior leadership and management to a team of heads of service ensuring they perform their responsibilities consistently, effectively, efficiently and to a high standard.
21. Care Inspectorate Wales has a functional organisation structure and during the specified period, Margaret Rooney led corporate support services, registration and enforcement. Vicky Poole led the inspection of regulated services (adult and children's services and child care and play services) and the inspection and review of local authorities' social services functions.
22. Each functional area was led by a head of service:
  - a. Head of child care and play inspection;
  - b. Head of adult and children's services inspection;
  - c. Head of local authority inspection;
  - d. Head of registration and enforcement; and
  - e. Head of support services.
23. Care Inspectorate Wales's Senior Management Team (now known as the Executive Leadership Team) oversees the governance of Care Inspectorate Wales and is the executive decision-making body for the organisation. The Senior Management Team consists of the Chief Inspector, the Deputy Chief Inspectors, Head of Adult & Children's Services Inspection, Head of Local Authority Inspection, Head of Registration & Enforcement, Head of Child Care & Play Inspection and Head of Support Services. '*The Care Inspectorate Wales Governance Framework April 2020*' is exhibited at **M08-CIW-02 - INQ000198632** and the '*Care Inspectorate Wales Financial Delegations Framework - April 2020*' is exhibited at **M08-CIW-03 - INQ000282309**. Full day Senior Management Team meetings were held monthly. However, in addition to this and to enable us to respond to the fast moving and changing situation, from 25 March 2020, we began daily Senior Management Team virtual calls to share information, raise 'hot issues' and make decisions. The frequency of these calls reduced over time but they

continue on a weekly basis. In addition, from 23 March 2020, the situation was so volatile and fast moving, I began meeting my Deputy Chief Inspectors Margaret Rooney and Vicky Poole daily to enable us to update each other on the discussions we were having and the general intelligence and information we were gathering.

## Overview of the regulated children's social care and child care services and children's services in Wales

24. To assist the Inquiry to understand the position of the care sector in Wales, I have produced Table 1 below which includes the number of *services registered* and the number of *places* for children and young people available at those services (where relevant) as at 31 March 2022. For context, this covers the 22 local authority areas in Wales. We have included the data for care home services for adults in order to provide a complete picture of the services we cover and context for the data relating to children and young people.

Table 1: Number of services and places as at 31 March 2022		
Adult and children's services		
	Services	Places
Care Home Service for Adults	1,033	25,332
Care Home Service for Adults and Children	17	151
Care Home Service for Children	256	1,061
Domiciliary Support Services	614	-
Secure Accommodation Service	1	22
Residential Family Centre Services	2	39
Independent fostering Services	24	-
Local authority fostering services	22	
Independent adoption Services	5	-
Local authority adoption services	20	
Adult Placement Services	9	-
Advocacy	2	-
Boarding schools (not regulated services)	11	1393
Residential Special Schools (not regulated services)	6	128
Further Education colleges (not regulated services)	3	-
<b>Total</b>	<b>2,025</b>	<b>28,126</b>
Child care and play services		
	Services	Places
Child Minder	1,686	13,517
Creche	14	406
Full Day Care	1,015	39,412
Open Access Play Provision	38	2,931
Out of School Care	358	14,723
Sessional Day Care	463	10,437
<b>Total</b>	<b>3,574</b>	<b>81,426</b>

25. The responsibilities of the Inspectorate did not change in law because of the pandemic. The responsibility to provide assurance on the quality and safety of services remained, but it became necessary to modify the way in which the Care Inspectorate Wales met those responsibilities in response to the changing circumstances throughout the pandemic.

## **Registration**

26. In Wales any person providing a “regulated service” under the 2016 Act is required to register with Care Inspectorate Wales. The definition of regulated services is set out under Schedule 1 of the 2016 Act. In that Schedule a “care home service” is defined as the provision of accommodation, together with nursing or care at a place in Wales, to persons because of their vulnerability or need. A “secure accommodation service” is the provision of accommodation for the purpose of restricting the liberty of children at residential premises in Wales where care and support is provided to those children. A residential family centre consists of accommodation, provided to children and their parents where (a) the parents’ capacity to respond to the children’s needs and to safeguard their well-being is monitored or assessed, and (b) the parents are given such care and support as is thought necessary. A Fostering Service is the provision of any service provided in Wales, by any person other than a local authority, which includes the placement of children with local authority foster parents or exercising functions in connection with such placement. An Adoption Service is service provided in Wales by either a not-for-profit organisation which is an “adoption society”, or an “adoption support agency”.
27. Under the Children and Families (Wales) Measure 2010 (the Measure) and the Child Minding and Day Care (Wales) Regulations 2010, any person providing a child minding or day care service is required to register with Care Inspectorate Wales, the “Registered Person”. A person acts as a child minder if he or she looks after one or more children under the age of twelve on domestic premises for reward. A person provides day care for children where care is provided at any time for children under the age of twelve on premises other than domestic premises. Where the term ‘day care’ is used, it includes the range of different child care and play provisions including full day care, sessional day care, out of school child care, creches and open access play provision.

28. There are a number of factors the Inspectorate considers when determining an application to register any service. Primarily, the Inspectorate considers whether the applicant, Responsible Individual or Registered Person is fit and proper and whether the Inspectorate is satisfied the service provider is likely to provide a good quality and safe service. Where the service is delivered from premises, the Inspectorate must be satisfied the premises is suitable and meets any legal requirements. This is achieved by undertaking a premises assessment.
29. For services applying to register under the 2016 Act, Care Inspectorate Wales must be satisfied service providers, and the Responsible Individual are “fit and proper” in accordance with the test laid down in section 9 of the 2016 Act. Subsections (4) to (8) of that section set out various matters which are likely to affect the fitness of a service provider or Responsible Individual, such as: the commission of offences, an association with a person who has committed offences, previous involvement in the misconduct or mismanagement of a regulated service and issues of non-compliance with the regulations made under the 2016 Act. However, the Inspectorate must also have regard to all matters that it thinks appropriate.
30. For services applying to register under the Measure, Care Inspectorate Wales must be satisfied the “Registered Person” or in the case of an organisation, Responsible Individual, is “fit and proper” to provide regulated services in accordance with Part 3 of the 2010 Regulations. Schedule 1 of those regulations sets out various matters which are taken into account when assessing the fitness of the Registered Person or Responsible Individual such as suitable integrity and good character to look after children under the age of eight; the absence of disqualification; the possession of qualifications, skills and experience necessary, and the physical and mental fitness, to look after children under the age of eight.
31. Individual applicants and Responsible Individuals will also be required to undergo a Disclosure and Barring Service check as part of the registration process. In the event of a positive disclosure on this check, the Inspectorate will consider whether any further action is required. This may include holding an interview, to establish whether the disclosure is likely to have an impact on the individual’s suitability to be providing a regulated service. Individual applicants and Responsible Individuals must also provide two references in relation to their competence to fulfil the role of Responsible Individual for the regulated service.

32. To ensure Registered Persons or Responsible Individuals are suitable they are required to complete a questionnaire and undertake an interview as part of the application process. This questionnaire and interview are intended to establish an individual's understanding, ability and commitment to providing a good quality and safe service which complies with any requirements imposed on them by the regulations. In determining whether the service provider is likely to provide a good quality and safe service Care Inspectorate Wales needs to be satisfied the service will be provided in such a way that it complies with all relevant legislation. This will include the regulations made under the 2016 Act, the Measure and any other legislation relevant to the service such as health and safety legislation.
33. The Inspectorate has a determination framework which provides details on the sources of evidence inspectors use when making a registration decision. I exhibit the determination framework for services registered under the 2016 act at **M08-CIW-04 - INQ000496067** and the equivalent framework for services registered under the measure at **M08-CIW-05 - INQ000622997**. As part of the registration process the Inspectorate will undertake a premises assessment which includes a site visit. The premises assessment is carried out against the statement of purpose. The statement of purpose is the key document which sets out the applicant's vision for the service and how the applicant intends to meet the needs of the children using it.

### **Inspection of regulated children's social care and child care services**

34. Care Inspectorate Wales inspects regulated children's social care services in accordance with the powers and requirements set out in sections 32 - 37 of the 2016 Act. Care Inspectorate Wales inspects child care and play services in accordance with the powers and requirements set out in Part II of the Measure and the 2010 Regulations.
35. I exhibit the Code of Practice for the inspection of regulated children's social care services at **M08-CIW-06 - INQ000496074** and the Code of Practice for the inspection of childminding, day care and open access play services at **M08-CIW-07 - INQ000622998** which detail the manner in which inspections are carried out including the frequency of inspections prior to the pandemic. The Codes of Practice set out the principles guiding inspection work. Inspectors are required to have regard to the guidance in the Codes of Practice and be able to explain how they have taken it into account when undertaking an inspection. The Codes of Practice informs everyone

about how care and support services are inspected in Wales. This includes, people using services, their families, friends and carers, as well as providers of care and support services, commissioners of those services and members of the public. In the case of child care and play providers, the Inspectorate began publishing ratings in 2016.

36. We do not award an overall rating for the provider, but we do award ratings against each of the four inspection themes using a four-point rating scale. Published ratings for care homes for children were introduced in April 2025.

Table 2: Child care and play ratings descriptors	
Rating Scale	What this means
<b>Excellent</b>	These are services which are committed to ongoing improvement with many strengths, including significant examples of sector-leading practice and innovation. These services deliver high quality care and support and are able to demonstrate that they make a strong contribution to improving children's well-being.
<b>Good</b>	These are services with strengths and no important areas requiring significant improvement. They consistently exceed basic requirements, delivering positive outcomes for children and actively promoting their well-being.
<b>Adequate</b>	These are services where strengths outweigh areas for improvement. They are safe and meet basic requirements, but improvements are required to promote well-being and improve outcomes for children.
<b>Poor</b>	These are services where important areas for improvement outweigh strengths and there are significant examples of non-compliance that impact negatively on children's well-being. Where services are poor, we will take enforcement action and issue a priority action notice.

37. Care Inspectorate Wales also has an internal RAG (red, amber, green) risk management system to assist with the scheduling of inspections. This is built into the Inspectorate's electronic case management system and uses risk factors (such as



absence of Responsible Individuals for more than three months, noncompliance with regulations at the previous inspections etc.) to schedule inspections as either 'routine', 'early' or 'priority'. This enables the Inspectorate to prioritise its inspection work and determine when specific services require an inspection.

38. Table 3 includes the number of inspections performed in regulated children's and child care services in the five-year period 2018/19 to 2022/23.

<b>Table 3: Number of inspections performed in each financial year</b>					
<b>Year ending</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>
Childrens Care Home Service	142	124	40	136	220
Secure Accommodation Service	0	1	0	2	0
Residential Family Centre	0	1	2	0	2
Advocacy Service	0	0	0	0	0
Adoption Service*	4	0	0	0	0
Fostering Service	5	0	0	1	1
Boarding School	2	5	2	1	2
Further Education College	2	0	0	0	0
Residential Special School	1	3	0	0	0
<b>Total children's services</b>	<b>156</b>	<b>134</b>	<b>44</b>	<b>140</b>	<b>225</b>
Child Minder	580	433	27	182	205
Creche	6	2	0	0	2
Full Day Care	384	413	59	285	393
Open Access Play Provision	12	5	0	2	2
Out of School Care	137	95	4	42	44
Sessional Day Care	204	163	3	59	73
<b>Total child care services</b>	<b>1323</b>	<b>1111</b>	<b>93</b>	<b>570</b>	<b>719</b>

### **Securing improvement and enforcement – regulated services**

39. Where inspectors have concerns or have identified poor outcomes for children and young people or where providers do not meet the standards required by the law, providers are expected to take appropriate action to improve. The Inspectorate operates a graduated approach in line with its '*Securing Improvement and Enforcement Policy*' which I exhibit at **M08-CIW-08 - INQ000501398**. This policy applies to providers of both regulated children's social care and child care. Care Inspectorate Wales may conduct follow-up inspections to ensure improvements have been made and sustained.



40. Where inspectors highlight areas for improvement in the inspection report, the provider must take action to address them, and these are followed up at the next inspection, usually within 12 months. Where failings identified require priority action to be taken to improve outcomes for people, the Inspectorate will issue a priority action notice. This is the first stage of the securing improvement and enforcement pathway. These non-statutory notices set out the regulatory failings for the service provider and the action they are required to take to improve the service. Services which are issued priority action notices are prioritised for a follow-up inspection within six months to establish whether the required actions have been taken.
41. Table 4 includes the number of inspections of regulated children's and child care services where one or more priority action notice was issued in the five-year period 2018/19 to 2022/23.

<b>Table 4: Number inspections in each financial year where one or more Priority Action Notice was issued</b>					
	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>
Children's Care Home Service	16	15	13	42	31
Secure Accommodation Service	0	0	0	1	0
Residential Family Centre	0	1	1	0	0
Advocacy Service	0	0	0	0	0
Adoption Service	0	0	0	0	0
Fostering Service	0	0	0	1	0
Boarding School	0	0	0	0	0
Further Education College	0	0	0	0	0
Residential Special School	0	0	0	0	0
<b>Total children's services</b>	<b>16</b>	<b>16</b>	<b>14</b>	<b>44</b>	<b>31</b>
Child Minder	21	18	4	10	12
Creche	0	0	0	0	0
Full Day Care	34	37	16	48	42
Open Access Play Provision	2	2	0	0	0
Out of School Care	10	2	0	4	0
Sessional Day Care	10	8	0	4	2
<b>Total child care services</b>	<b>77</b>	<b>67</b>	<b>20</b>	<b>66</b>	<b>56</b>

42. The increase in the number of inspections where one or more priority action notices were issued in 2021/22 is primarily due to an increase in the number of registered care homes for children. When inspected, it became apparent some of these services, in particular those for children with more complex needs, needed to take specific action to strengthen the service provided.
43. Where serious or persistent failures are identified, the Inspectorate has a range of civil enforcement powers under the 2016 Act and the Measure which enables it to take statutory enforcement action. These measures include imposing restrictions, suspending services (in the case of child care and play services) and ultimately cancelling registration. The Inspectorate uses its civil enforcement powers to focus on reducing risk to people who use regulated services, and it has powers to prosecute a service, registered person or responsible individual for serious failures if they amount to a criminal offence. In some cases, it may be appropriate to use both civil and criminal enforcement sanctions at the same time.
44. For child care services, a notice of intention may be issued if we decide to take enforcement action such as imposing, varying or removing a condition of registration, or to cancel the registration of a service in accordance with the Measure.

#### **Review of Local authority social services functions**

45. In addition to its powers to regulate and inspect service providers delivering regulated services, Care Inspectorate Wales has the power to review local authority social services functions under section 149 of the Social Services and Well-being (Wales) Act 2014 (the 2014 Act). This includes reviewing:
- a. The overall exercise of local authority social services functions in Wales;
  - b. The way in which the social services functions of a particular local authority are exercised;
  - c. The exercise of a local authority social services functions of a particular description (including the power to inspect two or more local authorities where they are working together through regional arrangements); and
  - d. The exercise of a local authority social services function by a particular person or persons.

46. Care Inspectorate Wales is required, under section 161A of the 2014 Act, to publish a Code of Practice, I exhibit this previously as **M08-CIW-06 - INQ000496074**. This sets out the Inspectorate's approach to reviewing local authority social services functions in Wales by its performance review activity. It describes its approach to reviewing the exercise of local authority social services functions in Wales.
47. The Inspectorate reviews how local authorities support and provide their social services functions by a range of performance review activities, of which inspection is just one element. It considers how local authorities are performing in relation to the four principles of the 2014 Act as set out below. To note, during the Covid-19 pandemic the line of enquiry for the partnership principle was amended to reflect the specific context of the pandemic:
- a. People - voice and control - How well were local authorities ensuring people, carers and practitioners were having their voices heard, making informed choices, and maintaining control over their lives;
  - b. Prevention - To what extent were local authorities successful in promoting prevention and reducing need for increased or formal support from statutory agencies;
  - c. Partnerships and Integration – To what extent were local authorities able to assure themselves opportunities for partnership working during the pandemic were positively exploited; and
  - d. Well-being - To what extent were local authorities promoting well-being, ensuring people maintained their safety and achieved positive outcomes that mattered to them.
48. These are considered at three levels:
- a. Individual – focused on people's experience and their personal outcomes;
  - b. Operational – focused on frontline practice and delivery of services; and
  - c. Strategic – focused on leadership, planning and governance.
49. The majority of social services departments in Wales provide both adults and children's services with a single statutory director of social services. Care Inspectorate Wales reviews the performance of both adults and children's services.
50. Before the pandemic, performance review activity included:

- a. National thematic reviews: this included field work in a number of local authorities as well as a national survey which culminated in a national themed report to enable greater shared learning, impact and improvement in the outcomes of people in Wales;
- b. Performance Evaluation Inspections;
- c. Focused activity: We undertook focused activity either as separate activity with one local authority or with several local authorities as part of wider national thematic reviews; and
- d. Follow up: Follow up activity took place where we had specific areas to monitor and track progress.

**Engagement with government and key representatives from regulated children's social care and child care services**

- 51. During the specified period, namely, 1 January 2020 to 28 June 2022, Care Inspectorate Wales engaged extensively with the Welsh Government and representatives from bodies across the care sector to ensure not only the voice of the sector was heard, but also to share its findings from its regulatory work and the feedback it received as part of its check-in calls, and latterly the monitoring calls with providers (these are addressed later in this statement).
- 52. Below I have listed the key bodies and representatives from across the sector with whom Care Inspectorate Wales engaged during the specified period. I have also summarised the central matters which were addressed as part of that engagement. Further detail with regards to those matters which have been summarised as part of this section, is provided later in this statement under the relevant respective headings. However, the Inspectorate considers it is vitally important to have a good working relationship with bodies and their representatives from across the care sector to help achieve the well-being goals of children and young people in receipt of regulated services. Therefore, the engagement with the following bodies goes beyond that of the specified period.

*Welsh Government, Health and Social Services Group:*

- 53. As I have addressed above, although Care Inspectorate Wales is operationally independent, it exercises functions on behalf of the Welsh Ministers. Consequently, it

has a close working relationship with the Welsh Government and its policy officials. The Inspectorate has subsequently developed a strong working relationship with those officials within the Welsh Government, the Health and Social Services Group but particularly those officials within the Social Services and Integration Directorate and the Communities and Tackling Poverty Directorate. During the relevant period I would frequently meet the Deputy Director General Health and Social Services/Chief Social Care Officer Wales, Albert Heaney, to discuss emerging themes within the care sector. The Deputy Chief Inspectors would also frequently meet senior civil servants within the Social Services and Integration Directorate such as, Alistair Davey and Andrea Street. Although our meetings and discussions with these policy officials would span the breadth of social care (adults and children), the primary focus was the impact of the pandemic on older adults as this was the group most affected. The Head of Child Care and Play Inspection would meet regularly with policy officials in the Communities and Tackling Poverty Directorate who were responsible for policy in relation to early years child care settings during the relevant period.

54. Additionally, Care Inspectorate Wales was a member of several Welsh Government groups, some of which were activated in response to the Covid-19 pandemic. For example, the Inspectorate was a member of the Social Care Planning and Response sub-group, the Social Care Testing and Infection Control Strategy and Policy Development Group, and the Social Care Stakeholder Communications Group. These groups had a remit across all areas of social care adults and children, although the focus was predominantly on older adults as these were the people most impacted.
55. The Inspectorate also facilitated the Care Home Visiting Stakeholder Group to inform the development of non-statutory guidance to support care services to enable family and friends to visit their loved ones as safely as possible when restrictions were in place, including visiting to care homes for children. This group met for the first time on 1 June 2020, and the first iteration of the guidance was agreed and circulated to providers by Care Inspectorate Wales on behalf of the Welsh Government on 23 June 2020. The email which circulated the guidance is exhibited as **M08-CIW-09 - INQ000198412**. The guidance was subsequently published on the Welsh Government's website and is exhibited as **M08-CIW-10 - INQ000081250**. We ensured stakeholders on this group included representatives of children services providers and commissioners, so their specific needs were recognised in the guidance.

56. I met the Deputy Minister for Health and Social Services regularly to discuss the work of the inspectorate and how we were adapting the way we worked as a result the pandemic. These meetings were daily in the initial period of the pandemic, then three times per week and continue to the present day on a less frequent but regular basis. I provided examples to illustrate the effect of the pandemic on services for children and young people, highlighting matters such as temporary closures of child care and play services, staffing levels and the outcomes of our assurance checks in local authorities. As these were informal meetings, minutes or notes were not produced. We also provided the Deputy Minister for Health and Social Services with regular informal briefings outlining the range of activities we were undertaking to provide assurance on the safety of services during the pandemic. By way of example, I exhibit one of the briefings as **M08-CIW-11 - INQ000624053**.

*Providers of regulated children's social care and child care services*

57. Care Inspectorate Wales has a direct link and relationship with every regulated service and local authority in Wales. The Inspectorate considered it vitally important to have regular contact with the providers it regulated. Therefore, an early system of check-in calls and later monitoring calls was set up for all regulated services to hear directly from providers about the challenges they were facing and to ensure those messages were not lost and shared with the Welsh Government's officials to inform policy makers. Monitoring calls also enabled the Inspectorate to gain further assurance about the quality and safety of services and to identify any matters which could be supported by guidance.

*Child care and play representatives – Cwlwm Play Wales*

58. Within the relevant period Care Inspectorate Wales met regularly with members of Cwlwm, the body that represents child care providers in Wales including Mudiad Meithrin (Lead organisation) Clybiau Plant Cymru Kids' Clubs, Coram PACEY Cymru, Early Years Wales, and National Day Nurseries Association (NDNA Cymru). These meetings focused on sharing information, for example on the numbers of child care and play services that had closed or reopened and on co-ordinating efforts to support the sector, for example, in relation to the implementation of the relaxation of National Minimum Standards. Policy officials from the Communities and Tackling Poverty Directorate also attended these meetings.

#### *Local Authorities – Directors and Heads of Children’s Services*

59. The Inspectorate met local authority Directors of Social Services and/or Heads of Children’s services regularly during the relevant period. The purpose of these meetings was to seek assurance about the overall performance of local authority social services and people’s safety and well-being. Some local authorities received weekly calls, while others had bi-weekly or monthly calls. The frequency was adjusted based on the urgency of issues and the need for updates on specific matters such as Covid-19 impact, safeguarding concerns, and service adaptations.

#### *Association of Directors of Social Services Cymru*

60. During the relevant period Care Inspectorate Wales would also engage frequently with the Association of Directors of Social Services Cymru on matters such as the Inspectorate’s modified inspection model for local authorities and regulated services including children’s homes and to share its weekly data reports to assist directors in their local planning and response.

#### *National Commissioning Board Wales*

61. Care Inspectorate Wales attended regular National Commissioning Board meetings. This board included representatives from local authority and health board commissioners, the Association of Directors of Social Services in Wales, Social Care Wales, the Welsh Local Government Association and provider representatives. During these meetings, the Inspectorate provided the board with its reflections and intelligence on what was happening on the ground in regulated services.

#### *Children’s Commissioner for Wales*

62. Care Inspectorate Wales’s engagement with the Children’s Commissioner for Wales included sharing information such as providing an overview of the check-in calls with service providers or seeking contributions and views on guidance such as visiting in children’s homes.

#### *Other key individuals and organisations*

63. Care Inspectorate Wales also engaged directly with the Chief Medical Officer for Wales, Chief Nursing Officer for Wales, local health boards, Healthcare Inspectorate Wales, and Social Care Wales. In addition, the Care Inspectorate engaged on a less frequent basis with the health and social care regulators across the UK and Ireland, namely the Care Quality Commission, Care Inspectorate Scotland, Regulation and Quality Improvement Authority and the Welsh Government's Knowledge and Analytical Services and its Chief Statistician.

### **Planning prior to the pandemic**

64. Before January 2020, Care Inspectorate Wales, as a division within the Welsh Government, followed the Welsh Government's Business Continuity Planning process. Although we did not have a specific plan in place for a pandemic, our business continuity plan, which I exhibit at **M08-CIW-12 - INQ000623013**, set out our plans to continue operating in the case of a disruption by an event which significantly impacted on the day to day running of normal business activity including an infectious disease.
65. As the pandemic emerged in early 2020, Care Inspectorate Wales stepped up its planning for how it would meet its responsibilities. On 14 February 2020, we published an article on the Care Inspectorate Wales website, signposting people to the Public Health Wales website for latest news and information published. The purpose of this article was to raise awareness of the virus and to help to signpost providers and members of the public to the latest news and information.
66. Between January and early March 2020, I wrote to staff on a weekly basis to inform them about the most recent developments and to make sure they were familiar with the most up-to-date guidance on the Welsh Government's intranet site. I also updated them on general arrangements such as remote working and the availability of hand gel for inspectors who were visiting services. By way of example, I exhibit the guidance to Care Inspectorate Wales front line staff taking calls from 5 March at **M08-CIW-13 - INQ000622988** and the weekly staff update from 9 March 2020 at **M08-CIW-14 - INQ000623014**.
67. On 10 March 2020, Care Inspectorate Wales wrote to all local authorities, registered social care and child care and play providers and umbrella organisations to share an update on how it was responding to the outbreak of Covid-19, and how it planned to approach any future decisions as the situation developed. I exhibit a letter to providers



regarding Care Inspectorate Wales's response at **M08-CIW-15 - INQ000497197**. On the same day, we also issued a separate letter to Directors of Social Services, the Welsh Local Government Association and policy colleagues from the Welsh Government which I exhibit at **M08-CIW-16 - INQ000624019**.

68. Care Inspectorate Wales established three key principles which it used to make sure services continued to be safe. Those principles were:
- a. It would focus its activity where it was needed most to ensure people received safe care – this meant concentrating on those areas where the Inspectorate believed the risk to the quality of care was the highest and where it could make the biggest difference. The assessment of risk and quality of care was based on the intelligence contained within any notifications, concerns and incidents, the Inspectorate's prior knowledge of the service coupled with information obtained as part of inspectors' contact with providers, and commissioners;
  - b. It would support providers by looking at how it could act flexibly and proportionately; and
  - c. It would honour its duty of care to employees of the Inspectorate.
69. On 16 March 2020, I advised staff of my decision to pause all routine inspections from 5 pm on 16 March 2020 and that we would only undertake inspections if the service was currently being or was scheduled to be considered by a local securing and enforcement panel, and/or we had reason to believe people were at significant risk of harm.
70. On 18 March 2020, Care Inspectorate Wales held a Senior Management Team Coronavirus (Covid-19) planning day. We discussed what we needed to continue to do, including priority inspection work, team plans for work to be undertaken while inspections were interrupted, staff wellbeing and frequently asked questions for providers. I held an all-staff teleconference on 19 March 2020 to update them about the current position and to discuss our operational priorities; staff health, safety and well-being; the Welsh Government's guidance for staff; what we were doing to support the sector and what this meant for their work
71. During March 2020, we recognised the existing business continuity plan only dealt with disruption to our buildings and staff and didn't address the wider disruption Covid-19 was causing. We therefore took decisive action to update the business continuity plan

as soon as the need to plan our immediate activity was met. I exhibit the updated plan at **M08-CIW-17 - INQ000623001**.

**Care Inspectorate Wales's response to the pandemic – changes to our approach to assurance and regulation**

72. Care Inspectorate Wales's regulatory functions to provide assurance on the quality and safety of services continued during the pandemic. As part of our role, we report on and share information and intelligence about our findings from inspections, reviews and information service providers and the public share with us. Our response to the Covid-19 pandemic is set within the context of the prevailing national position in terms of understanding and knowledge about the virus and how it was transmitted, testing and PPE availability, public health advice and national Covid-19 regulations and guidance. Our response was also predicated on taking a risk-based approach, focusing our activity where the risks to people were highest and where we could make the most significant difference. Throughout the pandemic adults, in particular older adults were reported to be most impacted by and at risk from the virus. Consequently, adult services were a significant focus of attention for us, nevertheless, our oversight and regulation of children's social care and child care services continued, albeit through the altered approaches described later in the statement.
73. Care Inspectorate Wales is in a unique position as it has a direct link and relationship with every regulated children's social care and child care service and local authority in Wales. We also have links with the Welsh Government's policy leads and officials and other representatives in the health and social care sector such as Healthcare Inspectorate Wales, Social Care Wales, the Children's Commissioners and umbrella groups representing providers, such as Cwlwm and Play Wales.
74. During the pandemic these relationships were very beneficial as Care Inspectorate Wales was invited to join a number of groups such as the Social Care Planning and Response subgroup from 13 March 2020 and the Social Care Testing and Infection Control Group from November 2020 referred to previously in this statement.
75. Care Inspectorate Wales shared data, intelligence and findings with Welsh Government, local health boards and local authorities to inform national and local planning and decision making. The detail of this is described in subsequent sections of this statement. We also commented on draft guidance on matters such as testing in

social care. This was achieved through various methods such as attendance at meetings to provide insight and information, sharing and publishing data reports and producing reports of our findings from our monitoring.

76. Care Inspectorate Wales acted as advocates for children and young people who receive social care and those that provide social care and was able to use our knowledge and understanding of the sector to provide advice and inform decision making. Examples of this are included in the proceeding sections of this statement.
77. In the following paragraphs, I will set out the changes we introduced and how we worked differently in response to the pandemic across our different areas of responsibility to ensure the safety of services for children and young people.

#### **Changes to registration of regulated children's social care and child care services**

78. In light of the pandemic, and in order to progress the flow of registration work, on 23 March 2020, Care Inspectorate Wales published a news article on its website stating the registration process would be adapted to help create additional capacity in social care and child care and play sector. This article is exhibited at **M08-CIW-18 - INQ000496068**. Internal guidance was also developed for staff to ensure there was a consistent internal understanding on the changes so it could be clearly articulated to all applicants.
79. The adaptation meant Care Inspectorate Wales registration teams prioritised areas of work in the order outlined below:
  - a. All registration and variation work that supported providers to provide services because of Covid-19;
  - b. All registration and variation work that brought additional capacity to the sector.
  - c. Registration of services operating without registration;
  - d. High-risk registrations or variations, for example relating to the purchase of services in administration; and
  - e. All other registration and variation work.
80. As part of that process, Care Inspectorate Wales contacted all applicants to confirm their registration intentions. This enabled the Inspectorate to put non-priority applications on hold and to prioritise those bringing capacity into relevant sectors e.g. provision to provide child care to key workers.

81. For example, the adaptations to the registration process meant site visits would only occur when absolutely necessary and if there were no other means of assessing the suitability of the premises. This was implemented to not only reduce the risk of inspectors carrying the virus into services, the risk to inspectors becoming infected, but also to allow for a continued flow of registration applications to be processed to free up capacity within the sector. I exhibit the guidance which was produced in April 2020 around undertaking a virtual visit as **M08-CIW-19 - INQ000496070**. This guidance set out checklists for each type of regulated service, to support inspectors in their assessment of, for example – day care, child minder and children's care home services. Care Inspectorate Wales also adopted alternative methods of identification by remote means, for example utilising Skype or other virtual tools.
82. Care Inspectorate Wales continued to meet applicants and the Responsible Individual and/or Registered Person as part of the registration interviews. Site visits would only be undertaken in unoccupied services. Further, the Inspectorate allowed applicants to provide self-declarations to reduce the burden on Social Services departments and General Practitioners. I exhibit the April 2020 adapted registration guidance for applicants and providers in response to Covid-19 at **M08-CIW-20 - INQ000501660**.
83. Inspectors were provided with guidance to help them determine how they should adapt the registration process depending on the Covid-19 restrictions in place at the time which I exhibit at **M08-CIW-21 - INQ000497207**. In addition, within Care Inspectorate Wales's digital case management system, a flag was placed on the digital system to indicate whether those services had received an in-person site visit or not. This was to ensure there was a clear marker of those premises which had been assessed as part of a virtual inspection.
84. Care Inspectorate Wales sought to take a pragmatic and proportionate approach to supporting the creation of new, additional, or innovative services to ensure people could access the care they needed. During the months of March and April 2020, the number of child care and play services reporting temporary closure rapidly increased and by June 2020 almost half of these services were reported to be temporarily closed (1,731 services or 47%). This equated to 57% of capacity.
85. During this period, it was imperative adequate child care services were available to care for the children of key workers. In some areas, where there was insufficient

provision, local authorities worked to create hubs of child care provision. In some cases, local authorities provided these services themselves whereas in others they engaged a private provider to deliver them. The Inspectorate prioritised registration of these services to ensure additional capacity could be created to enable the children of essential workers to be cared for, for example staff working in care homes and those delivering home care. In total, 11 such services were registered providing 400 places for children of key workers.

86. In November 2020, Care Inspectorate Wales issued further revised guidance outlining the approach to registering services. The guidance retained many of the adapted processes from the April 2020 guidance and implemented a more nuanced approach to site visits and when the Inspectorate would visit services in person. For example, the April guidance indicated inspector site visits would only occur in respect of vacant care home services and were only to be undertaken when a premises was vacant, or the service was closed; whereas in the November guidance, the Inspectorate adopted a risk-based approach to decisions about whether to carry out an in person visit. For example, if a visit was to be made to an occupied premises, consideration would be given to whether the person an inspector was meeting had any symptoms of Covid-19 (as defined in the NHS and Public Health Wales guidance), and whether all relevant risks assessments has been completed prior to the visit. This guidance was withdrawn in early 2022 as restrictions were lifted. I exhibit the November 2020 adapted registration guidance for applicants as **M08-CIW-22 - INQ000496073**.
87. Since the withdrawal of this guidance, Care Inspectorate Wales has returned to pre-pandemic registration processes and the standard prioritisation of applications.

#### **Changes to assurance and inspection of regulated children's social care and child care services**

88. Care Inspectorate Wales's approach to monitoring and inspection of regulated children's social care and child care services changed throughout the pandemic in response to what was known about the virus and how it was transmitted, the availability of testing, PPE and vaccinations. Although the way in which we worked at this time changed and it was not possible to conduct inspections in the same way as before the pandemic, staff were fully engaged and worked tirelessly to meet the new schedule of check-in calls and monitoring calls with providers. It was not necessary to redeploy staff to other areas of the organisation to meet demands elsewhere or because they

were not required to perform their existing roles. However, in the early stage of the pandemic around 20 members of staff chose to move to work back in front line services or to support the emergency response within teams elsewhere in the Welsh Government. The existing structure of the teams remained as set out at the beginning of my statement. A small number of staff went to support the work of policy teams within the Welsh Government, using their specialist knowledge to deliver key projects.

89. To assist the Inquiry, I have divided the relevant period into three distinct phases to describe the assurance and inspection activity undertaken by Care Inspectorate Wales. This is set out below.

*Mid-March 2020 – June 2020 – Response during the initial phase of the pandemic*

90. I met Margaret Rooney and Vicky Poole on the morning of 16 March 2020, and I took the decision to pause our routine inspection programme including inspection of regulated children's social care and child care services, local authority social services, with effect from 5 pm on 16 March. A copy of the advice sent to the Deputy Minister for Health and Social Services which was copied to the Minister for Health and Social Services and the First Minister is exhibited at **M08-CIW-23 - INQ000198265**. We made this decision to reduce the risk of our inspectors spreading a virus, which was not then fully understood, to people using and working in care services and to reflect the duty of care owed to our staff. In addition, we sought to ensure local authorities and care service providers could focus their resources on maintaining the health and safety of people using services and their staff in these exceptional circumstances. This decision was communicated to staff in an e-mail from myself and is exhibited at **M08-CIW-24 - INQ000530681**.
91. Although Care Inspectorate Wales took the decision to pause routine inspections, Care Inspectorate Wales was clear we would continue to inspect any service where we had significant concerns about the safety and well-being of people, for example as a result of concerns raised or intelligence shared with us.
92. To increase the level of intelligence we had about the quality and safety of local authority commissioned services, such as care homes for children and fostering placements during the period when we were not undertaking routine inspections, we wrote to local authorities on 16 March 2020 asking them to share information with us on any service they had concerns about in a timely way. We equally committed to

sharing any concerns we may have with local commissioners. A copy of the letter is exhibited at **M08-CIW-25 - INQ000198575**. This also assisted with contingency planning,

93. On 20 March 2020, Vicky Poole sent a letter to directors of social services, copied to local authority chief executives and local health boards, with an update on Care Inspectorate Wales's work. The letter included suggested arrangements for sharing concerns and intelligence at an operational and strategic level. This was crucial to ensure both Care Inspectorate Wales and local authority/ health board commissioners had as accurate and up to date information about the position in regulated services as possible. This information would be crucial to the Inspectorate in terms of informing us of significant concerns about the safety and well-being of people and where an inspection was required. We committed to share notifications received from services about Covid-19 on a daily basis. A copy of the email is exhibited at **M08-CIW-26 - INQ000198269** and the letter issued is exhibited at **M08-CIW-27 - INQ000198270**. This led to regular meetings with local authority and health board commissioners enabling intelligence to be shared about services. The frequency of these meetings varied depending on the local authority but in general were fortnightly in the initial phases of the pandemic but have now moved to approximately every month.
94. In the summer of 2020, the Deputy Chief Inspector and head of adult and children's services inspection met local authority and health board commissioners on a regional basis to explore with them what was working well in terms of our information and intelligence sharing arrangements and what more we could do. We agreed the arrangements implemented during the pandemic allowed for more regular and systematic sharing of intelligence which was beneficial. We agreed this should continue and be formalised within a Memorandum of Understanding. The Memorandum of Understanding was developed and agreed. I exhibit a copy of this at **M08-CIW-28 - INQ000182578**.
95. All local authorities in Wales commission children's residential and fostering placements through the Children's Commissioning Consortium Cymru. This is a national team which manages the all-Wales framework relating to the provision of residential care services to children and young people and the all-Wales framework relating to the provision of foster care services to children and young people. Providers must go through an evaluation process to be accepted as a provider on these frameworks. Although local authorities can also commission individual placements

with providers who are not on the all-Wales frameworks, the majority of fostering and many residential placements are sourced through these arrangements. The Children's Commissioning Consortium Cymru team also undertake quality assurance and contract monitoring of providers on the frameworks and therefore have a good understanding of provider performance. The Inspectorate met representatives from the consortium on a regular basis to share intelligence and any emerging themes in relation to our work with children's residential and fostering services and providers.

96. During the latter part of March 2020, although no physical inspections were undertaken, inspectors continued to monitor and follow up on:
- a. Notifications including notifications of suspected or confirmed Covid-19 cases in staff or children and young people using the service. Providers were also required to notify Care Inspectorate Wales of other events as set out in schedule 3 of the 2017 Regulations and Schedule 4 of the 2010 Regulations. Examples include outbreak of infectious disease, death of an individual (in the case of care homes for children) events that could affect the running of a service etc;
  - b. Concerns or safeguarding incidents reported to us by people using services, their families or representatives, staff, or other professionals; and
  - c. Services already on our enforcement pathway. Where service failings had been identified at previous inspections, we wrote to these providers seeking an update on actions they had taken to address shortfalls. This would include those services where the Inspectorate had issued priority actions notices, as described previously, following the previous inspection. I exhibit the letter at **M08-CIW-29 - INQ000623011.**
97. Depending on the intelligence received through the provider responses to requests for updates, notifications, concerns and incidents coupled with prior knowledge of the service, inspectors followed up using a range of methods:
- a. Contacting the provider directly to seek further information or evidence of actions taken by providers;
  - b. Referring appropriate matters to local authority safeguarding in line with our safeguarding policy;
  - c. Liaising with the local authority and local health boards to collect further intelligence; or



d. A combination of the above.

98. On 23 March 2020, the UK went into the first national lockdown for a three-week period. At this point it became clear our ability to undertake routine inspection activity would be limited for longer than we had originally anticipated. We therefore began the process of developing new ways of working to enable us to provide assurance when we were not able to carry out in-person inspection visits.
99. This included the introduction of weekly check-in calls made by inspectors to care homes for children from 30 March 2020 and to child care and play services between 6 April 2020 and 26 July 2020. A copy of the email issued to providers of children's social care introducing the calls is exhibited at **M08-CIW-30 - INQ000198277**. Through these calls, the Inspectorate sought to support providers through difficult periods and obtain feedback about services in order to establish a picture of pressures across Wales. The calls also enabled us to identify any specific problems for services, the areas where the Inspectorate could develop guidance and advice through 'frequently asked questions' and also enabled information to be fed back to representatives of local authorities and/or other parts of the Welsh Government.
100. We did not ask all questions each week, but some we repeated to enable us to understand the provider's experiences over time. Questions also evolved and were refined to gather further details, or to encompass new themes related to the progress of the pandemic and the effects on providers of children's social care and child care. I exhibit an early example of the check in call questions for child care and play services at **M08-CIW-31 - INQ000501691** and the questions for children's services at **M08-CIW-32 - INQ000623006**.
101. In the case of regulated children's services, check in calls were initially made weekly but subsequently became fortnightly, recognising the pressure on providers internally, and the volume of calls from multiple agencies. Due to the high number of registered child care and play services, inspectors contacted services that were still operating to ask them the questions in the survey on two separate occasions. Some providers were contacted more frequently if we needed to gather more information or provide additional support.
102. In May 2020 Care Inspectorate Wales also set up an additional system for children's services, in particular care homes, where children were not returning to the care of

their parents each evening. This enabled inspectors to identify those services where children may be at risk.

103. This system included working with other public services, for example local authorities to agree what might be needed to support the service, such as increased oversight, monitoring, and inspection where necessary. This included a central record where inspectors recorded key information/issues identified and our action/monitoring activity. Inspectors considered intelligence obtained through:
- a. Information and data from concerns, notifications and the history of the service;
  - b. Information from commissioners and any local authority safeguarding procedures; and
  - c. Intelligence gathered during check-in or monitoring calls.
104. Based on this intelligence, inspectors assessed the impact of Covid-19 at the service and the likelihood of it continuing to impact on the service. Where this assessment indicated an emerging or immediate risk to life or significant harm or neglect to children living at the service, the service was subject to an increased level of monitoring. This included frequent calls with the responsible individual at the service as well as the service manager to seek more detailed assurances about actions the provider was taking to keep children safe. Where Care Inspectorate Wales was not satisfied with the responses and actions being taken by the provider, these services were referred to a securing improvement and enforcement panel where decisions were made about what action to take. Those actions include inspection, referrals to safeguarding, meeting with the provider, or a combination of any or all of these actions. Guidance on identifying these services and appropriate action is exhibited at **M08-CIW-33 - INQ000497208**.

*June 2020 – September 2020 – approach to recovery*

105. In the latter half of June 2020 the Senior Management Team began considering when and how Care Inspectorate Wales should begin to move from a response to a recovery phase. There was still significant pressure on social care and child care services in Wales and we did not wish to unnecessarily add to this with a disproportionate regulatory burden. Therefore, we did not believe it was prudent, at that point, to return to our full inspection programme. Rather we sought to move back to regulating and inspecting but, in a risk-based, intelligence-led way. We agreed at our Senior

Management Team meeting on 30 June 2020 that we would move to a recovery phase from 31 July 2020.

106. As stated above, the recovery phase represented a move back to regulating and inspecting, but in a risk-based and intelligence led way. The Inspectorate adopted an increased focus on monitoring to gain further assurance about the quality and safety of services. It was important for the Inspectorate to be able to continue to fulfil its responsibilities in regulating and providing assurance about the quality of care and support. Therefore, it signalled its intention to replace the 'check-in calls' with 'monitoring calls' with an increased focus on how providers were ensuring the safety and well-being of people. Through monitoring calls, we sought assurance from providers that the service was promoting the safety and well-being of children and operating in line with the requirements of regulations and national minimum standards, capturing the positive aspects for children receiving the service as well as identify any early indicators of potential risk. An example of additional areas covered during these calls were checks as to whether the service had appropriate safeguarding policies in place which were understood by staff, staffing level and training. Monitoring calls were made monthly, to regulated children's social care services, then moved to a more extended period in the autumn and winter months. I exhibit an example of the monitoring call questions for regulated children's services at **M08-CIW-34 - INQ000623003**.
107. Many child care and play services closed for a period of time during the initial phases of the pandemic. Therefore, some had not had a check-in call by the end of July 2020. In the case of child care and play services that had re-opened and had not received a check-in call, we made the decision to have one check in call with those services before moving to monitoring calls. I exhibit an example of the monitoring call questions for child care at **M08-CIW-35 - INQ000623002**.
108. During the 'recovery phase' Care Inspectorate Wales committed to working as far as possible in a remote way, making effective use of the available technology. The Inspectorate sought to use the recovery phase to test new ways of working and learn from this to inform its future operation. For example, the Inspectorate signalled its intention to use virtual inspection methods in some circumstances. Virtual inspection methods could include virtual tours of premises (where appropriate) and, virtual interviews with staff and with people using services (where appropriate).

109. In this phase, Care Inspectorate Wales adopted a risk-based approach, carrying out inspections where this was necessary, or by other means to gain assurance. Care Inspectorate Wales used the intelligence it gained from a range of sources to inform its risk based approach to inspections. These sources included, the monitoring calls with providers, statutory notifications, concerns raised by staff, the public or by professionals, and information received from commissioners. Care Inspectorate Wales believed this range of intelligence sources provided it with as reliable information as was possible during this period.
110. During this phase Care Inspectorate Wales developed guidance for inspectors undertaking inspections, of regulated children's social care services exhibited at **M08-CIW-36 - INQ000514054**, and child care and play services is exhibited at **M08-CIW-37 - INQ000622996**. This guidance set out the circumstances that would lead to an inspection, the methodology to be used including the core areas to be inspected. It also included the circumstances where a virtual inspection would be appropriate. Speaking to children receiving care is a fundamental part of an inspection. Therefore, where onsite inspections took place, (and subject to appropriate consent) the views of children in the setting were sought. In child care services, parents were spoken to (where they were willing and available) as part of the inspection, to hear their views on the quality of the care their child was receiving.

*October 2020 – 30 May 2022 – Providing assurance during subsequent waves of the pandemic*

111. In October 2020, as community transmission began to increase during the second wave of Covid-19, the Welsh Government introduced a two-week firebreak to try to bring the virus under control. The firebreak lasted from 23 October 2020 until 9 November 2020, with restrictions similar to those during the first national lockdown in March 2020. It therefore became clear Wales was not in a recovery phase. The Inspectorate took the decision to continue to undertake the work that it was able to do, such as registering, regulating, reviewing and physically inspecting services. Care Inspectorate Wales continued to prioritise work for those services it was most concerned about. It took this approach in October/November 2020 because the position was quite different to March 2020: there was a much greater understanding of how the virus spread and the Inspectorate had access to testing and PPE for inspectors, thereby reducing the risk of inspectors bringing the virus into care services.

112. Care Inspectorate Wales felt it was important to signal to the sector its intention to continue to undertake regulatory work. To that end, on 10 November 2020 it published a document entitled '*Our approach to assurance*'. The document set out the Inspectorate's intention to retain many of the adapted processes set out in the approach to recovery and reiterated inspections were continuing. The Inspectorate also outlined the measures it was taking to ensure the safety of children using the service, staff and inspectors, including risk assessment and management plans, infection prevention and control, training for inspectors, and the use of PPE. I exhibit Care Inspectorate Wales's approach to assurance during this phase at **M08-CIW-38 - INQ000496075**.
113. By March 2021, the second wave of Covid-19 started to diminish. On 26 March 2021, Care Inspectorate Wales re-issued the approach to assurance on its website, again reiterating that it was continuing to undertake physical inspections of services.
114. On 4 August 2021, Care Inspectorate Wales again updated its approach to its assurance document, signalling its intention to return to a more structured and routine inspection programme. This included:
- a. Commencing a revised programme of inspections for all regulated children's services with the aim of delivering this programme within an 18-month period;
  - b. Undertaking onsite inspections of child care and play services which would explore all four inspection themes; and
  - c. Following up on assurance checks and undertaking risk-based inspection of local authority social services where it had concerns about people's safety and well-being.
115. I exhibit Care Inspectorate Wales's approach to assurance from 4 August 2021 phase as **M08-CIW-39 - INQ000504041**.
116. Care Inspectorate Wales continued to work in this way from August 2021, in conjunction with undertaking developmental work drawing on the learning from the revised ways of working during the pandemic. This included:
- a. Preparing for the introduction of ratings in children's services in a phased way from April 2023 – the publication of ratings was subsequently delayed until April 2025;
  - b. A revised performance review and inspection approach for local authority social services; and

- c. The development of enhanced data reporting tools which would make its information and data more accessible to the public and stakeholders.

Table 5 includes the number of inspections and visits to regulated children's services during the period when routine inspections were suspended.

<b>Table 5: Number of inspections and visits undertaken during the period when routine inspections were suspended</b> <b>16/03/2020 to 04/08/2021</b>			
<b>Children's Services</b>	<b>Total inspections</b>	<b>Total visits in person</b>	<b>Total visits - virtual</b>
Children's Care Home Service	90	96	10
Secure Accommodation Service	1	3	0
Residential Family Centre	2	2	0
Advocacy Service	0	0	0
Adoption Service	0	0	0
Fostering Service	0	0	0
Boarding School	2	3	0
Further Education College	0	0	0
Residential Special School	0	0	0
<b>Total</b>	<b>95</b>	<b>104</b>	<b>10</b>

Table 6 includes the number of inspections and visits to regulated child care and play services during the period when routine inspections were suspended.

<b>Table 6: Number of inspections and visits undertaken during the period when routine inspections were suspended</b> <b>16/03/2020 to 04/08/2021</b>			
<b>Child care and play services</b>	<b>Total inspections</b>	<b>Total visits in person</b>	<b>Total visits - virtual</b>
Child Minder	100	129	17
Creche	0	0	0
Full Day Care	162	225	40
Open Access Play Provision	0	0	0
Out of School Care	19	29	3
Sessional Day Care	29	35	1
<b>Total</b>	<b>310</b>	<b>418</b>	<b>61</b>

Table 7 includes the number of inspections where one or more priority action notice was issued between 16 March 2020 and 14 August 2021 - period when routine inspections were suspended).

<b>Table 7: Number inspections where one or more priority action notice was issued between 16 March 2020 and 14 August 2021 (period when routine inspections were suspended)</b>		
Services for Children	Childrens Care Home Service	30
	Secure Accommodation Service	1
	Residential Family Centre	1
	Advocacy Service	0
	Adoption Service	0
	Fostering Service	0
	Boarding School	0
	Further Education College	0
	Residential Special School	0
<b>Total children's services</b>		<b>32</b>
Childrens Day Care	Child Minder	9
	Creche	0
	Full Day Care	31
	Open Access Play Provision	0
	Out of School Care	0
	Sessional Day Care	3
<b>Total child care and play</b>		<b>43</b>

117. During the period when routine inspections were suspended (March 2020 to August 2021), Care Inspectorate Wales continued to take statutory action. Table 8 below details the number of statutory notices issued by Care Inspectorate Wales between March 2020 and August 2021 to regulated children's services under the 2016 Act.

<b>Table 8: Statutory notices issued between March 2020 and August 2021</b>				
Notice Type	Number	Outcome		
		Improvements not made and proposed action taken	Improvement made - proposed action not necessary	Provider voluntary cancelled
Improvement notice to cancel the registration of the provider	7	2 (cancelled)	3	2
Urgent notices of decision to impose restrictions on the provider's registration	12	1 (cancelled)	6	5
<b>Total</b>	<b>19</b>	<b>3</b>	<b>9</b>	<b>7</b>

Table 9 below details the number of statutory notices issued by Care Inspectorate Wales between March 2020 and August 2021 to regulated child care and play services under the Measure.

<b>Table 9: Statutory notices issued between March 2020 and August 2021</b>				
<b>Notice Type</b>	<b>Number</b>	<b>Outcome</b>		
		<b>Improvements not made and proposed action taken</b>	<b>Improvement made - proposed action not necessary</b>	<b>Provider voluntary cancelled</b>
Notice of decision to suspend the operation of a service	21	1 (cancelled)	14	6
Notice of intention to cancel the provider's registration	19	15 (cancelled)	1	3
Notice of intention to impose conditions	1	1 (condition imposed)	0	0
Urgent notice of decision to impose conditions	1	0	1	0
<b>Total</b>	<b>42</b>	<b>17</b>	<b>16</b>	<b>9</b>

### **Changes to the review of Local authority social services functions**

118. As described previously, on 16 March 2020, we took the decision to suspend our programme of routine local authority performance review activity to enable local authorities to focus fully on responding to the challenging circumstances. Instead, we developed new ways of working which reflected the need for us to engage in more supportive relationships with local authorities. This included ongoing review, monitoring and enhanced engagement with senior leaders in local authorities, in addition to meetings with key organisations from across Wales such as the Association of Directors of Social Services Cymru, the Children's Commissioner for Wales, and the Welsh Government policy leads.

119. Although we recognised the need to support local authorities during this period, we needed to balance this with our responsibility to check the safety of children and young people was being maintained. Therefore, on 3 April 2020 we wrote to all local authorities seeking assurances about safeguarding arrangements. In this letter, we asked each local authority to let us know if any core processes had changed and where changes had occurred, how these were being managed. The letter to local authorities is exhibited at **M08-CIW-40 - INQ000624050** and the annex to the letter is exhibited at **M08-CIW-41 – INQ000624494**.



120. Individual responses from local authorities were reviewed by the relevant link senior local authority inspector. Where a local authority did not provide a response, the Inspectorate followed this up during our meetings with the relevant Director of Social Services and/or the relevant head of children's services. In general, we found the safeguarding duties were largely maintained. However, during our subsequent assurance checks across 19 local authorities, we found safeguarding record-keeping and the timeliness of assessments were in need of improvement.
121. At a national level, we attended a children's services issues and contingency meeting each week involving local authority heads of children's services from across Wales and officials from the Welsh Government. Emerging themes, guidance and issues were discussed to support the system, to forward plan and to encourage everybody to work together on solutions. Additionally, this forum enabled updates to be shared. During this time the Inspectorate took the opportunity to update all members of this group about its guiding principles, assurance check methodology and enhanced strategic engagement.
122. The frequency of strategic engagement calls with local authority Directors of Social Services and/or heads of adult and children's services varied depending on the specific needs and circumstances of each engagement. Generally, calls were held regularly to ensure ongoing communication and support. Some local authorities received weekly calls, while others had bi-weekly or monthly calls. The frequency was adjusted based on the urgency of issues and the need for updates on specific matters such as Covid-19 impact, safeguarding concerns, and service adaptations.
123. From September 2020, we began a revised programme of assurance checks. We used information and intelligence gathered throughout the year from discussions with senior leaders within the local authorities and notifications to consider the strengths and risks in each local authority so we could focus on areas where our work could make the biggest difference.
124. Within this framework we specifically asked the following over-arching questions:
- a. How well are local authorities discharging their statutory functions to keep people who need care and support and carers who need support, safe and promote their well-being during the pandemic?; and

- b. What are local authorities doing to prevent the need for children to come into care; and are children returning home to their families quickly enough where safe to do so?
125. We took a pragmatic, flexible and risk-based approach, working with local authorities to identify methods which best reflected the prevailing environment. We undertook all activity virtually; we spoke to people online or telephoned and accessed case files remotely. Our findings derived from a number of methods including reviewing case files and carrying out focus groups, interviews and surveys. We spoke virtually with social services leaders, managers and practitioners and other key representatives from the sector as well as listening to adults and children and their families/carers.
126. We published a National Overview Report of our assurance checks on 4 November 2021. Within the report we shared our findings from our assurance checks and our views on the future challenges for the social care sector. I exhibit the report at **M08-CIW-42 - INQ000501727**.
127. We also shared key reflections from our work included in my annual Chief Inspector's report of 2020/21 (published on 18 August 2021) and 2021/22 (published on 20 October 2022). I exhibit these at **M08-CIW-43 - INQ000501726** and **M08-CIW-44 - INQ000509652**.
128. In November 2019, Care Inspectorate Wales began a national review of early help, care and support and transition for disabled children in Wales. However, in March 2020, we suspended our inspection and review programme to enable local authorities to focus fully on responding to Covid-19. Despite the challenging circumstances we considered it essential to complete this important work given the potential impact of the pandemic on services for disabled children and their parents/carers. Therefore, in September 2020 we recommenced a revised and shortened national review programme. Healthcare Inspectorate Wales supported us with the national review. As part of the review we spoke to disabled children, their parents/carers and a range of professionals. We also issued surveys to enable children, families and frontline staff to provide feedback. The report of this work was published in November 2021 and is exhibited at **M08-CIW-45 - INQ000624052**.
129. Both the National Overview Report on Assurance Checks and the Chief Inspector's annual reports were shared with Welsh Ministers and laid before the Senedd.

## Using our data to monitor the impact of Covid-19 on services for children and young people

130. As stated above, Care Inspectorate Wales has a direct link and relationship with every regulated service in Wales. Our digital case management system enables the Inspectorate to record and hold information about every regulated service in Wales, registered service providers and the services they operate. This system has functionality to enable providers to submit information and notifications to the Inspectorate online. It is not intended to be an information management system in respect of children who are cared for by providers.
131. During the specified period, regulated children's social care and child care services were actively monitored using the process of check-in, then monitoring calls and where intelligence indicated significant risk to children, inspections.
132. Care Inspectorate Wales did not collect data about children who accessed/attended services, or their individual characteristics. As such the Inspectorate did not monitor the attendance of children at child care settings or any variation in those trends from particular groups. The Inspectorate was aware, as a result of the lockdowns, there were periods when only children of keyworkers and vulnerable children were permitted to attend daycare settings resulting in a dramatic reduction in attendance.

### *Child care and play services*

133. The information and intelligence collected as part of the check-ins and monitoring calls helped to illustrate the impact of the pandemic on regulated services. Although the data received from regulated services contained some information about children, this was largely confined to the numbers of children attending services, such as child minders and day care. The Inspectorate did not gather information from families whose children could not, for whatever reason, attend their usual child care service, during the pandemic. Although inspectors do speak to families and children who may be present at the service during an inspection in order to hear their views about the quality of the care provided, they did not collect or gather information about the families and children themselves.
134. In June 2020, Care Inspectorate Wales produced a qualitative analysis report of the information collected as part of the check-in calls with 1,097 child care and play providers between 6 April and 29 May 2020, this is exhibited at **M08-CIW-46** -

**INQ000622975.** This highlighted the main themes identified in these provider responses. The e-mail sharing this report with the Welsh Government to inform its planning and response is exhibited at **M08-CIW-47 - INQ000622974.**

135. For child care and play services, the greatest impact of the pandemic was on their ability to remain operational. The reasons for this were mostly due to insufficient children attending the service, particularly during the period when only children of keyworkers and vulnerable children were permitted to attend daycare settings. During the months of March and April 2020, the number of child care and play services reporting temporary closure rapidly increased and at the peak of the first wave in June 2020 almost half of these services were reported to be temporarily closed (1,731 services or 47%). This equated to 57% of capacity. Table 10 includes the numbers of child care and play services that notified the Inspectorates they were temporarily closing between March 2020 and July 2022.

<b>Table 10: Numbers of child care and play services notifying Care Inspectorate Wales they were temporarily closing between March 2020 and July 2022</b> <b>(excludes 'Out of School Care' and 'Open Access Play Provision' and 'Suspended Services'<sup>2</sup>)</b>			
	<b>Snapshot Date</b>	<b>Approved and Open</b>	<b>Approved and Temporarily Closed</b>
March	02/03/2020	3,619	-
April	01/04/2020	3,026	593
May	01/05/2020	2,433	1,452
June	01/06/2020	1,813	1,731
July	06/07/2020	2,362	1,176
August	03/08/2020	2,550	995
September	07/09/2020	2,970	585
October	05/10/2020	3,241	315
November	02/11/2020	3,252	306
December	07/12/2020	3,232	314
January	04/01/2021	3,165	397
February	01/02/2021	2,959	581
March	01/03/2021	3,122	408
April	05/04/2021	3,226	305
May	03/05/2021	3,287	226
June	07/06/2021	3,287	204
July	05/07/2021	3,269	219
August	02/08/2021	3,274	164
September	06/09/2021	3,238	134
October	04/10/2021	3,211	146
November	01/11/2021	3,176	154
December	06/12/2021	3,155	173
January	03/01/2022	3,093	193
February	07/02/2022	3,075	192
March	28/02/2022	3,090	176
April	07/03/2022	3,092	162
May	04/04/2022	3,054	177
June	06/06/2022	3,066	142
July	04/07/2022	3,054	139
August	01/08/2022	3,034	143
September	05/09/2022	3,011	143

<sup>2</sup> Suspended services are those services that chose to suspend their registration due to various personal circumstances such as maternity leave, moving premises, refurbishments etc. Care Inspectorate Wales can also enforce a suspension while investigating allegations where children could be at significant risk.

136. Information on temporary closures was shared with local authority child care teams, the Welsh Government policy officials and on a regular basis with the Deputy Minister for Health and Social Services. The relaxation of National Minimum Standards described below was an important step in supporting those services that remained open but also making it easier for closed services to reopen.
137. Care Inspectorate Wales does not collect data about children who access/attend services, nor their individual characteristics. Therefore, the Inspectorate is unable to comment on any significant trends in attendance of children at child care settings nor comment on any variation in those trends from particular groups. Nor did the Inspectorate carry out an assessment of the impact of the pandemic on children who were accessing child care services or those who may have accessed those services if they had been permitted to do so. Furthermore, providers are not required by law to notify the Inspectorate if the number of children attending their setting decreases. However, through the system of check-in calls and then monitoring calls, inspectors were informed of the significant reductions in attendance at the start of the pandemic and following the first lock down, with most child care providers who remained open reporting an attendance reduction of 50% or more. The reduction in numbers of children and service closure had a significant financial impact on providers.
138. Overall, most child care providers reported they were managing to maintain staffing ratios within National Minimum Standards requirement. As most full and sessional day care providers had significant attendance reductions, many staff were furloughed. Sometimes services also reported insufficient staffing as a consequence of staff who were required to shield or who were looking after their own children as a consequence of school closures. However, the relaxation of the National Minimum Standards described below helped to ease the consequential pressures.
139. In the latter part of March and early April 2020, the Inspectorate provided advice to the Welsh Government regarding proposals to relax some of the National Minimum Standards for child care and play services. The standards are made in accordance with section 30(3) of the Measure and are designed to assist providers and settings to meet the regulations relevant to the service they provide. Registered persons must have regard to the standards which relate to the type of care provided. On 9 April 2020, the Welsh Government announced a temporary relaxation of several aspects of these standards. I exhibit the letter from the Welsh Government dated 8 April 2020 that

announced these changes at **M08-CIW-48 - INQ000624039**. This initiative was designed to help support the availability of essential services during the pandemic. The areas of the standards which were relaxed related to:

- a. adult to child staffing ratios;
- b. staff qualifications, where a flexible and proportionate approach to qualification requirements could be adopted in relation to staff working or volunteering in a child care setting; and
- c. Disclosure and Barring Service checks - allowing qualified and experienced staff having a valid Disclosure and Barring Service check to move between services without having to obtain a new check.

140. Child care and play providers were required to get approval from local authorities prior to any relaxation in staffing ratio being implemented, to ensure the changes were reasonable and proportionate. Local authorities were required to inform the Inspectorate of their approval and providers were required to notify Care Inspectorate Wales they were making use of the relaxations. 200 services in total notified the Inspectorate they had made use of one or more elements of the relaxed national minimum standards. These relaxations assisted in particular for closed services to re-open.

#### *Regulated children's services*

141. Check-in calls enabled Care Inspectorate Wales to have some line of sight of the position in individual services and to identify regional or national patterns and trends which could then be shared with the Welsh Government and others, for example local authority Directors of Social Services, the Children's Commissioning Consortium Cymru and the Children's Commissioner for Wales, to inform the planning and response effort.
142. The information collected during check-in calls with children's care home and fostering providers between 8 June and 2 August 2020 is exhibited below.

Service type	Date (2020)	Exhibit reference
Care homes for children	8 June – 5 July	<b>M08-CIW-49 - INQ000623008</b>

Service type	Date (2020)	Exhibit reference
Care homes for children	6 July – 2 August	<b>M08-CIW-50 - INQ000623007</b>
Fostering service	8 June – 5 July	<b>M08-CIW-51 - INQ000623010</b>
Fostering service	6 July – 2 August	<b>M08-CIW-52 - INQ000623009</b>

143. On 25 September 2020, we published an overview of feedback from the social care sector captured during check-in and monitoring calls with children's social care providers between March and July. The report is exhibited at **M08-CIW-53 - INQ000198499**. The email notifying the Deputy Minister for Health and Social Services of the publication and containing the report is exhibited at **M08-CIW-54 - INQ000198498**.
144. As part of this report Care Inspectorate Wales included a summary of feedback from 15 children living in children's care homes spoken to by inspectors during the week of 27 July 2020. The children were asked a range of questions about their experiences of living in a care home during the pandemic. They were asked questions about their views on support from staff, how they were able to remain in contact with their families, what had gone well for them and if there was anything they would change. Check in calls and our conversations with children enabled the Inspectorate to capture the impact of the pandemic on services and on the children themselves. These impacts included:
- On the whole young people indicated an element of boredom in being unable to go out and meet friends and follow their normal routines. Clearly for some, being unable to see family face-to-face was very difficult. However, young people also reported that staff were supportive and had sought to entertain them through games and walks;
  - A mixed response from young people in relation to contact with family. The majority had been able to maintain contact through FaceTime and phone calls.



However, some young people did not have family contact and commented that social workers were slow in making the contact arrangements;

- c. Young people were very positive in their comments about what had gone well for them. For some, education was a positive factor whether attending school or schooling at home. Relationships with staff were said to be very positive. Staff were trying new activities with them which they might otherwise not have done. There were some very good examples of how young people have changed their lives significantly by not running away and being able to get off drugs. There were also some examples of young people getting in contact with estranged family members;
- d. Providers said relationships between children and staff had been strengthened during the period. Children were engaging well in education work. Morale was reported to be good and children were managing the limitations of the situation remarkably well;
- e. Providers speaking about the importance of keeping in place a core staff team to provide consistency for children. Indicating this had worked well in developing a bond between children and staff. A high number stated they had been able to maintain staffing levels without having to resort to the use of agency staff. This resulted in some providers reporting fewer placement disruptions for children compared to previous year;
- f. All providers described a reduced timetable in relation to the number of hours/days when children accessed education. Children predominately received their education virtually;
- g. Advocacy services continued to support children during this period. Whilst providers recognised the importance of maintaining advocacy contact, many children had decided not to take up the service during this period. Some providers said children were engaging in their key worker sessions which addressed any individual issues they may have had;
- h. Providers indicated social workers had continued to monitor children's placements using different methods. Review meetings had continued but all were held virtually;
- i. Providers indicated a mixed picture in terms of access to Child and Adolescent Mental Health Services support;
- j. Staff completing life skills work with children reported an increase in engagement; this was attributed to the impact of increased restrictions placed on children's movements outside the home, resulting in staff and children

spending 'quality time' together which had enabled them to develop positive relationships;

- k. A positive and consistent emerging message from children's care home providers was that overall, children and young people coped very well; and
- l. For some children the reduction of external influences had brought about stability and improved outcomes.

145. The Inspectorate does not collect data on how many children are residing at or accessing services at any one time. However, due to the nature of regulated children's services, for example a children's home, the number of children residing in the service during the pandemic did not reduce directly as a result of the pandemic. If a child was residing in a care home at the start of the specified period, they would most likely have remained in that home unless there was a change to their care and support plan.

#### *Local authority children's social services*

146. As described earlier in this statement, the Inspectorate implemented enhanced engagement with Directors of Social Services and heads of adult and children's services during the specified period alongside a revised programme of assurance checks in local authorities.

147. The Inspectorate undertook assurance checks in 19 local authorities in the period September 2020 to July 2021. The assurance checks sought to ensure local authorities continued to meet their statutory duties and continued to provide safe and high-quality care and support during the pandemic.

148. The assurance checks focused on key areas such as safeguarding, workforce resilience, partnership working, and the well-being of children and adults. By adopting a risk-based, virtual methodology, the Inspectorate was able to conduct thorough inspections, case file reviews, interviews, focus groups, and surveys, in order to provide a comprehensive overview of the state of social services during this critical period. The guiding principles of putting children and young people first was central to its approach. Across our assurance check activities, we spoke to over 800 people who work in, work with or experience social care services.

149. The findings from these checks revealed key insights and highlighted the impact of the pandemic on children and on local authority social services in Wales. These included:

- a. Local authorities supporting children to maintain their well-being, with direct work and care planning continuing through the pandemic. Children's services in Wales functioning adequately, with staff absence managed well and most services operating effectively;
- b. Safeguarding duties being largely maintained, but record-keeping and the timeliness of assessments in need of improvement;
- c. Most children spoken to by our inspectors felt heard and respected during the pandemic. The use of digital tools helping to maintain contact and support leading to increased participation from children in virtual reviews and meetings;
- d. Advocacy services for children and parents were inconsistently offered, indicating a need for improvement in ensuring all children had access to advocacy;
- e. Mental health support for children and adults was insufficient, with the pandemic exacerbating existing issues and creating new challenges. The increased demand for mental health services highlighted the need for more resources and better coordination;
- f. Carers, including young carers, faced challenges in accessing respite and day services during lockdowns. The lack of support and the increased demands on carers highlighted the need for more resources and better coordination to support their well-being;
- g. The pandemic demonstrated the benefits of strong partnership working, with collaboration between local authorities, health boards, and third-sector organisations improving significantly;
- h. The sufficiency of care placements was a major concern, with a shortage of foster and residential placements, especially for children with complex needs;
- i. The number of vulnerable and disadvantaged children using education hubs varied, with some local authorities reporting up to 20% attendance, while others reported up to 80%. This variation highlighted the need for consistent support and resources to ensure all vulnerable children received the necessary care and education;
- j. Some authorities successfully implemented early help hubs, which proved effective in diverting cases away from core services and providing early intervention and support;
- k. Fostering services continued to support carers, and placement stability was generally good. Innovative support for foster carers and multi-disciplinary

teams helped prevent placement breakdowns, but the shortage of placements remained a critical issue;

- l. Staffing levels were generally stable, but recruitment and retention of skilled social workers remained a significant challenge, with some authorities implementing enhanced pay and recruitment drives to attract staff. Authorities prioritised the well-being of their workforce, implementing strategies to support staff and promote a positive working environment; and
- m. While digital tools and virtual platforms were essential in maintaining contact and support, digital exclusion was a significant barrier for some individuals. Not everyone had access to the necessary technology or the skills to use it effectively, which impacted their ability to receive support.

### **Lessons learned**

- 150. As the Inspectorate and regulator of social care in Wales, Care Inspectorate Wales is well placed to provide reflections on the impact of Covid-19 on the sectors and share its views as to what lessons should be learned. Predominantly this came from monitoring, inspection and reporting findings.
- 151. In the summer of 2020, the Health, Social Care and Sport Committee of the Senedd undertook an inquiry into the Covid-19 outbreak in Wales, specifically considering the impact of the outbreak, and its management, on health and social care services. Care Inspectorate Wales provided written evidence to the committee. This is exhibited at **M08-CIW-55 - INQ000198579**. The committee report was published on 8 July 2020 and is exhibited at **M08-CIW-56 - INQ000349686**.
- 152. In September 2020, Care Inspectorate Wales published the overview of the feedback it received from the social care sector about their experience of Covid-19 which I have exhibited earlier in this statement. In October 2020, Care Inspectorate Wales and Healthcare Inspectorate Wales jointly published the shared reflections and lessons learned during the first wave of the pandemic. The joint aim was to share some of the most significant issues that had been identified as part of Care Inspectorate Wales's work which could be considered in national and local planning for the upcoming winter period. A letter sent on 2 October 2020 to Chief Executives of all health boards, trusts and local authorities in Wales is exhibited at **M08-CIW-57 - INQ000198492**.

153. The health and social care regulators across the UK and Ireland met regularly throughout the pandemic and have continued to do so. The meetings provided an opportunity to share learning. In January and November 2021, Care Inspectorate Wales participated in learning events with the British Isles and Ireland Health and Social Care Regulators to discuss and share lessons learned. A copy of the letter from the Chief Inspectors and Chief Executives of the six regulators to participants is exhibited at **M08-CIW-58 - INQ000198545** and the seminar report is exhibited at **M08-CIW-59 - INQ000198546**. The PowerPoint presentation for the event in November 2021 is exhibited at **M08-CIW-60 - INQ000198635**. The event in January 2021 was particularly beneficial as invited relevant Welsh Government policy officials, alongside regulators, were able to jointly reflect on lessons learned in order to inform future planning and response work.
154. Care Inspectorate Wales has also shared its reflections and learning at events within the sector, including the Association of Directors of Social Services Cymru Summer Festival in July 2021 and the Care Roadshow in November 2021. The notes for Association of Directors of Social Services Cymru Summer festival are exhibited at **M08-CIW-61 - INQ000198637**. The notes from the Care Roadshow are exhibited at **M08-CIW-62 - INQ000198646**.
155. The key lessons learned and reflections I believe are most relevant to children and young people can be summarised as follows:
- a. The importance of a rights-based approach to ensure children receiving care and support, and their families (where relevant) or advocates, are involved in decision making with decisions taken on an individual basis and in the best interests of the child;
  - b. The need to recognise and mitigate as far as possible the impact of not being able to see family and friends on the mental health and well-being of children;
  - c. The importance of having a co-ordinated communication strategy to minimise duplication and ensure messages are shared with the right people at the right time;
  - d. Ensuring health and social care staff have access to testing with timely turnaround of results; sufficient Personal Protective Equipment with clarity about its use; access to infection prevention and control training and support, including support networks for managers and care workers;

- e. The importance of continuity of staffing to help mitigate the risk of agency staff transmitting the virus if they are working across different services and creating less stability for children;
- f. The importance of recognising the interdependence of the health and social care sector, and that providers of social care services should be treated as equal partners with people working in the social care sector having parity of esteem and parity of terms and conditions as those working in the NHS in equivalent roles;
- g. The value of working co-productively with representatives and bodies across the sector to bring together as wide a range of knowledge and perspectives as possible to address complex issues and achieve the best outcomes for children; and
- h. Working with and sharing information with bodies and representatives from across the social care and public health sector is key to achieving improvements in care services and is particularly important during an emergency situation such as a pandemic.

#### **Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signed:

**Name Redacted**

Dated: \_\_\_\_\_ 12 August 2025 \_\_\_\_\_