

Dear

ATISN 16984 – Request for Information regarding placement of children in care.

Thank you for your request for information received on 30/11/2022. You asked for information regarding children's care home services in Wales.

Our Response

We have considered your request under the Freedom of Information Act 2000. The information you requested held by CIW and the responses are as follows:

1. For the year 2021/22, the number of children's home services registered in Wales and the number of places registered.

The number of approved children's homes as of 31st March 2022 was 256, offering a total of 1061 places.

2. For the year 2021/22, the number of unregistered children's home services CIW has investigated.

The CIW Improvement and Enforcement Panel determined there were 35 Children's Homes operating without registration between 1st April 2021 and 31st March 2022.

3. For the year 2021/22, the number of concerns received about the physical or mental health of children in (a) registered and (b) unregistered children's home services.

CIW regulate services, we do not oversee individual placements and so cannot identify concerns received specifically about the physical and mental health of children. We do focus on wellbeing of children at services and the number of concerns categorised under wellbeing are as follows:

- (a) registered children's home services = 14
- (b) unregistered children's home services = 1

4. All information held relating to any measures CIW have taken or plan to take regarding the use of services that are unregistered.

The Regulation and Inspection of Social Care (Wales) Act 2016 (the 2016 Act) sets out and defines the regulated services which are required to register including the definition of a care home service. Under section 5 of the 2016 Act, it is an offence to provide a regulated service

without registration. We refer to this as operating without registration (OWR), although outside CIW this may be known as an unregistered service. This should not be confused with the term 'unregulated service' as this refers to services that do not require registration with CIW.

When CIW is notified of placements which may be Operating Without Registration (OWR), CIW writes to the local authority setting out what action must be taken and seeking written confirmation they have considered the suitability of the accommodation to meet the child's needs and independent advocacy has been provided. The local authority is asked to provide weekly updates on progress in securing an alternative placement.

CIW will undertake an investigation to determine whether the service requires registration. All services which are believed to be operating without registration will be referred to an Improvement and Enforcement Panel. The Improvement and Enforcement Panel will consider whether further investigation is required prior to determination and recommend actions.

Where there is reasonable cause to believe a provider is operating illegally the CIW Improvement and Enforcement Panel will consider our enforcement approach. This could include, but is not limited to, notifying the provider they must cease operating or apply to register within a set timescale (in the cases of non-intentional operation) or undertaking criminal enforcement action. Consideration is given to the threshold for criminal enforcement action in line with our Criminal Enforcement Policy. CIW's Improvement and Enforcement Board will consider whether it is in the public interest to pursue a criminal investigation.

CIW will continue to work with the local authority that has placed the child and the provider during this time, to secure improvements and ensure the well-being and safety of people in such placements.

Next Steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ
or Email: Freedomofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:
Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,

SK9 5AF.

However, please note the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely