

EMAIL

Eilís McDaniel
Director of Family and Children's Policy
Department of Health
Castle Buildings
Stormont Estate
Belfast
BT2 8BS

Ref: 20/CJS/KY/153

11th November 2020

Dear Eilís

Re: Consultation on Cross-Departmental Covid-19 Vulnerable Children and Young People's Plan

NICCY welcomes the development of the cross-departmental Covid-19 Vulnerable Children and Young People's Plan. Whilst the pandemic has affected all our children and young people in all facets of life, it is inarguably our most vulnerable children and young people that have been most gravely affected. It is also apparent that the pandemic has increased risk factors and heightened the vulnerabilities of children and young people, as evidenced by figures recently issued by the Department of Health¹ which demonstrated 75 more children in care, 113 more children on the child protection register, and other increases in referrals. A range of sources have been highlighting the ongoing and increasing levels of anxiety and stress experienced by children and young people due to the pandemic. We can reasonably conclude that the lockdown has placed significant stress on many children and families. It is therefore critical that timely, robust, and targeted supports are provided to protect vulnerable children, young people and their families during this time and in the recovery period after.

Within this letter I set out NICCY's advice on the Plan, firstly considering the aims and objectives, then turning to the definition of Vulnerable Children and Young People, and finally the structure and content of the Plan.

¹ <https://www.health-ni.gov.uk/sites/default/files/publications/health/ni-childrens-figures-during-covid-19-21-10-2020.pdf>

Aim and objectives

NICCY welcomes that the Plan has been developed in response to the challenges and risks facing children, young people and their families due to the Covid-19 pandemic. We also welcome the Plan's overarching objectives to promote the safety and well-being of children and young people during the Covid-19 pandemic period, both within the home environment and within the wider community. We are acutely aware of the pressures placed on children's education, mental and physical health, and social care as the scale of the pandemic continues to unfold, and therefore greatly welcome the additional aims of strengthening system capacity to respond to current challenges and risks, and rebuilding services.

In addition to the aforementioned objectives, the Plan must ensure to promote, protect, and realise children and young people's rights. To this end, the Action Plan and all associated activities and outputs should be explicitly based on the obligations held by Government and statutory agencies under the United Nations Convention on the Rights of the Child (UNCRC). This will ensure that the rights and best interests of vulnerable children and young people are placed at the heart of developments and services.

NICCY warmly welcomes the cross-departmental nature of the Plan and we expect to see clear evidence of collaboration, partnership working, and information sharing in its development, delivery, monitoring and reporting. This should be evident across sectors, departments and disciplines, and aligned with the obligations on Children's Authorities as set out in the Children's Services Co Operation Act (Northern Ireland) 2015 (CSCA). Drawing on the outcomes framework for children and young people established by the CSCA and the Children's and Young People's Strategy 2020-2030, in addition to the UNCRC, will provide a strong basis to support the fulfilment of the aims of the Plan.

Definition of Vulnerable Children and Young People

NICCY broadly welcomes the definition of vulnerable children and young people, however, there are notable omissions including children and young people involved in the youth justice system, children in poverty, and facing housing insecurity. We recognise that the latter are referenced in other parts of the Plan but, for consistency and ease of reference, all groups mentioned throughout the Plan should be referenced in the initial definition. No sections of the Plan seem to reference children accommodated or detained in the regional residential units. Furthermore, clarity on some definitions would be useful, e.g. are children living with domestic violence seen as children in need rather than children in need of protection? Does reference to CAMHS include those young people receiving statutory support at all stages of the stepped care model? In the event of further lockdown, what additional supports are intended to be provided for disabled children, including children and young people on the SEN register but without a statement of need?

It is also important that clarity is provided on how others listed in the Plan will be identified. For example detail must be included on the processes to identify a child who is in need, including in

need of protection, but whose need is not known to statutory services. Detail must also be included on the processes to identify a child who is not known to statutory or voluntary and community support services but who is vulnerable because their family is under increased pressure due to Covid-19 related circumstances. These groups of children are particularly at risk and robust partnership arrangements are key to ensuring early identification and expedient provision of support.

We welcome the commitment to setting out a definition beyond those reaching statutory social care threshold to ensure that a broader group of children, such as asylum seeking and refugee children are included. However, we recommend that the definition is expanded to include other groups of children and young people who face barriers in accessing services including Traveller and Roma children. We also emphasise the importance of ensuring flexibility in defining vulnerable children and young people, and continuously consulting on and assessing this definition. This will allow the Plan to respond to new and emerging needs amongst groups of children which may not be immediately identified or indeed present, or visible in the first period of the pandemic.

Structure and content of Plan

NICCY understands that the plan is intended to reflect a series of activities that will be, or have been, undertaken across the Executive to meet the needs of vulnerable children, young people and their families. As it stands, the Plan outlines a series of high level actions, thematically structured and in line with the overarching objectives. Whilst this summary of actions is broadly welcome, it is very difficult to make a full assessment of the adequacy of the actions proposed in absence of specific detail or narrative on how each action will be taken forward and by when. For instance, under **Section 1** ‘Promoting safety and well-being in the home environment’ reference is made to attendance of vulnerable children in school and pre-school during lockdown and to the provision of childcare places to vulnerable children. However, no information is provided on actions proposed if attendance is poor. There is lack of reference to other supports also proactively provided into the home; it is not clear if this has been overlooked or is implied in some of the high level actions.

There is a similar lack of detail throughout the Plan. Under **Section 2** ‘Promoting safety and well-being in the wider community’, there needs to be an example of the need for clearer identification of risk (e.g. what is meant by exploitation) and a consideration of the full range of risks to children and young people in the wider environment.

At **Section 3**, a summary of actions and possible actions are proposed related to strengthening system capacity to respond to current risks. As previously noted, we are very aware of the acute pressure being placed on all aspects of children’s services due to the current trajectory of Covid-19 and its consequences for both workforce capacity and increases in referrals and demands. This section of the Plan should identify pressures both from impact of staffing and workforce capacity and impact of increases in referrals and demands on services and set out surge plans and actions

to address both. The implications of reliance on agency staff or those temporarily employed and focus on emergency and urgent patients only are two areas of particular concern. It should also be noted that the Voluntary and Community Sector (VCS) play a critical role in the delivery of this Plan. The impact of the pandemic on the capacity of the VCS should be monitored and any impediments for them carrying out their vital role should be addressed.

We have previously outlined concerns about the use of emergency measures to contend with pressures in the system including the Children's Social Care (Coronavirus) Regulations (Northern Ireland) 2020 and the Temporary Modification of Education Duties and have addressed the detail of these separately. We note reference to consideration of 'legislative changes required' in the Plan with the associated action being the temporary modification of Children's Social Care Regulations.

Section 4 is related to 'Rebuilding Services'. We note that minimal detail is included within this area but that it is critical to ensuring children and families are supported and protected at all stages of the pandemic and beyond. Actions in this area, and indeed the Plan as a whole, should be informed by learning from services since the beginning of the Pandemic, including existing Covid-19 specific action plans such as that related to mental health. It would also be useful to better understand how the learning and experiences of services so far has informed the development of the Action Plan.

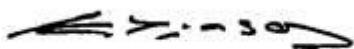
As is evident from the preceding paragraphs, we do not feel it is possible to make a full assessment of the Plan without further detail on how each of the proposed actions will be taken forward. It is critical that the Plan clearly sets out the detailed outputs and activities required to deliver on the high level actions alongside outcomes, indicators, and monitoring/data sources throughout. Detail on timeframes should also be included. Whilst NICCY recognises that many of the actions may be ongoing and not yet have a defined end point, it is critical for delivery and monitoring purposes that comprehensive detail is included regarding the timeframe for each action. It is also essential that the Plan distinguishes between actions that have been undertaken and those that are still to be undertaken.

NICCY understands that "it is intended that available facts, statistics and evidence will be used to identify emerging issues and keep the Plan under review". We highlight that it is crucial that information and data sources are identified and included in the Plan now, to ensure robust monitoring and evaluation from the outset, and to respond to changing need. We recognise that data is more easily available for some areas / groups of families / young people than for others. We would strongly recommend that critical information for decision making is actively sought and any known gaps are filled as quickly as possible. Where actions have already been undertaken, it is expected that evaluation data will be promptly collected and reported on.

I emphasise the importance of ensuring that the Plan sets out clear link to a broader point of reference such as the UNCRC, CSCA or Children's and Young People's Strategy, as previously noted. This would help give greater coherence to the plan, ensure it is rights based, and support in the identification of a broader range of metrics, which will in turn increase the Plan's robustness.

Finally I wish to commend you and your team for the quality of your engagement with my office and look forward to further engagement on this important piece of work.

Yours Sincerely



Koulla Yiasouma
Commissioner

CC: Child Protection Unit