

**Adroddiad Blynyddol a Chyfrifon**  
Annual Report & Accounts  
**11/12**



**Comisiynydd  
Plant Cymru**  
Children's  
Commissioner  
for Wales







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05	<b>Rhagair</b> Introduction
08	<b>Sut rydyn ni wedi hyrwyddo</b> How we have championed
14	<b>Sut rydyn ni wedi gwrando a chynnwys plant a phobl ifanc</b> How we have listened and involved children and young people
22	<b>Sut rydyn ni wedi cyngori</b> How we have advised
28	<b>Llywodraeth newydd, heriau newydd</b> New government, new challenges
38	<b>Materion polisi</b> Policy issues
64	<b>Casgliad</b> Conclusion
66	<b>Cyfrifon</b> Accounts

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# Comisiynydd Plant Cymru Children's Commissioner for Wales

Rhagair gan/Introduction by  
Keith Towler

Mae'r adroddiad hwn yn trafod yr hyn a ddigwyddodd rhwng  
1 Ebrill 2011 a 31 Mawrth 2012.

This report covers the period 1 April 2011 to 31 March 2012.

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Anaml y mae'n digwydd, ond pan fydd yn digwydd, mae'n bendant yn werth chweil. Yr hyn rwy'n cyfeirio ato yw neilltuo amser i feddwl a myfyrio. Roedd y llynedd yn gyfle priodol i'm Swyddfa wneud hynny. Roedden ni'n dathlu 10 mlynedd, ac fe wnaethon ni dreulio amser yn meddwl am ein gwaith yn y gorffennol, yn ystyried beth sydd wedi gwella, ac yn ystyried hefyd a ydyn ni'n wir yn cyflawni ar ran plant a phobl ifanc.

Y canlyniad? Fe gyhoeddais i adroddiad – 'Ar Goll ar ôl Gofal' – a aeth â ni yn ôl i ganfyddiadau ymchwiliad Syr Ronald Waterhouse yn 2000 i gam-drin plant mewn gofal. Bu'r tîm hefyd yn cwblhau gwaith ar fy Adolygiad cyntaf fel Comisiynydd Plant, yn edrych ar ddarpariaeth eiriolaeth broffesiynol annibynnol ar gyfer plant a phobl ifanc sy'n derbyn gofal, rhai sy'n gadael gofal a phlant mewn angen. Daeth y ddau ddarn yma o waith â ni yn ôl at un o'm gwerthoedd craidd: gwrando ar blant a phobl ifanc.

Mae'r Adroddiad Blynyddol yma yn offeryn arall y gallwn ei ddefnyddio i ymateb i'r camau a gymerwyd gan y llywodraeth dros blant a phobl ifanc. Mae'n adroddiad sy'n manylu ar y cyflawniadau pwysig, ac yn un a fydd, gobeithio yn annog pobl i gyflawni'r hyn a addawyd. Ond sut gallwn ni wybod a yw'r Llywodraeth ac eraill yn cyflawni dros blant? Wrth ymgysylltu â phlant, eu holi, a gwrando i weld a ydyn ni'n cael effaith bositif ar eu bywydau.

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It doesn't happen often but when it does it's most certainly a worthwhile exercise. I'm talking about taking time out to think and to reflect. Last year was quite an opportune time for my Office to do just that. We were celebrating our tenth anniversary and spent time reflecting on previous work, reflecting on what's improved, reflecting on whether we're actually delivering for children and young people.

The result? I published a report – 'Lost After Care' – that took us back to the findings of Sir Ronald Waterhouse's 2000 inquiry into the abuse of children in care. The team also completed work on my first Review as the Children's Commissioner, looking into the provision of independent professional advocacy for looked-after children and young people, care leavers and children in need. Both pieces of work returned us to one of my core values: listening to children and young people.

This Annual Report is another vehicle by which we can reflect on government actions for children and young people. It's a report which details the significant achievements, and one that I hope will motivate people to put in place what's been promised. But how are we to know whether government and others are delivering for children? By engaging with children, questioning them, and listening to see whether we're making a positive impact on their lives.

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**Sut rydyn ni  
wedi hyrwyddo**

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How we have  
championed





# Rydym yn siarad ar ran plant a phobl ifanc ledled y wlad ar faterion pwysig – fel eiriolwr dros blant yng Nghymru.

Er mwyn adeiladu proffil gwaith y Comisiynydd a hawliau plant, mae swyddogaeth gyfathrebu'r swyddfa yn gweithredu rhaglen cysylltiadau cyfryngau. Eleni, gwelodd y swyddfa gynnydd o 149% yn y sylw yn y cyfryngau: sicrhawyd 524 o erthyglau, gan greu 719 miliwn o gyfleoedd i ddarllen neu glywed am waith y Comisiynydd. Roedd y sylw hwn yn cyfateb i werth £1.3 miliwn o hysbyseb – hynny yw, cost prynu'r lle a gawson mewn hysbyseb.

Hefyd defnyddiwyd offer cyfathrebu ar-lein i rannu gwybodaeth am waith y Comisiynydd. Gwelwyd cynnydd o 34% yn yr ymweliadau â gwefan y Comisiynydd – 2.3 miliwn – a denwyd bron 43,000 o ymwelwyr gwahanol.

Mae'r cyfryngau cymdeithasol hefyd yn elfen amlwg o gynllun cyfathrebu'r swyddfa. Defnyddir proffil Twitter y Comisiynydd – yr oedd 1,200 yn ei ddilyn ar y proffil Saesneg a 160 ar y proffil Cymraeg ar 31 Mawrth 2012 – i rannu gwybodaeth, ymgysylltu â phartneriaid allweddol, gan gynnwys pobl ifanc, a hefyd yn gyfle i bobl geisio cyngor a chefnogaeth.

Agwedd arall ar y swyddogaeth gyfathrebu eleni oedd cynrychioli swyddfa'r Comisiynydd trwy arsylwi grŵp Erthygl 42 – is-grŵp i Grŵp Monitro CCUHP Cymru. Y nod oedd canfod y dulliau gorau o ymgorffori Confensiwn y Cenhedloedd Unedig a'r Hawliau'r Plentyn (CCUHP) i hyfforddiant cyn ac ar ôl cymhwyso i athrawon, gweithwyr iechyd proffesiynol, gweithwyr cymdeithasol a gweithwyr gofal plant. Ar ben hynny, cynhaliwyd gwrandawliadau gyda gweithwyr proffesiynol allweddol er mwyn gweld sut gellid ymgorffori CCUHP ar draws holl gwricwlwm yr ysgolion, a chynyddu ymwybyddiaeth o hawliau plant ymhlith rhieni a gofalwyr. Cyflwynwyd cyfres o argymhellion i Lywodraeth Cymru.

Yn anffodus penderfynodd y cynhalwyr y dylai gwaith yr is-grŵp gael ei lyncu gan y Grŵp Monitro llawn pan ddaeth Mesur Hawliau Plant a Phobl Ifanc (Cymru) i rym. Er nad oes gwaelodlin cenedlaethol cytunedig o ran ymwybyddiaeth o CCUHP ymhlith gweithwyr proffesiynol a'r cyhoedd yn gyffredinol, ymddengys bod gwybodaeth ac ymwybyddiaeth yn dal yn isel. Byddai'r argymhellion a ddrafftwyd gan y grŵp Erthygl 42, a fyddai'n sicrhau bod CCUHP yn cael ei brif-frydio i'r cwricwla allweddol, yn gam pwysig at ddelio â lefelau ymwybyddiaeth gwael. Mae swyddfa'r Comisiynydd yn awr yn ystyried pa rôl y gall ei chwarae o ran galw'r llywodraeth i gyfrif ynghylch yr argymhellion hyn.

# We speak up for children and young people nationally on important issues – being the children's champion in Wales.

In order to build the profile of the Commissioner's work and of children's rights, the communications function of the office implements a media relations programme. This year, the office saw a 149% increase in media coverage: 524 pieces of coverage were secured, generating 719 million opportunities to read or hear about the Commissioner's work. This coverage equated to £1.3m advertising value equivalent – the cost of buying the space had the article been an advertisement.

Online communications tools were also used to share information about the Commissioner's work. The Commissioner's website saw a 34% increase in hits – over 2.3m – and attracted nearly 43,000 unique visitors.

Social media also features prominently within the office's communications plan. The Commissioner's Twitter profile – which on 31 March 2012 had 1,200 followers on the English language profile and 160 on the Welsh language profile – is used to share information, engage with key partners including young people and provides an opportunity for people to seek advice and support.

Another aspect of the communications function this year was to represent the Commissioner's office as observers of the Article 42 group – a sub-group of the Wales UN Convention on the Rights of the Child (UNCRC) Monitoring Group. Its aim was to identify the best methods for incorporating the UNCRC into pre and post qualification training for teachers, health professionals, social workers and childcare workers. In addition, hearings were held with key professionals to establish how to incorporate the UNCRC across the whole school curriculum and how to raise awareness of children's rights amongst parents and carers. A series of recommendations were put forward to Welsh Government.

Unfortunately a decision was taken by the hosts to subsume the work of the sub-group into the full Monitoring Group at a time when the Rights of Children and Young Persons (Wales) Measure came into effect. Whilst there is no agreed national baseline for awareness of the UNCRC among professionals and the general public, it seems that knowledge and awareness is still low. The recommendations drafted by the Article 42 group, which would see the UNCRC mainstreamed into key curricula, would go some way in dealing with poor awareness levels. The Commissioner's office is now considering what role it can play in holding government to account on these recommendations.

## Digwyddiadau allweddol

### Dathlu 10 mlynedd a lansio Adroddiad Blynyddol a Chyfrifon 10/11

I nodi'r garreg filltir bwysig hon, cynhaliwyd dau ddiwyddiad yn y Senedd ac yn San Steffan, lle clywodd y rhai oedd yn bresennol gan Ei Anrhydedd y Barnwr Nicholas Cooke QC a'r Arglwydd Elystan Morgan. Yn y digwyddiad ym Mae Caerdydd, daeth 60 o ddisgyblion i sesiwn holi ac ateb arbennig gyda Phrif Weinidog Cymru Carwyn Jones a'r Comisiynydd.

### Lansio 'Ar Goll ar ôl Gofal'

Ymunodd dwsinau o blant a phobl ifanc sy'n derbyn gofal â ni yn y Senedd ym mis Mehefin i helpu i lansio 'Ar Goll ar ôl Gofal', adroddiad oedd yn amlygu'r materion sy'n effeithio ar blant sy'n derbyn gofal a rhai sy'n gadael gofal yng Nghymru.

### Darlith Cyngor Addysgu Cyffredinol Cymru (CyngACC)

Traddododd y Comisiynydd ddarlith addysg flynyddol CyngACC o'r llwyfan, ac wrth iddo annerch cannoedd o athrawon ac addysgwyr eraill, holodd a yw Cymru'n wir yn gwrandao ar ei phlant a'i phobl ifanc, ac apeliodd ar ysgolion i ddysgu trwy lygaid y disgyblion. I wrando ar ei anechriad, ewch i: <http://www.gtcw.org.uk>

### Diwrnod Rhyngwladol y Plentyn:

#### adroddiad canol tymor Comisiynwyr Plant y Deyrnas Unedig

I nodi Diwrnod Rhyngwladol y Plentyn, ar 20 Tachwedd 2011 cyhoeddodd pedwar Comisiynydd Plant y DU adroddiad ar y cyd oedd yn edrych ar y cynnydd a wnaed mewn pum maes – cyfranogiad, plant ag anableddau, tlodi plant, plant sy'n ceisio lloches a chyfiawnder ieuencid – yn erbyn CCUHP. Prif neges yr adroddiad oedd galwad am ailasesu ar frys effaith Adolygiad Gwariant Llywodraeth y DU ar anghenion plant agored i niwed. Daw'r adroddiad canol tymor hwn hanner ffordd trwy gylch adrodd y Confensiwn, sy'n gofyn bod Llywodraeth y DU, sef Plaid y Wladwriaeth, yn adrodd ar gynnydd i Bwyllgor y CU ar Hawliau'r Plentyn bob pum mlynedd, Cyflwynodd y DU adroddiad i'r Pwyllgor ddiwethaf yn 2008.

### Memorandwm o Ddealltwriaeth

Eleni, cytunwyd ar Femorandwm arall o Ddealltwriaeth rhwng swyddfa'r Comisiynydd a Chyngor Gofal Cymru. Dyma'r ychwanegiad diweddaraf i'r gyfres o femoranda a ddatblygwyd yn ystod y pedair blynedd diwethaf, gan gynnwys gyda Chomisiynydd Pobl Hŷn Cymru, Ombwdsmon Gwasanaethau Cyhoeddus Cymru, a CAF/CASS Cymru.

## Key events

### Tenth anniversary & launch of Annual Report & Accounts 10/11

To mark this key milestone, two events were held in the Senedd and in Westminster where attendees heard from His Honour Judge Nicholas Cooke QC and Lord Elystan Morgan. The Cardiff Bay event saw 60 pupils attend a special question and answer session with the First Minister Carwyn Jones and the Commissioner.

### Launch of 'Lost After Care'

Dozens of looked after children and young people joined us at the Senedd in June to help launch 'Lost After Care', a report highlighting the issues affecting looked after children and care leavers in Wales.

### General Teaching Council for Wales' (GTCW) lecture

The Commissioner took to the stage to deliver the GTCW's annual education lecture. Addressing hundreds of teachers and other educationalists, he questioned whether Wales is really listening to its children and young people and pleaded for schools to learn through the eyes of pupils. To listen to his speech, visit: <http://www.gtcw.org.uk/>

### International Day of the Child:

#### UK Children's Commissioner's midterm report

To mark International Day of the Child, on 20 November 2011 the four UK Children's Commissioners published a joint report which examined progress made in five areas – participation, children with disabilities, child poverty, children seeking asylum and juvenile justice – against the UNCRC. The report's main message was a call for an urgent reassessment of the impact of the UK Government's Spending Review on the needs of vulnerable children.

This midterm report comes half way through the Convention's reporting cycle, which requires UK Government, as the State Party, to report on progress to the UN Committee on the Rights of the Child every five years. The UK last reported to the Committee in 2008.

### Memorandum of Understanding

This year, a Memorandum of Understanding was agreed between the Commissioner's office and the Care Council for Wales. It is the latest addition to the suite of memoranda developed over the last four years, including with the Older People's Commissioner for Wales, Public Services Ombudsman for Wales and CAF/CASS Cymru.



**Sut rydyn ni'n  
gwrando ac yn  
cynnwys plant  
a phobl ifanc**

How we have  
listened and  
involved children  
and young people





# Rydyn ni'n gwrando ar blant a phobl ifanc i ganfod beth sy'n bwysig iddyn nhw.

Ein gweledigaeth yw gweithio gyda phlant a phobl ifanc yng Nghymru ac ar eu rhan, i gyflawni newidiadau cadarnhaol a pharhaol yn eu bywydau. Mae pob aelod o dîm y Comisiynydd, felly, yn gweithio'n uniongyrchol gyda phlant a phobl ifanc i sicrhau bod pob plentyn a pherson ifanc, o ble bynnag yng Nghymru y maent, yn cael gwybod am waith y Comisiynydd, cyfle i ddylanwadu arno, a chyfle i gael gwrandawriad ganddo.

Yn 2011 fe wnaethon ni ddatblygu ein 'darlun mawr' ar gyfer ein cynllun cyfranogiad. Ei nod yw ein helpu i ddatblygu sut mae'r swyddfa'n gweithio gyda phlant a phobl ifanc, ac mae'n egluro pam a sut mae'r fîm yn eu cynnwys yn eu gwaith. Mae gwaith wedi bod yn parhau i sicrhau bod y darlun mawr yn dod yn rhan o arferion gwaith pawb trwy greu pecynnau offer i staff a darparu hyfforddiant a chefnogaeth. Mae hyn yn golygu bod elfennau cyfranogiad ein gwaith yn hygyrch i'r staff, ac yn agor cyfleoedd ymgysylltu i bawb sy'n gweithio yn y swyddfa – i bob pwrpas, mae'r holl staff yn cael cyfle i gwrdd â phlant a phobl ifanc.

Un o'n ffyrdd o wrando ar blant a phobl ifanc yw ein rhwydwaith o ysgolion llysgenhadon. Eleni rydym wedi gweld cynnydd o 61% yn nifer yr ysgolion sydd wedi cofrestru fel ysgolion llysgenhadon. Llysgenhadon yw disgyblion a gaiff eu hethol gan eu cyfoedion; eu gwaith yw cynyddu ymwybyddiaeth o Gomisiynydd Plant Cymru a hawliau plant, a amlinellwyd yn y CCUHP, yn eu hysgolion a'u cymunedau ehangach.

Er mwyn sicrhau bod gwybodaeth am y cynllun ar gael yn hwylus i bob ysgol, mae Swyddogion Cyfranogiad wedi bod yn creu cysylltiadau â chynlluniau cenedlaethol eraill, gan gynnwys Cynllun Rhwydwaith Ysgolion Iach Cymru. Mae'r cyswllt diweddaraf hwn yn galluogi ysgolion sy'n ymuno â'r cynllun llysgenhadon i'w ddefnyddio'n dystiolaeth o gam tuag at achrediad ysgolion iach. Mae trafodaethau hefyd yn parhau i sefydlu cysylltiadau tebyg gyda Ysgolion Eco ac ysgolion Masnach Deg.

Cryfhawyd cysylltiadau hefyd rhwng Swyddfa'r Comisiynydd a Chynulliad Plant a Phobl Ifanc Cymru, y Ddraig Ffyni. Yn ystod y 12 mis diwethaf, mae aelodau o dîm y Comisiynydd wedi cwrdd ag aelodau i drafod cyfleoedd i'r Ddraig Ffyni helpu i gynyddu ymwybyddiaeth o rôl y Comisiynydd a CCUHP, sut gallai'r aelodau gysgodi'r Comisiynydd ar amrywiol ymweliadau, a sut gallen nhw helpu'r Pwyllgor Archwilio yn ei waith o alw'r Comisiynydd i gyfrif. Blwyddyn beilot oedd hon, a bydd yr aelodau yn treulio Ebrill 2012 yn gwerthuso, cyn penderfynu sut mae adeiladu ar yr hyn a gyflawnwyd eisoes.

Un o'r darnau allweddol o waith i helpu i nodi 10 mlwyddiant y Comisiynydd oedd datblygu bathodyn cyntaf y Deyrnas Unedig ar gyfer Sgowtiaid a Geidiau yng Nghymru, am y Swyddfa a CCUHP. Datblygwyd yr Her Hawliau ar gyfer Geidiau Brownie, Sgowtiaid Cub, Sgowtiaid a Geidiau, yr Adran Hyn a Sgowtiaid Antur, a hyd yma mae 45 o sgowtiaid a 150 o geidiau wedi llwyddo i gwblhau'r her.

Ffocws arall ar gyfer y fîm eleni oedd cadw cyfranogiad ar frig yr agenda wleidyddol, gan ymateb i ymgyngoriad Llywodraeth Cymru ar ganllawiau cyfranogiad newydd ar gyfer awdurdodau lleol, ymgyngoriad Gwaith Ieuencid yng Nghymru ar Egwyddorion a Dibenion, ac amlinellu'r cynnydd a wnaed yng Nghymru o ran cyfranogiad wrth sicrhau cynhwysiad yn adroddiad ar y cyd Comisiynwyr Plant y DU i Lywodraeth y DU a'r llywodraethau datganoledig, a gyhoeddwyd ym mis Tachwedd 2012. Er ein bod yn croesawu Mesur Plant a Theuluoedd (Cymru) 2010, sy'n darparu sail statudol ar gyfer cyfranogiad plant ym mhenderfyniadau awdurdodau lleol, prif neges y dogfennau hyn yw y dylai'r Llywodraeth gefnogi a chynyddu cyfleoedd i blant gyfranogi ym mhob maes.

Elfen graidd o ddyddiadur y Comisiynydd yw ymweld â ysgolion ledled Cymru. Mae'r map yn dangos ble bu eleni – dyw e ddim yn nodi ei ymweliadau i grwpiau arall o blant a phobl ifanc megis fforymau ieuencid, cyfarfodydd unigol, ac ymweliadau i rheiny sydd wedi'u lleoli tu allan i Gymru.

# We listen to children and young people to find out what's important to them.

Our vision is to work with and on behalf of children and young people in Wales to achieve positive and lasting changes in their lives. As such, every member of the Commissioner's team works directly with children and young people to ensure that all children and young people, wherever they're from in Wales are informed about, and have the opportunity to be listened to by, and influence the Commissioner's work.

In 2011 we developed our participation plan 'big picture'. Its aim is to help us develop the way the office works with children and young people and makes it clear why and how the team involve them in their work. Work has been ongoing to embed the big picture into everyone's working practices by creating staff toolkits, providing training and support. This makes the participation elements of our work accessible to staff, opening up engagement opportunities to everyone who works at the office effectively giving all staff the opportunity to meet with children and young people.

One of the ways we listen to children and young people is through our network of ambassador schools. This year we have seen a 61% increase in the number of schools who have registered as ambassador schools. Ambassadors are primary school pupils who are elected by their peers; their job is to raise awareness about the Children's Commissioner for Wales and children's rights, outlined in the UNCRC, within their schools and wider communities.

To ensure information about the scheme is readily available to all schools, Participation Officers have been forging links with other national schemes including the Welsh Network of Healthy Schools Scheme. This latest link enables schools who sign up to the ambassador scheme to evidence it as an action towards the healthy schools accreditation. Discussions are also ongoing to set up similar links with Eco schools and Fair Trade schools.

Links have also been strengthened between the Commissioner's Office and Funky Dragon. Over the last twelve months members of the Commissioner's team have met with members to scope out opportunities of how Funky Dragon can help raise awareness of the Commissioner's role and the UNCRC, how members could shadow the Commissioner on various visits and how they could help the Office's Audit Committee with its role in holding the Commissioner to account. This was a pilot year and members will spend April 2012 evaluating before deciding how to build on what's already been achieved.

One of the key pieces of work to help mark the Commissioner's tenth anniversary was the development of a UK-first badge for Scouts and Guides in Wales about the Office and the UNCRC. The Rights Challenge has been developed for Brownie Guides, Cub Scouts, Scouts and Guides, Senior Section and Explorer Scouts and, to-date, 45 scouts and 150 guides have successfully completed the challenge.

Another focus for the team this year was to keep participation high on the political agenda, responding to Welsh Government's consultation on new participation guidance for local authorities, Youth Work in Wales' consultation on Principles and Purposes and outlining progress made in Wales around participation for inclusion in the joint UK Children's Commissioners' report to UK Government and devolved governments published in November 2012. Whilst welcoming the Children and Families (Wales) Measure 2010, which provides a statutory basis for the participation of children in local authority decision-making, these documents' principal message is for the Welsh Government to support and increase opportunities for children's participation in all walks of life.

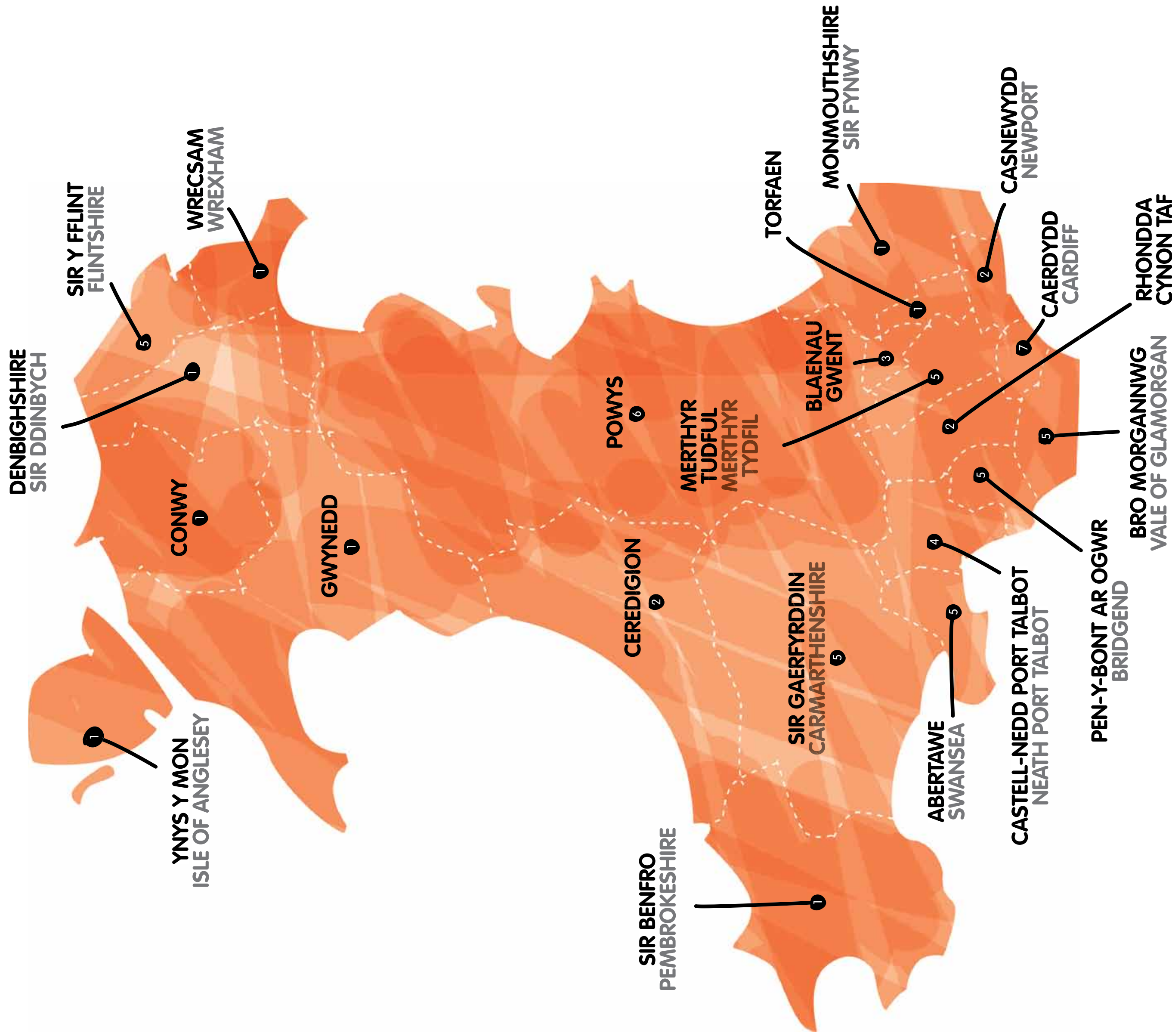
A core component of the Commissioner's diary is to visit schools across Wales. This map indicates where he's been this year – it doesn't cover visits to other groups of children and young people, such as youth forums, meetings with individuals and visits to those who have been placed outside Wales.

**Ymweliadau i ysgolion gan Keith Towler**

**1 Ebrill 2011 – 31 Mawrth 2012**

**Keith Towler's visits to schools**

**1 April 2011 – 31 March 2012**





**Mae ein gwaith manwl gyda phobl ifanc eleni wedi canolbwyntio ar ddatblygu'r cyhoeddiadau a'r adnoddau canlynol.**

**Fy Nghynllunnydd/Ar Goll ar ôl Gofal**

Ym mis Chwefror 2011, cyhoeddwyd 'Fy Nghynllunnydd' a'i anfon at ddim gadael gofal pob awdurdod lleol i'w ddsbarthu i'r holl bobl ifanc 15 oed mewn gofal. Mae'r Swyddfa wedi parhau i ddsbarthu copiau o'r canllaw ar hyd 2011/12, ac mae wedi ail-argraffu yn ôl y galw.

Pan ddaeth gwasanaeth cyngor a chefnogaeth y Comisiynydd yn ymwybodol o'r amrywiadau ymwybyddiaeth ymhlith pobl ifanc sy'n derbyn gofal o'u hawliau a'r hyn ddylai fod ar gael iddynt wrth iddynt adael gofal, ynghyd â'r gwahaniaethau yn lefel y gefnogaeth a gânt, aeth y fim ati i gynhyrchu adnodd Cymru-gyfan i'r rhai oedd yn gadael gofal.

Gan weithio gyda phobl ifanc mewn gofal a rhai oedd eisoes wedi gadael gofal, casglwyd gwybodaeth ynghylch y pynciau i'w cynnwys yn yr adnodd, megis addysg, iechyd a sgiliau byw'n annibynnol. Hefyd ceisiwyd barn pobl ifanc ynghylch golwg a theimlad yr adnodd, ac ymgynghorwyd ar ei ddyluniad. Roedden nhw'n awyddus i'r Swyddfa ddatblygu llyfr nodiadau bach, lliwgar, nad oedd yn sôn am fod mewn gofal na gadael gofal ar y clawr, o faint oedd yn hawdd ei gario o gwmpas a'i lanw â'u gwybodaeth bersonol a chysylltiadau.

Bu'r wybodaeth a gasglwyd yn ystod y sesiynau gyda phobl ifanc hefyd yn bwyo i'r adroddiad ffurfiol 'Ar Goll ar ôl Gofal', a gyhoeddwyd ym mis Gorffennaf 2011. Roedd yr adroddiad hwnnw'n hoelio sylw ar anghenion a hawliau'r rhai oedd yn gadael gofal, ac yn cynnwys blaenoriaethau a gyfer gwella gwasanaethau Llywodraeth Cymru ac awdurdodau lleol. Fel yn achos pob adroddiad a gyhoeddir gan y Swyddfa, mae'r swyddogaeth bolisi yn monitro gwelliannau gwasanaeth ac argymhellion o'r fath yn barhaus.

**Lleisiau Coll**

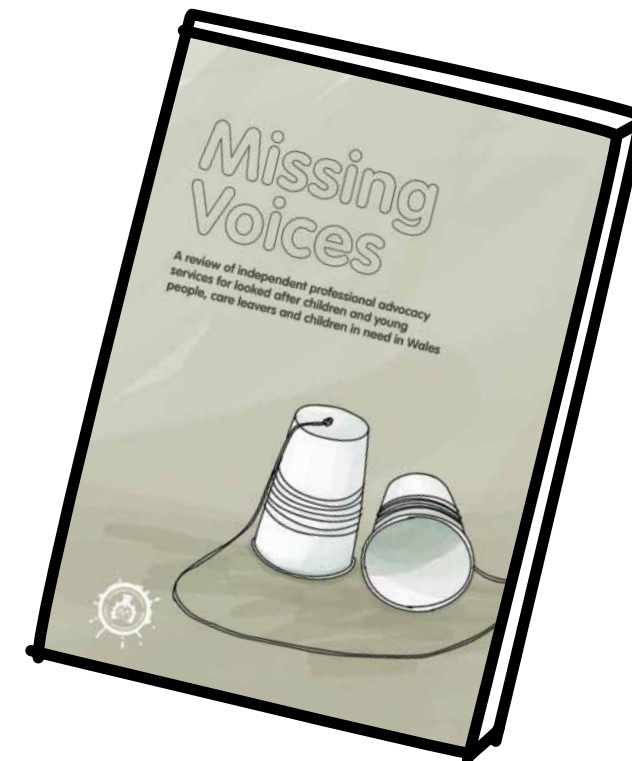
Yr adroddiad hwn oedd penllanw adolygiad y Comisiynydd o'r eiriolaeth broffesiynol annibynnol ar gyfer plant sy'n derbyn gofal, rhai sy'n gadael gofal a phlant mewn angen. Elfen allweddol o gylch gorchwyl yr adolygiad oedd casglu a chyflwyno barn a phrofiadau plant a phobl ifanc. Erbyn mis Ionawr 2011, roedd 457 o blant oedd yn derbyn gofal, rhai oedd wedi gadael gofal neu blant mewn angen wedi cwblhau holiadur oedd yn ceisio eu barn ar eiriolaeth, roedd dros 100 o blant wedi dod i 10 o grwpiau ffocws, ac roedd y Comisiynydd wedi mynychu pedair fforwm yng ngofal gwahanol wasanaethau awdurdod lleol. Ym mis Mawrth, cyhoeddwyd 'Lleisiau Coll', a oedd yn cynnwys 29 o argymhellion ar gyfer Llywodraeth Cymru ac awdurdodau lleol.

**Canllaw cryno i bolisi cwynion y Comisiynydd**

Y dasg oedd cywasgu dogfen 22 tudalen i greu canllaw mwy cryno 6 tudalen ar bolisi cwynion y Comisiynydd. Cynhaliwyd gweithdai gyda grŵp o wirfoddolwyr 10 oed, yn edrych ar yr iaith a'r delweddau oedd i'w defnyddio yn y daflen. Buon nhw'n trafod beth oedd yn dda amdani, beth roedden nhw'n ei ddeall, beth oedd yn anodd, sut gallai'r daflen fod yn haws ei deall i blant a phobl ifanc iau neu'r rhai oedd yn methu darllen yn dda.

Yn y diwedd cafwyd canllaw clir, ac ymrwymiad i gynhyrchu canllaw dartuniadol i gyd-fynd â'r daflen – bydd hwnnw'n cael ei ddatblygu gyda phlant iau ac ar eu cyfer.

Mae ein adroddiadau ni i gyd ar gael yma [www.complantcymru.org.uk](http://www.complantcymru.org.uk)



**Our in-depth work with young people this year focussed on developing the following publications and resources.**

**My Planner/Lost After Care**

In February 2011, 'My Planner' was published and sent to every local authority leaving care team for distribution to all 15 year olds in care. The Office has continued to disseminate copies of the guide throughout 2011/12 and has re-printed due to high demand.

When the Commissioner's advice and support service became aware of the variance in awareness among looked after young people of their rights and entitlements as they leave care, coupled with the differences in the level of support they receive, the team went about producing an all-Wales resource for care leavers.

Working with young people in care and those who had already left care, information was gleaned about the topics to be covered in the resource, including education, health and independent living skills. Views of young people were also sought around the look and feel of the resource and designs were taken out for consultation. They were keen for the Office to develop a small, colourful notebook that did not mention being in care or leaving care on the cover, which was easy to carry around and fill with their personal information and contacts.

The information gathered during the sessions with young people also informed the formal report, 'Lost After Care', published in July 2011. This report focussed attention on the needs and entitlements of care leavers and included priorities for service improvements for Welsh Government and local authorities. As with all reports published by the Office, the policy function monitors such service improvements and recommendations on an on-going basis.

**Missing Voices**

This report was the culmination of the Commissioner's review of independent professional advocacy for looked after children, care leavers and children in need. A key element of the review's terms of reference was to gather and present the views and experiences of children and young people. By November 2011, 457 looked after children, care leavers or children in need had completed a questionnaire seeking their views about advocacy, 10 focus groups had been attended by over 100 children and the Commissioner had attended four forums run by different local authority services. In March, 'Missing Voices' was published containing 29 recommendations for Welsh Government and local authorities.

**A brief guide to the Commissioner's complaints policy**

The task was to condense a 22 page document to a more concise 6 page guide of the Commissioner's complaints policy. Workshops were held with a group of ten year old volunteers looking at the language and the images to be used in the leaflet. They shared what was good about it, what they understood, what was difficult, how the leaflet could be made more accessible for younger children and young people or those who couldn't read very well.

The end result was a clear guide and a commitment to produce a picture guide to accompany the leaflet – one that will be developed with and for younger children.

All our reports can be accessed from [www.childcomwales.org.uk](http://www.childcomwales.org.uk)



# Sut rydyn ni wedi cynghori

How we have advised





# Rydyn ni'n cyngori plant, pobl ifanc a'r rhai sy'n gofalu amdany'n nhw os byddan nhw'n teimlo eu bod nhw'n methu mynd â'u problemau at neb arall.

Mae gwasanaeth Cyngor a Chefnogaeth y Comisiynydd yno ar gyfer plant a phobl ifanc, a'r bobl sy'n gofalu amdanynt, fel bod ganddyn nhw rywun i droi atynt pan fydd popeth arall yn methu wrth ddelio â phroblem, neu os nad ydyn nhw'n siŵr pwy sydd ar gael i'w helpu. Mae hefyd yn wasanaeth sy'n darparu gwybodaeth a chynghor i bobl broffesiynol sy'n gweithio gyda phlant a phobl ifanc. Mae'r gwasanaeth hwn ar gael am ddim, ac mae'n darparu cynghor annibynnol, di-duedd wedi selio ar y CCUHP gyda'r nod cyson o geisio datrys problemau'n gynnar.

Yn rheoli'r gwasanaeth mae pedwar Swyddog Ymchwiliadau a Chynghor, sy'n derbyn galwadau, negeseuon testun, trydar, e-byst a llythyron oddi wrth blant, pobl ifanc ac oedolion sydd wedi bod yn ceisio datrys problem ac sy'n teimlo nad ydynt yn symud ymlaen neu nad ydynt yn gwybod at bwy i droi.

**Eleni, gofynnwyd am gynghor gan y gwasanaeth ar 427 o achlysuron gwahanol. Cysylltwyd â swyddogion fel a ganlyn:**

- 266 dros y ffôn
- 94 drwy e-bost
- 47 drwy lythyr
- 6 neges destun.

**Cysylltwyd â nhw gan y bobl ganlynol:**

- rhieni (206)
- plentyn/person ifanc (41)
- aelod arall o'r teulu (33)

Roedd y bobl eraill yn cynnwys aelodau etholedig, gofawyr maeth, sefydliad gwirfoddol ac athrawon.

Roedd y swyddogion mewn sefyllfa i roi cynghor i 279 o achosion – a ddosbarthwyd yn achosion untro - i'w galluogi i ddatrys y materion eu hunain.

Mewn 148 o achosion, roedd y swyddogion mewn sefyllfa i gyfeirio ymlaen at sefydliadau yn cynnwys darparwyr eiriolaeth, CAFCASS Cymru a swyddogion cwynion awdurdodau lleol. Roedd yr achosion llawn hyn yn cwmpasu meysydd yn cynnwys y gwasanaethau cymdeithasol, lle roedd y prif faterion yn ymwneud â lleoliadau maeth ac eiriolaeth, addysg, lle roedd y prif faterion yn ymwneud â chwynion ac anghenion addysgol arbennig a iechyd, lle roedd y materion yn ymwneud ag ariannu a Gwasanaethau Iechyd Meddwl i Blant a Phobl Ifanc (CAMHS). Wrth ymdrin â'r achosion llawn hyn, mae swyddogion ymchwilio a chynghor a thîm polisi'r Comisiynydd yn cydweithio'n agos i ganfod unrhyw faterion ehangach a chyfleoedd dysgu ar gyfer gweithwyr proffesiynol a'r llywodraeth, oddi mewn i'r ardal leol dan sylw a'r tu hwnt, ledled Cymru.

# We advise children, young people and those who care for them if they feel they've got nowhere else to go with their problem.

The Commissioner's Advice and Support service is there for children and young people, and the people who care for them, to have someone to turn to when they run out of all other options when dealing with a problem they're experiencing. It's also a service which provides information and advice to professionals working with children and young people. This is a free service, providing independent and impartial advice based on the UNCRC where the aim is always to seek resolution to a problem at an early stage.

Managing the service are four Investigations and Advice Officers, who take calls, tweets, text messages, emails and letters from children, young people and adults who have been trying to solve a problem and feel like they aren't getting anywhere. They can also assist if people don't know where to turn to for help.

**This year, advice was sought on 427 separate occasions from the service.**

**Officers received contact:**

- 266 times over the phone
- 94 times via email
- 14 times in person
- 47 times by letter
- 6 times text message.

**Contact was made by:**

- parents (206)
- child/young person (41)
- other family member (33)

Others included elected members, foster carers, voluntary organisation and teachers.

Officers were able to provide immediate advice to 279 cases – classed as one-off cases – to enable them to resolve the issues themselves.

In 148 cases, Officers were able to signpost to organisations including advocacy providers, CAFCASS Cymru and local authority Complaints Officers. These full cases covered areas including social services, where the main issues related to foster placement and advocacy, education, where the main issues related to complaints and special educational needs and health, where issues related to funding and Child and Adolescent Mental Health Services (CAMHS). When handling these full cases, Investigation and Advice Officers and the Commissioner's policy team work closely to identify any wider issues and learning opportunities for professionals and government, both within the local area concerned and further afield across Wales.

## Enghreifftiau o waith

### Anghenion Addysgol Arbennig (AAA)

Cysylltodd rhiant â'r Swyddfa ynghylch ei merch 14 oed oedd heb fod i'r ysgol ers 6 mis. Un bore roedd y ferch wedi gwrthod mynd i'r ysgol nac i unrhyw lleoliad addysg arall. Roedd yr awdurdod addysg lleol yn ymwneud â'r achos, ac roedd y swyddog lles addysg wedi ysgrifennu at y rhiant yn rhybuddio y gallai erlyniad ddilyn pe na bai'r person ifanc yn dychwelyd i'r ysgol.

Roedd y rhiant wedi cyrraedd pen ei thennyn, ac roedd wedi cysylltu â'r gwasanaeth cyngor a chefnogaeth oherwydd nad oedd ganddi syniad beth i'w wneud. Roedd yr awdurdod lleol wedi ceisio dod i gysylltiad â'r person ifanc, ond heb lwyddiant. Roedd y ferch wedi gwrthod mynd i gyfarfodydd i drafod y sefyllfa oherwydd bod yr holl gyfarfodydd yn cael eu trefnu ar safle'r ysgol. Pan ofynnodd ei rhiant pam nad oedd hi'n fodlon mynd i'r cyfarfodydd, aeth y person ifanc yn ddiog dros ben. Doedd dim eiriolwr gan y ferch.

Galwodd un o'r Swyddogion Ymchwilio a Chyngor yr awdurdod addysg lleol ac awgrymu cael hyd i leoliad niwtral er mwyn i'r person ifanc ddod i'r cyfarfod. Wedi hynny ffonwyd y rhiant a chael cadarnhad fod yr awdurdod wedi nodi lleoliad, ond eto bod y ferch yn ddiog ac wedi gwrthod mynd i'r cyfarfod, gan ddweud wrth ei rhiant y dylai hi wybod pam. Rhoddwyd cyngor i'r rhieni hefyd ynghylch sut gellid gofyn i'w merch roi ei barn ar bapur, fel bod y gweithwyr profesiynol yn gallu gwrandao.

Wythnos yn ddiweddarach ffoniodd y rhiant i ddiolch i'r Swyddfa am y cyngor. Roedden nhw wedi dilyn y cyngor hwnnw, ac roedd eu merch wedi ysgrifennu'n helaeth, yn egluro ei bod yn ofni mynd i'r ysgol, ac yn nodi sut roedd hi'n teimlo y gallai gael ei helpu i ddychwelyd i addysg. Gwrandawodd yr awdurdod ar y pethau roedd y ferch yn eu dweud wrthyn nhw, ac ymhen pythefnos roedd y person ifanc yn ôl ym myd addysg, ac yn fodlon ar ei lleoliad.

### Amddiffyn plant

Ffoniodd rhiant y Swyddfa oherwydd bod ei merch wedi gwneud honiad ynghylch aelod o'r staff addysgu yn ei hysgol, ac roedd hi bellach yn cael trafferth mynd i'r ysgol. Doedd y rhiant ddim yn siŵr sut i ddatrys y sefyllfa.

Rhoddodd y Swyddog Ymchwilio a Chyngor gyngor i'r rhiant ynghylch canllawiau Llywodraeth Cymru i ysgolion o ran sut dylen nhw ymateb i honiadau yn erbyn aelod o staff yng nghyswllt honiadau amddiffyn plant. Dangosodd trafodaeth gyda'r rhiant nad oedd yr ysgol wedi cydymffurfio'n llawn â'r gweithdrefnau priodol. Cysylltodd y Swyddfa â'r awdurdod addysg lleol, a chael nad oeddent wedi derbyn yr holl wybodaeth ynghylch yr honiadau roedd y ferch yn eu gwneud.

Yn dilyn ymyrraeth y Swyddfa, cymerodd yr awdurdod gamau priodol ynghylch yr honiad drwy wneud cyfeireb at wasanaeth ymchwiliadau annibynnol Llywodraeth Cymru SERVOCA. Cynhaliwyd trafodaethau pellach rhwng y swyddfa a'r awdurdod lleol ynghylch y materion a amlygwyd yn ystod yr achos. O ganlyniad, newidiodd yr awdurdod lleol ei hyfforddiant diogelu ym myd addysg i helpu i atal achos arall tebyg.

### Cwswela mewn ysgolion

Cysylltodd athro mewn ysgol annibynnol â ni, gan fod angen rhywun i siarad ag un o'i ddisgyblion a oedd wedi bod yn niweidio'i hun, ac roedd yr athro am gael cyngor ynghylch y ffordd orau o ddelio â'r sefyllfa. Nid oedd gan yr ysgol wasanaeth cwswela yn yr ysgol na chefnogaeth annibynnol debyg ar gyfer y disgyblion. Nid oedd y disgybl am i unrhyw wasanaeth statudol ymwneud â'r achos.

Yn dilyn trafodaeth rhwng un o Swyddogion Ymchwilio a Chyngor y Swyddfa, cyfarfu'r athro a'r Swyddog â'r disgybl i sicrhau gwell dealltwriaeth o'r materion dan sylw.

Cyfaddefodd y person ifanc fod rhai materion yr hoffai eu trafod gyda chwswelydd, ond nad oedd y gwasanaeth hwnnw ar gael yn yr ysgol. Doedden nhw ddim eisiau mynd trwy eu meddyg oherwydd eu bod nhw'n poeni y byddai eu rhieni yn clywed am y peth. Roedden nhw am gael mynediad i wasanaeth cyfrinachol.

Roedd y Swyddog Ymchwilio a Chyngor mewn sefyllfa i nodi darparwr cwswela lleol, a thrafod cefnogaeth ar gyfer y person ifanc. Fe wnaeth fîm polisi wedyn fynd ati i edrych ar y diffyg cwswela ar gyfer plant mewn ysgolion preifat fel mater polisi ehangach.

Glynodd y Swyddog at weithdrefnau Amddiffyn Plant Cymru Gyfan ar hyd yr amser, a byddai wedi cyfeirio'r mater at y Gwasanaethau Cymdeithasol petasai hynny'n briodol.

### Plentyn oedd yn derbyn gofal ac addysg

Galwodd gofalwr maeth ynghylch plentyn oedd wedi ei leoli gyda nhw oedd heb fod mewn addysg ers chwe mis. Roedd y gofalwr maeth yn darparu lleoliad y tu allan i'r sir. Roedd materion diogelu i'w hystyried yn ogystal, ac roedd dau awdurdod lleol yn dadlau ynghylch pwy ddylai dalu am y gefnogaeth ychwanegol roedd ei hangen ar y person ifanc.

Cysylltodd Swyddog Ymchwilio a Chyngor â'r ddau awdurdod lleol i gael rhagor o wybodaeth am y sefyllfa, gyda'r nod o geisio datrys y broblem. Fe sicrhodd hefyd fod y person ifanc yn cael ei roi mewn cysylltiad ag eiriolwr, fel bod modd clywed beth oedd ei ddymuniadau a'i deimladau. Arweiniodd ymyrraeth y swyddfa at ddialog adeiladol rhwng y ddau awdurdod lleol, bu'n fodd i glywed llais y person ifanc, ac i ddylanwadu ar y penderfyniadau a wnaed. Mae'r person ifanc yn dal i dderbyn cefnogaeth yr eiriolwr, ac mae'n gwneud yn dda o dan y cynllun Llwybrau 14-19.

## Examples of work

### Special Educational Needs (SEN)

A parent contacted the Office about her 14 year old daughter who had not been in school for 6 months. One morning the girl had simply refused to go to school or any other educational setting. The local education authority was involved and the Education Welfare Officer had written to the parent warning of prosecution should the young person not return to school.

The parent was distraught and had contacted the advice and support service because they had no idea what to do. The local authority had tried to engage with the young person but to no avail. The girl had refused to attend meetings to discuss the situation because all meetings were arranged on school premises. When asked by her parent why she would not attend meetings the young person got extremely angry. The girl did not have an advocate.

One of the Investigation and Advice Officers called the local education authority and suggested that a neutral location be found in order for the young person to attend the meeting. A follow up call to the parent confirmed that the authority had identified a venue but again their daughter was angry and refused to attend the meeting telling her parent they should know why this was. Advice was also given to the parents on how to approach their daughter to get her views written down for the professionals to listen.

One week later the parent called to thank the Office for the advice. They had followed the advice and their daughter had written extensively to explain her fear of school and how she felt she could be helped back into education. The authority listened to what the girl was telling them and two weeks later the young person was back in education and happy with her placement.

Sometimes the involvement of the Office can provide a different perspective to the resolution of a local problem and is able to make a positive difference to the lives of children and young people.

### Child protection

A parent called the Office as an allegation had been made by her daughter in relation to a teaching member of staff at her school and the girl was now struggling to attend school. The parent was unsure how to resolve this situation.

The Investigation and Advice Officer advised the parent about Welsh Government's guidance to schools in relation to how they should respond to child protection allegations against a member of staff. Discussion with the parent indicated that the school had not fully followed procedures. The Office contacted the local education authority and it transpired that they were not in receipt of all the information in relation to the allegations the girl was making.

Following the intervention of the Office the authority took appropriate action in relation to the allegation and made a referral to Welsh Government's independent investigation service SERVOCA. Further discussions took place between the Office and the local authority about the issues highlighted during the case. As a result, the local authority amended its safeguarding in education training to prevent to help prevent a repeat of this case.

### School based counselling

Contact was made by a teacher from an independent school in relation to a pupil of theirs who needed someone to talk to as they had been self harming. The teacher wanted advice about how best to deal with this situation. The school did not have access to a school based counseling service or similar independent support for the pupil. The pupil did not want any statutory service involved.

Following discussion between an Investigation and Advice Officer, the teacher and the pupil met with the Officer to gain a better understanding of the pupils' issues.

The young person confided that they had issues that they wanted to discuss with a counsellor but did not have access to this service at their school. The young person did not want to pursue through their doctor as she was concerned her parents would find out. The young person wanted to have access to a confidential service.

The Investigation and Advice Officer was able to identify a local counselling provider and negotiate support for the young person. The issue regarding the lack of school based counselling support for children at privately maintained schools was then taken forward as a wider issue by the Office's policy function.

At all times the Officer was working to the All Wales Child Protection Procedures and would have made a referral to Social Services if that had been appropriate.

### Looked after child and education

A foster carer called in relation to a child they had placed with them who had not been in education for six months. The foster carer was providing an out of county placement. There were also safeguarding issues to be taken into account and two local authorities were in dispute as to who should fund the additional support the young person needed.

An Investigation and Advice Officer made contact with both local authorities to find out more information about what was going on with the aim of trying to resolve the problem. They also ensured that the young person was put in touch with an advocate enabling their wishes and feelings to be heard. The intervention of the Office led to a constructive dialogue between the two local authorities and enabled the voice of the young person to be heard, and to influence decisions that were made. The young person continues to be supported by the advocate and is doing well under the 14-19 Pathway scheme.



# Llywodraeth newydd, heriau newydd gan Keith Towler

New government,  
new challenges  
by Keith Towler



# “Rydym wedi dod yn bell yng Nghymru ac, er nad ydym wedi cyrraedd pen y daith eto, rwyf yn falch o’r pellter rydym wedi ei deithio.”

## Gwenda Thomas AC, Dirprwy Weinidog dros Blant a Phobl Ifanc yn ystod dadl ar Gynllun Hawliau’r Plant o dan Mesur Hawliau Plant a Phobl Ifanc (Cymru) 2011

Rydym wedi clywed y term yn cael ei ddefnyddio’n rheolaidd mewn dadleuon corff llawn yn ystod y trydydd cynulliad, ac mae wedi bod yn elfen amlwg mewn darnau allweddol o ddeddfwriaeth yng nghyswllt plant a phobl ifanc.

Wrth i ni gychwyn ar bedwerydd Cynulliad Cenedlaethol Cymru, gydag Aelodau Cynulliad newydd a Llywodraeth newydd, un her allweddol i mi fydd cadw’r ffocws a’r proffil gwleidyddol ar y materion y mae plant a phobl ifanc yn eu hwynebu. Yn yr un modd, bydd carfan newydd o gynghorwyr lleol yn cael eu hethol ar draws awdurdodau lleol Cymru yn 2012, a byddaf yn ceisio codi proffil anghenion plant a phobl ifanc yng Nghymru gyda nhw, yn ogystal â’u hatgoffa o’u cyfrifoldebau allweddol fel rhieni corfforaethol. Mae cynghorwyr lleol yn y sefyllfa freintiedig o allu cynrychioli plant a phobl ifanc eu hardal, a chael effaith gadarnhaol ar eu bywydau. Bydd angen iddynt fedru ymgysylltu â phlant a phobl ifanc er mwyn canfod ac ymateb i’r anghenion hynny, a hefyd sicrhau trwy eu rolau craffu bod y gwasanaethau yn eu cymunedau yn cael eu darparu’n effeithiol. Gall fod gan gynghorwyr swyddogaeth bwysig o ran sicrhau bod y rhwymedigaethau statudol ar awdurdodau lleol a’r blaenoriaethau a nodwyd o ran polisi cenedlaethol yn cael eu rhoi ar waith yn briodol ar lawr gwlad.

Byddaf yn defnyddio’r bennod hon i amlygu rhai o’r datblygiadau arwyddocaol yng nghyswllt hawliau plant yng Nghymru rhwng 1 Ebrill 2011 a 31 Mawrth 2012, gan ddechrau gyda rhaglen ddeddfwriaethol uchelgeisiol Llywodraeth Cymru.

### Y rhaglen ddeddfwriaethol

Mae rhaglen ddeddfwriaethol Llywodraeth Cymru yn cynnwys darnau niferus o ddeddfwriaeth arfaethedig sy’n cael effaith uniongyrchol ar blant a phobl ifanc, ac a allai gynnal y broses o wireddu hawliau plant yng Nghymru a’i symud yn ei blaen. Mae’r rhain yn cynnwys:

- Bil Gwasanaethau Cymdeithasol (Cymru)
- Bil Safonau Ysgolion (Cymru)
- Bil Strwythurau, Llywodraethu ac Anghenion Addysgol Arbennig (Cymru)
- Bil Atal Troseddau Ieuencid (Cymru)

- Bil Plant a Phobl Ifanc (Cymru), a fydd yn ceisio ehangu rôl Comisiynydd Plant Cymru ac adeiladu ar Fesur Hawliau Plant a Phobl Ifanc (Cymru) 2011
- Bil Tai (Cymru)
- Bil Cam-drin Domestig (Cymru)
- Bil Rhoi Organau (Cymru)
- Bil Tyllu Cosmetig (Oed Cydsynio) (Cymru)

Fel pencampwr plant Cymru, byddaf yn mynd ati i ymgysylltu er mwyn sicrhau bod buddiannau plant a phobl ifanc yn cael eu hystyried, a bod eu hawliau’n cael eu parchu wrth i ddeddfwriaeth symud yn ei blaen.

Efallai mai’r datblygiad mwyaf arwyddocaol eleni oedd pasio Mesur Hawliau Plant a Phobl Ifanc (Cymru) 2011. Mae wedi cael ei ddisgrifio’n gywir fel mesur ‘arloesol’, a bydd yn golygu bod rhaid i Weinidogion roi ‘sylw dyledus’ i CCUHP wrth ddatblygu’r agenda ddeddfwriaethol. Ar 27 Mawrth 2012 cymeradwywyd y Cynllun Hawliau Plant, o dan Fesur Hawliau Plant a Phobl Ifanc (Cymru) 2011, gan Gynulliad Cenedlaethol Cymru. Mae’r Cynllun Hawliau Plant hwn yn cyflwyno’r trefniadau a fydd gan Weinidogion Cymru er mwyn sicrhau eu bod hwy, a staff Llywodraeth Cymru, yn cydymffurfio â’r ddyletswydd a roddwyd arnynt gan y Mesur – i “roi sylw dyledus” i hawliau plant, wrth ddatblygu neu weithio ar ddeddfwriaeth newydd arfaethedig, polisiau newydd arfaethedig ac unrhyw adolygiad neu newid i bolisi sydd eisoes yn bodoli.

Fe wnes i ymateb i’r ymgynghoriad ar y cynllun, gan amlygu meysydd yr oeddwn i’n teimlo bod angen eu cryfhau. Roedd y rhain yn cynnwys:

- pwysigrwydd natur annirprwyadwy CCUHP, a bod Gweinidogion yn derbyn cyfrifoldeb llawn am weithredu ‘dyletswydd sylw dyledus’ yn effeithiol, fel bod modd defnyddio’r ddeddfwriaeth yn gadarnhaol i wireddu hawliau plant yng Nghymru yn rhagweithiol;
- yr angen am ddeall yn glir natur a chwmpas egwyddor ‘sylw dyledus’;
- yr angen am gysylltu’r Cynllun yn benodol ac yn uniongyrchol â’r rhwymedigaethau ym Mesur Plant a Phobl Ifanc (Cymru) 2011;
- yr angen am nodi trefniadau adrodd a monitro yn glir; ac
- edrych ymhellach ar y mecanweithiau sydd ar gael os na weithredir dyletswydd sylw dyledus.

# “We have come a long way in Wales and, while we have not quite reached our destination, I am proud of how far we have travelled.”

## Gwenda Thomas AM, Deputy Minister for Children and Social Services during the debate on the Children’s Rights Scheme under the Rights of Children and Young Persons (Wales) Measure 2011

As we enter into the fourth National Assembly for Wales with new Assembly Members and a new government, a key challenge for me will be to maintain the focus and political profile on the issues facing children and young people.

In the same way, 2012 will see a new cohort of local councillors being elected across local authorities in Wales and I will be seeking to raise the profile of the needs of children and young people in Wales with them, as well as reminding them of their key responsibilities as corporate parents. Local councillors are in a privileged position of being able to represent and positively impact on the lives of children and young people in their locality. They will need to be able to engage with children and young people to identify and respond to those needs and also ensure that the services within their communities are being delivered effectively via their scrutiny roles. Councillors can play an important function in ensuring the statutory obligations on local authorities and the identified national policy priorities are being implemented as they should on the ground.

I will use this chapter to highlight some of the significant developments in relation to children’s rights in Wales between 1 April 2011 and 31 March 2012, starting with the Welsh Government’s ambitious legislative programme.

### Legislative programme

The legislative programme for Welsh Government includes numerous pieces of proposed legislation which directly impact on children and young people and could potentially uphold and progress the realisation of children’s rights in Wales. These include:

- Social Services (Wales) Bill
- Schools Standards (Wales) Bill
- The Structures, Governance and Special Educational Needs (Wales) Bill
- The Prevention of Youth Offending (Wales) Bill
- Children & Young Persons (Wales) Bill, which will aim to expand the role of the Children’s Commissioner for Wales and build on the Rights of Children and Young Persons (Wales) Measure 2011
- The Housing (Wales) Bill

- The Domestic Abuse (Wales) Bill
- Organ Donation (Wales) Bill
- Cosmetic Piercing (Age of Consent) (Wales) Bill

As the children’s champion for Wales, I will be actively engaging to ensure that the interests of children and young people are considered and their rights respected as legislation is progressed.

Perhaps the most significant development this year was the passing of the Rights of Children and Young Persons (Wales) Measure 2011. It has rightly been described as ‘ground-breaking’ and will see Ministers having to pay ‘due regard’ to the UNCRC in developing the legislative agenda. On 27 March 2012 the Children’s Rights Scheme, under the Rights of Children and Young Persons (Wales) Measure 2011, was approved by the National Assembly for Wales. This Children’s Rights Scheme sets out the arrangements that Welsh Ministers will have in place to make sure that they, and Welsh Government staff, comply with the duty placed on them by the Measure – to “have due regard” to children’s rights, when working on or developing proposed new legislation, proposed new policies and any review of, or change to, an existing policy.

I responded to the consultation on the scheme and had highlighted areas which I believed needed strengthening. These included:

- the importance of the non-delegable nature of the UNCRC and that Ministers take full responsibility of effectively implementing the ‘due regard duty’, enabling the legislation to be positively utilised for the proactive realisation of children’s rights in Wales;
- the need to clearly understand the nature and scope of the ‘due regard’ principle;
- the need to link the Scheme explicitly and directly to the obligations within the Rights of Children and Young Persons (Wales) Measure 2011;
- the need to clearly identify reporting and monitoring arrangements; and
- further examining the mechanisms available if the due regard duty is not implemented.



Ymatebodd Llywodraeth Cymru yn gadarnhaol i lawer o'r pwyntiau, ac roedd y fersiwn derfynol a gyflwynwyd yn welliant sylweddol. Dangosodd y ddatl corff llawn ynghylch y fersiwn a gyflwynwyd unwaith yn rhagor y gefnogaeth ar draws y pleidiau i sicrhau bod polisiau Cymru yn troi o gwmpas CCUHP. Wrth dderbyn newidiadau yng nghyswllt datblygu'r mecanweithiau adrodd a herio ymhellach, dangosodd y Dirprwy Weinidog Plant a Gwasanaethau Cymdeithasol fod y Llywodraeth yn barod i ddod i gysylltiad ag eraill er mwyn sicrhau bod y Mesur yn cyflawni manteision gwirioneddol.

Rydym i gyd yn derbyn bod rhoi'r ddeddfwriaeth ar waith yn dir newydd, ond mae'n bwysig ein bod yn gwneud hynny'n iawn, ac yng Nghymru, mae cyfrifoldeb arnom i ddangos i'r byd bod modd i agwedd a seilwyd ar hawliau arwain at well gwasanaethau i blant a phobl ifanc, a bod cymdeithas yn elwa o agwedd felly.

Cytunodd y Dirprwy Weinidog i ddychwelyd at hyn ac ailwerthuso'n gynnar, a hynny yng nghyd-destun y cylch cyntaf o adroddiadau ym mis Ionawr 2013. Rwy'n edrych ymlaen at hynny, oherwydd elfen bwysig fydd trafodaeth ar sut mae ffurfioli rôl Comisiynydd Plant Cymru fel rhan o weithredu'r Mesur, yn ogystal â mecanweithiau herio ac adrodd eraill.

Y llynedd dywedais na allai'r Mesur fod yn well na'r ewyllys wleidyddol o'r ymrwymiad oedd ynghlwm wrtho. Mae'r arwyddion yn galonogol, ond mae'n rhaid cynnal y momentwm yn anad dim.

Wrth i'r Mesur hwn gael ei weithredu, rwy'n disgwyl gweld y corff deddfu yn chwarae ei ran yn craffu ar y Llywodraeth, ac Aelodau'r Cynulliad, yn rhinwedd eu swydd fel aelodau pwyllgor Cynulliad Cenedlaethol Cymru, yn galw Gweinidogion i gyfri o ran eu heffeithiolrwydd yn darparu tystiolaeth ynghylch sut y rhoddwyd ystyriaeth i hawliau plant a phobl ifanc ym mhorffolios Gweinidogion. Ond mae gwelliannau ymarferol i fywydau plant a phobl ifanc, gan arwain at ddeilliannau buddiol, yn hanfodol os yw'r ddeddfwriaeth hon i fod yn wirioneddol ystyrlon.

**Mae Llywodraeth Cymru wedi cyflwyno rhaglen glir: bydd ffocws ar gyflawni. Ar ôl gwneud sylwadau yn ystod y blynyddoedd diwethaf ar ddeinameg 'cyfoeth o bolisiau ond tlodi wrth eu gweithredu', croesawaf yr ymrwymiad hwn, er mwyn cau'r bwlch gweithredu a galluogi plant a phobl ifanc i brofi'r effaith gadarnhaol ar lawr gwlad – gan wireddu dyheadau.**

Mae angen agwedd gydlynus at gyflwyno gwasanaethau effeithiol, yn edrych ar sut mae'r gwahanol elfennau yn ffitio i'r jig-so. Mae angen canolbwyntio ar yr agenda arfer a deilliannau, a bydd hynny'n golygu paratoi'r gweithlu. Mae angen hefyd i ni sicrhau ein bod yn gallu galw darparwyr gwasanaethau i gyfri pan na chyrrhaeddir y safonau a ddylai fod yn uchelgais i ni i gyd.

Ar ddechrau tymor newydd i'r Cynulliad a'r Llywodraeth, mae'n bryd asesu pa bolisiau a mentrau sydd gennym, a harneisio ein hegni a'n hadnoddau ar draws adrannau'r llywodraeth a meysydd gwasanaeth ar bob lefel.

Ar ôl rhestru'r ddeddfwriaeth a geir yn rhaglen newydd y Llywodraeth, mae angen sicrhau bod deddfwriaeth o'r tymor blaenorol yn cael ei gweithredu'n effeithiol, er enghraifft o ran estyn cwmpas Mesur Iechyd Meddwl (Cymru) 2010, Mesur Strategaethau Gofalwyr (Cymru) 2010 a Mesur Plant a Theuluoedd (Cymru) 2010.

Mae penderfyniadau pwysig i'w gwneud yn y tymor nesaf, a rhaid i ni beidio â cholli golwg ar hawliau plant a phobl ifanc yn y trafodaethau hynny. Maent yn ddinasyddion llawn o'n cenedl, ac felly mae rhaid iddynt gyfrannu at drafodaethau a fydd yn effeithio ar eu bywydau a chael eu cynrychioli ynddynt.

Mae gwasanaethau cyhoeddus yn debygol o newid sut maent wedi eu cyflunio yn sgîl yr agenda resymoli a mentrau megis Gweithio Gyda'n Gilydd dros Gymru – Framwaith Strategol ar gyfer Gweithlu'r Gwasanaeth Cyhoeddus yng Nghymru. Mae plant a phobl ifanc yn gallu cyfrannu llawn cymaint at ddatblygu a hysbysu datblygiad gwasanaethau â neb arall.

## Gwaith pwyllgorau Cynulliad Cenedlaethol Cymru

O safbwynt y corff deddfu, bu'r arwyddion yn gadarnhaol. Mae cynnal y Pwyllgor Plant a Phobl Ifanc yn ddatganiad sylweddol o fwriad, yn enwedig yng ngoleuni rhesymoli pwyllgorau'r Cynulliad Cenedlaethol. Mae'n arwydd o'r ffaith bod cartref democrataidd cenedlaethol Cymru yn credu bod materion plant a phobl ifanc o bwysigrwydd cenedlaethol ac yn teilyngu strwythur ffurfiol er mwyn sicrhau bod Llywodraeth Cymru a phawb sydd â dyletswydd dros hawliau plant yn gallu cael eu galw i gyfri yn effeithiol.

Yn adroddiad blynyddol y llynedd bŵm yn ystyried y camau cadarnhaol a gymerwyd gan y corff deddfu yng nghyswllt gwaith allgymorth a chyfranogiad plant a phobl ifanc. Bu arwyddion cadarnhaol eto eleni, gan gynnwys yr ymchwiliad i weithredu'r Mesur Dysgu a Sgiliau, lle gwelsom bobl ifanc yn rhoi tystiolaeth yn y sesiynau, yn ogystal ag ymdrechion mwy cyffredinol i gynnwys pobl ifanc. Mae'n bwysig bod yr arferion hyn yn cael eu gwerthuso, eu datblygu ymhellach, ac yn a eu hefelychu ar draws y corff deddfu.

Rhaid i ni beidio ag anghofio rôl pob pwyllgor yn craffu ar y Llywodraeth o ran materion plant, megis y ddarpariaeth i gadeiriau olwyn, fel y gwelwyd yn y Pwyllgor Iechyd a Gofal Cymdeithasol, ond hefyd yn sgîl rôl ddeuol pwyllgorau yn y broses ddeddfwriaethol. Bydd angen i bob aelod sicrhau eu bod yn deall anghenion penodol plant a phobl ifanc wrth graffu ar ddeddfwriaeth. Edrychaf ymlaen at feithrin cysylltiad parhaus â phwyllgorau'r Cynulliad, a byddaf yn ceisio eu cefnogi gymaint â phosib yn eu rôl, fel bod y consensws trawsbleidiol ar hawliau plant yn cael ei adlewyrchu yn adroddiadau pynciol pwyllgorau ac mewn datblygiadau deddfwriaethol.

## Datblygiadau eraill arwyddocaol

### Yr agenda resymoli

Mae cyfluniad gwasanaethau lleol yn newid yn gyflym, ac mae Llywodraeth Cymru wedi bod yn diwygio eu hagwedd o ran sut dylai darparwyr gwasanaeth lleol weithredu er lles pennaf pobl Cymru. Rwyf i'n croesawu'r agenda resymoli a'r cyfleoedd mae'n eu cynnig i ddiwygio a gwella sut rydym yn gwneud pethau yng Nghymru, trwy symleiddio'r agwedd at gynlluniau integredig a phartneriaethau. Fodd bynnag, mae'n hanfodol, yn sgîl rhoi mwy o annibyniaeth o ran y dull o gyflawni rhwymedigaethau statudol, bod llinellau clir yn cael eu tynnu gan y Llywodraeth o ran disgwyliadau, fel bod modd craffu arnynt yn lleol ac yn genedlaethol, a'u bod wedi eu seilio ar well deilliannau i blant a phobl ifanc a'r boblogaeth yn gyffredinol.

Y mater allweddol i minnau yw sut mae cadw'r ffocws ar blant a phobl ifanc a sut bydd y Gwasanaethau Diogelu Lleol (BGLI), yn arbennig, yn elfennau unigol ac yn gorfforaethol, yn cyflawni eu cyfrifoldeb o ran cynnal hawliau plant a phobl ifanc yng Nghymru.

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Welsh Government responded positively to many of the points and the final version tabled was a significant improvement. The plenary debate around the tabled version once again exhibited the cross party support for having a UNCRC-focused approach for Welsh policies. In accepting amendments in relation to developing further the reporting and challenge mechanisms, the Deputy Minister for Children and Social Services showed that government was willing to engage with others to ensure that the Measure can deliver real benefits.

Implementing the legislation is new territory but it is important we get it right and we in Wales have taken on a responsibility to show the world that a rights-based approach can lead to better services for children and young people and that society benefits from such an approach.

The Deputy Minister agreed to revisit and evaluate at an early stage and gave a commitment to do so within the first reporting round in January 2013. I look forward to this because an important element will be a discussion on how to formalise the role of the Children's Commissioner for Wales within the implementation of the Measure, as well as other challenge and reporting mechanisms.

Last year I said that the Measure will only be as good as the political will and commitment attached to it. The signs are encouraging and we must maintain the momentum.

As this Measure is implemented, I expect to see the legislature play its part in scrutinising Government. Assembly Members, in their capacity as National Assembly for Wales' committee members, hold Ministers to account in how they can evidence the rights of children and young people have been considered within Ministerial portfolios. Practical improvements in children and young people's lives leading to beneficial outcomes are essential for this legislation to have real meaning.

**The Welsh Government has been clear in its programme: there will be a focus on delivery. Having commented in recent years on the "policy rich but implementation poor" dynamic, I welcome this commitment so that the implementation gap can be narrowed and that children and young people can experience positive impact on the ground – turning aspiration into reality.**

We need a coordinated approach to delivering effective services, looking at how the different pieces of the jig-saw fit. There is a need to focus on the practice and outcomes agenda and this will mean equipping the workforce. We also need to ensure that we can hold service providers to account when the standards to which we should all aspire are not achieved.

At the start of a new Assembly and government term, it's time to assess what policies and initiatives we have and harness our energies and resources across government departments and service areas at all levels.

Having listed the legislation included in the new programme of Government, there is a need to ensure effective implementation of legislation from the previous term, for instance in the roll out of the Mental Health (Wales) Measure 2010, the Carers Strategies (Wales) Measure 2010 and the Children and Families (Wales) Measure 2010.

There are major decisions to be made in the next term and we must not lose sight of the rights of children and young people in those discussions. As full citizens of our nation, they must contribute to and be represented in discussions which will affect their lives. Public services are likely to change the way in which they work via the rationalisation agenda and initiatives such as 'Working Together for Wales – A Strategic Framework for the Public Service Workforce in Wales'. Children and young people are as much of an asset in developing and informing development of services as anyone else.

## National Assembly for Wales Committee work

From the legislature side, the signs have been positive. Maintaining the Children and Young People Committee is a significant statement of intent, especially in light of the rationalisation of National Assembly Committees. It signifies that Wales' national democratic home believes that children and young people's issues are of national importance and merits a formalised structure to ensure that Welsh Government and all duty bearers for children's rights can be effectively held to account.

I reflected in last year's annual report the positive steps taken by the legislature in relation to outreach work and the participation of children and young people. There have been positive steps again this year, including the inquiry into the implementation of the Learning and Skills Measure where we saw young people giving evidence in session as well as wider efforts being made to involve young people at large. It is important these practices are evaluated, developed further and then replicated across the legislature.

We must not forget the role of all committees in scrutinising government on children's issues, such as wheelchair provision taken forward by the Health and Social Care Committee. All members will need to ensure they have an understanding of the particular needs of children and young people in scrutinising legislation. I look forward to continued engagement with Assembly Committees and I will seek to support them in their role as much as possible so that the cross party consensus on children's rights is reflected in committee subject reports and legislative developments.

## Other significant developments

### Rationalisation agenda

The make-up of local service configuration is changing at a pace and the Welsh Government has been reforming its approach to how they believe local service providers should operate in the best interests of the people of Wales. I welcome the rationalisation agenda and the potential which it offers to reform and improve the ways in which we do things in Wales through a more streamlined approach to integrated plans and partnerships. It is essential however, that with the greater autonomy afforded in how statutory obligations are discharged, there are clear parameters of expectation set out by government which can be scrutinised locally and nationally which are based on improved outcomes for children and young people and the population as a whole.

The key issue is how to maintain the focus on children and young people and how the Local Service Boards (LSBs) especially, both the constituent parts as well as corporately, will take up their responsibility in relation to upholding the rights of children and young people in Wales.

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Rhaid i Lywodraeth Cymru sicrhau bod yr arweiniad strategol cyffredinol ar weithio integredig yn creu gwasanaethau effeithiol i blant a phobl ifanc. Ni ellir darparu tystiolaeth ynghylch hynny ond trwy ddangosyddion perfformiad a chraffu cadarn, ac ymarfer ar lawr gwlad.

Mae'n hanfodol bwysig bod gan y gweithwyr proffesiynol sy'n darparu gwasanaethau ddealltwriaeth o'r agenda a gallu i greu cysylltiad rhwng hynny a'u gwaith – er enghraifft, rhaid i'r gweithiwr iechyd cymunedol ddeall sut mae ef neu hi yn rhan o'r swyddogaeth dai, ac yn yr un modd rhaid i'r gweithiwr iechyd meddwl ddeall y berthynas a'r athro.

Mae'r diffyg cyfarwyddyd pendant ynghylch dyfodol Cynlluniau a Phartneriaethau PPI yn achosi elfen o ddryswch a phryder ynghylch datblygu agwedd gydlynus at wasanaethau plant a pha strwythurau cymorth fydd ar gael i'r BGLI hysbysu eu gwaith yng nghyswllt plant a phobl ifanc. Ni ellir caniatáu i'r rhwymedigaethau a gyflawnir ar hyn o bryd trwy'r cynlluniau Plant a Phobl Ifanc ac sy'n derbyn sylw/yn cael eu darparu gan y Partneriaeth Plant a Phobl Ifanc gael eu colli. Er enghraifft, os yw'r dyletswyddau ffordi plant o dan Fesur Plant a Theuluoedd (Cymru) 2011 yn cael eu cyflawni ar hyn o bryd trwy nod craidd yn y Cynllun Plant a Phobl Ifanc, sut mae sicrhau bod y rheidrydd i ymddrin a'r mater difrifol hwn yn cael ei gynnal ar lefel wleidyddol, strategol a gweithredol? Mae'r pryder hwn yn berthnasol i sawl maes polisi, yn cynnwys eiriolaeth, cyfranogiad, a hyd yn oed y gwasanaethau cwnsela. Mae pryder hefyd y bydd colli strwythur megis y Partneriaethau Plant a Phobl Ifanc yn arwain at rai rhanddeiliaid yn colli eu llais wrth drafod gwasanaethau lleol, er enghraifft sefydliadau trydydd sector llai o faint.

#### Bil Hawliau'r Deyrnas Unedig

Ym mis Awst 2011, cyhoeddodd y Comisiwn ar Fil Hawliau bapur trafod. Cyflwynais innau ymateb yn amlinellu nifer o bryderon y byddai rhaid i unrhyw Fil Hawliau a gâi ei ddatblygu ymddrin â hwy.

Byddai Bil Hawliau i'r DU yn cael ei groesawu, ond dim ond ar y rhagdybiaeth y byddai bil yn adeiladu ar yr hawliau presennol, yn hytrach na chynrychioli cam yn ôl.

Dylai unrhyw Fil gwmpasu'r hawliau a grisialir mewn confensiynau rhyngwladol eraill, a dylai gyfeirio'n benodol ar CCUHP a'i brotocolau dewisol, a gadarnhawyd gan Lywodraeth y DU yn 1991.

Mae datblygu Bil Hawliau i'r DU oddi mewn i wladwriaeth sy'n esblygu'n gyfansoddiadol yn her i'r Comisiwn, a byddai angen gofalu bod deinameg datganoli yn y DU yn cael ei pharchu.

Yn fy ymateb i'r papur trafod, pwysleisiais y dylai unrhyw Fil Hawliau i'r DU gynnwys holl ystod yr hawliau a nodwyd yn CCUHP, yn ogystal ag ystyried plant wrth ddatblygu darpariaethau a hawliau i bawb.

#### Diwygio'r Comisiwn Cydraddoldeb a Hawliau Dynol (EHRC)

Fe wnes i ymateb i'r ymgynghoriad ynghylch diwygio'r Comisiwn Cydraddoldeb a Hawliau Dynol, gan nodi bod angen y canlynol:

- **pwylgor cryf, unigryw i Gymru, yn adlewyrchu cyd-destun cymdeithasol, gwleidyddol, economaidd a diwylliannol unigryw Cymru. Mae angen hefyd i'r strwythurau fod yn gadarn ac yn effeithiol i gyflawni eu rôl reoleiddiol yng nghyswllt dyletswyddau cydraddoldeb penodol y sector cyhoeddus yng Nghymru;**
- **gwasanaeth gwybodaeth a chyngor sy'n cael ei ddarparu gyda dealltwriaeth glir o gyd-destun polisi a ieithyddol Cymru; ac**
- **eglurder ynghylch annibyniaeth EHRC ar y Llywodraeth.**

Byddaf yn cysylltu a'r EHRC yng Nghymru ac yn asesu effaith cynigion Llywodraeth y DU ar gyfer plant a phobl ifanc yng Nghymru.

#### Adolygiad Cyfiawnder Teulu

Penodwyd panel yr Adolygiad Cyfiawnder Teulu i adolygu'r system cyfiawnder teulu lawn yng Nghymru a Lloegr, gan edrych ar bob agwedd ar y system, o benderfyniadau'r llysoedd ynghylch cymryd plant i ofal, i anghydfod ynghylch cyswllt â phlant pan fydd rhieni'n ysgaru. Fe'i comisiynwyd gan yr Ysgrifenyddion Gwladol dros Gyfiawnder ac Addysg a Llywodraeth Iechyd a Gwasanaethau Cymdeithasol Llywodraeth Cymru.

Fe'm penodwyd innau i gynrychioli buddiannau plant a darparu persbectif Cymreig ar waith y panel.

**Cyhoeddwyd yr adroddiad terfynol ym mis Tachwedd 2011, gyda nifer o argymhellion allweddol, yn cynnwys y canlynol:**

- **dylid sefydlu Gwasanaeth Cyfiawnder Teulu, dan nawdd y Weinyddiaeth Gyfiawnder, gyda chysylltiadau cryf ar lefel swyddogion a Gweinidogion a'r Adran Addysg yn Lloegr a Llywodraeth Cymru. Y Gwasanaeth Cyfiawnder Teulu fyddai'n gyfrifol am wasanaethau gwaith cymdeithasol y llysoedd, darparu gwasanaethau cyfryngu a datrystiadau y tu allan i'r llys. Byddai ganddo rôl hefyd o ran pennu safonau ansawdd a monitro'r gwariant yng nghyswllt tystion arbenigol.**
- **er mwyn sicrhau bod buddiannau plant yn ganolog, argymhellodd yr adroddiad y dylid gosod dyletswydd ar y Gwasanaeth Cyfiawnder Teulu i ddiogelu a hybu lles plant wrth gyflawni ei swyddogaethau.**
- **dylai barnwyr fedru arbenigo mewn materion cyfiawnder teulu a derbyn cyfrifoldebau rheoli.**
- **dylai un llys teulu, gydag un pwyt mynediad, ddisodli'r tair haenen bresennol o lysoedd.**
- **dylid addysgu gweithwyr cymdeithasol am brosesau a gweithdrefnau cyfreithiol perthnasol.**
- **er mwyn mynd i'r afael a'r oedi yn y prosesau, sydd mor niweidiol i blant, dylai'r Llywodraeth ddeddfu fel bod pŵer i bennu terfyn amser ar gyfer achosion gofal.**
- **roedd argymhellion hefyd ynghylch cyfraith breifat a chyhoeddus, a oedd yn cynnwys sut mae ymddrin ag achosion o dorri gorchmynion, dylai'r farnwriaeth roi sylw manwl i sut gellid amddiffyn plant a thystion agored i niwed pan fyddant yn rhoi tystiolaeth mewn achosion teulu, a dylid rhoi cyfle i blant a phobl ifanc gael clywed eu lleisiau mewn achosion sy'n ymwneud â hwy, lle maent yn dymuno hynny.**

Welsh Government must ensure that the strategic leadership on integrated working across the board is translated to effective service provision for children and young people. This will only be evidenced by robust performance indicators and scrutiny and by the effective delivery of services at an operational level that lead to improved outcomes for service users.

It is paramount that the professionals delivering services have an understanding of the agenda and are able to relate it to their work – for instance the community health worker must understand how he or she fits into the housing function or the mental health worker with the teacher.

The lack of prescription regarding the future of Children and Young People Plans and partnerships does cause an element of confusion and concern with regards to developing a coherent approach to children's services and what support structures there will be for the LSB to inform its work in relation to children and young people. What cannot be allowed to happen is for the obligations discharged via the Children and Young People Plans currently which are then addressed or delivered by the Children and Young People Partnership, to be lost. If, for example, the child poverty duties under the Children and Families (Wales) Measure 2011 are currently discharged via a core aim under the Children and Young People Plan, how do we ensure that the imperative to address this serious issue is maintained at a political, strategic and operational level? This concern is relevant to numerous areas of policy including advocacy, participation and even counselling services. There is also a concern that losing a structure such as the Children and Young People Partnerships will result in particular stakeholders losing a voice in discussing local services, particularly local third sector organisations.

#### UK Bill of Rights

In August 2011, the Commission on a Bill of Rights published a discussion paper. I submitted a response which outlined a number of issues that any Bill of Rights would have to address. A UK Bill of Rights would be welcomed, only on the premise that a bill would build on existing rights and not represent a retreat.

I take the view that any Bill should encompass the rights enshrined in other international conventions and should specifically mention the UNCRC and its optional protocols, ratified by the UK Government in 1991.

Developing a UK Bill of Rights within a constitutionally evolving state provides a challenge to the Commission and care would be needed to respect the dynamics of devolution in the UK.

Within my response to the discussion paper, I emphasised that any UK Bill of Rights should contain the full range of rights identified in the UNCRC as well as having regard to children and young people in developing provisions and rights for all people.

#### Reform of the Equality and Human Rights Commission (EHRC)

I responded to the consultation on reform of the EHRC and stated the need for:

- **a strong and distinctive Wales committee, reflecting the distinct social, political, economic and cultural context in Wales. The structures also need to be robust and effective to undertake their regulatory role in relation to Welsh specific public sector equality duties;**
- **an information and advice service which is delivered within a clear understanding of both the policy and linguistic context in Wales; and**
- **clarity regarding the independence of the EHRC from Government.**

I will liaise with the EHRC in Wales and assess the impact of UK Government proposals for children and young people in Wales.

#### Family Justice Review

The Family Justice Review panel was appointed to review the whole of the family justice system in England and Wales, looking at all aspects of the system, from court decisions on taking children into care, to disputes over contact with children when parents divorce. It was commissioned by the Secretaries of State for Justice and Education and the Welsh Government Minister for Health and Social Services.

I was appointed to represent children's interests and provide a Welsh perspective on the panel's work.

The final report was published in November 2011 with a number of key recommendations, which included:

- **a Family Justice Service should be established, sponsored by the Ministry of Justice, with strong ties at both Ministerial and official level with the Department for Education in England and Welsh Government. The Family Justice Service would be responsible for court social work services, provision of mediation and out of court resolution services. It would also have a role in setting quality standards and monitoring spend in relation to expert witnesses.**
- **to ensure the interests of children are central, the report recommended a duty should be placed on the Family Justice Service to safeguard and promote the welfare of children in performing its functions.**
- **judges should be able to specialise in family justice issues and be given management responsibilities.**
- **a single family court, with a single point of entry, should replace the current three tiers of court.**
- **social workers should be taught about relevant legal process and procedure.**
- **in order to address the delays in the processes which are so damaging to children, Government should legislate to provide a power to set a time limit on care proceedings.**
- **there were also recommendations relating to private and public law which included how to address breaches of orders, the judiciary should actively consider how children and vulnerable witnesses may be protected when giving evidence in family proceedings and children and young people should be given the opportunity to have their voices heard in cases that are about them, where they wish it.**



Mae Llywodraeth y DU a Llywodraeth Cymru fel ei gilydd wedi ymateb yn gadarnhaol i'r prif argymhellion, ac edrychaf ymlaen at waith Bwrdd newydd Cyfiawnder Teulu Cymru a Lloegr, sydd yn gyfrifol am arwain y gwaith diwygio, a fydd yn cynnwys newidiadau deddfwriaethol.

Ymrwymodd Llywodraeth Cymru hefyd i sefydlu Rhwydwaith Cyfiawnder Teulu newydd yng Nghymru, y byddaf innau'n aelod ohono, gyda'r nod o ddod â phrif aelodau'r system cyfiawnder teulu ledled Cymru at ei gilydd, gan ddarparu cymuned leol o ddealltwriaeth a diben cyffredin er mwyn gwella gwasanaethau a deilliannau i blant a theuluoedd yng Nghymru.

### Y ddadl ynghylch smacio

Ym mis Hydref, cynhaliodd Cynulliad Cenedlaethol Cymru (CCC) ddadl lawn a phleidlais ar gynnig ynghylch yr angen am ddileu amddiffyniad 'cosb resymol'. Roeddwn yn falch dros ben bod y mater pwysig hwn wedi cael ei roi'n ôl yn bendant ar yr agenda wleidyddol, ac roeddwn yn fwy balch fyth bod CCC wedi pleidleisio o blaid y cynnig. Mae ailymddangosiad y mater hwn unwaith eto yn amlygu'r ymrwymiad o fewn y corff deddfu i gynnal hawliau plant a phobl ifanc yng Nghymru.

Yn yr un modd mae Llywodraeth Cymru, mor bell yn ôl â 2002, ac yn gyson ers hynny, wedi gwneud eu gwrthwynebiad i gosbi plant yn gorfforol yn eglur iawn. Adlewyrchwyd hynny eto yng nghynllun gweithredu cyfredol Llywodraeth Cymru ar CCUHP. Gwneud Pethau'n lawn, sy'n nodi bod "gweithio i sicrhau bod cosbi plant a phobl ifanc yn gorfforol yn anghyfreithlon ym mhob sefyllfa" yn flaenoriaeth. Mae hyn bellach o fewn pŵer Llywodraeth Cymru, ac felly mae dyletswydd arni i gyflawni'r mater pwysig hwn ac ymdrin â rhywbeth sydd, yn ei hanfod, yn fater o gydraddoldeb.

Cafwyd cryn sylw yn y cyfryngau a dadleuon cyhoeddus ar y mater hwn, ac roeddwn wrth fy modd yn gallu cyfrannu at y drafodaeth honno. Mae'n hanfodol nad ydym yn colli momentwm a'n bod yn parhau i lynu at ein hargyhoeddiadau, fel bod Cymru'n gallu arwain unwaith yn rhagor yn y gwaith o gynnal hawliau plant a phobl ifanc.

### Adolygiad Comisiynydd Plant Lloegr

Ar hyn o bryd mae gan Gomisiynydd Lloegr gylch gorchwyl ar draws y DU ar faterion sydd heb eu datganoli, sy'n golygu ei fod yn gallu ymarfer ei swyddogaethau yng nghyswllt plant yng Nghymru, Gogledd Iwerddon a'r Alban. Gallai'r sefyllfa hon greu dryswch, yn enwedig ymhlith plant a phobl ifanc a allai droi at Gomisiynydd gwahanol yn ôl a yw'r mater dan sylw wedi ei ddatganoli neu beidio.

Mae angen ymdrin â'r anghysondeb hwn. Mae'n fwy priodol, yn enwedig o safbwynt y plentyn, bod pob un o Gomisiynwyr y DU yn gallu hyrwyddo ac amddiffyn holl hawliau'r plant yn eu gwlad eu hunain, beth bynnag yw'r mater dan sylw.

Ym mis Gorffennaf 2010, cyhoeddodd Llywodraeth y DU adolygiad o Gomisiynydd Plant Lloegr. Gofynnwyd i Dr Dunford, arbenigwr addysg annibynnol, ystyried pŵerau'r Comisiynydd, ei gylch gorchwyl a'i swyddogaethau. Roedd argymhellion yr adolygiad yn eang ac yn cynnwys yr angen am gylch gorchwyl cryfach wedi'i seilio ar hawliau plant, mwy o annibyniaeth ar y Llywodraeth a hefyd, yn bwysig i Gomisiynwyr Plant eraill y DU, gydabyddiaeth y dylai comisiynwyr plant, mewn egwyddor, fod yn gyfrifol am fuddiannau'r plant a'r bobl ifanc sydd fel arfer yn byw yn eu gwledydd. Petai modd, dylid crisialu'r egwyddor hon yn y gyfraith.

Ymatebodd Llywodraeth y DU yn gadarnhaol i argymhellion Dr Dunford, a nododd datganiad Gweinidogol gan Sarah Teather AS (y Gweinidog dros Blant a Theuluoedd):

'Dr Dunford's recommendations mean that the statutory basis and form of the Office of the Children's Commissioner must change. I will consult in due course on legislative changes. In the interim, the current role and functions of the Children's Commissioner will continue. This includes the Commissioner's remit over non-devolved matters impacting on children and young people in Northern Ireland, Scotland and Wales. I do understand the difficulties that the current position presents for the Children's Commissioners in the devolved administrations. I will want to work with them to achieve a situation, within the devolution settlements, where the interests of children in Scotland, Wales or Northern Ireland can be fully represented by the Commissioner for that jurisdiction.'

Rwy'n edrych ymlaen at fod yn rhan o'r trafodaethau hyn, ynghyd â Chomisiynwyr Plant eraill y DU, er mwyn sicrhau fy mod yn gallu gweithio'n effeithiol dros holl blant a phobl ifanc Cymru, p'un a yw'r mater dan sylw wedi ei ddatganoli neu ei neilltuo.

Both the UK Government and the Welsh Government have responded positively to the key recommendations and I look forward to the work of the new Family Justice Board for England and Wales, tasked with leading on the reform work, which will include legislative changes.

Welsh Government also committed to establish a new Family Justice Network in Wales, on which I will sit, aimed at bringing together the key players within the family justice system at an all-Wales level providing a local community of understanding and common purpose to improve services and outcomes for children and families in Wales.

### The debate on smacking

In October, the National Assembly for Wales (NAfW) had a plenary debate and a vote on a motion regarding the need to remove the defence of 'reasonable chastisement'. I was extremely pleased that this important issue has been put firmly back on the political agenda and even more so that the NAfW voted in favour of the motion. The re-emergence of this issue once again highlights the commitment within the legislature to uphold the rights of children and young people in Wales.

In the same manner, Welsh Government, as far back as 2002 and consistently since, has made their opposition to the physical punishment of children very clear. This was again reflected in the Welsh Government's current UNCRC actions plan Getting it Right, which states a priority of "working to make physical punishment of children and young people illegal in all situations." It is now within Welsh Government's power and therefore incumbent on them to deliver on this important issue and address what is essentially a matter of equality.

There was significant media coverage and public debate on this issue and I was delighted to have been able to contribute to that discussion. It is essential that momentum is not lost and that we continue with the courage of our convictions so that Wales can, once again, lead the way in upholding the rights on children and young people.

### Review of the Children's Commissioner for England

Currently, the English Commissioner has a UK-wide remit regarding non-devolved issues, enabling them to exercise their functions in relation to children in Wales, Northern Ireland and Scotland. This situation can and does lead to confusion, particularly among children and young people who would have recourse to a different Commissioner depending on whether the issue they are concerned about is devolved or non-devolved. There is a need to address this anomaly. It is more appropriate, particularly from the point of view of the child, that each of the Commissioners in the UK is able to promote and protect all the rights of children in their own country, regardless of the subject matter.

In July 2010, the UK Government announced a review of the Children's Commissioner for England. Dr Dunford, an independent education consultant, was asked to consider the England Commissioner's powers, remit and functions. The review's recommendations were wide ranging and included the need for a strengthened remit based around children's rights, greater independence from Government and, importantly for the Children's Commissioners across the UK, recognition that in principle, children's commissioners should be responsible for the interests of children and young people who normally reside in their countries. It recommended this principle should be enshrined in law, if possible.

The UK Government responded positively to Dr Dunford's recommendations and a written Ministerial statement by Sarah Teather MP, Minister of State for Children and Families, noted:

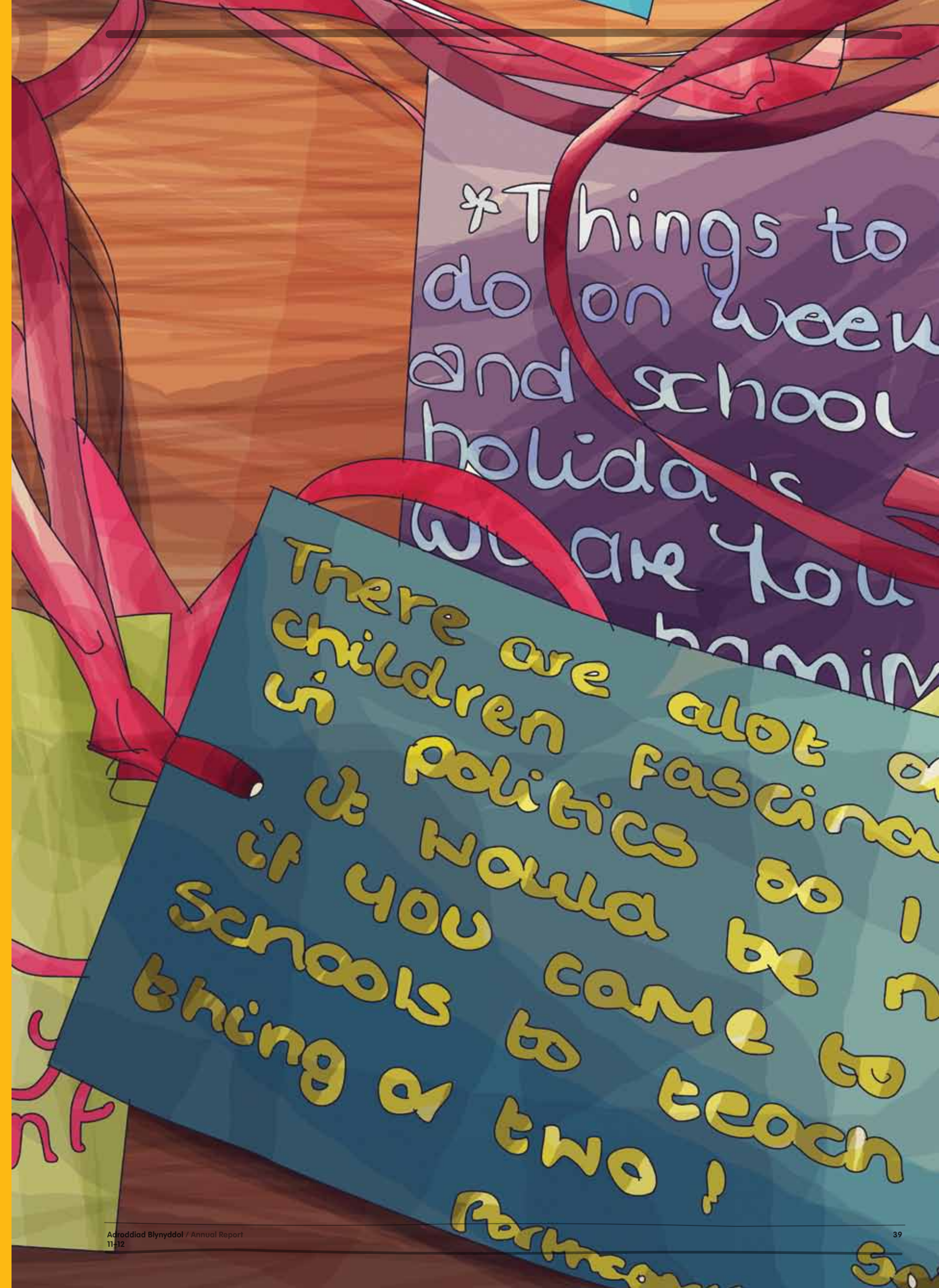
'Dr Dunford's recommendations mean that the statutory basis and form of the Office of the Children's Commissioner must change. I will consult in due course on legislative changes. In the interim, the current role and functions of the Children's Commissioner will continue. This includes the Commissioner's remit over non-devolved matters impacting on children and young people in Northern Ireland, Scotland and Wales. I do understand the difficulties that the current position presents for the Children's Commissioners in the devolved administrations. I will want to work with them to achieve a situation, within the devolution settlements, where the interests of children in Scotland, Wales or Northern Ireland can be fully represented by the Commissioner for that jurisdiction.'

I look forward to engaging on these discussions, along with my fellow UK Children's Commissioners to ensure that I can work effectively for all children and young people in Wales, on all matters whether they are devolved or reserved.



# Materion polisi sy'n effeithio ar blant a phobl ifanc

Policy issues  
affecting children  
and young people





**Yn yr adran hon rwyf wedi defnyddio saith nod craidd Llywodraeth Cymru yn sail ar gyfer dadansoddi polisiau a datblygiadau allweddol. Mae pob adran yn adolygu gweithgaredd y flwyddyn ac yn cloi trwy nodi'r meysydd y dylai Llywodraeth Cymru ganolbwyntio arnynt, yn fy marn i.**

## **Nod 1: Dechrau'n deg mewn bywyd**

### **Rhianta**

**Fy marn i...**  
Dylai pob rhiant a gofalwr fedru cyrchu cyngor a chymorth pan fydd eu hangen arnynt, beth bynnag yw eu hamgylchiadau, ble bynnag maent yn byw, beth bynnag yw oedran eu plentyn – fel eu bod yn gallu rhianta eu plant yn gadarnhaol.

#### **Edrych yn ôl**

Yn adroddiad y llynedd roedd yn disgwyl i Lywodraeth Cymru weithredu argymhellion ymchwiliad rhianta Pwyllgor Plant a Phobl Ifanc Cynulliad Cenedlaethol Cymru. Roedd adroddiad y Pwyllgor yn cynnwys 10 argymhellion, a derbyniodd Llywodraeth Cymru bob un ohonynt. Roeddent yn cynnwys argymhellion y dylid cydnabod cymorth rhianta oedd ar gael i bawb, wedi ei ddarparu gan staff oedd wedi eu hyfforddi'n briodol, fel gwasanaeth hanfodol i deuluoedd.

Cyflwynodd y Cynllun Gweithredu Rhianta ymrwymiad clir gan Lywodraeth Cymru yng nghyswllt cefnogi rôl hanfodol rhieni a gofalwyr ym mywydau plant a phobl ifanc. Roedd y Cynllun Gweithredu Rhianta yn cwmpasu'r cyfnod hyd at 2008, ond ar hyn o bryd nid oes fframwaith strategol clir ar gyfer hyrwyddo cymorth rhianta cyffredinol yng Nghymru, ac mae hynny'n destun pryder mawr i mi. Os byddwn yn cefnogi rhieni a gofalwyr byddwn yn cynnal gwell deilliannau i blant a phobl ifanc. Roedd Mesur Plant a Theuluoedd (Cymru) 2010 yn cynnwys y ddarpariaeth hon:

#### **Gwasanaethau cynnal rhieni: pwerau'r awdurdod lleol**

- (1) Gall awdurdod lleol ddarparu, sicrhau darpariaeth neu gyfranogi yn narpariaeth gwasanaethau cynnal rhieni i rieni plant**
- (2) Ni chaiff awdurdod lleol godi tâl am unrhyw beth a ddarperir o dan is-adran (1)**

Fodd bynnag, heb fframwaith strategol clir a chyfredol, mae'n anodd gweld sut bydd darpariaethau'r Mesur yn cael eu gweithredu.

Mae Llywodraeth Cymru wedi sefydlu nifer o raglenni cynnal teuluoedd megis Dechrau'n Deg, Teuluoedd yn Gyntaf a Gwasanaethau Cymorth Integredig i Deuluoedd, sydd i gyd yn cynnwys elfen o gymorth rhianta. Fodd bynnag, mae'r rhain i gyd yn rhaglenni targedig – nid ydynt yn darparu ar gyfer rhieni sydd ddim yn byw yn yr ardaloedd targedig nac yn cyrraedd y trothwyon ar gyfer mynediad i wasanaethau wedi eu targedu. Rwy'n pryderu y gallai'r newidiadau i lifoedd arian a rhesymoli cynlluniau a phartneriaethau lleol gyfyngu ar y flaenoriaeth a roddir i gymorth sydd ar gael yn gyffredinol i rieni a gofalwyr.

#### **Edrych ymlaen**

— Rwy'n galw ar Lywodraeth Cymru i gyhoeddi canllawiau i gynnal gweithrediad cymorth rhianta fel y nodwyd ym Mesur Plant a Theuluoedd (Cymru) 2010 ac i ddefnyddio hynny i ddarparu cyfeiriad strategol clir ar gymorth rhianta cyffredinol, gan roi sylw i argymhellion Pwyllgor Plant a Phobl Ifanc Cynulliad Cenedlaethol Cymru.

— Rwy'n galw ar Lywodraeth Cymru i gynnwys yn y canllawiau hynny gyfarwyddyd ynghylch yr angen am ddarpariaeth cymorth rhianta cyffredinol, i gynnwys cymorth priodol, hygyrch ar gyfer gofalwyr sy'n perthyn, gofalwyr maeth, rhieni mabwysiadol a rhieni sydd â phlant anabl.

**Within this section I have used the Welsh Government's seven core aims as the basis for analysing key policies and developments. Each section reviews the year's activity and concludes with what I believe should be Welsh Government's areas of focus.**

## **Aim 1: Flying start in life**

### **Parenting**

**What I think...**  
All parents and carers should be able to access advice and support when they need it, no matter what their circumstances, no matter where they live, no matter what age their child is – so that they can parent their children positively.

#### **Looking back**

In last year's report I looked to Welsh Government to implement the recommendations of the National Assembly for Wales' Children and Young People Committee parenting inquiry recommendations. The Committee's report included 10 recommendations, all of which the Welsh Government accepted. These included a recommendation that universally available parenting support, delivered by appropriately trained staff be recognised as a vital service to families.

The Parenting Action Plan presented a clear commitment from Welsh Government in relation to supporting the crucial role of parents and carers in the lives of children and young people. The Parenting Action Plan covered the period up to 2008 but there is currently no clear strategic framework for promoting universal parenting support in Wales and this is of great concern to me. If we support parents and carers we support better outcomes for children and young people. The Children and Families (Wales) Measure 2010 included this provision:

#### **Parental support services: powers of local authority**

- (1) A local authority may provide, secure the provision of or participate in the provision of parental support services to parents of children.**
- (2) A local authority may not charge for anything provided under subsection (1)**

However without a clear and current strategic framework it is difficult to see how the provisions of the Measure will be implemented.

Welsh Government has put in place a number of family support programmes such as Flying Start, Families First and Integrated Family Support Services all of which include an element of parenting support. However these are all targeted programmes – they do not provide for parents who do not live in target areas or meet thresholds for access to targeted services. I am concerned that changed funding streams and the rationalisation of local plans and partnerships could limit the priority given to universally available support to parents and carers.

#### **Looking forward**

— I am calling on Welsh Government to publish guidance to support the implementation of parenting support as set out in the Children and Families (Wales) Measure 2010 and to use this to provide clear strategic direction on universal parenting support, taking into account the recommendations of the National Assembly for Wales' Children and Young People Committee.

— I am calling on Welsh Government to include in such guidance direction on the need for universal parenting support provision to include appropriate and accessible support for kinship carers, foster carers, adoptive parents and parents who have disabled children.

## Nod 2: Mynediad i gyfleoedd addysg, hyfforddi a dysgu

### Addysg

Fy mam i... Mae gan bob plentyn a pherson ifanc hawl i dderbyn addysg. Mae ganddynt hawl i leisio barn ar yr addysg a gânt, y manau lle maent yn ei derbyn, sut maent yn cael eu trin mewn lleoliadau addysg, ac i gael y farn honno wedi ei hystyried o ddfiri.

### Safonau a threfniadaeth ysgolion

#### Edrych yn ôl

**Cynnydd o ran Asesiadau Myfyrwyr Rhyngwladol (PISA) ac Ymddygiad** Yn fy adroddiad blynyddol diwethaf fe wnes i groesawu cynllun gweithredu 20 pwynt y Gweinidog Addysg mewn ymateb i'r Cynnydd ar Asesiadau Myfyrwyr Rhyngwladol (2009), a'i ffocws o'r newydd ar y Cynllun Gweithredu Cenedlaethol ar Ymddygiad a Phresenoldeb. Cyflwynodd y Gweinidog ddiweddarariad ar y cynnydd o ran y cynllun gweithredu 20 pwynt ym mis Chwefror 2012, ac wrth ymateb iddo fe wnes innau groesawu darparu cyllid i hyfforddi athrawon mewn technegau rheoli ymddygiad fel datblygiad hanfodol i gynorthwyo athrawon i reoli yn y dosbarth.

#### Bandio ysgolion

Cyhoeddwyd data terfynol ar fandio ysgolion uwchradd gan Lywodraeth Cymru ym mis Rhagfyr 2011. Er fy mod yn falch bod y mesurau a ddefnyddiwyd yn adlewyrchu blaenoriaethau'r Gweinidog ar gyfer gwelliant, gan gynnwys lleihau effaith amddifadedd, rwy'n dal i bryderu mai 'prin yw'r ysgolion' sy'n rhoi cefnogaeth dda i ddysgwyr sydd o dan anfantais, fel y nodwyd yn adroddiad blynyddol diweddaraf Estyn. Mae'r adroddiad hefyd yn manylu ar sut mae ysgolion yn methu rhannu arfer gorau na chydweithio'n dda ynghylch hyn. Yn y cyfamser, dangosodd yr Ystadegau Cenedlaethol diweddaraf ar Gyflawniad Academaidd a Hawl i dderbyn Prydau Ysgol am Ddim a gynhyrchwyd gan Lywodraeth Cymru ac a ryddhawyd ym mis Mawrth 2012 fod perfformiad y disgyblion sy'n gymwys i dderbyn prydau ysgol am ddim yn is nag eiddo eu cymheiriaid sydd ddim yn gymwys 'ym mhob cyfnod allweddol ac ym mhob mesur perfformiad'.

Rwy'n deall bod Uned Safonau Ysgolion Llywodraeth Cymru yn gweithio gyda chonsortia addysg i ddatblygu cynlluniau gwella gyda phob ysgol band 4 a 5.

#### Bil Safonau a Threfniadaeth Ysgolion (Cymru)

Rwyf wedi nodi'n eglur yn fy ymateb i'r ymgynghoriad ar y Bil Safonau a Threfniadaeth Ysgolion (Cymru) fy mod yn dymuno gweld rhoi sylw i hawliau'r plentyn o dan CCUHP yn cael ei ychwanegu at y meini prawf ar gyfer rhoi hysbysiad rhybudd i gorff llywodraethu ysgol.

Y llynedd fe alwais ar y rhai oedd yn ymwneud â datblygu a gweithredu cynigion trefniadaeth ysgolion i ystyried hawliau disgyblion fel y'u nodwyd yn CCUHP, yn enwedig yng nghyswllt darparu gwybodaeth a chyfle i gael clywed eu lleisiau ar faterion sy'n effeithio arnynt. Rwy'n gobeithio drwy'r ddeddfwriaeth y bydd y gofynion statudol i ymgynghori â dysgwyr yn cael ei weithredu'n effeithiol ac y gwelwn arfer da yn cael ei ymestyn drwy Gymru.

Rwyf hefyd yn pryderu y gallai newidiadau i'r trefniadau a'r cyllido ar gyfer brecwast am ddim yn yr ysgol, cwnsela yn yr ysgol a thaliadau hyblyg am brydau ysgol o dan y Bil effeithio ar fynediad teg a darparu gwasanaethau nad ydynt yn peri stigma i blant a phobl ifanc.

#### Edrych ymlaen

— Rwy'n galw ar Lywodraeth Cymru i gymryd camau a fydd yn sicrhau bod plant a phobl ifanc yn cael eu cydnabod fel rhanddeiliaid allweddol o ran yr ymgysylltu ar gyfer prosesau sy'n ymwneud â safonau a threfniadaeth ysgolion.

— Rwy'n galw ar Lywodraeth Cymru i ystyried gofynion y Mesur Hawliau Plant (2011) yng nghyswllt y cynigion a gynhwyswyd yn y Bil Safonau a Threfniadaeth Ysgolion.

— Rwy'n galw ar awdurdodau lleol a chyrrff llywodraethu i asesu'r effaith bosib o ran tlodi, cydraddoldeb a mynediad at hawliau o dan y trefniadau newydd yng nghyswllt addysg Anghenion Addysgol Arbennig ôl-16, brecwast am ddim yn yr ysgol, cwnsela yn yr ysgol a thaliadau hyblyg am brydau ysgol wrth wneud penderfyniadau lleol.

### Cyfranogiad mewn lleoliadau addysg

#### Fy mam i...

**Mae Erthygl 12 o CCUHP yn datgan bod gan bob plentyn hawl i ddweud ei farn ar bob mater sy'n effeithio arnynt, ac i gael yr hawliau hynny wedi eu cymryd o ddfiri.**

#### Edrych yn ôl

Bu cyfranogiad mewn lleoliadau addysg yn destun rheoliadau a chanllawiau ers 2005. Mae Prosiect Cyfranogiad Disgyblion Llywodraeth Cymru yn ei le i gefnogi ysgolion i alluogi plant a phobl ifanc i gael llais ac i fod yn rhan o benderfyniadau sy'n effeithio arnynt, fel y nodwyd yn Erthygl 12 o CCUHP.

Mae'r Fframwaith Effeithiolrwydd Ysgolion yn nodi bod angen i gyfranogiad plant a phobl ifanc mewn agweddau ehangach ar ddsygu adeiladu ar waith cyngorau ysgol i sicrhau ymgysylltu gwirioneddol â'r broses ddsygu. Fodd bynnag mae adroddiad blynyddol diweddaraf Estyn (2010-11) yn awgrymu bod y cynnydd yn hyn o beth yn rhy araf. Mae'n nodi canfyddiad bod disgyblion yn cyfranogi'n dda mewn gweithgareddau cymunedol ym mwyafrif yr ysgolion cynradd, ond bod y disgyblion yn chwarae rhan rhy fach yn y penderfyniadau ynghylch sut a beth maen nhw'n ei ddsygu mewn lleiafrif o ysgolion cynradd. Mewn ysgolion uwchradd mae disgyblion 'yn aml' yn cymryd rhan mewn gweithgareddau cymunedol ym penderfyniadau a wneir am amrywiol agweddau ar fywyd yr ysgol, megis gwella'r amgylchedd. Fodd bynnag, mae'r adroddiad hefyd yn nodi nad oes ond 'ychydig ysgolion' lle mae ymwneud y disgyblion â bywyd a gwaith yr ysgol yn arbennig o gryf, a lle mae ganddynt rôl arwyddocaol mewn gweithgareddau hunanwerthuso ac yn y broses o ddatblygu cynlluniau gwella'r ysgol.

Canfu arolwg Llywodraeth Cymru yn 2011 ar ymgysylltiad disgyblion fod ychydig o dan hanner y disgyblion yn yr arolwg yn teimlo bod pawb yn cael cyfle i gael clywed eu barn yn yr ysgol, roedd bron traean yn cytuno bod hynny'n digwydd i ryw raddau, ond dywedodd chwarter eu bod yn anghytuno bod pawb yn cael cyfle i gael clywed eu barn yn yr ysgol. Daw'r ymchwil i'r casgliad, er bod y disgyblion a ymatebodd i'r arolwg yn ymwybodol o'u hawl i gael clywed eu llais, ac er bod mecanweithiau'n bodoli i bobl ifanc leisio barn ar benderfyniadau sy'n effeithio arnynt, bod canfyddiad mai peth arwynebol yw hynny, ac nad oes neb mewn gwirionedd yn gwrandao ar beth maen nhw'n ei ddweud. Roedd y canfyddiad hwn yn ergyd fawr i mi. Mae plant a phobl ifanc yn dal i ddweud nad ydynt yn cael eu clywed.

Rwy'n credu'n bendant bod yr angen am agwedd ysgol gyfan a gwrandao ac ymateb i leisio plant a phobl ifanc yn rhan annatod o ymrwymiad i hawliau plant. Mae'n ganolog i fynd i'r afael â dadriithiad, i ddeall anghenion disgyblion o ran datblygiad emosiynol a chymdeithasol, ac i baratoi pobl ifanc ar gyfer cyfrifoldebau bod yn oedolion. Gellir cyflawni gwelliannau a fydd yn cyfrannu at brofiad plant a phobl ifanc o ddsygu ac at effeithiolrwydd ysgolion.

## Aim 2: Access to education, training and learning opportunities

### Education

#### What I think...

Every child and young person has the right to an education. They have a right to have a say about the education they receive, the places they receive it, the way they are treated in educational settings and to have those views taken seriously.

### School standards and organisation

#### Looking back

**Progress on International Student Assessments (PISA) and Behaviour** In my last annual report I welcomed the Education Minister's 20 point action plan in response to the Progress on International Student Assessments (2009) and the renewed focus on the National Behaviour and Attendance Action Plan. In February 2012, the Minister issued an update on progress against the 20 point action plan. In response I welcomed the provision of funding to train teachers in behavioural management techniques as a crucial development in supporting teachers in classroom management.

#### School banding

Final data on the school banding of secondary schools was published by Welsh Government in December 2011. Whilst I am pleased that the measures used reflect the Minister's priorities for improvement, which include reducing the impact of deprivation, I remain concerned that 'few schools' are supporting disadvantaged learners well, as noted in Estyn's latest annual report. The report also details how schools are failing to share best practice or collaborate well with each other on the issue. Meanwhile, latest National Statistics on Academic Achievement and Entitlement to Free School Meals produced by Welsh Government and released in March 2012 indicated that performance of pupils eligible for free school meals is lower than their non-eligible counterparts 'at all key stages and in all performance measures'.

I understand that Welsh Government's School Standards Unit is working with education consortia to take forward improvement plans with each band 4 and 5 school.

#### School Standards and Organisation (Wales) Bill

I have made it clear in my response to the consultation on the School Standards and Organisation (Wales) Bill that I wish to see regard for the rights of the child under the UNCRC added to the criteria for issuing a warning notice to a governing body of a school.

Last year I called on those involved in developing and implementing school organisation proposals to consider the rights of pupils as provided by the UNCRC, particularly in relation to the provision of information and the opportunity to have their voices heard on matters that affect them. I hope through this legislation that the statutory obligation to consult with learners will be effectively implemented and that we see good practice rolled out across Wales.

I am also concerned that changes to the arrangements and funding for free school breakfasts, school-based counselling and flexible charging for school meals under the Bill may impact on equity of access and the provision of non-stigmatising services for children and young people.

#### Looking forward

— I am calling on Welsh Government to take measures to ensure that children and young people are recognised as key stakeholders in relation to engagement in processes relating to school standards and organisation.

— I am calling on Welsh Government to consider the requirements of the Rights of Children and Young Persons (Wales) Measure 2011 in relation to the proposals included in the School Standards and Organisation Bill.

— I am calling on local authorities and governing bodies to assess the potential impact in terms of poverty, equality and access to rights under new arrangements in relation to post-16 Special Educational Needs education, free school breakfasts, school-based counseling and flexible charging for school meals when making local decisions.

### Participation in education settings

#### What I think...

**Article 12 of the UNCRC states that every child has the right to say what they think in all matters affecting them and to have those rights taken seriously.**

#### Looking back

Participation in education settings has been the subject of regulation and guidance since 2005. The Welsh Government Pupil Participation Project is in place to support schools in enabling children and young people to have a voice and to participate in decisions that affect them, as set out in Article 12 of the UNCRC.

The School Effectiveness Framework states that 'children and young people's participation in wider aspects of learning needs to build on the work of school councils to secure real engagement in the learning process.' However Estyn's latest annual report (2010-11) suggests that progress is too slow in achieving this. It states that it does find that in the majority of primary schools pupils participate well in community activities but that in a minority of primary schools pupils play too small a role in making decisions about how and what they learn. In secondary schools pupils 'often' take part in community activities and in making decisions about various aspects of school life, such as improving the environment. However the report also identifies that there are only a 'few schools' where 'pupils involvement in the life and work of the school is especially strong and where they have a significant role in self-evaluation activities and in the process of developing school improvement plans'.

Welsh Government's 2011 survey on pupil engagement found that just under half of the pupils surveyed felt that everyone has a chance to have their opinions heard in school, nearly a third agreed that this sort of happens but a quarter said that they disagreed that everyone has a chance to have their opinions heard in school. The research concludes that whilst those pupils who responded to the survey were aware of their right to have their voices heard, and that although mechanisms exist for young people to have their say in decisions that affect them, there is a perception that this only has surface value and in reality no-one is listening to what they are saying. This finding hit me hard. Children and young people are still reporting they are not being heard.

I strongly believe that inherent to a commitment to children's rights is the need for a whole-school approach and to listening and responding to the voices of children and young people. It is central to tackling disengagement, to understanding the emotional and social development needs of pupils and in preparing young people to take on the responsibilities of adulthood. Improvements can be achieved that will contribute to the learning experience of children and young people and to school effectiveness.



## Edrych ymlaen

— **Rwy'n galw ar Lywodraeth Cymru i ofyn i Estyn gynnwys cyfranogiad yn eu rhaglen flynyddol o faterion i'w hystyried yn fanylach. Dylai'r gwaith hwn gynnwys ystyried i ba raddau mae lleoliadau addysg yn bodloni'r Safonau Cyfranogiad Cenedlaethol ac adolygiad o weithrediad yr argymhellion a wnaed gan Estyn yn ei adroddiad yn 2008 ar gyfranogiad disgyblion a chynghorau ysgol.**

— **Rwy'n disgwyl i gefnogaeth Llywodraeth Cymru ar gyfer cyfranogiad disgyblion gael ei chynnal fel elfen bwysig o effeithiolrwydd ysgolion. Rwy'n ymwybodol bod 'Llais Disgyblion Cymru' wedi datblygu pecyn offer hunanwerthuso i gynorthwyo ysgolion i gasglu tystiolaeth o gyflawniadau a gwell deilliannau yng nghyswllt llais disgyblion. Rwy'n galw ar ysgolion i ystyried defnyddio'r offeryn hwn yn rhan o'u proses hunanwerthuso flynyddol, ac fel rhan o brosesau arolygu Estyn.**

## Diogelu a chwynion

Fy marn i...

Os na fyddwn yn gwrandao ar blant a phobl ifanc, ni allwn eu diogelu. Gall cam-drin plant a phobl ifanc ddigwydd pan na fyddwn yn rhoi cyfleoedd iddyn nhw ddweud wrthym ni beth sy'n digwydd iddyn nhw, a phan na fyddwn ni'n cymryd beth sydd ganddyn nhw i'w ddweud wrthyn ni o ddiatri.

### Edrych yn ôl

Cyhoeddwyd adroddiad Ymchwiliad Clywch i achosion o gam-drin disgyblion yn rhywiol mewn lleoliad ysgol gan y Swyddfa hon wyth mlynedd yn ôl. Cyflwynodd Llywodraeth Cymru ganllawiau ar Ddiogelu Plant ym myd Addysg ym mis Ebrill 2008. Fodd bynnag, mae adroddiad arolygu diweddar ar y cyd mewn un awdurdod lleol yng Nghymru ar arferion diogelu ym myd addysg wedi tynnu fy sylw at y ffaith nad yw'r gwersi a ddylai fod wedi eu dysgu o ganlyniad i Clywch wedi cael eu rhoi ar waith gan yr holl weithwyr proffesiynol ym myd addysg. Efallai mai'r canfyddiad oedd yn achosi'r pryder mwyaf i mi oedd nad oedd neb i weld yn gwrandao ar y plant a'r bobl ifanc.

Cyhoeddwyd adroddiad arolygiad o unedau cyfeirio disgyblion gan arolygwyr Estyn a'r Arolygaeth Gofal a Gwasanaethau Cymdeithasol Cymru ym mis Ionawr 2012. Mae'r adroddiad yn cyflwyno darlun sy'n destun pryder, lle nad oes safon gyson ar draws y ddarpariaeth ar gyfer diogelu, strategaethau rheoli ymddygiad, a defnydd o ataliaeth ac arfer amddiffyn plant. Trawiadol yw'r ffaith nad yw disgyblion yn cael cyfle i ychwanegu eu sylwadau eu hunain at adroddiadau digwyddiadau yn dilyn ymyrraeth, nid yw cwynion gan rieni neu ddisgyblion yn erbyn staff wedi i ataliaeth gael ei defnyddio bob amser yn cael eu cofnodi, eu hadrodd nac yn destun ymchwiliad yn brydlon, ac nid yw'r canlyniadau bob amser yn cael eu cofnodi'n gywir.

Cyflwynodd Llywodraeth Cymru ganllawiau drafft, 'Canllawiau a gweithdrefn enghreifftiol ar gyfer cyrff llywodraethu ysgolion yng Nghymru', ynghylch cwynion yn 2011, a daeth yr ymgynghoriad i ben ym mis Ebrill 2011. Rydym yn dal i ddisgwyl i'r canllawiau terfynol gael eu cyflwyno.

Mae fy ngwasanaeth cyngor a chefnogaeth yn ymdrin yn rheolaidd ag achosion lle nad yw prosesau diogelu'n cael eu dilyn mewn lleoliadau addysg, yn aml, fe ymddengys, o ganlyniad i ddiffyg ymwybyddiaeth o weithdrefnau a phrosesau adrodd ymhlith penaethiaid a chyrrff llywodraethu. Mae ysgolion a chyrrff llywodraethu yn arbennig yn methu cynabod y broses y cytunwyd arni o ran cyfeirio at wasanaeth ymchwilio annibynnol SERVOCA. Mae fy Swyddfa hefyd wedi delio ag achosion lle nad yw cwynion a wneir gan ddisgyblion yn derbyn sylw yn unol â'r weithdrefn, a lle na chlywir llais y plentyn neu'r person ifanc. Rhaid i'r sefyllfa hon newid.

## Edrych ymlaen

— **Eleni byddaf yn dechrau ar ddarn o waith am gwynion mewn lleoliadau addysg. Fe fydd y manylion yn cael eu cyhoeddi yn yr hydref.**

## Rheoliadau Tribiwnlys Anghenion Addysgol Arbennig Cymru (SENTW) 2012

### Edrych yn ôl

Yn adroddiad diweddaraf SENTW, ar gyfer y cyfnod 2010-2011, ceir tystiolaeth o dueddiad parhaus ar i fyny yn nifer yr apeliadau Anghenion Addysgol Arbennig (AAA). Er bod cynnydd yn yr apeliadau oedd yn ymwneud â chynnwys datganiadau AAA, nododd yr adroddiad hefyd fod gostyngiad yn nifer yr apeliadau ynghylch gwrthod darparu datganiad. Rwyf felly yn croesawu datganiad ysgrifenedig y Gweinidog Addysg sy'n nodi pryderon ynghylch y straen a roddir ar deuluoedd lle ceir cyfradd uchel o gonseisynau yng nghyswllt penderfyniadau i beidio ag asesu plentyn a allai fod ag AAA, ac rwy'n falch bod y Gweinidog wedi ysgrifennu at Gymdeithas Llywodraeth Leol Cymru i ofyn iddynt atgoffa awdurdodau lleol bod rhaid iddynt lynu at y Côd Ymarfer AAA, er mwyn helpu i osgoi anghydfod.

Yn y cyfamser, daeth rheoliadau Tribiwnlys Anghenion Addysgol Arbennig Cymru i rym ddechrau Mawrth 2012. Mae'r rheoliadau'n deillio o Fesur Addysg (Cymru) 2009 ac yn darparu hawl i blant a phobl ifanc yng Nghymru apelio ynghylch AAA a'r hawl i gyflwyno achos ynghylch camwahaniaethu ar sail anabledd mewn ysgolion i SENTW eu hunain.

## Edrych ymlaen

— **Byddaf yn casglu tystiolaeth ynghylch effaith y newidiadau hyn.**

## Toiledau ysgol

### Edrych yn ôl

Ym mis Ionawr eleni gwelwyd cyhoeddi'r canllawiau arfer gorau ar gyfer toiledau mewn ysgolion cynradd ac uwchradd. Fe'u bwriadwyd ar gyfer awdurdodau lleol, Cyrff Llywodraethu ysgolion a Phenaethiaid, ac maent yn darparu canllawiau anstatudol ar gyfer darparu a rheoli cyfleusterau toiled ar gyfer disgyblion yn eu hysgolion.

Er nad yw'r canllawiau'n mynd mor bell ag argymhelliad yr Athro Hugh Pennington yn 'Adroddiad Pennington' (2009) o ran archwiliadau dan arweiniad awdurdodau lleol, maent yn galluogi ysgolion i roi ysbryd argymhellion Pennington ar waith. Maent yn nodi bod angen i awdurdodau lleol drefnu bod cynlluniau ar waith i sicrhau bod Cyrff Llywodraethu yn derbyn y canllawiau arfer gorau hyn ac yn ei weithredu'n llawn, fel ein bod yn gweld gwelliannau go iawn a chysondeb yn y ddarpariaeth toiledau ysgol ledled Cymru.

Bydd gofyn bod Cyrff Llywodraethu yn cynnwys datganiad yn eu hadroddiad blynyddol ynghylch darparu cyfleusterau toiledau ysgol i'r disgyblion a'r trefniadau ar gyfer glanhau'r toiledau hynny.

## Edrych ymlaen

— **Rwy'n galw ar Gyrrff Llywodraethu i sicrhau bod barn dysgwyr yn cael ei chasglu fel rhan o'r broses fonitro hon.**

— **Rwy'n galw ar Lywodraeth Cymru i oruchwylio gweithrediad y canllawiau hyn er mwyn canfod a fydd angen canllawiau statudol cryfach yn y dyfodol.**

— **Byddaf yn casglu tystiolaeth gan y plant a'r bobl ifanc y byddaf yn cwrrdd â nhw ar hyd y flwyddyn i weld a yw'r canllawiau newydd yn cael unrhyw effaith.**

## Looking forward

— **I am calling on Welsh Government to request that Estyn include participation as an issue for inclusion in their annual programme of issues to be considered in more detail. This work should include consideration of the degree to which education settings are meeting the National Participation Standards and a review of the implementation of recommendations made by Estyn in its 2008 report on pupil participation and school councils.**

— **I expect that support for pupil participation by Welsh Government is maintained as an important element of school effectiveness. I am aware that 'Pupil Voice Wales' has developed a self-evaluation toolkit to support schools in gathering evidence of achievements and improved outcomes relating to pupil voice. I am calling on schools to consider the use of this tool as part of their annual self-evaluation process and as part of Estyn inspection processes.**

## Safeguarding and complaints

What I think...

If we do not listen to children and young people we cannot safeguard them. Abuse of children and young people can happen when we do not provide them with opportunities to tell us what is happening to them and when we do not take seriously what they have to tell us.

### Looking back

The Clywch Inquiry report into cases of sexual abuse of pupils in a school setting was published by this Office eight years ago. Welsh Government issued guidance on Safeguarding Children in Education in April 2008. However a recent joint inspection report into safeguarding practices in education in one local authority in Wales has highlighted to me that the lessons that should have been learnt as a result of Clywch have not been put into practice by all education professionals. Perhaps the most worrying of the findings for me was that no one appeared to be listening to the children and young people.

The report of an inspection of pupil referral units by Estyn and Care and Social Services Inspectorate Wales was published in January 2012. The report provides a worrying picture in which there is no consistent standard applied across provision in relation to safeguarding, behaviour management strategies, and use of restraint and child protection practice. Notably pupils are not given the opportunity to add their own comments to incident reports following an intervention, complaints by parents or pupils against staff following use of restraint are not always recorded, reported or investigated in a timely manner, and outcomes are not always recorded accurately.

Welsh Government issued draft guidance, 'Guidance and model procedure for school governing bodies in Wales', in relation to complaints in 2011 and the consultation ended in April 2011. We are still waiting for the final guidance to be issued.

My advice and support service regularly handle cases where safeguarding processes are not followed in education settings, often it seems as a result of poor awareness of reporting procedures and processes among head teachers and governing bodies. In particular schools and governing bodies fail to recognise the agreed process for referral to Welsh Government funded independent investigation service SERVOCA. My Office has also dealt with cases where complaints made by pupils are not dealt with according to procedures and where the voice of the child or young person is not heard. This situation must change.

## Looking forward

— **This year I will be undertaking a piece of work on complaints in education settings, details of which will be published in the autumn.**

## Special Education Needs Tribunal for Wales (SENTW) Regulations 2012

### Looking back

The most recent SENTW report, for the period 2010-2011, evidences a continued upward trend in the number Special Educational Needs (SEN) appeals. Whilst there was an increase in appeals concerned with the content of SEN statements, the report also noted a reduction in the appeals about refusal to statement. I therefore welcome the Minister for Education's written statement setting out concerns about the stress caused to families where there is a high concession rate for decisions not to assess a child who may have SEN and pleased that the Minister has written to the Welsh Local Government Association to request they remind local authorities they must have regard to the SEN Code of Practice, to help avoid disputes.

Meanwhile, the Special Education Needs Tribunal for Wales regulations came into force at the beginning of March 2012. The regulations result from the Education (Wales) Measure 2009 and make provision for children and young people in Wales to have a right to appeal in respect of SEN and the right to make a claim in respect of disability discrimination in schools to the SENTW themselves.

## Looking forward

— **I will be gathering evidence in relation to the impact of these changes.**

## School toilets

### Looking back

In January this year we saw the publication by Welsh Government of the best practice guidance for school toilets in primary and secondary schools. It is aimed at local authorities, school Governing Bodies and Head Teachers and provides non-statutory guidance for the provision and management of toilet facilities for pupils in their schools.

Whilst the guidance does not go as far as what Professor Hugh Pennington recommended in his 'Pennington Report' (2009) in terms of local authority-led audits, it does enable schools to implement the spirit of Pennington's recommendations. It stipulates how local authorities need to have plans in place to ensure Governing Bodies receive this best practice guidance and ensure its full implementation so that we see real improvements and consistency in school toilet provision across Wales.

Governing Bodies will be required to include a statement in their annual report on the provision of school toilet facilities for pupils and the arrangements for cleaning the toilets.

## Looking forward

— **I am calling on Governing Bodies to ensure the views of learners are gleaned as part of this monitoring process.**

— **I am calling on Welsh Government to oversee the implementation of this guidance in order to ascertain if stronger statutory guidance is needed in the future.**

— **I will be gathering evidence from the children and young people I meet throughout the year to ascertain if the new guidance is having any impact.**



### Nod 3: Mwynhau'r iechyd corfforol, meddyliol, cymdeithasol ac emosiynol gorau posib

## Gwasanaethau Iechyd Meddwl Plant a Phobl Ifanc (CAMHS)

Fy marn i... Rhaid i gynllunio a darparu cefnogaeth ar gyfer lles emosiynol a meddyliol plant a phobl ifanc gael ei yrru gan anghenion y plant a'r bobl ifanc hynny, yn hytrach na chael ei arwain gan ofynion systemau a gwasanaethau.

**Edrych yn ôl**  
Yn fy adroddiad blynyddol y llynedd fe wnes i groesawu Mesur Iechyd Meddwl (Cymru) 2010, yr ymgyrchu dros ymyrraeth gynnar a chynllun gweithredu Chwalu'r Rhwystrau. Fodd bynnag, nodais hefyd bryderon parhaus ynghylch darparu cefnogaeth gyson a phriodol i blant a phobl ifanc â phob lefel o anghenion. Galwais am gadw'r gweithwyr iechyd meddwl sylfaenol, ac rwy'n falch bod y swyddi hynny'n ddiogel ar hyn o bryd.

Ddiwedd 2011, cyflwynodd Llywodraeth Cymru 'Göd Ymarfer Drafft ar gyfer Rhannau 2 a 3 o Fesur Iechyd Meddwl (Cymru) 2010'. Fe wnes i alw am gyfeiriad clir yn y Cöd Ymarfer at hawliau plant a phobl ifanc i leisio eu barn ar bob mater sy'n effeithio arny nhw ac i gael eu barn wedi eu cymryd o ddifri.

Daeth yr ymgyngoriad ar Orchymyn Iechyd Meddwl (Gwasanaethau Iechyd Meddwl Eilaidd) (Cymru) 2012 i ben ym mis Mawrth 2012. Rwy'n nodi gyda phryder y diffyg blaenoriaeth a roddwyd yn yr ymgyngoriad i CCUHP a sut mae CAMHS yng Nghymru yn mabwysiadu'r egwyddorion a geir yn y Confensiwn. Ar sail cynnwys yr ymgyngoriad hwn bydd hawliau plant a phobl ifanc i dderbyn gwasanaethau iechyd meddwl effeithiol a phriodol yng Nghymru yn cael eu pennu yn ôl trothwyon a difrifoldeb yr angen. Mae iechyd meddwl a lles emosiynol yn ffactorau pwysig ym mywyddau plant a phobl ifanc ac mae ganddynt hawl i gael mynediad i ymyrraeth amserol, er mwyn sicrhau bod modd diogel eu hiechyd meddyliol a'u lles ac atal problemau rhag gwaethygu. Rydym yn gwybod na fydd angen cynllun nac unigolyn i gydlynu eu gofal ar bob plentyn a pherson ifanc sy'n ymwneud â CAMHS, ond mae atal plant a phobl ifanc nad ydynt ond yn derbyn gwasanaethau cynnal iechyd meddwl sylfaenol (Rhan 1 o'r Mesur) rhag cael mynediad i ddarpariaeth o'r fath oherwydd nad ydynt yn derbyn gwasanaethau iechyd meddwl eilaidd (Rhan 2 o'r Mesur) yn mynd yn groes i agwedd seiliedig ar hawliau.

Rhaid i ni osgoi creu rhwystrau i wasanaethau, ac adlewyrchu dull o ddarparu gwasanaethau sy'n seiliedig ar hawliau ac a arweinir gan anghenion. Eto, nid wyf yn credu bod drafft y Gorchymyn Iechyd Meddwl (Gwasanaethau Iechyd Meddwl Eilaidd) Cymru 2012 ar hyn o bryd yn adlewyrchu dull seiliedig ar hawliau, a bydd yn golygu bod rhaid i blant a phobl ifanc arddangos angen sylweddol cyn y darperir cynllun priodol a gwasanaeth priodol. Bydd hyn yn creu rhwystrau diangen i hawliau plant a phobl ifanc i dderbyn gwasanaethau iechyd meddwl effeithiol a phriodol yng Nghymru, ac yn ehangu'r bwch gweithredu yr wyf wedi tynnu sylw ato'n gyson.

- Edrych ymlaen**
- Rwy'n galw ar Lywodraeth Cymru i sicrhau bod y canllawiau a'r rheoliadau sy'n deillio o Fesur Iechyd Meddwl (Cymru) 2010 yn adlewyrchu dull clir, seiliedig ar hawliau, yn unol â CCUHP.
  - Rwy'n galw ar Lywodraeth Cymru i sicrhau bod y Strategaeth Iechyd Meddwl newydd i Gymru sy'n cael ei datblygu ar hyn o bryd yn adlewyrchiad cryf o ddull a seiliwyd ar CCUHP ac egwyddorion lles pennaf y plentyn.
  - Rwyf am fanteisio ar y cyfle hwn i nodi fy mwriad o graffu'n fanwl ar gynnydd CAMHS ledled Cymru yn ystod y flwyddyn sy'n dod. Byddaf yn casglu'r dystiolaeth a ddaw i'm swyddfa adeg gweithredu'r Mesur a'r canllawiau dilynol i weld a oes effaith weladwy ar brofiadau plant a phobl ifanc. Nid wyf yn barod i dderbyn rhwystrau parhaus i ddarparu cefnogaeth ddigonol i les emosiynol a iechyd meddwl plant a phobl ifanc yng Nghymru, rhywbeth y mae ganddynt hawl i'w dderbyn.

## Cwrsela mewn ysgolion

**Fy marn i...**  
Dylai gwasanaethau cwrsela mewn ysgolion fod ar gael i bob plentyn a pherson ifanc pan fydd angen cefnogaeth o'r fath arnynt. Bydd sicrhau mynediad i wasanaethau megis cwrsela yn yr ysgol yn cynnal lles a mynediad i ystod o hawliau ar gyfer plant a phobl ifanc.

**Edrych yn ôl**  
Mae strategaeth genedlaethol ar gyfer cwrsela mewn ysgolion yng Nghymru bellach yn ei lle ers bron pedair blynedd, ac rwy'n croesawu'r ymrwymiad parhaus i'w gweithredu a'i chyflwyno ledled Cymru. Argymhellwyd y datblygiad hwn gyntaf yn Ymchwiliad Clywch, a arweinwyd gan ein Comisiynydd Plant cyntaf. Nod y strategaeth oedd sicrhau bod darpariaeth gwrsela ar gael i bob disgybl ysgol. Ymddengys bod Llywodraeth Cymru yn dal i dderbyn yn gyffredinol bod hyswddo iechyd a lles mewn ysgolion yn creu amgylcheddau dysgu effeithiol, gan gyfrannu'n aml at ymdrin â materion iechyd emosiynol a lles plant a phobl ifanc cyn gynted â phosib.

Fe wnaeth gwerthusiad o'r strategaeth, a gomisiynydd gan Lywodraeth Cymru, nodi fod holl grwpiau o randdeiliaid, gan gynnwys plant a phobl ifanc oedd yn derbyn y gwasanaeth, yn credu fod gweithrediad y strategaeth yn llwyddiannus. Fodd bynnag, dangosodd y gwerthusiad fod rhai grwpiau, gan gynnwys rhai grwpiau BME a phlant a phobl ifanc ag anghenion addysgol arbennig yn cael eu tangynrychioli o ran y plant a'r bobl ifanc hynny sy'n cyrchu'r ddarpariaeth. Rwyf hefyd yn pryderu bod y gwerthusiad yn awgrymu y gallai'r ddarpariaeth fod yn gyfyngedig yn achos plant a phobl ifanc sydd am gael cefnogaeth trwy gyfrwng y Gymraeg.

Rwy'n pryderu bod y strategaeth yn nodi mai Partneriaethau Plant a Phobl Ifanc (PPPlau) sy'n arwain y gwasanaethau cwrsela mewn ysgolion ar lefel leol. Rwy'n pryderu y gallai newidiadau lleol i strwythurau cynllunio a phartneriaeth olygu bod rhai PPPlau yn diflannu, ac y gallai hynny olygu risg o ran datblygu ac ehangu gwasanaethau. Rhaid diogelu'r rôl hollbwysig hon wrth i newidiadau ddigwydd yn y strwythurau.

Rhaid i'r canllawiau statudol arfaethedig ar gwrsela mewn ysgolion a gynigiwyd yn y Bil Safonau a Threfniadaeth Ysgolion (Cymru) 2011 fod yn eglur ynghylch ystyr 'darpariaeth resymol' a 'rhyw lefel o wasanaeth'. Mae'r termau hyn, fel y maent yn ymddangos yn y Bil Safonau a Threfniadaeth Ysgolion (Cymru) yn agored i ddehongliad lleol, a gallent arwain at fynediad anghyson i blant a phobl ifanc. Rwy'n falch bod y Bil yn cynnwys cynnig i greu dyletswydd yng nghyswllt 'pobl ifanc eraill 11-19 oed o ardal yr awdurdod lleol' a rhaid i'r ddyletswydd i gasglu data ynghylch deilliannau gynnwys monitro'r rhai sy'n cyrchu'r ddarpariaeth nad ydynt yn ddisgyblion cofrestrdig mewn ysgol uwchradd.

### Aim 3: Enjoy the best possible physical, mental, social and emotional health

## Child and Adolescent Mental Health Services (CAMHS)

**What I think...**  
The planning and provision of support for the emotional and mental wellbeing of children and young people must be driven by the needs of those children and young people and not led by the demands of systems and services.

**Looking back**  
In my annual report last year I welcomed the Mental Health (Wales) Measure 2010, the drive for early intervention and the Breaking the Barriers action plan. However I also set out continuing concerns about provision of consistent and appropriate support to children and young people at all levels of need. I called for retention of primary mental health workers and I am pleased that these posts are currently secure.

At the end of 2011 Welsh Government issued 'Draft Code of Practice to Parts 2 and 3 of the Mental Health (Wales) Measure 2010'. I called for clear reference in the Code of Practice to the rights of children and young people to say what they think in all matters affecting them and to have those views taken seriously.

In March 2012 consultation on the Mental Health (Secondary Mental Health Services) (Wales) Order 2012 ended. I note with concern the lack of priority given within the consultation to the UNCRC and how CAMHS in Wales adopt the principles laid out within the Convention. The rights of children and young people to effective and appropriate mental health services in Wales, based on the content of this consultation, will be determined by thresholds and severity of need. Mental health and emotional wellbeing are significant factors in the lives of children and young people and it is their right to access timely intervention, to ensure that their mental health and wellbeing can be secured and problems do not deteriorate. We know that not all children and young people who access CAMHS will need a plan or an individual to co-ordinate their care, however, by disallowing children and young people who are only in receipt of primary mental health support services (Part 1 of the Measure) to access such provision because they are not receiving secondary mental health services (Part 2 of the Measure) goes against a rights-based approach.

We must avoid creating barriers to services and reflect both a rights-based and needs-led approach to service delivery. Again, I do not believe that the draft Mental Health (Secondary Mental Health Services) (Wales) Order 2012 currently reflects a rights-based approach and will result in children and young people having to demonstrate considerable need before an appropriate plan and service is provided. This will create unnecessary barriers to the rights of children and young people to effective and appropriate mental health services in Wales and increase the implementation gap that I have consistently highlighted.

### Looking forward

- I am calling on Welsh Government to ensure that guidance and regulation resulting from the Mental Health (Wales) Measure 2010 reflects a clear rights-based approach in line with the UNCRC.
- I am calling on Welsh Government to ensure that the new Mental Health Strategy for Wales that is currently being developed strongly reflects an approach based on the UNCRC and the principles of the best interests of the child.

— I wish to take this opportunity to signal my intent to robustly scrutinise the progress of CAMHS across Wales over the coming year. I will be gathering the evidence that comes to my Office on the implementation of the Measure and subsequent guidance documents to ascertain if there is a tangible impact on the experiences of children and young people. I am not prepared to accept continued barriers to providing children and young people in Wales with adequate support for their emotional wellbeing and mental health as is their right.

## School-based counselling

**What I think...**  
School-based counselling services should be available to all children and young people as and when they need such support. Ensuring access to services such as school-based counselling will support well-being and access to a range of rights for children and young people.

**Looking back**  
The national strategy for school-based counselling has now been in place for almost four years and I welcome the continued commitment to its implementation and delivery across Wales. This development was first recommended in the Clywch Inquiry, led by our first Children's Commissioner. The aim of the strategy was to ensure counselling provision was available to all school pupils. It appears to remain the case that the Welsh Government widely accepts that the promotion of health and wellbeing in schools creates effective learning environments and can often contribute to addressing the emotional health and wellbeing issues of children and young people as early as possible.

The Welsh Government commissioned evaluation of the strategy in 2010 reported that both the implementation of the strategy and service provision were generally viewed as successful across all stakeholder groups, including children and young people in receipt of such services. However the evaluation indicated that some groups including certain BME groups and children and young people with special educational needs are under-represented in terms of those children and young people accessing provision. I am also concerned that the evaluation suggested that provision may be limited for children and young people wishing to access support through the medium of the Welsh language.

I am concerned that the strategy identifies Children and Young People's Partnerships (CYPPs) as the strategic leads for local school-based counselling services and that local changes to planning and partnership structures may see some CYPPs disappearing which could pose a risk to the development and expansion of services. This vital role must be safeguarded whilst changes in structures are occurring.

Planned statutory guidance on school based-counselling proposed within the School Standards and Organisation (Wales) Bill 2011 must be clear on what is meant by 'reasonable provision' and 'some level of service'. These terms as they appear in the School Standards and Organisation (Wales) Bill are open to local interpretation and may lead to inconsistent access for children and young people. I am pleased that the Bill includes a proposed duty in relation to 'other young people aged 11-19 who belong to the local authority's area' and the duty to gather outcome data must include monitoring of those accessing provision who are not registered pupils of a secondary school.



Edrych ymlaen

— Rwy’n galw ar Lywodraeth Cymru i ymateb i’r argymhellion a wnaed yn adroddiad gwerthuso Cwnsela Ysgolion 2011 a chymryd camau priodol yn sgîl y pwerau newydd o dan Fil Safonau a Threfniadaeth Ysgolion (Cymru) 2011 i ehangu’r ddarpariaeth i ysgolion cynradd.

— Byddaf yn ceisio sicrwydd gan Lywodraeth Cymru na fydd newidiadau i drefniadau cynllunio a phartneriaeth lleol yn atal y broses o ddatblygu ac ehangu gwasanaethau cwnsela mewn ysgolion. Mae hyn yn arbennig o bwysig yng nghyswllt mynediad ar gyfer plant a phobl ifanc nad ydynt yn mynychu lleoliadau addysg penodedig.

— Rwy’n galw ar Lywodraeth Cymru i sicrhau bod y canllawiau statudol o dan y Bil Safonau a Threfniadaeth Ysgolion (Cymru) yn ddigon cadarn i sicrhau na chyfyngir ar gwnsela mewn ysgolion o ganlyniad i’r trefniadau ariannu newydd. Mae angen sicrhau lefel gynaliadwy o arian i sicrhau fod y rhan yma o’r Bil yn llwyddo.

## Diogelu ac amddiffyn plant

Fy marn i...

**Mae gan blant a phobl ifanc hawl i gael eu hamddiffyn rhag niwed. Rhaid i’r trefniadau newydd ar gyfer diogelu a gofal cymdeithasol fod yn ddigon cadarn i sicrhau nad anghofir y ffocws ar les pennaf y plentyn wrth geisio sicrhau systemau integredig.**

Edrych yn ôl

Yn fy adroddiad y llynedd fe gyflwynais fy ngweledigaeth ar gyfer bwrdd diogelu cenedlaethol o dan gadeiryddiaeth annibynnol, a fyddai’n pennu cylch gorchwyl byrddau lleol diogelu plant a materion amddiffyn plant. Mae Llywodraeth Cymru bellach wedi cyflwyno drafft o’r Bil Gwasanaethau Cymdeithasol (Cymru) ar gyfer ymgynghori. Mae’r Bil drafft yn cynnwys darpariaeth i sefydlu Bwrdd Diogelu Annibynnol Cenedlaethol a fydd yn cwmpasu materion diogelu oedolion a phlant.

Rwy’n dal yn bendant bod dadleuon cryf dros sefydlu Bwrdd Diogelu Cenedlaethol Annibynnol ar gyfer plant a phobl ifanc, ac rwy’n pryderu y bydd y Bwrdd arfaethedig ar y cyd yn rhoi ei sylw i gyd i faterion sy’n ymwneud â’r fframwaith newydd statudol ar gyfer oedolion agored i niwed. Rwy’n falch y bydd Byrddau Diogelu Plant ar wahân yn cael eu sefydlu ar y chwe lefel ranbarthol, ond rwy’n pryderu’n fawr bod y Bil yn awgrymu y bydd y rhain ‘yn y man’ yn cael eu cyfuno â’r Byrddau Amddiffyn Oedolion.

Rwyf hefyd yn pryderu bod y Fforwm Diogelu Genedlaethol wedi dod i ben. Nid yw’n eglur pa drefniadau interim a wnaed i gynnal diogelu yng Nghymru ar lefel genedlaethol yn y cyfnod nes bod y trefniadau newydd o dan y Bil Gwasanaethau Cymdeithasol yn eu lle.

Edrych ymlaen

— Rwy’n ceisio sicrwydd gan Lywodraeth Cymru fod trefniadau interim yn cael eu rhoi ar waith i gynnal diogelu ar lefel genedlaethol cyn i’r trefniadau newydd ddod i’w lle o dan y Bil Gwasanaethau Cymdeithasol.

— Rwy’n galw ar Lywodraeth Cymru i ymateb i’m pryderon a sefydlu bwrdd diogelu cenedlaethol ar wahân ar gyfer plant.

— Rwy’n galw ar Lywodraeth Cymru i gynnwys cyfarwyddyd clir yn y canllawiau ar gyfer y Byrddau Diogelu Plant newydd rhanbarthol ynghylch prosesau i sicrhau bod lleisiau plant a phobl ifanc yn helpu i bennu’r blaenoriaethau.

## Bil Gwasanaethau Cymdeithasol (Cymru)

Fy marn i...

**“Children are not mini persons with mini rights, mini feelings and mini human dignity. They are vulnerable human beings with full rights which require more, not less protection.” Dirprwy Ysgrifennydd Cyffredinol Cyngor Ewrop (2005)**

Edrych yn ôl

Ers i’m hadroddiad diwethaf gael ei gyhoeddi, mae Llywodraeth Cymru wedi cyflwyno drafft ymgynghori Bil Gwasanaethau Cymdeithasol (Cymru). Mae’r Bil hwn yn cyflwyno newidiadau pwysig i’r ffyrdd o drefnu a darparu gofal cymdeithasol yng Nghymru. Effen arwyddocaol yw y bwriedir i’r Bil gyflwyno gwasanaethau gofal cymdeithasol ar sail angen, yn hytrach nag oedran. Er fy mod wedi cael fy sicrhau nad yw hyn yn golygu na fydd y diffiniad o Blentyn mewn Angen o dan Ddeddf Plant 1989 yn weithredol bellach, mae’r symudiad at y cysyniad o ‘bobl mewn angen’ yn destun pryder i mi. Mae gan blant a phobl ifanc anghenion a hawliau unigryw, fel y gwelir yn CCUHP.

Un o egwyddorion y Bil yw ei fod yn ceisio hyrwyddo ‘llais cryfach a rheolaeth wirioneddol’ ar gyfer defnyddwyr gwasanaeth, ond nid yw’r drafft ymgynghori’n nodi’n glir ym mha ffyrdd y sicheir hynny ar gyfer plant a phobl ifanc. Mae fy adolygiad diweddar o eiriolaeth broffesiynol annibynnol ar gyfer grwpiau cymwys o blant a phobl ifanc wedi nodi’r angen am welliannau sylweddol yng nghyswllt ymwbyddiaeth o eiriolaeth a mynediad iddi. Os yw plant a phobl ifanc i gael llais cryfach a rheolaeth wirioneddol yn y system newydd o ofal cymdeithasol, rhaid gweithredu argymhellion fy adolygiad eiriolaeth. Rwy’n cefnogi’r angen am wasanaethau integredig sy’n darparu cymorth cyfannol i deuluoedd, ond mae rhaid i ni gadw rôl glir ar gyfer gweithiwr cymdeithasol proffesiynol sydd yno’n unig i gynrychioli lles pennaf y plentyn. Rhaid datblygu gofal cymdeithasol mewn modd sy’n cynnal gwasanaethau a seilwyd ar berthynas lle mae’r plentyn yn ganolog.

Rwy’n croesawu cynlluniau ar gyfer Fframwaith Cymhwysedd Cenedlaethol a Chôd Ymarfer o dan y Bil i wella mynediad cyson i gefnogaeth ar sail angen ledled Cymru. Rhaid i’r cyfarwyddbau hyn gysylltu’n uniongyrchol â CCUHP, cynnwys mesurau i sicrhau bod llais gan bob plentyn yn y prosesau cynllunio gofal ac asesu newydd, a nodi’n fanwl yr angen am ymateb i anghenion unigryw plant a phobl ifanc.

Rwyf hefyd yn croesawu cynlluniau i greu Gwasanaeth Mabwysiadu Cenedlaethol ac rwy’n gobeeithio y bydd hyn yn gwella’r sefyllfa gyfredol sy’n golygu bod rhaid i blant a phobl ifanc sydd â chynllun mabwysiadu aros am gyfnodau hir i ymuno â theulu mabwysiadol. Dylai Llywodraeth Cymru fynd ati’n rhagweithiol i geisio barn plant, pobl ifanc a rhieni mabwysiadol i hysbysu datblygiad y gwasanaeth newydd hwn.

Byddaf yn cyflwyno ymateb ymgynghori llawn i’r Bil drafft, a fydd wedi ei hysbysu gan farn plant a phobl ifanc. Mae’n hanfodol ein bod, wrth ddatblygu dyfodol gofal cymdeithasol yng Nghymru, yn gallu gweld y byd o bersbectif y plant a’r bobl ifanc sy’n destun ein hymyriadau.

Edrych ymlaen

— Rwy’n galw ar Lywodraeth Cymru i gadw ffocws cadarn ar les pennaf y plentyn a CCUHP yn y Bil Gwasanaethau Cymdeithasol (Cymru) terfynol a’r rheoliadau a’r canllawiau dilynol.

— Rhaid adeiladu tirlun gofal cymdeithasol newydd yng Nghymru ar graig CCUHP, a rhaid cryfhau’r ymrwymiad i ddarparu gwasanaethau cymdeithasol seiliedig ar hawliau sydd â mecanweithiau cryf ar gyfer sicrhau llais y plentyn.

Looking forward

— I am calling on Welsh Government to address the recommendations made within the School Counselling 2011 evaluation report and to take appropriate measures through new powers under the School Standards and Organisation (Wales) Bill 2011 to expand provision to primary schools.

— I will be seeking assurances from the Welsh Government that changes to local planning and partnership arrangements will not impede the development and expansion of school-based counselling services. This is of particular importance in relation to access for children and young people who do not attend specified education settings.

— I am calling on the Welsh Government to ensure that statutory guidance under the School Standards and Organisation (Wales) Bill is robust enough to ensure that school-based counseling provision reflects the effective quality assurance, standards and access. A sustainable level of funding to enable full implementation of school-based counseling aspect of the Bill must be ensured.

## Safeguarding and child protection

What I think...

**Children and young people have a right to protection from harm. New arrangements for safeguarding and social care must be robust enough to ensure that a focus on the best interests of the child is not forgotten in the drive for integrated systems.**

Looking back

In last year’s annual report I set out my vision for an independently chaired national safeguarding board to set the remit for local safeguarding children boards and child protection issues. Welsh Government has now issued a draft of the Social Services (Wales) Bill for consultation. The draft Bill includes provision to establish a National Independent Safeguarding Board that will cover both adult and children’s safeguarding issues.

I remain convinced that there are strong arguments for the establishment of a separate National Independent Safeguarding Board for children and young people and I am concerned that the proposed joint Board will be consumed with issues related to the new statutory framework for vulnerable adults. Whilst I am pleased that separate Safeguarding Children Boards will be established at the six regional levels I am very concerned that the Bill suggests that ‘in time’ these will be merged with Adult Protection Boards.

I am also concerned that the National Safeguarding Forum has been disbanded. It is not clear what interim arrangements have been made to support safeguarding in Wales at a national level in the period before new arrangements under the Social Services Bill are in place.

Looking forward

— I am seeking reassurance from Welsh Government that interim arrangements are being put in place to support safeguarding at a national level in advance of new arrangements under the Social Services Bill.

— I am calling on Welsh Government to address my concerns and establish a separate national safeguarding board for children and young people.

— I am calling on Welsh Government to include in the guidance for new regional Children’s Safeguarding Boards clear direction on processes to ensure that the voice of children and young people help to determine priorities.

## Social Services (Wales) Bill

What I think...

**“Children are not mini persons with mini rights, mini feelings and mini human dignity. They are vulnerable human beings with full rights which require more, not less protection.” Deputy Secretary General, Council of Europe (2005)**

Looking back

Since my last report was published Welsh Government has issued the consultation draft of the Social Services (Wales) Bill. This Bill introduces major changes in the ways in which social care will be organised and delivered in Wales. Significantly the Bill is intended to introduce social care services provided on the basis of need and not of age. Although I have been assured that this does not mean that the definition of a Child in Need under the Children Act 1989 will no longer operate the move to a concept of ‘people in need’ is of concern to me. Children and young people have distinct needs and rights as reflected in the UNCRC.

One of the principles of the Bill is that it aims to promote a ‘stronger voice and real control’ for service users however the consultation draft does not clearly set out the ways in which this will be secured for children and young people. My recent review of independent professional advocacy for eligible groups of children and young people has identified the need for major improvements in relation to awareness of and access to advocacy. If children and young people are to exercise a stronger voice and real control in the new social care system the recommendations of my advocacy review must be implemented. I support the need for integrated services that provide holistic support to families but we must retain a clear role for a social work professional who is there solely to represent the best interests of the child. Social care must be developed in a way that supports child-centred relationship based services.

I welcome plans for a National Eligibility Framework and Code of Practice under the Bill to improve consistent access to support on the basis of need across Wales. These directives must relate directly to the UNCRC, include measures to ensure that every child has a voice in new assessment and care planning processes and set out in detail the need to respond to the distinct needs of children and young people.

I also welcome plans for a National Adoption Service and I hope that this will improve the current situation where children and young people with an adoption plan have to wait for long periods to join an adoptive family. Welsh Government should actively seek the views of children, young people and adoptive parents to inform the development of this new service.

I will be submitting a full consultation response to the draft Bill which will be informed by the views of children and young people. It is crucial that in developing the future of social care in Wales we are able to see the world from the perspective of the children and young people who are the subject of our interventions.

Looking forward

— I am calling on Welsh Government to retain a strong focus on the best interests of the child and the UNCRC in the final Social Services (Wales) Bill and subsequent regulation and guidance.

— The new social care landscape in Wales must be built on the bedrock of the UNCRC and there must be a strengthened commitment to the rights based delivery of social services with clear mechanisms for securing the voice of the child.



## Plant a phobl ifanc sy'n derbyn gofal

Fy marn i...

Mae gan blant a phobl ifanc sy'n derbyn gofal neu sy'n gadael gofal hawl i dderbyn yr un lefel o gefnogaeth ag a roddir gan unrhyw riant i'w plentyn wrth iddyn nhw dyfu i fyny a datblygu'n oedolion.

### Edrych yn ôl

Wrth gynhyrchu'r cyhoeddiad 'Ar Goll ar ôl Gofal' a'r adnodd ar gyfer pobl ifanc, 'Fy Nghynllunlydd', cynhaliodd fy Swyddfa ymchwil gyda bron 120 o blant a phobl ifanc oedd mewn gofal maeth, gofal preswyl, neu a oedd wedi gadael gofal. Y nod oedd archwilio'r materion mae pobl ifanc yn eu hwynebu wrth ddechrau cynllunio ar gyfer byw'n annibynnol a chanfod tystiolaeth o arfer da. Roedd yr ymchwil yn awgrymu nad yw plant sy'n derbyn gofal a phobl ifanc sy'n gadael gofal yn aml yn ymwybodol o'u hawliau a'r pethau y dylent eu cael, ac nad ydynt o bosib yn derbyn y gefnogaeth y mae ganddynt hawl iddi wrth symud ymlaen i fyw'n annibynnol. Rhaid i'r sefyllfa hon newid, a darparodd 'Ar Goll ar ôl Gofal' 29 o welliannau arfer a gyfeiriwyd at Lywodraeth Cymru ac awdurdodau lleol yng Nghymru.

Nodais â diddordeb Fil preifat yr aelodau a gyflwynodd gnigion ar gyfer deddfwriaeth newydd ynghylch terfynu gofal yn fwy graddol, a'i deilwra at anghenion y person ifanc, nes eu bod yn 25 oed. Mae'r Swyddfa Ystadegau Gwladol wedi cael hyd i dystiolaeth o dueddiad parhaus i bobl ifanc fyw gartref gyda'u rhieni ymhell i'w hugeiniau ac wedi hynny. Fodd bynnag, mae disgwyl i lawer o'r bobl ifanc y mae gan y wladwriaeth gyfrifoldeb rhiant amdanynt fyw'n annibynnol heb gefnogaeth ddigonol yn llawer ifancach na'u cymheiriaid. Yn achos y bobl ifanc hyn sydd wedi bod yn derbyn gofal, ac sydd wedi penderfynu peidio â pharhau â'u haddysg, rwy'n credu bod y gefnogaeth yn cael ei therfynu'n rhy gynnar wrth iddynt ddatblygu'n oedolion.

Bu'r deilliannau addysgol ar gyfer plant a phobl ifanc sy'n derbyn gofal yn destun pryder i'm swyddfa ac i Lywodraeth Cymru ers peth amser. Rwy'n pryderu bod adroddiad blynyddol diweddaraf Prif Arolygydd Arolygiaeth Gofal a Gwasanaethau Cymdeithasol Cymru wedi nodi mai 60% yn unig o'r plant a'r bobl ifanc sy'n derbyn gofal oedd yn cael eu cynnal gan gynlluniau addysg personol amserol yn 2010-11. Cyflwynodd Llywodraeth Cymru 'Reoliadau Deddf Plant 1989 (Bwrsari Addysg Uwch) (Cymru) ar gyfer plant a fu gynt yn berthnasol (rhai sy'n gadael gofal)' yn 2011. Mae'r rhain yn darparu ar gyfer bwrsariau addysg uwch yn fodd i sicrhau dilyniant yn y gefnogaeth i'r rhai sy'n gadael gofal, sef y cyntaf i dderbyn cyllid RHAGORI, dderbyn cymorth ariannol yn ôl eu cynllun llwybr. Mae hwn yn gam pwysig i ddileu rhai o'r rhwystrau sy'n wynebu pobl ifanc a fu'n derbyn gofal ac sydd am fynd ymlaen i addysg uwch, ac mae rhaid i'r ymdrechion barhau i sicrhau dewis addysgol ar gyfer plant a phobl ifanc sy'n derbyn gofal.

### Edrych ymlaen

— Rwy'n galw ar Lywodraeth Cymru ac awdurdodau lleol yng Nghymru i weithredu'r blaenoriaethau ar gyfer gwella gwasanaethau a gyflwynwyd yn fy adroddiad 'Ar Goll ar ôl Gofal'. Byddaf yn gofyn am adborth ysgrifenedig gan y rhai sydd â dyletswydd a rhanddeiliaid yng nghyswllt gweithredu'r blaenoriaethau hyn ar gyfer gwella gwasanaethau.

— Rwy'n galw ar Lywodraeth Cymru i dderbyn egwyddor yr angen am derfynu gofal yn fwy graddol a'i deilwra i anghenion y person ifanc hyd at 25 oed.

— Rwy'n galw ar awdurdodau lleol i weithredu er mwyn sicrhau bod pob plentyn a pherson ifanc sy'n derbyn gofal yn cael eu cefnogi gan gynlluniau addysg personol amserol.

— O ganlyniad i adborth gan bobl ifanc a fu'n helpu i ddatblygu 'Fy Nghynllunlydd', byddaf yn trefnu cyfarfod cenedlaethol o blant a phobl ifanc sy'n derbyn gofal a rhai sy'n gadael gofal, fel bod modd iddynt ddod at ei gilydd a chwrrd â phobl ifanc eraill sydd yn yr un sefyllfa oedd.

## Gofalwyr ifanc

Fy marn i...

Rhaid i ni ymateb i anghenion unigryw gofalwyr ifanc a gwranddo ar yr hyn mae gofalwyr ifanc yn dweud bod ei angen arnyn nhw, fel eu bod yn cael mynediad i'w hawliau a'r plentynod maen nhw'n ei haeddu.

### Edrych yn ôl

Yn 2010 fe nodais fy mwriad i fonitro datblygiad canllawiau a rheoliadau o dan Fesur Strategaethau Gofalwyr (Cymru) ac i sicrhau bod anghenion unigryw gofalwyr ifanc yn cael eu hadlewyrchu'n ddigonol. Rwyf yn siomedig felly nad yw 'Canllawiau Mesur Strategaethau Gofalwyr (Cymru) 2010', a gyflwynwyd i Fyrddau Iechyd Lleol ac Awdurdodau Lleol ym mis Ionawr 2012 yn ymateb yn llawn i'r materion a amlygwyd gennyf yn adroddiad blynyddol y llynedd. Ar hyn o bryd byddai'n gymharol syml darllen y canllawiau heb deall yn llawn sut maent yn berthnasol i ofalwyr ifanc.

Yn y canllawiau cyfeirir at yr angen am ystyried asesu gofalwr ifanc fel plentyn mewn angen o dan Ddeddf Plant 1989, ond ni roddwyd digon o amlygrwydd i hynny. Rwy'n croesawu cynnwys rheidrydd i strategaethau lleol gynnwys pennod ar anghenion gofalwyr ifanc. Fodd bynnag, rwy'n pryderu, er bod CCUHP a Mesur Plant a Phobl Ifanc (Cymru) 2011 wedi eu cynnwys mewn atodiad, na cheir unrhyw gyfeiriad at y fframweithiau hyn yng nghorff y ddogfen. Rwy'n croesawu'n fawr y gosodiad bod gofalwyr ifanc yn cael eu cydnabod fel grŵp unigryw ag anghenion penodol, ond eu bod yn cael eu cydnabod yn anad dim fel plant a phobl ifanc. Fodd bynnag, nid wyf yn credu bod yr egwyddor hon yn cael ei hadlewyrchu'n ddigonol yn y canllawiau.

### Edrych ymlaen

— Rwy'n galw ar Lywodraeth Cymru i sicrhau eu bod yn ystyried, wrth asesu a yw strategaethau gofalwyr lleol yn addas at y diben, i ba raddau mae pob strategaeth yn cydnabod gofalwyr ifanc fel grŵp unigryw ag anghenion penodol, yn mabwysiadu fframwaith CCUHP, ac yn cynnwys mesurau clir ar gyfer asesu anghenion y plentyn.

— Rwy'n galw ar Lywodraeth Cymru i nodi sut gellir defnyddio'r Fframwaith Cymhwysedd Cenedlaethol a'r Côt Ymarfer sy'n cael eu cyflwyno o dan y Bil Gwasanaethau Cymdeithasol (Cymru) yn offeryn i sicrhau bod asesiad o angen ar gael i bob gofalwr ifanc.

— Rwy'n galw ar fyrddau iechyd lleol ac awdurdodau lleol i ystyried gofalwyr ifanc fel gr p unigryw ag anghenion penodol, i fabwysiadu fframwaith CCUHP yng nghyswllt gofalwyr ifanc ac i feddu ar brosesau clir ar gyfer asesu anghenion gofalwyr ifanc ar sail lles pennaf y plentyn.

— Rwy'n galw ar fyrddau iechyd lleol ac awdurdodau lleol a Llywodraeth Cymru i ystyried y galwadau a gynhwyswyd yn fy adroddiad 'Bywyd Llawn Gofal' (2009) wrth ddatblygu ac asesu digonolrwydd mesurau a gefir mewn strategaethau lleol i ymateb i anghenion gofalwyr ifanc.

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## Looked after children and young people

What I think...

Children and young people who are looked after or who are leaving care have the right to the same level of support that any parent gives to their child as they grow up and head towards adulthood.

### Looking back

In producing the publication 'Lost After Care' and the resource for young people, 'My Planner', my Office undertook research with nearly 120 children and young people who were in foster care, residential care or who had left care. The aim was to explore the issues that young people face when they start planning to live independently and to identify evidence of good practice. The research suggested that looked after children and young people leaving care are often not aware of their rights and entitlements and may not get the support they are entitled to as they move on to independent living. This situation has to change and 'Lost After Care' provided 29 practice improvements directed at Welsh Government and local authorities in Wales.

I noted with interest the private members Bill that made proposals for new legislation on care being phased out more slowly, tailored to the young person's needs, until up to the age of 25. The Office for National Statistics has evidenced a continued trend in young people living at home with their parents well into their twenties and beyond. However many of the young people that the state has parental responsibility for are expected to live independently without adequate support at a much earlier age than their peers. For these young people who have been looked after and have decided not to continue with their education, I believe support is being withdrawn too early in their transition to adulthood.

Educational outcomes for looked after children and young people have been an area of concern for my office and for Welsh Government for some time. I am concerned that the latest annual report of the Chief Inspector of the Care and Social Services Inspectorate Wales reported that only 60% of looked after children and young people were supported by timely personal educational plans in 2010-11. The Welsh Government introduced 'Children Act 1989 (Higher Education Bursary) (Wales) for former relevant children (care leavers) Regulations' in 2011. These provide for higher education bursaries as a mechanism for the continuity of support of care leavers, who were the first recipients of RAISE funding, to receive financial support according to their pathway plan. This is an important step in removing some of the barriers facing young people who have been looked after and who wish to continue into higher education and efforts to secure educational choice for looked after children and young people must continue.

### Looking forward

— I am calling on Welsh Government and local authorities in Wales to implement the priorities for service improvement set out in my 'Lost After Care' report. I will be seeking written feedback from duty bearers and stakeholders in relation to the implementation of these priorities for service improvement.

— I am calling on Welsh Government to accept the principle of the need for care to be phased out more slowly and tailored to the young person's needs up to the age of 25.

— I am calling on local authorities to take action to ensure all looked after children and young people are supported by timely personal education plans.

— As a result of feedback from young people who helped develop 'My Planner', I will be organising a national meeting of looked after children and young people and care leavers so that they can come together and meet other young people in the same situations as them.

## Young carers

What I think...

We must respond to the distinct needs of young carers and we must listen to what young carers say they need so that they get access to their rights and the childhood they deserve.

### Looking back

In 2010 I stated my intention to monitor the development of guidance and regulation under the Carer's Strategies (Wales) Measure and to ensure the distinct needs of young carers were adequately reflected. I am therefore disappointed that the 'Carers Strategies (Wales) Measure 2010 Guidance' issued to Local Health Boards and Local Authorities' in January 2012 does not fully respond to the issues I highlighted in last year's annual report. As it stands it would be relatively easy to read the guidance without fully understanding its application to young carers.

Within the guidance there is reference to the need to consider an assessment of a young carer as a child in need under the 1989 Children Act but this has not been given sufficient prominence. I welcome the inclusion of a requirement for local strategies to include a chapter on the needs of young carers. I am however concerned that although the UNCRC and Rights of Children and Young Persons (Wales) Measure 2011 are included in an annex any reference to these frameworks is absent from the main document. I very much welcome the statement 'that young carers are recognised as a distinct group with specific needs, but are recognised first and foremost as children and young people'. However I do not believe that this principle is adequately reflected within the guidance.

### Looking forward

— I am calling on Welsh Government to ensure that in assessing whether local carers strategies are fit for purpose they consider how for each strategy recognises young carers as a distinct group with specific needs, adopts a UNCRC framework and has clear measures for an assessment of needs of the child.

— I am calling on Welsh Government to identify the means through which the National Eligibility Framework and Code of Practice being introduced under the Social Services (Wales) Bill can be used as a vehicle to ensure that an assessment of need is available to all young carers.

— I am calling on local health boards and local authorities to consider young carers as a distinct group with specific needs, to adopt a UNCRC framework in relation to young carers and to have clear processes for the assessment of young carers needs on the basis of the best interests of the child.

— I am calling on local health boards and local authorities and Welsh Government to consider the calls included in my 'Full of Care' report (2009) in developing and assessing the adequacy of measures in local strategies to address the needs of young carers.

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## Adolygu gofal seibiant yng Nghymru

Ymgynghorodd Llywodraeth Cymru ar yr adolygiad o ofal seibiant yng Nghymru yn 2011. Roeddwn yn falch o weld bod cwmpas yr adolygiad yn cynnwys gofalwyr ifanc a darparu seibiant ar gyfer gofalwyr plant a phobl ifanc anabl. Gofynnais am i ganllawiau yn y dyfodol gynnwys adran yn benodol ar gyfer gofalwyr ifanc a gofalwyr plant a phobl ifanc anabl.

Mae Canllawiau dilynol Mesur Strategaethau Gofalwyr (Cymru) 2010 yn cyflwyno meysydd gwybodaeth a chymorth, gan gynnwys gofal seibiant ac egwyliau byr, y dylid eu hystyried a'u darparu i ofalwyr fel sy'n briodol, gan sicrhau y rhoddir ystyriaeth lawn i'w hoedran, eu gofynion iaith, eu gofynion diwylliannol, anabledd ac unrhyw angen penodol arall.

Mae gennyf bryderon parhaus bod dealltwriaeth ddigonol o anghenion gofalwyr ifanc yn dal heb ei sicrhau, ac felly na fydd y cyllid na'r gwasanaeth a ddarperir yn cyrraedd yr hyn sy'n angenrheidiol yn fy marn i, a hynny o bell ffordd. Mae anghenion gofalwyr ifanc a'r datrysiadau seibiant gorau ar eu cyfer yn ddramatig o wahanol i eiddo mwyafrif y gofalwyr, sydd ar y cyfan yn bobl hŷn. Mae angen ymdrin â'r plant a'r bobl ifanc hyn mewn modd arbennigol, na fydd o reidrwydd yn cynnwys gofal preswyl na darpariaeth dros nos. Yn hytrach, mae'r plant a'r bobl ifanc a gyfrannodd at fy adroddiad 'Bywyd Llawn Gofal' yn galw am fwy o gyfleoedd i gyrchu'r gefnogaeth sydd ar gael trwy brosiectau gofalwr ifanc a mynediad mwy hwylus, gyda chymhorthdal sylweddol, i gyfleusterau hamdden a chldiant, fel eu bod yn gallu cael cyfleoedd i fwynhau eu plentynod, a rhyddid o gyfrifoldebau gofal.

## Egwyliau i ofalwyr plant a phobl ifanc anabl

Daeth ymgynghoriad Llywodraeth Cymru ar 'Egwyliau i Ofalwyr Plant Anabl' i ben ym mis Mawrth 2012. Yn amlwg mae gan egwyliau byr ar gyfer gofalwyr plant a phobl ifanc anabl swyddogaeth ddeuol, sef darparu egwyl a chyfnod o seibiant ar gyfer y gofalwyr, ac ar yr un pryd roi cyfle i'r plentyn neu'r person ifanc anabl fod yn rhan o weithgareddau cymdeithasol a hamdden. Gall hyn hybu annibyniaeth, galluogi cyfranogiad mewn gweithgareddau cymunedol, a darparu mwy o gyfleoedd ar gyfer chwarae a hamdden. Rwyf wedi galw am ffocws cliriach ar anghenion y plentyn, ochr yn ochr ag anghenion y gofalwyr. Rwyf hefyd wedi gofyn am gynnwys mesurau i gynnal llais y plentyn wrth asesu, cynllunio a dylunio anghenion gwasanaethau oddi mewn i'r canllawiau. Rwy'n gobeithio gweld y newidiadau hyn yn cael eu cynnwys yn y drafft terfynol, a byddaf yn cyflwyno sylwadau pellach i Lywodraeth Cymru er mwyn rhoi pwysau arnynt a'u gorfodi i ymdrin â'r materion hyn yn 'Egwyliau i Ofalwyr Plant Anabl'.

Deallaf y dylai elfen bwysig, ond nid neilltuedig, o gefnogaeth i blant anabl a'u teuluoedd eistedd oddi fewn Teuluoedd yn Gyntaf. Nodaf fod adolygiad Arloeswyr Teuluoedd yn Gyntaf, a gomisiynwyd gan Lywodraeth Cymru a'i gyhoeddi ym mis Ionawr 2012, yn cynnwys cyfeiriadau prin iawn at gymorth penodol ar gyfer plant a phobl ifanc anabl a'u teuluoedd.

### Edrych ymlaen

— Byddaf yn **asesu** effeithiolrwydd darpariaeth y gefnogaeth ar gyfer plant anabl a'u teulouedd.

## Fframwaith Gwasanaeth Cenedlaethol (FfGC) ar gyfer Plant, Pobl Ifanc a'r Gwasanaethau Mamolaeth

Lansiwyd y FfGC ar gyfer Plant, Pobl Ifanc a'r Gwasanaethau Mamolaeth yn 2005, ac mae'n cyflwyno safonau pwysig o ran y ddarpariaeth o gymorth a gwasanaethau ar gyfer plant a phobl ifanc yng Nghymru. Mae'r FfGC yn cyflwyno safonau ar gyfer plant a phobl ifanc â phroblemau ac anhwylderau iechyd meddwl, plant a phobl ifanc anabl, plant a phobl ifanc mewn amgylchiadau arbennig, a phlant a phobl ifanc sy'n dioddef salwch aciwt a chronig neu anaf. Amlygodd yr adroddiadau blynyddol a gynhyrchwyd gan y Swyddfa hon yn 2005 a 2006 bryderon ynghylch gweithredu'r FfGC. Rwy'n ymwybodol bod adolygiad o'r FfGC wedi ei gychwyn yn 2008 ac rwy'n deall bod proses o adolygu ac 'adnewyddu'r FfGC wedi bod ar waith, er nad yw manylion y broses hon yn glir.

Mae nifer o'r materion a ddeuwyd at fy sylw yn ddiweddar yn ymwneud yn uniongyrchol â diffyg darpariaeth mewn meysydd sy'n rhan o safonau'r FfGC. Rwy'n ymwybodol bod adolygiad Swyddfa Archwilio Cymru o wasanaethau ar gyfer plant a phobl ifanc ag anghenion iechyd meddwl ac emosiynol, a gyhoeddwyd yn 2009, wedi argemell rhoi mesurau ar waith i graffu ar berfformiad, gan gwmpasu holl ystod y materion perthnasol a gynhwyswyd yn y FfGC, a bod y canlyniadau hynny'n cael eu rhoi ar led. Mae fy swyddogion wedi cwrrd â rhieni o Grŵp Rhieni/Gofalwyr Anhwylder Sbectrwym Awstistig mewn un awdurdod lleol, sydd wedi cael ar ddeall y bydd protocol pontio, y bu mawr ddisgwyl amdano, yn unol â safonau'r FfGC, wedi ei gwblhau ym mis Rhagfyr 2012, saith mlynedd wedi cyhoeddi'r FfGC ar gyfer plant, pobl ifanc a'r gwasanaethau mamolaeth.

### Edrych ymlaen

— Fy mwriad i yw gofyn i **Lywodraeth Cymru roi diweddariad i mi ar statws cyfredol y FfGC ar gyfer plant, pobl ifanc a'r gwasanaethau mamolaeth, gan ddarparu gwybodaeth i mi ynghylch y mesurau sydd yn eu lle i graffu ar weithredu ar lefel leol.**

## Cadeiriau olwyn

Yn fy adroddiad y llynedd fe nodais fy mod yn fodlon ar ganlyniadau Cam 2 o Adolygiad Cymru Gyfan ar Ystum Corff a Symudedd, ac fe groesawais ddarparu cyllid ychwanegol ar gyfer gwasanaethau i ddefnyddwyr cadair olwyn. Gelwais ar Lywodraeth Cymru i fonitro effaith y cyllido hwnnw ar brofiadau'r plant a'r bobl ifanc y mae angen cyfarpar o'r fath arnynt.

### Edrych ymlaen

— Byddaf yn gofyn i **Lywodraeth Cymru roi diweddariad i mi ar y cynnydd o ran cyflawni'r cyfryw ymarferiad monitro. Elfen bwysig o hyn fydd asesu cynllun strategol a'r model gynaliadwy i sicrhau parhad mewn unrhyw gynnydd.**

## Gofal iechyd parhaus

Y llynedd lleisiais bryderon ynghylch oedi hir wrth gynhyrchu canllawiau i blant a phobl ifanc ar ofal iechyd parhaus. Rwy'n croesawu cyhoeddi canllawiau drafft ar gyfer ymgynghori, a chydabyddiaeth glir a phendant na ellir diwallu anghenion plant a phobl ifanc gan offeryn canllawiau ac asesu sydd wedi ei seilio ar oedolion.

Mae fy swyddfa wedi cael ar ddeall gan weithwyr proffesiynol mewn byrddau iechyd lleol eu bod wedi bod yn disgwyl am y canllawiau hyn er mwyn darparu model terfynol, clir o'r gwaith i gynnal dealltwriaeth gyffredin o ofal parhaus ar draws byrddau iechyd lleol ac awdurdodau lleol. Nid wyf yn teimlo y bydd y canllawiau hyn yn eu ffurf bresennol yn cyflawni'r disgwyliad hwn yn llawn.

## Review of respite care in Wales

Welsh Government consulted on the review of respite care in Wales in 2011. I was pleased to see that the scope of the review did include young carers and the provision of respite to the carers of disabled children and young people. I asked for future guidance to include a section specifically for young carers and carers of disabled children and young people.

The subsequent Carers Strategies (Wales) Measure 2010 Guidance sets out areas of information and support including respite care and short breaks, that should be considered and provided to carers as appropriate, making sure that full account is taken of their age, language requirements, cultural requirements, disability and any other specific need.

I do have ongoing concerns that there is still not an adequate understanding of the needs of young carers and that therefore funding and service provision will fall far short of what I believe is necessary. The needs of young carers and the best respite solutions for them are dramatically different to those of the majority of carers who are generally older people themselves. These children and young people need a specialised approach which will not necessarily involve residential care or overnight provision. Rather, the children and young people who contributed to my 'Full of Care' report are calling for increased opportunities to access the support available through young carers projects and easier and highly subsidised access to leisure and transport facilities in order to enable them to have opportunities to enjoy their childhood with freedom from the responsibilities of caring.

## Breaks for carers of disabled children and young people

The Welsh Government consultation on 'Breaks for Carers of Disabled Children' ended in March 2012. Short breaks for carers of disabled children and young people clearly have a dual function of providing a break and respite for the carers whilst also giving the disabled child or young person an opportunity to engage in social and leisure activities. This can promote independence, enable participation in community activities and give increased opportunities for play and leisure. I have called for a clearer focus on the child's needs alongside those of the carers. I have also asked for inclusion of measures to support the child's voice in the assessment, planning and design of services needs within the guidance. I hope to see these changes included in the final draft and I will be making further representations to Welsh Government to press that these issues must be addressed in 'Breaks for Carers of Disabled Children'.

I understand that an important, but not exclusive, element of support for disabled children and their families should sit within Families First. I note that the review of Families First Pioneers commissioned by Welsh Government and published in January 2012 contains very little reference to specific support for disabled children and young people and their families.

### Looking forward

— I will be **assessing** how support services for disabled children and their families are delivered locally.

## National Service Framework (NSF) for Children, Young People and Maternity Services

The NSF for Children, Young People and Maternity Services was launched in 2005 and sets out important standards in support and service provision for children and young people in Wales. The NSF sets out standards for children and young people with mental health problems and disorders, disabled children and young people, children and young people in special circumstances and children and young people with acute and chronic illness to injury. The annual reports produced by this Office in 2005 and 2006 highlighted concerns about the implementation of the NSF. I am aware that a review of the NSF was initiated in 2008 and I understand that a review and 'refresh' of the NSF has been underway, although the details of this process are not clear.

A number of issues that have been brought to my attention recently relate directly to a lack of provision in areas covered by NSF standards. I am aware that the Wales Audit Office review of services for children and young people with emotional and mental health needs published in 2009 recommended that measures be put in place for the scrutiny of performance covering the full range of relevant issues included in the NSF and that these results be made widely available. My officers have met with parents from an Autistic Spectrum Disorder Parent/Carer Group in one local authority who have been told that a long-awaited transition protocol in line with NSF standards will be completed in December 2012, seven years after the publication of the NSF for children, young people and maternity services.

### Looking forward

— I am requesting that **Welsh Government provide me with an update on the current status of the NSF for children, young people and maternity services and provide me with information on the measures in place to scrutinise implementation at a local level.**

## Wheelchairs

In my annual report last year I stated that I was content with the outcomes of Phase 2 of the All Wales Posture and Mobility Review and I welcomed the provision of additional funding for wheelchair services. I called on Welsh Government to monitor the effect of that funding on the experiences of children and young people who require such equipment.

### Looking forward

— I am asking **Welsh Government to provide me with an update on progress in carrying out such a monitoring exercise. An important element of this will be to assess the strategic approach and sustainable model in order to maintain pace of progress.**

## Continuing health care

Last year I raised concerns about a long delay in the production of children and young people's guidance on continuing health care. I welcome the publication of draft guidance for consultation and the clear and definite acknowledgement that children and young people's needs cannot be met by an adult based guidance and assessment tool.

My office has been told by professionals within local health boards that they have been waiting for this guidance to provide a definitive and clear model of working to support a common understanding of continuing care across local health boards and local authorities. I do not feel that this guidance in its current form will fully meet this expectation.

I do welcome the fact that this document clearly and categorically states the importance of a child rights approach under the UNCRC and that there is a constant and repeated theme that the voice of the child should be heard and that the child's needs and views are at the centre of the process.

Rwyf yn croesawu'r ffaith bod y ddogfen hon yn nodi'n glir ac yn ddiamheuol bwysigrwydd agwedd a seiliwyd ar hawliau plant o dan CCUHP. Dwi hefyd yn falch fod thema gyson a ailadroddir y dylid clywed llais y plentyn ac mai anghenion a barn y plentyn sy'n ganolog i'r broses. Fodd bynnag, mae angen mwy o gyfarwyddyd ar weithdrefnau cwynion yn y canllawiau. Rwy'n disgwyl drafft terfynol y canllawiau, ac rwy'n gobeithio y bydd yn ymdrin â rhai o'r pryderon yr wyf wedi eu hamlinellu yma ac yn fy ymateb i'r ymgynghoriad.

Daeth yr ymgynghori ar y canllawiau hyn i ben ym mis Mawrth 2012, ac rwyf wedi ymateb iddo.

#### Edrych ymlaen

— **Rwy'n disgwyl i Lywodraeth Cymru fonitro gweithrediad y canllawiau newydd hyn yn ofalus.**

## Ymddygiad rhywiol niweidiol

Y llynedd roeddwn yn edrych ymlaen at gyhoeddi Protocol Cymru Gyfan ar Ymddygiad Rhywiol Niweidiol, a gelwais ar y rhai yr oedd dyletswydd arnynt i adolygu'r gwasanaethau y maent yn eu comisiynu i ddiwallu anghenion plant a phobl ifanc ag ymddygiad rhywiol niweidiol. Cyflwynwyd Protocol Cymru Gyfan: Rheoli Pobl Ifanc sydd ag ymddygiad rhywiol niweidiol ar gyfer ymgynghori ym mis Tachwedd 2011. Nid yw'r drafft terfynol wedi ei gyhoeddi eto. Unwaith bydd y protocol wedi ei gyhoeddi, byddaf yn disgwyl i Lywodraeth Cymru gynllunio ar gyfer adolygu ei weithrediad.

## Masnachu mewn pobl

Rwy'n falch bod Protocol Cymru Gyfan ar Fasnachu mewn Plant wedi cael ei gyflwyno yn 2011. Wrth groesawu cyhoeddi'r protocol, nododd y Gweinidog effaith fy adroddiad 'Ffiniau Pryder' yn 2009 a chanfyddiadau Gr p Trawsbleidiol y Cynulliad ar Fasnachu mewn Pobl o ran tynnu sylw at y mater. Roedd penodi Cydgysylltydd cyntaf Cymru Gyfan ar gyfer Atal Masnachu mewn Pobl hefyd yn arwyddocaol. O ganlyniad i'r penodiad hwn, rwy'n deall bod dros 70 o sesiynau cynyddu ymwybyddiaeth wedi cael eu darparu i randdeiliaid allweddol ledled Cymru – sef un o'r argymhellion oedd yn 'Ffiniau Pryder'.

Rwyf wedi cwrrd â Chydgysylltydd Cymru Gyfan ar gyfer Atal Masnachu mewn Pobl, a byddaf yn parhau i gefnogi ei waith ym mhob ffordd sydd ar gael i mi.

#### Edrych ymlaen

— **Rwy'n galw ar Lywodraeth Cymru i adolygu gweithrediad y protocol newydd.**

## Ecsbloetio plant yn rhywiol

Bellach mae'r adolygiad o weithrediad y Canllawiau newydd ar ecsbloetio plant yn rhywiol, y cyfeiriais atynt yn fy adroddiad y llynedd, wedi digwydd. Rwy'n disgwyl cyhoeddi canlyniadau'r adolygiad hwn, a byddaf yn rhoi ymateb ysgrifenedig i'r canfyddiadau i Lywodraeth Cymru.

## Rhywioli plant a phobl ifanc

Ym mis Mehefin 2011 cyhoeddwyd Adolygiad Bailey ar Fasnacheiddio a Rhywioli Plentynod. Dilynwyd hynny'n fuan gan ddaol yn y Senedd ar 'Gadewch i Blant fod yn Blant' dan arweiniad Jocelyn Davies AC – dyma oedd y tro cyntaf i ddaol ar faterion o'r fath gael ei sicrhau yn y Cynulliad Cenedlaethol. Yn fy ymateb i'r ddaol honno, gelwais am ddadansoddi barn plant a phobl ifanc ar y materion dan sylw, gan fod yr adolygiadau hyd hynny wedi cael eu gyrru gan agendâu oedolion i raddau helaeth.

Sefydlwyd grŵp trawsbleidiol newydd – Plentynod, Rhywioldeb, Rhywioli a Chydraddoldeb – yr hydref hwnnw gyda'r nod o sicrhau bod cydraddoldeb, hawliau plant a'u llais yn ganolog i'r broblem. Bydd fy swyddogion i, yn eu rôl fel sylwedyddion ar y grŵp hwnnw, yn cydweithio'n agos ag Ysgol Gwyddorau Cymdeithasol Prifysgol Caerdydd a'r aelodau eraill i wneud y canlyniol:

- **datblygu a chytuno ar ddiffiniad o rywioldeb a rhywioli ar sail ymchwil berthnasol a phrofiadau plant a phobl ifanc eu hunain;**
- **annog dull cydlynus o ymdrin â materion yn ymwneud â lles plant a phobl ifanc ar draws meysydd addysg, hyfforddiant a diogelwch cymunedol, er enghraifft, bwlio rhywiol, addysg rhyw a pherthnasoedd, addysg bersonol, cymdeithasol a iechyd;**
- **sicrhau bod llais plant a phobl ifanc o amrywiol gefndiroedd cymdeithasol a diwylliannol yn ganolog i'r broses.**

Rydym am sicrhau bod rhywioli a iechyd rhywiol yn bethau rydyn ni i gyd yn gyfforddus yn eu trafod. Bydd y grŵp yn cyflwyno ei ganfyddiadau a'i argymhellion i Lywodraeth Cymru yng ngwanwyn 2013.

However there is a need for more direction on complaints procedures within the guidance. I await the final draft of the guidance and hope that it will address some of the concerns I have outlined here and in my consultation response.

The consultation on this guidance closed in March 2012 and I have responded to this consultation.

#### Looking forward

— **I expect Welsh Government to closely monitor the implementation of this new guidance.**

## Sexually harmful behaviour

Last year I looked forward to the publication of an All Wales Protocol on Sexually Harmful Behaviour and called on duty bearers to review the services they commission to meet the needs of children and young people with sexually harmful behaviour. The 'All Wales Protocol: The Management of Young People engaged in sexually harmful behaviour' was issued for consultation in November 2011. The final draft has yet to be published. Once the protocol is published I will expect Welsh Government to plan for a review of its implementation.

## Trafficking

I am pleased that in 2011 the All Wales Protocol on Child Trafficking was issued. In welcoming the publication of the protocol the Minister noted the impact of my 'Bordering on Concern' report in 2009 and of the findings of the National Assembly's Cross Party Group on Human Trafficking in highlighting the issue. The appointment of the first All Wales Anti-Human Trafficking Coordinator was also significant. I understand that as a result of this appointment over 70 awareness raising sessions have been delivered to key stakeholders across Wales – this is a recommendation contained within 'Bordering on Concern'.

I have met with the All Wales Anti-Human Trafficking Coordinator and will continue to support his work in any way I can.

#### Looking forward

— **I am calling on Welsh Government to review the implementation of the new protocol.**

## Child sexual exploitation

The review of the implementation of the new Guidance on child sexual exploitation that I referenced in my report last year has now been undertaken. I am waiting for the publication of the results of this review and I will be providing Welsh Government with a written response to the findings.

## Sexualisation of children and young people

In June 2011 the Bailey Review of the Commercialisation and Sexualisation of Childhood was published. It was soon followed by a debate in the Senedd led by Jocelyn Davies AM called 'Let Children be Children' – it was the first time a debate had been secured for such matters in the National Assembly. In my response to that debate I called for an analysis of children and young people's views on the issues as the reviews to date had largely been driven by adult agendas.

A new cross party group – Childhood, Sexuality, Sexualisation and Equalities – was set up that autumn which aims to put equalities, children's rights and voice at the heart of the problem. Sitting as observers to that group, my officers will work closely with Cardiff University's School of Social Sciences and other members to:

- **develop and agree a definition of sexuality and sexualisation based on relevant research and children and young people's own experiences;**
- **encourage a joined-up approach to issues of children and young people's wellbeing across the fields of education and training and community safety, for example, sexual bullying, sex and relationship education and personal, social and health education; and**
- **place the voice of children and young people, from diverse social and cultural backgrounds at the hear of the process.**

We want to make sexualisation and sexual health something we're all comfortable talking about. The group will present its findings and recommendations to Welsh Government in Spring 2013.



## Nod 4: Cael mynediad i gyfleoedd chwarae, hamdden, chwaraeon a diwylliannol

### Chwarae

Fy marn i... Mae gan blant a phobl ifanc hawl i chwarae. Mae'n rhan bwysig o'u plentynod ac mae mynediad i chwarae yn effeithio ar ddatblygiad a lles plant a phobl ifanc.

**Edrych yn ôl**  
Y llynedd bŵm yn disgwyl yn eiddgar am gyhoeddi rheoliadau, safonau a chanllawiau yng nghyswllt y dyletswyddau chwarae a gynhwyswyd ym Mesur Plant a Theuluoedd (Cymru) 2010. Er fy mod yn siomedig ynghylch yr oedi cyn eu cyhoeddi, rwy'n deall bod rheoliadau, safonau a chanllawiau ynghylch y dyletswyddau cysylltiedig â chwarae ar fin cael eu cyhoeddi.

Mae'n hanfodol bod Llywodraeth Cymru yn rhoi'r cyfarwyddyd angenrheidiol i awdurdodau lleol ar gyfer gweithredu'r darpariaethau ar gyfer chwarae ym Mesur 2010. Mewn cyfnod o gyfyngiadau ariannol, rwy'n pryderu y gallai'r ddarpariaeth chwarae gael ei hystyried fel elfen ychwanegol, yn hytrach na hawl i bob plentyn.

#### Edrych ymlaen

— **Rwy'n galw ar Lywodraeth Cymru i fonitro gweithrediad y dyletswyddau ar chwarae a gynhwyswyd ym Mesur Plant a Theuluoedd (Cymru) 2010.**

— **Rwy'n galw ar aelodau etholedig lleol ar lefel awdurdod lleol i ddarganfod beth sydd gan blant a phobl ifanc i'w ddweud am wireddu eu hawl i chwarae yn yr ardaloedd lle maent yn byw ac i hyrwyddo hawl plant a phobl ifanc i chwarae o'r cymunedau maent yn eu cynrychioli.**

### Diwylliant

Cyhoeddwyd adroddiad Estyn ar 'Mynd i'r afael â thlodi plant ac anfantais mewn ysgolion: gweithio yn y gymuned a chyda gwasanaethau eraill' yn 2011. Nododd yr adroddiad fod ysgolion effeithiol mewn ardaloedd difreintiedig yn rhoi pwysau aruthrol ar ddarpariaeth allgyrsiol a'r tu allan i oriau ysgol, gan gynnwys cyfoethogi diwylliannol.

Yn Lloegr dangosodd prosiect peilot 'Find your Talent' fod darparu profiadau diwylliannol o ansawdd uchel i bob plentyn a pherson ifanc yn gallu darparu ystod o sgiliau ar eu cyfer sydd yn eu helpu i gyflawni ar draws gwahanol feysydd yn eu bywydau. Mae Mesur Plant a Theuluoedd (Cymru) 2010 yn gosod dyletswydd ar awdurdodau lleol a chyrrff cyhoeddus eraill a ragnodwyd o ran tlodi plant. Crëwyd argraff arbennig arnaf gan y strategaeth a gynhyrwyd gan Amgueddfa Genedlaethol Cymru, 'Gweddnewid Dyfodol Plant trwy greu llwybrau ar gyfer cyfranogiad diwylliannol'. Mae'r strategaeth yn cyflwyno agenda glir ar gyfer cynyddu mynediad i gyfleoedd diwylliannol ac addysgol ar gyfer plant a phobl ifanc sy'n profi tlodi cyfranogiad, ac rwy'n edrych ymlaen at weld sut bydd gweithredu'r strategaeth hon yn gwneud gwahaniaeth i blant a phobl ifanc Cymru.

## Nod 5: Cael eu trin â pharch, gan gydnabod eu hil a'u hunaniaeth ddiwylliannol

### Eiriolaeth

Fy marn i... Mae eiriolaeth yn chwarae rhan hollbwysig wrth alluogi plant a phobl ifanc i ymarfer eu hawliau fel yr amlinellwyd yn CCUHP.

**Edrych yn ôl**  
Yn adroddiad blynyddol y llynedd roeddwn yn edrych ymlaen at ganllawiau comisiynu terfynol gan Lywodraeth Cymru yn dilyn eu hymarferiad ymgynghori i sbarduno gwelliannau a chysondeb wrth ddarparu eiriolaeth. Mae'r canllawiau comisiynu terfynol yn dal heb eu cyhoeddi, er bod yr ymarferiad ymgynghori ar y canllawiau drafft wedi cau ym mis Ebrill 2011.

Nodais hefyd fy mhryderon ynghylch diffygion yn y system, a'm bwriad i gynnal adolygiad o eiriolaeth broffesiynol annibynnol ar gyfer plant a phobl ifanc sy'n derbyn gofal, rhai sy'n gadael gofal a phlant mewn angen. Defnyddiais fy mhwerau am y tro cyntaf i gynnal yr adolygiad hwn, er mwyn gweld a yw'r trefniadau yn effeithiol, ac i ba raddau, o ran cryfhau a hyrwyddo hawliau plant a phobl ifanc a diogelu eu lles.

Cyhoeddwyd canfyddiadau'r adolygiad ym mis Mawrth 2012. Mae rhai o blant a phobl ifanc mwyaf agored i niwed Cymru yn dal heb fod yn ymwybodol o'u hawl i gael eu barn wedi ei chynrychioli gan eiriolwr proffesiynol annibynnol. Bu Cymru ar y daith eiriolaeth ers dros 10 mlynedd, yn dilyn cyhoeddi Adroddiad Waterhouse, ac eto mae'n ei chael ei hun heb gyfres glir o brofion pwysu a mesur i sicrhau bod pob plentyn a pherson ifanc sydd â hawl i dderbyn eiriolaeth hefyd yn cael cyfle gwirioneddol i'w chyrchu.

#### Edrych ymlaen

— **Wrth i mi ysgrifennu hwn mae Llywodraeth Cymru wrthi yn ystyried argymhellion fy adolygiad, ac mae fy swyddfa yn cwrrd â swyddogion yn ei glych. Rwy'n galw ar Lywodraeth Cymru i dderbyn a chyflawni'r argymhellion a wnaed gennyf trwy fy adolygiad. Rhaid i'r trefniadau ar gyfer cyfeiriad strategol clir ar eiriolaeth wella, a rhaid sicrhau bod plant a phobl ifanc sydd â hawl i dderbyn eiriolaeth broffesiynol annibynnol yn derbyn yr hawl honno.**

— **Rwy'n galw ar awdurdodau lleol i dderbyn argymhellion fy adolygiad, a chyflwyno'r camau y byddant yn eu cymryd i ymateb i'r argymhellion.**

### Cyfranogiad

Fy marn i... Mae Erthygl 12 o CCUHP yn nodi bod gan bob plentyn hawl i leisio barn ar bob mater sy'n effeithio arnynt a bod yr hawliau hynny'n cael eu cymryd o ddiffri.

**Edrych yn ôl**  
Ym mis Tachwedd 2011 cyhoeddodd fy nghyd-Gomisiynwyr Plant yn y DU a minnau adroddiad canol tymor i Blaid Wladwriaethol y DU ar CCUHP. Roedd ein hadroddiad ar y cyd, 'Yr hanes hyd yma', yn casglu tystiolaeth ac yn canolbwyntio'n gwaith ar bum maes, yn cynnwys cyfranogiad. Defnyddiwyd yr adroddiad hwn ar y cyd i fynegi pryderon ynghylch y bwlch rhwng safonau Erthygl 12, sy'n datgan bod gan blant a phobl ifanc hawl i ddweud beth maen nhw'n meddwl ddylai ddigwydd pan fydd oedolion yn gwneud penderfyniadau yn eu cylch a'u profiad gwirioneddol. Rydym yn dal i bryderu nad yw cyfranogiad plant a phobl ifanc wedi cael ei brif-frydio, a bod plant a phobl ifanc yn dal i adrodd na cheisir eu barn, na wrandawir arni, ac na chymerir camau cyson yn ei sgil.

## Aim 4: Have access to play, leisure, sporting and cultural opportunities

### Play

What I think... Children and young people have the right to play. It is an important part of childhood and access to play impacts on the development and wellbeing of children and young people.

**Looking back**  
Last year I awaited with keen interest the publication of regulations, standards and guidance in relation to duties on play included in the Children and Families (Wales) Measure 2010. While I am disappointed at the delay in their publication I understand that regulations, standards and guidance in relation to duties on play are about to be published.

It is imperative that Welsh Government provides local authorities with the direction they need to implement the provisions for play within the 2010 Measure. In a period of financial constraint I am concerned that provision for play may be viewed as an added extra rather than as the right of every child.

#### Looking forward

— **I am calling on Welsh Government to monitor the implementation of duties on play included in the Children and Families (Wales) Measure 2010.**

— **I am calling on local elected members at the local authority level to find out what children and young people have to say about realising their right to play in the areas where they live and to champion the right to play for children and young people in the communities they represent.**

### Culture

Estyn's report on 'Tackling poverty and disadvantage in schools: working in the community and with other services' was published in 2011. The report noted that effective schools in disadvantaged areas attach great importance to extra-curricular and out-of-school hours provision, including cultural enrichment.

In England the 'Find your Talent' pilot project demonstrated that providing high quality cultural experiences to all children and young people can provide them with a range of skills that help them to achieve across areas of their lives. The Children and Families (Wales) Measure 2010 places a child poverty duty on local authorities and other prescribed public bodies to publish a child poverty strategy. I have been particularly impressed by the strategy produced by the National Museum of Wales, 'Transforming Children's Future by creating pathways for cultural participation'. The strategy sets out a clear agenda for increasing access to cultural and educational opportunities to children and young people experiencing participation poverty and I look forward to seeing the ways in which implementation of this strategy makes a difference to the children and young people of Wales.

## Aim 5: Treated with respect and have their race and cultural identity recognised

### Advocacy

What I think... Advocacy plays a critical role in enabling children and young people to exercise their rights as outlined in the UNCRF.

**Looking back**  
In last year's annual report I looked to final commissioning guidance from Welsh Government following their consultation exercise to push forward improvements and consistency in the provision of advocacy. The final commissioning guidance has still not been published even though the consultation exercise on draft guidance closed in April 2011.

I also set out my concerns in relation to failings in the system and set out my intention to carry out a review of independent professional advocacy for looked after children and young people, care leavers and children in need. I used my powers for the first time to carry out this review to see whether and to what extent the arrangements are effective in strengthening and promoting the rights and safeguarding the welfare of children and young people.

The review's findings were published in March 2012. Some of Wales' most vulnerable children and young people remain unaware of their entitlement to have an independent professional advocate to represent their views. Wales has been on the advocacy journey for over 10 years following the publication of the Waterhouse Report and yet it finds itself without a clear set of checks and balances to ensure that all children and young people with an entitlement to advocacy also have a genuine opportunity to access it.

#### Looking forward

— **At the time of writing Welsh Government is in the process of considering the recommendations of my review and my office is meeting with officials in relation to this. I am calling on Welsh Government to accept and deliver on the recommendations I have made through my review. Arrangements for clear strategic direction on advocacy must improve and children and young people with an entitlement to independent professional advocacy must have that entitlement met.**

— **I am calling on local authorities to accept the recommendations of my review and to set out the actions they will take to address the recommendations.**

### Participation

What I think... Article 12 of the UNCRF states that every child has the right to say what they think in all matters affecting them and to have those rights taken seriously.

**Looking back**  
In November 2011 my fellow UK Children's Commissioners and I published a midterm report to the UK State Party on the UNCRF. Our joint report, 'The story so far', collected evidence and focused our work on five areas, including participation. We used this joint report to express concerns about the gap between the standards of Article 12 which stipulates that children and young people have the right to say what they think should happen when adults are making decisions about them and their actual experience. I remain concerned that the mainstreaming of children and young people's participation has yet to happen and that children and young people continue to report that their views are not sought, listened to or acted upon consistently.

Yng Nghymru, gwnaed ymrwymiad fel rhan o Fesur Plant a Theuluoedd (Cymru) 2010 i sicrhau bod yr agenda gyfranogiad wedi ei gwreiddio yn y gyfraith. Rwy'n cydnabod i Lywodraeth Cymru gynnal ymgynghoriad ar 'Strategaethau Cyfranogiad Lleol – canllawiau drafft', a ddaeth i ben ym mis Ionawr 2012, ac rwy'n credu bod datblygu canllawiau statudol yn gyfle i ni yng Nghymru adeiladu ar y sylfaen ddeddfwriaethol ar gyfer cyfranogiad ar lefel genedlaethol a lleol. Roeddwn wedi gobeithio y byddai canllawiau newydd gan Lywodraeth Cymru yn darparu cyfeiriad cadarn mewn ymateb i ganfyddiadau'r 'Gwerthusiad o Strategaethau Cyfranogiad Awdurdodau Lleol' yn 2010. Canfu'r gwerthusiad hwn fod hanner y bobl ifanc yn yr arolwg yn teimlo y gellid gwneud mwy i wella sut mae pobl ifanc yn cael cyfle i leisio barn ac nad yw pobl ifanc, hyd yn oed pan roddir cyfle iddynt leisio barn, bob amser yn teimlo eu bod yn cael gwrandawriad. Fodd bynnag, yn fy ymateb, fe nodais â phryder fod mwyafrif cynnwys y canllawiau drafft dilynol hyn yn union yr un fath â'r canllawiau ar strategaethau cyfranogiad lleol a gyflwynwyd yn 2007. Mae hyn wedi golygu ei bod yn anodd gwahaniaethu o ran mewnbwn posib y canllawiau statudol newydd hyn o ran symud agenda cyfranogiad ymhellach yn ei blaen yng Nghymru.

Rwy'n dal i bryderu bod y cynnod pontio presennol o ran trefniadau ariannu, y cyfeiriwyd ato yn y canllawiau drafft, wedi arwain at ansicrwydd lleol ynghylch dyfodol strwythurau cyfranogiad. Rwy'n credu y dylai'r canllawiau adlewyrchu'r strwythurau cyfredol ar gyfer cynnal cyfranogiad, ac rwyf am gael sicrwydd bod y trefniadau ariannu a chynlluniau rhesymoli lleol hefyd wedi derbyn sylw.

Yn olaf, fel rwyf wedi pwysleisio'n barhaus, er bod strwythurau a strategaethau'n bwysig, ni allwn orbwysleisio pwysigrwydd gwrandawrio, clywed a gweithredu ar yr hyn mae plant a phobl ifanc yn ei ddweud. Mae'n hanfodol bod sefydliadau'n dangos sut maent wedi gweithredu ar sail profiadau a barn plant a phobl ifanc. Rhaid sicrhau dealltwriaeth gyffredin bod cyfranogiad ac ymgysylltu yn fecanwaith allweddol ar gyfer canfod a yw'r hyn a ddarperir yn effeithiol ac yn cyflawni'r canlyniadau a ddymunir.

#### Edrych ymlaen

— **Rwy'n galw ar Lywodraeth Cymru i sicrhau bod y canllawiau terfynol ar strategaethau cyfranogiad lleol o dan Fesur Plant a Theuluoedd (Cymru) 2010 yn gadarn, yn cynnwys cyfarwyddyd clir ar amddiffyn a hyrwyddo strwythurau cyfranogiad, ac yn cyflwyno fframwaith clir o ddeilliannau er mwyn arddangos cynnydd.**

— **Rwy'n galw ar Lywodraeth Cymru ac awdurdodau lleol i sicrhau bod y canllawiau cynlluniau integredig yn sicrhau y cyflawnir dyletswyddau cysylltiedig â chyfranogiad o dan Fesur Plant a Theuluoedd (Cymru) 2010 a bod llofoedd gwaith y cynlluniau integredig, unwaith bydd y canllawiau hynny wedi eu cyhoeddi, yn adlewyrchu'r canllawiau ar gyfer Strategaethau Cyfranogiad Lleol.**

## Plant a phobl ifanc sy'n ceisio lloches ac asesiadau oedran

#### Edrych yn ôl

Yn fy adroddiad y llynedd fe nodais beth o'r cynnydd sy'n digwydd yng nghyswllt cadw plant a phobl ifanc sy'n ceisio lloches yn gaeth, a gelwais am ffocws parhaus ar les pennaf y plentyn, a chynnal hawliau'r holl blant a phobl ifanc yn y system hon. Cyfeiriodd fy nghyd-Gomisiynywyr Plant yn y DU a minnau hefyd at y broses ddeddfwriaethol a pholisi arwyddocaol yng nghyswllt Erthygl 22 yn ein hadroddiad canol tymor ar y cyd i Blaid Wladwriaethol y DU ar CCUHP ym mis Tachwedd 2011. Fe wnaethom dynnu sylw at y ffaith fod dileu amheuan Llywodraeth y DU yn gam arwyddocaol i'w groesawu. Ym mis Mai 2010 ymdriniodd Llywodraeth y DU ag un o brif feirniadaethau'r Pwyllgor, gan gyhoeddi y byddai'n rhoi terfyn ar gadw plant a phobl ifanc yn gaeth at ddibenion mewnfudo. Efallai na fydd y cynigion a amlinellwyd gan y Llywodraeth yn dod â chadw plant a phobl ifanc yn gaeth i ben yn llwyr, ond bydd yn rhaid i ni aros i weld a fydd y broses newydd yn bodloni gofynion Erthygl 37(b) neu'n cyflawni argymhelliad Pwyllgor CCUHP yn 2008.

Rydym ni, Comisiynywyr Plant y DU, wedi croesawu bwriad adran 55 o Ddeddf Ffiniau, Dinasyddiaeth a Mewnfudo 2009, sy'n gosod dyletswydd ar Asiantaeth Ffiniau'r Deyrnas Unedig (UKBA) i sicrhau bod trefniadau yn eu lle i ddiogelu a hyrwyddo lles plant a phobl ifanc wrth gyflawni ei swyddogaethau. Gallai'r ddeddfwriaeth hon a'r canllawiau cysylltiedig gael effaith sylweddol ar wireddu lles pennaf plant a phobl ifanc, ond fel yr amlygwyd gan ddyfarniadau diweddar yn y llys, mae hynny gryn bellter o gael ei weithredu o hyd. Ychydig o gynnydd, os o gwbl, a wnaed ar fater asesiadau oedran. Oherwydd nad oes canllawiau statudol i awdurdodau lleol ar bennu oedran mewn unrhyw awdurdodaeth yn y DU, nid yw'n syndod bod y dystiolaeth yn awgrymu nad yw awdurdodau'n rhoi mantais yr amheuaeth yn gyson i berson ifanc sy'n hawlio bod yn blentyn.

Yng Nghymru rwy'n falch bod Grŵp Gweithdrefnau Amddiffyn Plant Cymru Gyfan wedi cyhoeddi Canllawiau Arfer i ddiogelu a hyrwyddo lles 'Plant a Phobl Ifanc heb eu hebrwng sy'n Ffoaduriaid/yn Ceisio Lloches yng Nghymru' (2011) a ddatblygwyd gan Bartneriaeth Fudo Strategol Cymru (WSMP). Rwy'n croesawu'n arbennig gynnwys yr egwyddor y dylai plant a phobl ifanc heb eu hebrwng sy'n ffoaduriaid/yn ceisio lloches gael eu hystyried yn blant yn gyntaf ac yn fudwyr yn ail, a bod ganddynt hawl felly i asesiad, cymorth ac amddiffyniad yn yr un modd ag unrhyw blentyn arall. Mae'r Canllawiau Arfer yn cynnwys cyfarwyddyd ar asesu oedran plant a phobl ifanc.

#### Edrych ymlaen

— **Rwy'n galw ar Lywodraeth Cymru i fonitro cynnydd o ran gweithrediad y Canllawiau Arfer newydd ar asesiadau oedran.**

## Gwaith ieuencid

Mae Gwaith Ieuencid yng Nghymru yn chwarae rhan bwysig ym mywydau llawer o'r bobl ifanc rwy'n cwrdd â nhw o ddydd i ddydd. Rwyf hefyd yn gwybod bod pobl ifanc yn gwerthfawrogi'r hyn sydd gan y gwasanaeth ieuencid statudol a gwirfoddol i'w gynniig a'u bod yn aml yn gadarnhaol iawn am eu profiadau. Fodd bynnag, mae gen i rai pryderon y gallai'r symudiad tuag at wasanaethau cyfannol sy'n troi o gwmpas y teulu olygu bod pobl ifanc hyn yn cael eu gadael ar ôl, a byddaf yn monitro effaith ailgyflunio gwasanaethau.

Rwyf hefyd yn pryderu ei bod hi'n bryd diweddarau strategaeth ieuencid gyfredol Cymru ers 2010. Rwy'n ymwybodol bod Llywodraeth Cymru yn rhagweld y bydd yn rhyddhau fersiwn wedi ei diweddarau ar gyfer ymgynghori yn ystod y misoedd nesaf, ond rwy'n pryderu ynghylch cymaint o oedi wrth ddatblygu'r fersiwn wedi ei diweddarau o'r strategaeth. Mae gwaith ieuencid yng Nghymru yn chwarae rhan bwysig yn y gwaith o helpu pobl ifanc i ddeall eu hawliau, a'u cynorthwyo i wireddu'r hawliau hynny. Byddaf yn monitro'r datblygiad hwn, ochr yn ochr â'r cynnydd sydd i ddigwydd yng nghyswllt canllawiau statudol ar y Gwasanaeth Cynnal Ieuencid, sydd hefyd yn hwyr.

#### Edrych ymlaen

— **Rwy'n galw ar Lywodraeth Cymru i ymdrin â'r oedi o ran symud canllawiau allweddol ymlaen yn y maes hwn, ac i wneud hynny trwy ddarparu dogfenau arweiniad strategol sydd yn adeiladu ar sylfeini rhagorol 'Ymestyn Hawliau' trwy ddarparu strategaeth a seiliwyd ar hawliau, yn unol â CCUHP, a darparu'r cyfarwyddyd a'r gefnogaeth angenrheidiol i'r sector gwaith ieuencid yng Nghymru.**

In Wales, a commitment was made within the Children and Families (Wales) Measure 2010 to ensure that the participation agenda was embedded within law. I acknowledge that Welsh Government carried out a consultation on 'Local Participation Strategies – draft guidance' which ended in January 2012 and I believe that the development of statutory guidance is an opportunity for us in Wales to build upon the legislative basis for participation on a national and local level. I had hoped that new guidance from Welsh Government would provide strong direction in response to the findings of the 'Evaluation of Local Authority Participation Strategies' in 2010. This evaluation found that half of young people surveyed felt that more could be done to improve how young people have their say and that even where young people are given the opportunity to have their say, they do not feel they are always listened to. However, within my response I noted with concern that the majority of the content of this subsequent draft guidance was identical to that included in the guidance on local participation strategies released in 2007. This meant that it has been difficult to distinguish the input that this new statutory guidance could have in further progressing the participation agenda in Wales.

I remain concerned that the current transition in funding arrangements, referenced within the draft guidance, has led to local uncertainty about the future of participation structures. I believe the guidance should reflect the current participation support structures and I seek assurances that funding arrangements and local rationalisation plans have also been considered.

Finally, as I have highlighted consistently, whilst structures and strategies are important we cannot underestimate the need to listen, hear and act on what children and young people say. The need for organisations to demonstrate how they have acted on the views and experiences of children and young people is vital. There must be a common understanding that participation and engagement is a key mechanism for identifying whether or not delivery is effective and achieving the desired outcomes.

#### Looking forward

— **I am calling on Welsh Government to ensure that the final guidance on local participation strategies under the Children and Families (Wales) Measure 2010 is robust, includes clear direction on protecting and promoting participation structures and sets out a clear outcomes framework for demonstrating progress.**

— **I am calling on Welsh Government and local authorities to ensure the integrated plans guidance ensures delivery of duties regarding participation under the Children and Families (Wales) Measure 2010 and that once this guidance is published and agreed the integrated plans work streams reflect Local Participation Strategies guidance.**

## Children and young people seeking asylum and age assessment

#### Looking back

In my report last year I set out some of the progress taking place in relation to the detention of children and young people seeking asylum and called for a continued focus on the best interests of the child and for the rights of all children and young people in this system to be upheld. My fellow UK Children's Commissioners and I also made reference to the significant policy and legislative progress in relation to Article 22 in our joint midterm report to the UK State Party on the UNCRC in November 2011. We highlighted how the removal of the UK Government's reservation was a significant and welcome step. In May 2010 the UK Government addressed one of the UN Committee's main criticisms, announcing it would be ending the detention of children and young people for immigration purposes. The Government's proposals as outlined may fall short of an end to detention, but it has yet to be seen whether the new process meets the requirements of Article 37(b) or fulfils the recommendation of the UNCRC Committee in 2008.

As UK Children's Commissioners we have welcomed the intention of section 55 of the Borders, Citizenship and Immigration Act 2009, that places a duty on the UK Border Agency (UKBA) to have arrangements in place to safeguard and promote the welfare of children and young people in discharging its functions. This legislation and accompanying guidance could have a significant impact on realising children and young people's best interest but as recent court judgments highlight implementation still has some way to go. Little or no progress has been made on the issue of age assessment. As a result of there being no statutory guidance for local authorities in determining age in any UK jurisdiction it is no surprise that evidence suggests that authorities do not consistently give the benefit of the doubt to a young person claiming to be a child.

In Wales I am pleased that the All Wales Child Protection Procedures Group has published Practice Guidance to safeguard and promote the welfare of 'Unaccompanied Asylum Seeking/Refugee Children and Young People in Wales' (2011) developed by the Wales Strategic Migration Partnership (WSMP). In particular I welcome the inclusion of the principle that unaccompanied asylum seeking/refugee children and young people should be regarded as **children first and migrant second** and therefore entitled to assessment, support and protection in the same way as any other child. The Practice Guidance includes direction on the age assessment of children and young people.

#### Looking forward

— **I am calling on Welsh Government to monitor progress on the implementation of the new Practice Guidance on age assessments.**

## Youth work

Youth Work in Wales plays a significant role in the lives of many of the young people I meet on a daily basis. I also know that young people appreciate what the statutory and voluntary youth service has to offer and are often very positive about their experiences. I do however have some concerns that the move towards holistic family focused services may mean that older young people are left behind and I will be monitoring the impact of service reconfiguration.

I am also concerned that the current youth strategy in Wales has been due for update since 2010. I am aware that Welsh Government anticipates releasing an updated version for consultation in the coming months but I am concerned that there has been such a delay in the development of the updated strategy. Youth work in Wales plays an important role in supporting young people to understand their rights and in assisting them in realising these rights. I will be monitoring this development alongside progress due in relation to statutory guidance on the Youth Support Service, which is also overdue.

#### Looking forward

— **I am calling on Welsh Government to address the delay in progressing key guidance in this area and to address this through the provision of strategic lead documents which build on the excellent foundations of 'Extending Entitlement' in providing a rights based strategy in line with the UNCRC and to provide the youth work sector in Wales with the direction and support it needs.**



## Chwalu stereoteipiau

Eleni gwelwyd penllanw dwy flynedd o waith i greu ardal benodol ar-lein ar gyfer ein gwaith i hybu delweddau cadarnhaol o blant a phobl ifanc. Ymgyrch See Me I Dyma Fi yw fy ymgyrch gyhoeddus gyntaf, a'i nod yw chwalu'r stereoteipiau negyddol sy'n amgylchynu ein plant a'n pobl ifanc trwy wneud y canlynol:

- grymuso plant a phobl ifanc i ddylanwadu ar agenda'r newyddion
- rhoi help a chynghor ynghylch sut mae herio cynrychioliadau geiriol a/neu weledol negyddol o blant a phobl ifanc trwy gyfrwng canllawiau newydd a chronfa o ddelweddau heb freindal; a
- symbylu dylanwadwyr allweddol – newyddiadurwyr (hen a newydd), gwleidyddion (lleol a chenedlaethol), swyddogion y wasg a chyrff anlywodraethol allweddol – i gefnogi'r agenda.

Mae gwefan yr ymgyrch – [www.seemedymafi.org.uk](http://www.seemedymafi.org.uk) – yn cynnwys canllawiau newydd ar lunio adroddiadau a ddatblygwyd gyda phobl ifanc ar gyfer swyddogion y wasg a newyddiadurwyr. Bydd hefyd oriel o ddelweddau di-freindal y gall cyhoeddiadau a sefydliadau eu defnyddio. Hefyd ar y wefan bydd ardal benodol ar gyfer rhannu hanesion newyddion cadarnhaol am blant a phobl ifanc – bydd yn golygu bod modd iddyn nhw lwytho i fyny storïau, fideos a lluniau am eu llwyddiannau.

Gan gydnabod bod chwalu stereoteipiau yn waith aruthrol, rwyf wedi ymrwmo i harneisio cefnogaeth pobl eraill a gweithio mewn partneriaeth â chyrff a sefydliadau allweddol, gan gynnwys Llywodraeth Cymru, i arwain y ffordd wrth hybu delweddau cadarnhaol o blant a phobl ifanc.

## Nod 6: Bod â chartref a chymuned diogel

### Cyfiawnder ieuencid

Fy marn i...

**Dylid gweld plant a phobl ifanc yn y system cyfiawnder ieuencid fel plant yn gyntaf, ac yn droseddwr yn ail.**

Edrych yn ôl

Yn adroddiad blynyddol y llynedd fe nodais bryderon ynghylch y defnydd o gystodaeth a thystiolaeth, er bod lefelau cystodaeth yn dal i ostwng, bod y niferoedd yn dal heb fod yn llai na'r lefelau a welwyd yn hwyr yn y 1990au. Rwy'n falch o weld gostyngiad pellach yng nghyfraddau cystodaeth pobl ifanc, 30% yn llai rhwng 2010/11 a 2011/12. Rwy'n gobeithio gweld y gostyngiad hwn yn nifer y pobl ifanc sy'n cael eu carcharu yn parhau. Fodd bynnag, rwy'n ymwybodol o bryderon y gallai'r gostyngiad yn niferoedd y pobl ifanc sy'n mynd i'r llys, wedi ei gyfuno â chau rhai llysoedd ac eisteddiadau llai aml, fod yn effeithio ar y garfan o ynadon sydd yn gallu delio'n fedrus ag achosion ieuencid.

Gelwais hefyd y llynedd am gynnal a chryfhau gwasanaethau ataliol. Rwy'n ymwybodol bod timau trosedd ieuencid yn dal i bryderu am effeithiau posib unrhyw newidiadau i'r Gronfa Cymunedau Mwy Diogel ar y gallu i ddarparu gweithgareddau dargyfeiriol ac ataliol. Mae Llywodraeth Cymru ar hyn o bryd yn ymgynghori ar y posibilrwydd o gyflwyno Bil Atal Trosedd ieuencid (Cymru), ymrwymiad a wnaed yn Rhaglen y Llywodraeth. Byddai tri nod allweddol i'r Bil arfaethedig, yn cynnwys lleihau nifer y plant a'r pobl ifanc sy'n dod yn rhan o'r system cyfiawnder ieuencid. Mae'r Bil arfaethedig hefyd yn ceisio darparu gwell cefnogaeth i blant a phobl ifanc yn y system cyfiawnder ieuencid, cryfhau atebolrwydd a chydweithrediad partneriaethau lleol a rhanbarthol yn eu cefnogaeth i bobl ifanc tra bônt yn y system cyfiawnder ieuencid a darparu gwell gwasanaethau cefnogaeth, ôl-ofal ac ail-integreiddio ar gyfer plant a phobl ifanc yn dilyn dedfryd gymunedol neu garchariad. Rwy'n croesawu nodau'r Bil arfaethedig, ac yn gobeithio y gallai fod yn offeryn i wella profiadau a deilliannau'r grŵp hwn o bobl ifanc, sydd mor agored i niwed.

Yn adroddiad y llynedd, soniais am y gwaith roedd fy swyddfa'n ei wneud gyda phartneriaid i ddatblygu offerynnau a phrosesau ar gyfer mewnosod cyfranogiad a llais plant a phobl ifanc sydd mewn cysylltiad â'r system cyfiawnder ieuencid i wasanaethau. Mae llyfryn o'r enw 'It's my Order' bellach wedi cael ei gyhoeddi ar gyfer pobl ifanc sy'n dod yn rhan o'r system cyfiawnder ieuencid am y tro cyntaf. Datblygwyd y llyfryn gan yr Uned Cyfranogiad, ar y cyd ag ystod o asiantaethau, gan gynnwys fy Swyddfa, a chyda chymorth pobl ifanc a fu'n ymwneud â'r system cyfiawnder ieuencid yng Nghymru yn 2011.

Rwy'n falch nad yw'r cynigion i Weinyddiaeth Gyfiawnder y DU lyncu'r cyfrifoldeb am gyfiawnder ieuencid wedi'u gwireddu, a bod y Bwrdd Cyfiawnder ieuencid wedi cael ei gadw. Rwy'n ymwybodol bod Llywodraeth Cymru a'r Bwrdd Cyfiawnder ieuencid yng Nghymru yn cydweithio'n agos iawn. Rwy'n gresynu at y ffaith bod ansicrwydd ynghylch dyfodol y Bwrdd Cyfiawnder ieuencid yn ystod y 12 mis diwethaf yn golygu nad oes gan Gymru ar hyn o bryd gynllun gweithredu ar gyfer cyflawni Strategaeth Trosedd ieuencid Cymru Gyfan ar gyfer y cyfnod cyfredol. Rwy'n gwerthfawrogi bod angen gwneud penderfyniadau ynghylch dyfodol Bil arfaethedig Atal Trosedd ieuencid (Cymru) cyn y gellir ffurfioli sbardun strategol newydd ar gyfer gweithredu yn y maes hwn. Fodd bynnag, byddwn yn rhoi anogaeth bendant i sicrhau bod unrhyw strategaeth a/neu gynllun gweithredu newydd yn ymgorffori egwyddorion presennol dull seiliedig ar hawliau oddi mewn i fframwaith CCUHP, ac yn cadw egwyddor bwysig plant yn gyntaf, troseddwr yn ail.

Testun pryder arbennig i mi eleni fu materion yn ymwneud â diwallu anghenion iechyd meddwl plant a phobl ifanc sy'n ymwneud â'r system cyfiawnder ieuencid. Cyhoeddodd y Pwyllgor Cymunedau a Diwylliant ei adroddiad ar brofiadau plant a phobl ifanc o Gymru yn yr ystâd gaeth ym mis Chwefror 2010, a chyflwynodd y Pwyllgor nifer o argymhellion (15,16,17) ynghylch darpariaeth iechyd meddwl yn adroddiad eu hymchwiliad. Derbyniwyd pob un o'r argymhellion hyn mewn egwyddor gan Llywodraeth

## Smashing the stereotypes

This year saw the culmination of two years' work to create a dedicated online area for our work on promoting positive images of children and young people. The See Me I Dyma Fi campaign is my first public campaign and aims to smash the negative stereotypes surrounding our children and young people by:

- empowering children and young people to influence the news agenda
- providing help and advice on how to challenge negative verbal and/or visual representations of children and young people via new guidelines and a royalty-free image bank; and
- motivating key influencers - journalists (new and existing), politicians (local and national), press officers and key non-governmental organisations – to support the agenda.

The campaign's website – [www.seemedymafi.org.uk](http://www.seemedymafi.org.uk) – houses new reporting guidelines developed with young people for press officers and journalists. There will also be a gallery of royalty-free images for publications and organisations to use. Also housed on the website will be a dedicated area to share positive news stories about children and young people – it will allow them to upload stories, videos and pictures about their successes.

Acknowledging that smashing the stereotypes is a huge undertaking, I have committed to harness the support of others and work in partnership with key organisations and establishments, including Welsh Government, to lead the way in promoting positive images of children and young people.

## Aim 6: Have a safe home and community

### Youth justice

What I think...

**Children and young people in the youth justice system should be seen as children first, offenders second.**

Looking back

In last year's annual report I set out concerns in relation to the use of custody and evidence that despite a continued decrease in custody levels numbers were still only at the levels seen in the late 1990s. I am pleased that there has been a further reduction in custody rates for young people with a reduction of 30% between 2010/11 and 2011/12. I hope to see this decrease in the incarceration of young people continue. However I am aware of concerns that the decreased numbers of young people going through the courts combined with the closure of some courts and less frequent sittings may be impacting on the cohort of magistrates skilled in dealing with youth cases.

I also called last year for preventative services to be maintained and strengthened. I am aware that youth offending teams are still concerned about the possible impacts of any changes to the Safer Communities Fund on capacity to provide diversionary and preventative activities. Welsh Government is currently consulting on the potential to introduce a Prevention of Youth Offending (Wales) Bill, a commitment included in the Programme for Government. The proposed Bill has three key aims including reduction in the number of children and young people entering the youth justice system. The proposed Bill also seeks to provide better support for children and young people in the youth justice system, to strengthen the accountability and co-operation of local and regional partnerships in their support for young people while they are in the youth justice system and to provide better support, aftercare and re-integration services for children and young people after a community or custodial sentence. I welcome the aims of the proposed Bill and hope that it might provide a vehicle to improve the experiences and outcomes of this vulnerable group of young people.

In last year's report I set out the work my office was undertaking with partners to develop tools and processes for embedding participation and the voice of children and young people in contact with youth justice system into services. A booklet entitled 'It's my Order' has now been published for young people entering the youth justice system for the first time. The booklet was developed by the Participation Unit, working with a range of agencies, including my Office, and with the assistance of young people involved in the youth justice system in Wales in 2011.

I am pleased that the proposals to absorb responsibility for youth justice into the UK Ministry of Justice have not come to fruition and that the Youth Justice Board has been retained. I am aware that Welsh Government and the Youth Justice Board in Wales are working very closely together. I regret that uncertainty about the future of the Youth Justice Board over the past 12 months means that Wales is currently without an action plan to deliver on the All Wales Youth Offending Strategy for the current period. I appreciate decisions about the future of the proposed Prevention of Youth Offending (Wales) Bill need to be made before a new strategic driver for action in this area can be formalised. However I would strongly urge that any new strategy and/or action plan incorporates the existing principles of a rights based approach within a UNCRC framework and retains the important principal of children first, offenders second.

Of particular concern for me this year has been issues relating to meeting the mental health needs of children and young people involved with the youth justice system. The Communities and Culture Committee published its report on the experiences of Welsh children and young people in the secure estate in February 2010 and the Committee made a number of recommendations (15,16,17) in relation to mental health provision in their inquiry report. Each of these recommendations was accepted in principle by Welsh Government. An update on the progress made against the recommendations was issued in March 2011 and although the update sets out constraints on action as a result of current budget restrictions

Cymru. Cyflwynwyd diweddariad ar y cynnydd a wnaed yn erbyn yr argymhellion ym mis Mawrth 2011, ac er bod y diweddariad yn nodi cyfyngiadau ar weithredu o ganlyniad i gyfyngiadau cyllidebol ar hyn o bryd, amlinellir datblygiadau yng nghyswllt Argymhellion 15, 16 ac 17.

Fodd bynnag, bron 12 mis wedi cyhoeddi'r diweddariad deuydd â phryderon newydd at fy sylw ynghylch hen broblemau cyfarwydd o ran y ddarpariaeth iechyd meddwl i bobl ifanc yn y system cyfiawnder ieuencid. Ar y sail hon gofynnais i randdeiliaid allweddol o'r system cyfiawnder ieuencid, yr ystâd gaeth, CAMHS a Llywodraeth Cymru gwrrdd â mi i drafod y materion a cheisio canfod ffordd ymlaen. Roeddwn yn falch iawn bod y cyfarfod wedi darparu llwyfan i ddod â chydweithwyr o gyfiawnder ieuencid a CAMHS at ei gilydd i ystyried rhwystrau i gynnydd ac i amlygu enghreifftiau o lwyddiant. Fodd bynnag, fe'm trawyd gan y ffaith mai dyma oedd y tro cyntaf i'r rhanddeiliaid allweddol hyn ddod at ei gilydd fel hyn. Rwy'n gobeithio y bydd y datblygiadau yn sgil y Mesur Iechyd Meddwl (2011) a chyflwyno'r Bil Atal Troseddau Ieuencid arfaethedig yn gyfle i fynd i'r afael o'r diwedd â materion parhaus ynghylch anghenion iechyd meddwl pobl ifanc yn y system cyfiawnder ieuencid.

#### Edrych ymlaen

— **Rwy'n galw ar Lywodraeth Cymru i gadw egwyddor plant yn gyntaf, troseddwr yn ail, a fframwaith CCUHP cadarn yn y strategaeth newydd ar gyfer cyfiawnder ieuencid yng Nghymru ac yn y Bil Atal Troseddau Ieuencid (Cymru) arfaethedig.**

— **Rwy'n galw ar Lywodraeth Cymru, byrddau iechyd lleol a phawb sy'n cynllunio ac yn darparu yn y system cyfiawnder ieuencid i gydweithio er mwyn sicrhau bod rhwystrau i weithio integredig yn cael eu goresgyn, a chwilio am dystiolaeth o lwyddiannau er mwyn diwallu anghenion iechyd meddwl pobl ifanc sydd mewn cysylltiad â'r system cyfiawnder ieuencid.**

## Digartrefedd

Nodaf gyda phryder duedd gyffredinol o gynnydd yn niferoedd y teuluoedd a dderbyniwyd fel rhai digartref ers diwedd 2009. Rwy'n deall y gallai cymariaethau diweddar yn y cyfryngau, yn awgrymu bod y cynnydd yn arbennig o uchel yng Nghymru, fod yn gamarweiniol, gan nad yw cymhariaeth uniongyrchol â rhanbarthau Lloegr yn rhoi sylw i'r gwahaniaethau yn y dull o ymdrin â cheisiadau digartrefedd yng Nghymru. Fodd bynnag, mae'r ffigurau diweddaraf sydd ar gael (ar gyfer Hydref – Rhagfyr 2011) yn nodi cynnydd yn y teuluoedd sydd mewn llefydros dro, ac rwy'n pryderu'n arbennig bod 9% o'r teuluoedd hynny'n cynnwys plant. Mae nifer o sefydliadau wedi rhagweld bod newidiadau i'r system budd-daliadau tai sy'n cael eu cyflwyno gan lywodraeth y DU yn debygol o gael effaith arbennig o negyddol ar unig rieni a phobl ifanc sy'n byw'n annibynnol.

Mae Llywodraeth Cymru yn cymryd camau cynnar yn y broses o baratoi Bil Tai (Cymru) a chyflwynwyd dogfen ymgynghorol rhag-ddeddfwriaethol ym mis Rhagfyr 2011. Mae'r ddogfen yn nodi'n glir yr heriau y mae angen ymateb iddynt. Fodd bynnag, ni fydd cynigion ar gyfer y ddeddfwriaeth yn cael eu cyhoeddi tan wanwyn 2013.

#### Edrych ymlaen

— **Annogaf Llywodraeth Cymru ac awdurdodau lleol i gymryd camau i leddfu effaith y newidiadau i fudd-daliadau ym mha fodd bynnag y gallant, ac i ymateb i anghenion teuluoedd sydd â phlant dibynnol a phobl ifanc agored i niwed fel mater o flaenoriaeth. Byddaf yn cadw llygad manwl ar y mater hwn, ac yn casglu unrhyw dystiolaeth a ddaw i'm swyddfa yng nghyswllt materion digartrefedd.**

## Hylendid bwyd

Eleni gwelwyd Llywodraeth Cymru yn ymgynghori ar gynigion ar gyfer Bil Sgorio Hylendid Bwyd (Cymru). Mae'r gwaith i ddatblygu'r fframwaith deddfwriaethol ar hylendid bwyd yn adeiladu ar waith cychwynnol adroddiad yr Athro Pennington yn 2009, yn dilyn yr achosion o E.Coli O157 yn ne Cymru.

Bydd y Bil drafft yn gofyn bod busnesau bwyd yn arddangos eu sgoriau hylendid bwyd mewn man amlwg, fel bod cwsmeriaid yn gallu eu gweld yn hawdd. Er fy mod yn croesawu'r cynnig hwn, rwyf am weld hefyd bod yr adroddiadau safonau bwyd ar gael i'r cyhoedd, fel bod y broses yn dryloyw, ac fel bod rhieni, gofawyr a phlant a phobl ifanc yn gallu gweld a deall ar ba sail y rhoddwyd y sgôr. Mae darparu mwy o wybodaeth i gwsmeriaid mewn mannau sy'n gweini bwyd i grwpiau agored i niwed, megis ysgolion, meithrinfeydd, cylchoedd chwarae, cartrefi gofal ac ysbytai, yn arbennig o bwysig.

developments are outlined in relation to Recommendations 15, 16 and 17. However, nearly 12 months on from the publication of the update fresh concerns about well rehearsed problems in mental health provision for young people in the youth justice system were brought to my attention. On this basis I asked key stakeholders from the youth justice system, the secure estate, CAMHS and Welsh Government to meet with me to discuss the issues and to try and identify a way forward. I was very pleased that the meeting provided a platform to bring colleagues from youth justice and CAMHS together to consider barriers to progress and to highlight examples of where things are working well. However I was struck by the fact that this was the first time these key stakeholders had been brought together in this way. I hope that the developments resulting from the Mental Health Measure (2011) and the introduction of the proposed Prevention of Youth Offending Bill will provide an opportunity for on-going issues relating to the mental health needs of young people in the youth justice system to finally be tackled.

#### Looking forward

— **I am calling on Welsh Government to retain the principle of children first, offenders second and a strong UNCRC framework in the new strategy for youth justice in Wales and in the proposed Prevention of Youth Offending (Wales) Bill.**

— **I am calling on Welsh Government, local health boards and those planning and providing services within the youth justice system to work together to ensure that barriers to integrated working are overcome, and to look to evidence of where things are working well in order to meet the mental health needs of young people in contact with the youth justice system.**

## Homelessness

I note with concern a general trend of increasing numbers of households accepted as homeless since the end of 2009. I understand that recent comparisons in the media suggesting rates of increase are particularly high in Wales may be misleading as a direct comparison with the English regions does not take account of differences in the way homelessness applications are dealt with in Wales. However the latest figures available (for October to December 2011) report an increase in the households in temporary accommodation and I am particularly concerned that 9% of these households contain children. Several organisations have forecast that changes to the housing benefit system being introduced by the UK Government are likely to impact particularly negatively on lone parents and young people living independently.

Welsh Government is in the early stages of preparing the Housing (Wales) Bill and a pre-legislative consultation document was issued in December 2011. The document clearly sets out the challenges that need to be met. However proposals for legislation will not be published until spring 2013.

#### Looking forward

— **I would urge Welsh Government and local authorities to take measures to mitigate the impact of benefit changes in what ever way they can and to respond to the needs of families with dependent children and vulnerable young people as a matter of priority. I will be maintaining a watching brief on this issue and will gather any evidence that comes to my office in relation to homelessness issues.**

## Food hygiene

This year has seen the Welsh Government consult on proposals for a Food Hygiene Rating (Wales) Bill. The work on developing the legislative framework on food hygiene builds on the initial work of Professor Pennington's report in 2009 following the E.Coli O157 outbreak in south Wales.

The draft Bill will require food businesses to display their food hygiene rating in a prominent position so it can be easily seen by consumers. Whilst I welcome this proposal, I also want to see the food standard reports being accessible to members of the public so that the process is transparent and that parents, carers and children and young people can see and understand the basis for ratings. Providing more information to consumers where places serving food to vulnerable groups such as schools, nurseries, playgroups, care homes and hospital is especially important.



## Nod 7: Heb fod o dan anfantais oherwydd tlodi

### Tlodi Plant

Mae tlodi plant yn deillio o dlodi teuluoedd, ond nid yr un peth ydynt. Mae tlodi plant yn effeithio ar y cyfleoedd i blant a phobl ifanc wireddu eu hawliau. O'r herwydd, rhaid mabwysiadu dull seiliedig ar hawliau plant wrth fynd i'r afael â thlodi plant.

#### Edrych yn ôl

Yn fy adroddiad blynyddol diwethaf nodais fy siom ynghylch yr oedi wrth gyhoeddi'r Cynllun Cyflawni oedd i gyd-fynd â Strategaeth Tlodi Plant Llywodraeth Cymru (2011). Gelwais hefyd ar Lywodraeth Cymru i sicrhau bod gweithrediad y Strategaeth Tlodi Plant yn faes blaenoriaeth ar gyfer gweithredu.

Cyhoeddwyd Rhaglen y Llywodraeth ym mis Gorffennaf 2011, ac ymrwymwyd i gyhoeddi Cynllun Gweithredu i Fynd i'r Afael â Thlodi erbyn mis Mawrth 2012. Mae'r penderfyniad i integreiddio gweithredu ar dlodi plant i Gynllun Gweithredu cyffredinol ar Fynd i'r Afael â Thlodi, sy'n cwmpasu plant ac oedolion, yn destun pryder ynddo'i hun. Mabwysiadodd Drafft Ymgynghori'r Cynllun Cyflawni ar Dlodi Plant agwedd seiliedig ar hawliau plant, oddi mewn i fframwaith y 7 Nod Craidd. Rwyf wedi ceisio sicrwydd na cholli'r agwedd hon yn y Cynllun Gweithredu newydd cyffredinol ar Fynd i'r Afael â Thlodi. Ni chyflawnwyd ymrwymiad mis Mawrth 2012 i gyhoeddi Cynllun Gweithredu ar Fynd i'r Afael â Thlodi. Mae Llywodraeth Cymru wedi dweud y byddant yn cyhoeddi 'amlinelliad llawnach' o'r cynllun ym mis Mai 2012.

Dangosodd ymchwil a gyhoeddwyd gan Sefydliad Joseph Rowntree yn 2011 fod nifer y plant ar aelwydydd incwm isel wedi gostwng, o'i gymharu â 10 mlynedd yn ôl. Fodd bynnag, mae eu dadansoddiad hefyd yn awgrymu bod hanner y gwelliannau o ran y gyfradd tlodi plant wedi cael eu colli yn ystod y pum mlynedd diwethaf. Mae rhagamcanion y Sefydliad Astudiaethau Ariannol yn awgrymu y bydd newidiadau Llywodraeth y DU i'r system fudd-daliadau trwy'r Bil Diwygio Lles yn cael effaith ar lefel tlodi plant, ac er y bydd tlodi plant cymharol yn parhau'n sefydlog yn y tymor byr, bydd tlodi absoliwt yn cynyddu. Mae fy safbwynt i yn glir: nid dyma'r adeg i golli momentwm wrth ymdrin â thlodi plant yng Nghymru.

#### Edrych ymlaen

— **Rwy'n galw ar Lywodraeth Cymru i gyhoeddi ar frys Gynllun Gweithredu Mynd i'r Afael â Thlodi sy'n gosod camau gweithredu ar dlodi plant oddi mewn i fframwaith a seiliwyd ar hawliau plant.** Rhaid ymagweddau'n gadarn at asesu cyflymdra gweithredu'r cynllun hwn a'i effaith.

— **Rwy'n galw ar awdurdodau lleol i fabwysiadu agwedd glir, seiliedig ar hawliau plant, wrth gyflawni'r Ddyletswydd Tlodi Plant a geir ym Mesur Plant a Theuluoedd (Cymru) 2010, a chadw ffocws clir ar dlodi plant yn y strwythurau cynllunio a phartneriaeth newydd.** Rhaid i Lywodraeth Cymru alw awdurdodau lleol i gyfrif ynghylch gweithredu strategaethau tlodi plant lleol.

— **Byddaf yn cynhyrchu Strategaeth Tlodi Plant i gyfeirio gwaith fy swyddfa wrth gyfrannu at fynd i'r afael â thlodi plant yng Nghymru a chodi llais dros agwedd seiliedig ar hawliau plant wrth daclo tlodi plant yng Nghymru.**

### Diweddgllo

**Rwy'n credu fod fy swyddfa mewn sefyllfa dda i hybu a hwyluso newid i blant a phobl ifanc yng Nghymru. Fodd bynnag, allwn i ddim cyflawni fy ngwaith o ddydd i ddydd heb gefnogaeth fy nhim, ac rwy'n ddiolchgar i bawb ohonynt ar draws y ddwy swyddfa am eu cyfraniad a'u hymroddiad.**

Er gwaethaf y datblygiadau pwysig yn ystod y blynyddoedd diwethaf, nid yw rhai o'n plant mwyaf agored i niwed yn cael eu trin yn unol â'u haeddiant. Mae gan fy nhim a minnau rai nodau uchelgeisiol i'w cyrraedd erbyn 2015 os ydym am gyflawni newidiadau cadarnhaol, parhaol ym mywydau plant a phobl ifanc ledled Cymru. Dyma nodyn i'ch atgoffa am y pethau rydym am eu cyflawni:

— **Cynyddu dealltwriaeth o hawliau plant a phobl ifanc a rôl Comisiynydd Plant Cymru**  
**Fel bod... gan blant, pobl ifanc ac oedolion well dealltwriaeth o'u hawliau a sut gall y Comisiynydd helpu os na allan nhw dderbyn eu hawliau**

— **Lleihau anghydraddoldeb a chamwahaniaethu**  
**Fel bod... plant a phobl ifanc yn cael cyfle teg mewn bywyd**

— **Parhau i fod yn sefydliad perfformiad uchel, sy'n rhoi arweiniad i ysbrydoli eraill**  
**Fel bod... modd i ni weithio mewn partneriaeth i gyflwyno newidiadau cadarnhaol, parhaol i brofiadau a bywydau plant a phobl ifanc**

— **Sicrhau bod pawb yn darparu gwasanaethau effeithiol i blant a phobl ifanc**  
**Fel bod... plant a phobl ifanc yn cael eu hamddefnyddio, yn derbyn gwasanaethau a chefnogaeth, ac yn gallu bod yn rhan o benderfyniadau am eu bywydau**

— **Gwella agweddau tuag at blant a phobl ifanc**  
**Fel bod... pawb yn gosod gwerth ar blant a phobl ifanc**

— **Adeiladu sefydliad cryf, hyderus, gwydn, sy'n ysbrydoli**  
**Fel bod... ein staff yn gweithio'n effeithiol fel fîm i helpu i sicrhau bod plant a phobl ifanc yn flaenoriaeth genedlaethol.**

### Aim 7: Not disadvantaged by poverty

### Child Poverty

Child poverty results from family poverty but it is not the same as family poverty. Child poverty impacts on the opportunities for children and young people to realise their rights. As such, tackling child poverty must adopt a child's rights approach.

#### Looking back

In my last annual report I signalled my disappointment that publication of the Delivery Plan to accompany Welsh Government Child Poverty Strategy (2011) had been delayed. I also called on Welsh Government to ensure that implementation of the Child Poverty Strategy was a priority area for action.

The Programme for Government was published in July 2011 and set a commitment to the publication of a Tackling Poverty Action Plan by March 2012. The decision to integrate action on child poverty into an overarching Tackling Poverty Action Plan that covers children and adults is a concern in itself. The Consultation Draft Child Poverty Delivery Plan adopted a child's rights approach framed within the 7 Core Aims. I have sought assurances that this approach will not be lost in the new overarching Tackling Poverty Action Plan. The March 2012 commitment to publish a Tackling Poverty Action Plan has not been met. Welsh Government has stated that they will publish a 'fuller outline' of the plan in May 2012.

Research published by the Joseph Rowntree Foundation in 2011 demonstrated that compared to ten years ago the number of children in low-income households has fallen. However their analysis also suggests that half of the improvements in the child poverty rate have been lost in the last five years. Projections from the Institute for Fiscal Studies suggest that the UK Government's changes to the benefit system through the Welfare Reform Bill will impact on the level of child poverty and that in the short run relative child poverty will remain stable while absolute poverty will increase. My position is clear: this is not the time to lose momentum in addressing child poverty in Wales.

#### Looking forward

— **I am calling on Welsh Government to publish as a matter of urgency a Tackling Poverty Action Plan that frames actions on child poverty within a child rights based framework. There must be a robust approach to assessing the rate of implementation and impact of this plan.**

— **I am calling on local authorities to adopt a clear child rights approach in discharging the Child Poverty Duty contained in the Children and Families (Wales) Measure 2010 and to retain a clear focus on child poverty within new planning and partnership structures. Welsh Government must hold local authorities to account on the implementation of local child poverty strategies.**

— **I will produce a Child Poverty Strategy to direct the work of my office in contributing to tackling child poverty in Wales and speaking out for a child rights approach to tackling child poverty in Wales.**

### Conclusion

I believe that my office is well positioned to promote and facilitate change for children and young people in Wales. However I couldn't do what I do every day without the support of my team. I am grateful to them all who work across both offices for their contribution and commitment.

Whilst there have been significant developments over recent years, some of our most vulnerable children aren't being treated the way they deserve. For my team and I, we have some ambitious goals to reach by 2015 if we want to achieve positive and lasting changes in the lives of children and young people across Wales. Here's a reminder of what we want to do:

— **Increase understanding of children and young people's rights and the role of the Children's Commissioner for Wales**  
**So that... children, young people and adults have a better understanding of their rights and how the Commissioner can help if they can't access their rights**

— **Reduce inequality and discrimination**  
**So that... children and young people have a fair chance in life**

— **Continue to be a high-performing organisation, providing inspirational leadership to others**  
**So that... we can work in partnership to introduce positive and lasting differences to children and young people's lives and experiences**

— **Ensure effective service delivery by all for children and young people**  
**So that... children and young people are protected, are provided with services and support and are able to take part in decisions about their lives**

— **Improve attitudes towards children and young people**  
**So that... children and young people are valued by everyone**

— **Build a strong, confident, inspiring and resilient organisation**  
**So that... our staff work effectively as a team to help make sure children and young people are a national priority.**

# Cyfrifon Sylwadau'r Rheolwyr

## Accounts Management Commentary

Mae Comisiynydd Plant yn rhywun sy'n codi llais dros blant a phobl ifanc a'u hawliau ac yn helpu i gryfhau a gwella'r systemau sy'n bodoli i'w hamddiffyn a'u galluogi i gyflawni eu potensial. Bernir bod creu sefydliadau hawliau dynol annibynnol o'r fath ar gyfer plant mewn llawer o wledydd ar draws y byd yn angenrheidiol am y rhesymau canlynol:

- weithiau mae hawliau plant yn cael eu hanwybyddu, neu eu hanghofio;
- does dim pŵer economaidd a gwleidyddol gan blant;
- weithiau dyw plant ddim yn derbyn yr hyn sydd ei angen arnynt; ac
- weithiau mae plant mewn perygl.

A Children's Commissioner is someone who speaks up for children and young people and their rights and helps strengthen and improve the systems there to protect them and enable them to fulfil their potential. The establishment of such independent human rights institutions for children in many countries throughout the world is considered necessary because:

- sometimes children's rights are ignored, or forgotten about;
- children lack economic and political power;
- sometimes children don't get what they need; and
- sometimes children are at risk.



## Ar 1 Mawrth 2008, cychwynnodd Keith Towler yn ei swydd fel Comisiynydd newydd, wedi'i benodi gan Brif Weinidog Cynulliad Cenedlaethol Cymru ar ôl cael ei gyfweld gan blant, pobl ifanc ac oedolion.

Mae fîm o bobl yn gweithio gyda'r Comisiynydd Plant – yn Abertawe a Bae Colwyn – i'w helpu i wneud y canlynol:

- cefnogi plant a phobl ifanc i gasglu gwybodaeth am hawliau plant
- gwrandao ar blant a phobl ifanc i ddarganfod beth sy'n bwysig iddyn nhw
- cynghori plant, pobl ifanc a'r rhai sy'n gofalu amdanynt os byddant yn teimlo na allant droi at neb arall gyda'u problemau
- dylanwadu ar y llywodraeth a sefydliadau eraill sy'n dweud eu bod yn mynd i wneud gwahaniaeth i fywydau plant, gan sicrhau eu bod yn cadw eu haddewidion i blant a phobl ifanc
- codi llais dros blant a phobl ifanc yn genedlaethol ar faterion pwysig – bod yn bencampwr dros blant Cymru.

Mae'r Comisiynydd yn gweithio dros bob plentyn a pherson ifanc hyd at 18 oed sy'n byw yng Nghymru, neu sydd fel arfer yn byw yng Nghymru. Mae ganddo bŵer hefyd i weithredu ar ran pobl ifanc hŷn o dan rai amgylchiadau.

O dan y ddeddfwriaeth a sefydlodd Gomisiynydd Plant Cymru mae dyletswydd i wneud y canlynol:

- rhoi sylw i Gonfensiwn y CU ar Hawliau'r Plentyn (CCUHP) ym mhopeth mae ef a'i dîm yn ei wneud;
- gwneud yn siŵr bod plant a phobl ifanc yn gwybod ble mae ei swyddfeydd a sut mae cysylltu ag ef a'i dîm;
- annog plant i gysylltu ag ef a'r fîm;
- gofyn barn plant ar ei waith yn awr ac yn y dyfodol, a chaniatáu iddyn nhw ddylanwadu ar ei raglen waith; a
- gwneud yn siŵr ei fod e a'i staff yn mynd i gwrdd â phlant a phobl ifanc.

Nid yw'r gwaith wedi'i gyfyngu i faterion sydd fel arfer yn cael eu hystyried yn gysylltiedig â phlant, er enghraifft iechyd, addysg a gwasanaethau cymdeithasol. Mae cynllunio, trafniadaeth, yr amgylchedd, datblygu economaidd a materion gwledig hefyd yn rhan o gwmpas ei rôl.

Gall y Comisiynydd:

- adolygu effeithiau polisiâu, polisiâu arfaethedig, a darparu gwasanaethau i blant;
- archwilio'n fanylach achos plentyn neu blant penodol os yw'n ymwneud â mater sy'n gyffredinol berthnasol i fywydau plant yng Nghymru;
- gofyn bod asiantaethau neu bersonau sy'n gweithredu ar eu rhan yn darparu gwybodaeth, a gofyn bod tystion yn rhoi eu tystiolaeth dan lw; a
- darparu cyngor a chymorth i blant a phobl ifanc, ac i eraill sy'n pryderu am eu hawliau a'u lles.

Mae hefyd bŵer pwysig ychwanegol i ystyried a chyflwyno sylwadau i Gynulliad Cenedlaethol Cymru ynghylch unrhyw fater sy'n effeithio ar hawliau a lles plant yng Nghymru.

### Y Pwyllgor Archwilio

Mae Pwyllgor Archwilio'r Comisiynydd yn rhoi cyngor a sicrwydd ynghylch llywodraethu corfforaethol, rheoli risgiau a mesurau rheoli yn swyddfa'r Comisiynydd a digonoldeb y trefniadau archwilio mewnol ac allanol.

Mae'n cwrdd ddwywaith y flwyddyn o leiaf, ac yn cynnwys swyddogion uwch o Swyddfa'r Comisiynydd ac aelodau nad ydynt yn rhan o'r Weithrediaeth. Yn ystod y cyfnod dan sylw cynhaliwyd pedwar cyfarfod o'r Pwyllgor Archwilio. Aelodau'r Pwyllgor Archwilio yw:

- Wyn Mears – Ymgynghorydd Busnes a Chyn Gyfarwyddwr Cymdeithas y Cyfrifyddion Siartredig Ardystiedig;
- Ian Summers – Ymgynghorydd Cyllid a Llywodraethu i Gynulliad Cenedlaethol Cymru a Chyn Bartner yn Swyddfa Archwilio Cymru;
- Greta Thomas – Cyn Gyfarwyddwr yr NSPCC yng Nghymru; a
- Dr Iolo Doull - Pediaatregydd Resbiradol Ymgynghorol yn Ysbyty Prifysgol Cymru, Caerdydd

### Uwch swyddogion

Bu'r bobl ganlynol yn gwasanaethu fel Tim Rheoli yn ystod y flwyddyn:

- Keith Towler – Comisiynydd Plant Cymru;
- Eleri Thomas – Prif Swyddog Gweithredol a Dirprwy Gomisiynydd Plant;
- Tony Evans – Pennaeth y Gwasanaethau Corfforaethol;
- Andy Wallsgrove – Pennaeth Gweithrediadau;
- Sara Young – Swyddog Cyfathrebu; ac
- Amanda Evans – Swyddog Adnoddau Dynol.

### Ariannu

Mae Comisiynydd Plant Cymru yn annibynnol ar Lywodraeth Cymru, ond yn cael ei ariannu ganddi. Yn 2011-12 derbyniodd y Comisiynydd £1.749 miliwn (2010-11: £1.837 miliwn) i ariannu ei weithgareddau. Gostyngwyd cyllid y Comisiynydd Plant, a dderbyniwyd gan Lywodraeth Cymru, 5 y cant yn 2011-12.

### Fformat y cyfrifon

Paratowyd y datganiadau ariannol hyn yn unol â Pharagraff 7(2) Atodlen 2 o Ddeddf Safonau Gofal 2000 a'r Cyfarwyddyd Cyfrifon a gyflwynwyd gan Weinidogion Cymru. Mae copi o'r cyfarwyddyd hwnnw ar gael oddi wrth Bennaeth y Gwasanaethau Corfforaethol, Comisiynydd Plant Cymru, Tŷ Ystumllwynarth, Llys y Siarter, Ffordd Ffenics, Abertawe, SA7 9FS.

Paratowyd y cyfrifon hyn ar gyfer y cyfnod o 1 Ebrill 2011 tan 31 Mawrth 2012, ac maent yn adlewyrchu alldro asedau, rhwymedigaethau ac adnoddau'r Comisiynydd Plant. Paratowyd y datganiadau ariannol hyn yn unol â Llawlyfr Adroddiadau Ariannol y Llywodraeth (FReM) a gyflwynwyd gan Drysorlys EM. Mae'r polisiâu cyfrifo a geir yn yr FReM yn cymhwyso Safonau Cyfrifo Rhyngwladol (IFRS), fel y'u mabwysiadwyd neu y'u dehonglwyd ar gyfer cyd-destun y sector cyhoeddus.

### Canlyniadau ar gyfer y flwyddyn

Dengys y Datganiad o Wariant Net Cynhwysfawr wariant o £1.637 miliwn ar gyfer y cyfnod (2010-11: £1.688 miliwn). Y gweddill yn y gronfa gyffredinol ar ddiwedd y flwyddyn yw £368,000 (2010-11: £256,000).

Yn ystod 2011-12 newidiodd staff y Comisiynydd i 22.6 (cyfwerth amser llawn) o 24.5 (cyfwerth amser llawn) aelod o staff, sy'n cynnwys gweithwyr llawn amser a rhan amser. Y rheswm am y newid yn niferoedd y staff oedd bod y trefniadau recriwtio wedi cael eu rhewi yn ystod y cyfnod dan sylw.

## On 1st March 2008, Keith Towler took up his post as the new Commissioner, having been appointed by the First Minister of the National Assembly for Wales after being interviewed by children, young people and adults.

There's a team of people who work with the Children's Commissioner – in Swansea and Colwyn Bay – to help him:

- support children and young people to find out about children's rights
- listen to children and young people to find out what's important to them
- advise children, young people and those who care for them if they feel they've got nowhere else to go with their problems
- influence government and other organisations who say they're going to make a difference to children's lives, making sure they keep their promises to children and young people
- speak up for children and young people nationally on important issues – being the children's champion in Wales.

The Commissioner works for every child and young person up to the age of 18 who live in Wales, or who normally live in Wales. He also has the power to act on behalf of older young people under certain circumstances.

Under the legislation that established the Children's Commissioner for Wales there is a duty to:

- have regard to the UN Convention on the Rights of the Child (UNCRC) in everything he and his team do;
- make sure that children and young people know where his offices are and how to contact him and his team;
- encourage children to contact him and the team;
- ask children what they think about his work and future work, and allow them to influence the work programme; and
- make sure that he and his staff go and meet children and young people.

The work isn't confined to what are usually considered to be children's issues, like health, education and social services. Planning, transport, the environment, economic development and rural affairs also fall within the scope of the role.

The Commissioner can:

- review the effects of policies, proposed policies and the delivery of services to children;
- examine in more depth the case of a particular child or children if it involves an issue that has a general application to the lives of children in Wales;
- require information from agencies or persons acting on their behalf, and require witnesses to give evidence on oath; and
- provide advice and assistance to children and young people, and others concerned about their rights and welfare.

There is also an important additional power to consider and make representations to the National Assembly for Wales about any matter affecting the rights and welfare of children in Wales.

### Audit Committee

The Commissioner's Audit Committee provides advice and assurance in respect of corporate governance, risk management and control within the Commissioner's office and the adequacy of the internal and external audit arrangements.

It meets at least bi-annually and is made-up of senior officials of the Commissioner's Office and Non-Executive members. During the period there were four meetings of the Audit Committee. The members of the Audit Committee are:

- Wyn Mears – Business Consultant and Former Director of the Association of Certified Chartered Accountants;
- Ian Summers – Finance and Governance Advisor to the National Assembly for Wales and Former Partner of the Wales Audit Office;
- Greta Thomas – Former Director of NSPCC in Wales; and
- Dr Iolo Doull – Consultant Respiratory Paediatrician at the University Hospital of Wales, Cardiff

### Senior Officers

The following persons served as the Management Team during the year:

- Keith Towler - Children's Commissioner for Wales;
- Eleri Thomas – Chief Executive Officer and Deputy Children's Commissioner;
- Tony Evans - Head of Corporate Services;
- Andy Wallsgrove – Head of Operations;
- Sara Young – Communications Officer; and
- Amanda Evans – Human Resources Officer.

### Funding

The Children's Commissioner for Wales is independent of, but funded by the Welsh Government. In 2011-12 the Commissioner received £1.749 million (2010-11: £1.837 million) to fund his activities. The Children's Commissioner's funding, received from the Welsh Government, was reduced in 2011-12 by 5 percent.

### Format of the Accounts

These financial statements have been prepared in accordance with Paragraph 7(2) Schedule 2 of the Care Standards Act 2000 and the Accounts Direction issued by Welsh Ministers. A copy of that direction can be obtained from the Head of Corporate Services, Children's Commissioner for Wales, Oystermouth House, Charter Court, Phoenix Way, Swansea, SA7 9FS.

These accounts have been prepared for the period from 1st April 2011 to 31st March 2012 and reflect the assets, liabilities and resource outturn of the Children's Commissioner. These financial statements have been prepared in accordance with the Governments Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Accounting Standards (IFRS) as adopted or interpreted for the public sector context.

### Results for the Year

The Statement of Comprehensive Net Expenditure shows expenditure, for the period, of £1.637 million (2010-11: £1.688 million). The general fund balance as at the year-end is £368,000 (2010-11: £256,000).

During 2011-12 the Commissioner's staff changed to 22.6 (whole time equivalent) from 24.5 (whole time equivalent) members of staff, which includes full time and part time employees. The change in staff numbers was due to the introduction of a recruitment freeze in the period.

## Ymgynghori â'r Staff

Mae'r Comisiynydd yn ymgynghori'n rheolaidd â'i staff ynghylch newidiadau pwysig i'r sefydliad. Cyflawnir hyn mewn sawl modd, yn cynnwys cyfarfodydd staff, arolygon a'r fewnrwyd. Mae'r Comisiynydd hefyd wedi sefydlu Gweithgor Polisi Cyflogaeth i adolygu'r holl bolisiau a gweithdrefnau cyflogaeth mewnol er mwyn sicrhau eu bod yn cydymffurfio â'r gofynion deddfwriaethol ac arfer gorau.

## Hyfforddiant

Mae'r Comisiynydd yn parhau i fuddsoddi mewn darparu cyfleoedd datblygu a hyfforddi ar gyfer y staff. Mae'r swyddfa hefyd yn cynnal pedwar diwrnod dysgu a datblygu blynyddol ar gyfer yr holl staff, yn trafod pynciau megis Cyfranogiad a Diogelu.

## Absenoldeb staff

Yn ystod 2011-12 cyfradd yr absenoldeb salwch yn swyddfa'r Comisiynydd oedd 7.5 y cant (2010-11: 3.97 y cant), wedi'i seilio ar ganran o gyfanswm y diwrnodau gwaith oedd ar gael.

## Cynaliadwyedd Amgylcheddol

Yn 2009/10, gofynnodd y Comisiynydd i'w archwilywyr mewnol, RSM Tenon, gynnal archwiliad cynaliadwyedd. Ar ôl cwblhau'r archwiliad, cyflwynwyd nifer o argymhellion a gafodd eu hystyried gan Dîm Rheoli'r Comisiynydd. Un o'r argymhellion oedd cwblhau Cynllun Gweithredu Cynaliadwyedd. Sefydlodd y Comisiynydd weithgor i helpu i ddatblygu'r Cynllun Gweithredu Cynaliadwyedd. Fel rhan o'u gwaith mae'r gr p hwnnw wedi bod yn trafod gyda sefydliadau allanol, er mwyn cael cymorth i ddatblygu'r cynllun, er enghraifft, yr Ymddiriedolaeth Garbon, y Ddraig Werdd a'r fenter Eco-Ysgolion.

**Mae'r Comisiynydd yn ymroddedig i leiafu effaith ei Swyddfa ar yr amgylchedd lle bynnag y bo modd, ac mae'n ceisio lleihau'r effaith honno trwy gymryd y camau canlynol:**

— **Deunydd ysgrifennu ac adnoddau swyddfa:** anogir y staff i gyfyngu gymaint â phosib ar eu defnydd o nwyddau traul y swyddfa;

— **Teithio:** lle bo hynny'n ymarferol, mae swyddogion yn defnyddio cludiant cyhoeddus. Ar ben hynny, cynhelir cyfarfodydd trwy ddefnyddio fideo-gynadledda lle bynnag y bo modd;

— **Ynni:** mae'r Comisiynydd yn annog pob aelod o staff i fod yn ymwybodol o ynni ac i ystyried ffyrdd o leihau eu hól-troed carbon; a

— **Gwaredu Gwastraff:** mae'r Comisiynydd yn ymroddedig i ailgylchu pob gwastraff, yn amodol ar gyfyngiadau allanol.

## Penodi uwch swyddogion

Penodwyd Keith Towler yn Gomisiynydd Plant Cymru o 1 Mawrth 2008. Cychwynnodd yr uwch swyddogion eraill ar eu penodiadau rhwng Mai 2006 a Thachwedd 2009, ac fe'u penodwyd gan y Comisiynydd o dan Atodlen 2 paragraff 4 o Ddeddf Safonau Gofal 2000.

## Cyfle cyfartal

Ystyrir pob cais am gyflogaeth gyda Chomisiynydd Plant Cymru ar y sail y dylai pob ymgeisydd am swydd gael cyfle cyfartal am gyflogaeth a dyrchafiad ar sail eu gallu, eu cymwysterau a'u haddasrwydd ar gyfer y gwaith.

Ni ddylai unrhyw ymgeisydd am swydd na gweithiwr dderbyn triniaeth lai ffafriol ar sail hil, lliw, rhyw, tueddfryd rhywiol, oedran, statws priodasol, anabledd, crefydd, cyfrifoldebau teuluol/domestig na phatrymau gwaith, ac ni ddylai unrhyw unigolyn gael ei roi dan anfantaes chwaith gan amodau na gofynion na ellir eu cyfiawnhau.

Eleni cyhoeddwyd Cynllun Gweithredu'r Comisiynydd ar Gydraddoldeb – ar 1 Ebrill 2012 – ac mae copi ohono ar gael ar y wefan.

## Polisi Taliadau

O dan Ddeddf Talu Dyledion Masnachol (Llog) yn Hwyr 1998, mae gofyn bod Comisiynydd Plant Cymru'n talu anfonebau cyflenwyr na ddadleuir yn eu cylch o fewn 30 diwrnod i dderbyn nwyddau neu wasanaethau neu anfoneb ddilys, p'un bynnag sydd hwyr. Yn achos 2011-12 cyflawnodd Comisiynydd Plant Cymru 99.5 y cant (98.6 y cant yn 2010-11) o'r holl daliadau o'r fath a wnaed yn ystod y cyfnod. Ni thalwyd llog yng nghyswllt taliadau hwyr.

## Archwilywyr

Caiff cyfrifon Comisiynydd Plant Cymru eu harchwilio a'u hardystio gan Archwilydd Cyffredinol Cymru yn unol â pharagraff 9 o Atodlen 2 i Ddeddf Safonau Gofal 2000 (Nodyn 8).

Mae RSM Tenon yn darparu gwasanaethau archwilio mewnol ar gyfer y Comisiynydd.

Yn ystod y cyfnod ni thalwyd unrhyw gydnabyddiaeth i'r archwilywyr am waith heblaw archwilio.

## Datgelu gwybodaeth i'r Archwilywyr

Mor bell ag y mae Swyddfa'r Comisiynydd yn ymwybodol, nid oes gwybodaeth archwilio nad yw'r archwilywyr yn ymwybodol ohoni; ac mae'r Swyddfa wedi cymryd pob cam y dylasai ei gymryd er mwyn bod yn ymwybodol o unrhyw wybodaeth archwilio berthnasol ac i sicrhau bod yr archwilywyr yn ymwybodol o'r wybodaeth honno.

## Digwyddiadau Cysylltiedig â Data Personol

O fewn y flwyddyn ariannol, nid adroddwyd am ddigwyddiadau cysylltiedig â data personol. Mae'r Comisiynydd yn cynnal polisi a gweithdrefnau diogelu gwybodaeth sy'n sicrhau y cyfyngir gymaint â phosib ar ddigwyddiadau cysylltiedig â data personol.

## Digwyddiadau ers diwedd y flwyddyn ariannol

Ni fu unrhyw ddigwyddiadau ers dyddiad y fantolen sy'n effeithio ar ddealltwriaeth o'r datganiadau ariannol hyn.

## Staff Consultation

The Commissioner regularly consults with staff on major changes to the organisation. This is achieved through a variety of methods which includes staff meetings, surveys and the intranet. The Commissioner has also established an Employment Policy Working Group to review all internal employment policies and procedures to ensure they comply with legislative requirements and best practice.

## Training

The Commissioner continues to invest in the provision of development and training opportunities for staff. The office also has four annual all staff learning and development days, covering topics, for example, on Participation and Safeguarding.

## Staff Absences

During 2011-12 the sickness absence rate within the Commissioner's office was 7.5 percent (2010-11 3.97 percent), based as a percentage of the total available working days.

## Environmental Sustainability

In 2009/10, the Commissioner asked his internal auditors, RSM Tenon, to undertake a sustainability audit. Following the completion of the audit a number of recommendations were made which were considered by the Commissioner's Management Team. One of the recommendations was the completion of a Sustainability Action Plan. The Commissioner established a working group to help develop the Sustainability Action Plan. As part of their work the group has been in discussions with external organisations to help in the development of the plan, for example, the Carbon Trust, Green Dragon and the Eco-Schools initiative.

**The Commissioner is committed to minimising his Office's impact on the environment wherever possible and seeks to reduce its impact via the following steps:**

— **Stationery and office resources:** staff are encouraged to minimise their use of office consumables whenever possible;

— **Travel:** where practical, public transport is used by officers. In addition, meetings are held using video conferencing wherever possible;

— **Energy:** the Commissioner encourages all staff be energy conscious and consider ways of reducing their carbon footprint; and

— **Waste disposal:** the Commissioner is committed to recycling all waste, subject to external restrictions.

## Senior Official Appointments

Keith Towler was appointed as Children's Commissioner for Wales with effect from 1st March 2008. The remaining senior officers took up appointments between May 2006 and November 2009 and were appointed by the Commissioner under Schedule 2 paragraph 4 of The Care Standards Act 2000.

## Equal Opportunities

All applications for employment with the Children's Commissioner for Wales are considered on the grounds that all job applicants should have equal opportunity for employment and advancement on the basis of their ability, qualifications and suitability for the work.

No job applicant or employee should receive less favourable treatment on grounds of race, colour, sex, sexual orientation, age, marital status, disability, religion, family/domestic responsibilities or working patterns, nor should any individual be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

This year saw the publication of the Commissioner's Equality Action Plan – on 1 April 2012 – a copy of which can be obtained from the website.

## Payment Policy

Under the Late Payment of Commercial Debts (Interest) Act 1998, the Children's Commissioner for Wales is required to pay suppliers' invoices not in dispute within 30 days of receipt of goods or services or valid invoice, whichever is the later. For 2011-12 the Children's Commissioner for Wales achieved 99.5 percent (98.6 percent in 2010-11) of all such payments made during the period. No interest was paid in respect of late payments.

## Auditors

The Children's Commissioner for Wales' accounts are examined and certified by the Auditor General for Wales in accordance with paragraph 9 of Schedule 2 to the Care Standards Act 2000 (Note 8).

RSM Tenon provides internal audit services for the Commissioner.

During the period no remuneration was paid to the auditors for non-audit work.

## Disclosure of Information to the Auditors

So far as the Commissioner's Office is aware, there is no audit information of which the auditors are unaware; and the Office has taken all the steps that it ought to have taken to make itself aware of any relevant audit information and to establish that the auditors are aware of that information.

## Personal Data Related Incidents

Within the financial year, there were no reported incidents involving personal data. The Commissioner maintains an information security policy and procedures that ensure incidents related to personal data related incidents are minimised.

## Events Since the End of the Financial Year

There have been no events since the balance sheet date that affect the understanding of these financial statements.



# Adroddiad Taliadau Cydnabyddiaeth

## Remuneration Report

### Taliadau i aelodau o'r Tîm Rheoli

Gweinidogion Cymru sy'n pennu'r taliad cydnabyddiaeth i Gomisiynydd Plant Cymru, yn unol ag Atodlen 2 paragraff 3 o Ddeddf Safonau Gofal 2000.

Yn achos aelodau eraill y Tîm Rheoli (TRh), pennwyd y taliadau cydnabyddiaeth gan Gomisiynydd Plant Cymru, ar sail cyfarwyddyd gan arbenigwyr recriwtio yn y gwasanaeth sifil.

Mae'r adrannau canlynol, a fu'n destun archwiliad, yn darparu manylion taliadau cydnabyddiaeth a buddion pensiwn swyddogion uchaf y sefydliad:

### Remuneration of members of the Management Team

The Welsh Ministers determine the remuneration of the Children's Commissioner for Wales in accordance with Schedule 2 paragraph 3 to the Care Standards Act 2000.

For other members of the Management Team, remuneration was determined by the Children's Commissioner for Wales based on guidance from civil service recruitment specialists.

The following sections, which have been subjected to audit, provide details of the remuneration and pension benefits of the most senior officials of the organisation:

	2011-12 Ystod cyflog Salary range £000*	2011-12 Buddion mewn Nwyddau (at y £100 agosaf)* Benefits in Kind (to nearest £100)*	2010-11 Ystod cyflog Salary range £000*	2010-11 Buddion mewn Nwyddau (at y £100 agosaf)* Benefits in Kind (to nearest £100)*
Keith Towler – Comisiynydd Plant Cymru Children's Commissioner for Wales.	90-95**	5,100	95-100**	8,500
Eleri Thomas – Prif Swyddog Gweithredol a Dirprwy Gomisiynydd Chief Executive Officer and Deputy Commissioner.	55-60	—	55-60	—
Andy Wallsgrove – Pennaeth Gweithrediadau / Head of Operations.	50-55	—	45-50	—
Tony Evans – Pennaeth Gwasanaethau Corfforaethol Head of Corporate Services.	50-55	—	50-55	—

\* Darparwyd car prydles i Keith Towler. Mae gwerth ariannol y buddion mewn nwyddau yn cwmpasu unrhyw fuddion a ddarparwyd gan y cyflogwr yr oedd Cyllid y Wlad yn eu trin fel enillion trehadwy.

\* Keith Towler was provided with a leased car. The monetary value of benefits in kind covers any benefits provided by the employer and treated by the Inland Revenue as a taxable emolument.

\*\* Mae'r symudiad o ran y band cyflog uchaf yn digwydd yn sgîl dyfarniad cyflog ôl-ddyddiedig yn 2010-11.

\*\* Movement between the highest salary band is due to the implementation of a backdated pay award in 2010-11.

### Canolrif y Taliadau Cydnabyddiaeth Median Remuneration

	2011-12	2010-11
Band of highest paid individual's remuneration / Band of highest paid individual's remuneration (£'000)	95-100	105-110
Median total / Median total	33,200	33,200
Ratio Gweithrediadau / Ratio	2.86	3.16

Mae'n ofynnol fy mod yn datgelu'r berthynas rhwng y taliad cydnabyddiaeth a wnaed i'r unigolyn a dderbyniodd y cyflog uchaf a chanolrif taliadau cydnabyddiaeth y gweithwyr. Band taliadau cydnabyddiaeth yr unigolyn a dderbyniodd y taliad uchaf yn 2011-12 oedd £95-£100,000 (2010-11, £105-£110,000). Roedd hyn 2.86 gwaith (2010-11: 3.16 gwaith) canolrif taliadau cydnabyddiaeth y gweithwyr. Mae cyfanswm y taliadau cydnabyddiaeth yn cynnwys y cyflog a'r buddion mewn nwyddau. Nid yw'n cynnwys cyfraniadau cyflogwr i bensiwn na gwerth trosglwyddo ariannol cyfatebol pensiynau.

I am required to disclose the relationship between the remuneration of the highest-paid individual and the median remuneration of employees. The banded remuneration of the highest-paid individual in 2011-12 was £95-£100,000 (2010-11, £105-£110,000). This was 2.86 times (2010-11 – 3.16) the median remuneration of employees. Total remuneration includes salary and benefits-in-kind. It does not include employer pension contributions and the cash equivalent transfer value of pensions.

### Taliadau Gwneud Iawn, Dyfarniadau Sylweddol i Uwch Reolwyr Blaenorol Compensation paid, significant awards to former senior managers

Cymerodd Uwch Swyddog ymddeoliad cynnar hyblyg ar 20 Chwefror 2009. Wrth ymadael, derbyniodd gyfandaliad gwneud iawn, a gwneir taliadau blynyddol nes bod y swyddog yn 60 oed.

A Senior Officer took flexible early retirement on 20 February 2009. Upon leaving, a lump sum compensation was made and annual payments will be made until the Officer is age 60.

## Buddion Pensiwn – Cynllun Pensiwn y Gwasanaeth Sifil Pension Benefits – Civil Service Pension Scheme

	Pensiwn cronedig ar Accrued pension at 31.3.12* £000	Cynnydd go iawn mewn pensiwn* Real increase in pension* £000	CETV(i) ar at 31.3.12* £000	CETV(i) ar at 31.3.11* £000	Cynnydd go iawn mewn CETV* Real increase in CETV* £000
Keith Towler – Comisiynydd Plant Cymru Children’s Commissioner for Wales.	5-10	0-2.5	85	58	19
Eleri Thomas – Prif Swyddog Gweithredol a Dirprwy Gomisiynydd Chief Executive Officer and Deputy Commissioner.	0-5	0-2.5	27	16	8
Andy Wallsgrove – Pennaeth Gweithrediadau / Head of Operations.	25-30	0-2.5	319	288	7
Tony Evans – Pennaeth Gwasanaethau Corfforaethol Head of Corporate Services.	15-20	0-2.5	237	216	3

\* Archwilir y wybodaeth hon.  
\* This information is subject to audit.

## Y Cynllun Pensiwn

Darperir buddion pensiwn trwy drefniadau pensiwn y Gwasanaeth Sifil. O 30 Gorffennaf 2007, gall gweision sifil fod yn rhan o un o bedwar cynllun buddion diffiniedig; naill ai cynllun ‘cyflog terfynol’ (**classic, premium neu classic plus**); neu gynllun ‘gyrfa gyfan’ (**nuvos**). Nid yw’r trefniadau statudol hyn yn cael eu hariannu, a thelir am gost y buddion ag arian a bleidleisir gan y Senedd bob blwyddyn; er bod y rhain yn gynlluniau buddion a ddiffiniwyd, nid oes modd datgelu cyfanswm asedau a rhwymedigaethau’r cynlluniau. Mae’r pensiynau sy’n daladwy o dan **classic, premium, classic plus a nuvos** yn cael eu cynyddu’n flynyddol yn unol â newidiadau i’r Mynegai Prisiau Defnyddwyr (CPI). Gall aelodau sy’n ymuno o Hydref 2002 ddevis naill ai’r trefniant buddion priodol diffiniedig neu pensiwn rhanddeiliad ‘prynu arian’ o ansawdd da, gyda chyfraniad sylweddol gan y cyflogwr (cyfrif pensiwn **partneriaeth**).

Pennir cyfraniadau gweithwyr ar lefel o 1.5% o’r enillion pensiynadwy yn achos y **classic** a 3.5% yn achos **premium, classic plus a nuvos**. Mae’r buddion classic yn cronni ar gyfradd o 1/80fed o’r enillion pensiynadwy terfynol am bob blwyddyn o wasanaeth. Ar ben hynny, mae cyfandaliad sy’n cyfateb i dair blynedd o bensiwn yn daladwy adeg ymddeol. Yn achos y **premium**, mae’r buddion yn cronni ar gyfradd o 1/60fed o’r enillion pensiynadwy terfynol am bob blwyddyn o wasanaeth. Yn wahanol i’r **classic**, nid oes cyfandaliad awtomatig. Cyfuniad o’r ddau yw **classic plus** yn y bôn, gyda buddion yng nghyswllt gwasanaeth cyn 1 Hydref 2002 yn cael eu cyfrifo’n fras fel yn achos y classic a’r buddion am wasanaeth o fis Hydref 2002 yn cael eu cyfrifo fel yn achos y **premium**. Yn nuvos mae aelod yn crynhoi pensiwn ar sail ei enillion pensiynadwy yn ystod cyfnod ei aelodaeth o’r cynllun. Ar ddiwedd blwyddyn y cynllun (31 Mawrth) mae cyfrif yr aelod ar gyfer y pensiwn a enillwyd yn cael ei gredydu â 2.3% o’r enillion pensiynadwy yn ystod y flwyddyn honno o’r cynllun, a chaiff y pensiwn a gronwyd ei uwchraddio yn unol â’r Mynegai Prisiau Adwerthu. Ym mhob achos gall aelodau ddevis ildio (cymudo) pensiwn am gyfandaliad hyd at y terfynau a bennwyd gan Ddeddf Cyllid 2004.

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## Pension Scheme

Pension benefits are provided through the Civil Service pension arrangements. From 30 July 2007, civil servants may be in one of four defined benefit schemes; either a ‘final salary’ scheme (**classic, premium or classic plus**); or a ‘whole career’ scheme (**nuvos**). These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year, and although these are defined benefit schemes it is not possible to disclose the amount of assets and liabilities of the schemes. Pensions payable under **classic, premium, classic plus** and **nuvos** are increased annually in line with changes in the Consumer Prices Index (CPI). Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a good quality ‘money purchase’ stakeholder pension with a significant employer contribution (**partnership** pension account).

Employee contributions are set at the rate of 1.5% of pensionable earnings for **classic** and 3.5% for **premium, classic plus** and **nuvos**. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years’ pension is payable on retirement. For **premium**, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike **classic**, there is no automatic lump sum. **classic plus** is essentially a hybrid with benefits in respect of service before 1 October 2002 calculated broadly as per **classic** and benefits for service from October 2002 calculated as in **premium**. In **nuvos** a member builds up a pension based on their pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member’s earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with RPI. In all cases members may opt to give up (commute) pension for lump sum up to the limits set by the Finance Act 2004.

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Trefniant pensiwn rhanddeiliaid yw’r cyfrif pensiwn **partneriaeth**. Mae’r cyflogwr yn gwneud cyfraniad sylfaenol o rhwng 3% a 12.5% (yn dibynnu ar oedran yr aelod) i mewn i gynnyrch pensiwn rhanddeiliaid a ddeviswyd gan y cyflogai o banel o dri darparwr. Nid oes rhaid i’r cyflogai gyfrannu, ond lle bo’n dewis gwneud hynny, bydd y cyflogwr yn gwneud taliadau cyfatebol i’r rhain hyd at derfyn o 3% o’r cyflog pensiynadwy (yn ogystal â chyfraniad sylfaenol y cyflogwr). Mae cyflogwyr hefyd yn cyfrannu 0.8% arall o’r cyflog pensiynadwy i dalu am gost yswiriant buddion risg a ddarperir yn ganolog (marw yn eu gwaith ac ymddeol oherwydd afiechyd).

Y pensiwn cronol a ddyfynnwyd yw’r pensiwn y gall yr aelod ei hawlio wrth gyrraedd oedran pensiwn, neu ar unwaith pan fydd yn peidio â bod yn aelod gweithredol o’r cynllun os ydyw eisoes wedi cyrraedd oedran pensiwn neu’n hŷn. Oedran pensiwn yw 60 yn achos aelodau **classic, premium a classic plus** a 65 yn achos aelodau **nuvos**.

Mae manylion pellach am drefniadau pensiwn y Gwasanaeth Sifil ar gael ar y wefan [www.civilservice-pensions.gov.uk](http://www.civilservice-pensions.gov.uk).

## (i) Gwerthoedd Trosglwyddo sy’n Gyfwerth ag Arian Parod (CETV)

Gwerth Trosglwyddo sy’n Gyfwerth ag Arian Parod (CETV) yw gwerth cyfalafol asesedig actiwaraid y buddion cynllun pensiwn a gronwyd gan aelod ar adeg benodol. Y buddion a brisir yw’r buddion a gronwyd gan yr aelod ac unrhyw pensiwn sy’n daladwy i briod amodol o’r cynllun. Taliad yw CETV a wneir gan gynllun neu drefniant pensiwn i sicrhau buddion pensiwn mewn cynllun neu drefniant pensiwn arall pan fo’r aelod yn gadael cynllun ac yn dewis trosglwyddo’r buddion a gronwyd yn y cynllun blaenorol. Mae’r ffigurau pensiwn a ddangosir yn gysylltiedig â’r buddion y mae’r unigolyn wedi’u cronni o ganlyniad i gyfanswm eu haelodaeth o’r cynllun pensiwn, nid eu gwasanaeth mewn swydd uwch y mae datgelu’n berthnasol iddi yn unig. Mae’r ffigurau’n cynnwys gwerth unrhyw fuddion pensiwn mewn cynllun arall y mae’r unigolyn wedi’u trosglwyddo i drefniadau pensiwn y Prif Wasanaeth Sifil. Maent hefyd yn cynnwys unrhyw fuddion pensiwn ychwanegol a gronwyd i’r aelod o ganlyniad i brynu buddion pensiwn ychwanegol ar eu cost eu hun. Cyfrifir CETVs o fewn y canllawiau a’r fframwaith a ragnodwyd gan Sefydliad a Chyfadran yr Actiariaid ac nid ydynt yn rhoi sylw i unrhyw ostyngiad gwirioneddol na phosibl i fuddion yn sgîl Treth Lwfans Oes y gall fod angen ei thalu pan dynnir buddion pensiwn.

## (ii) Cynnydd gwirioneddol mewn CETV

Mae hyn yn adlewyrchu’r cynnydd mewn CETV y telir amdano i bob pwrpas gan y cyflogwr. Nid yw’n cynnwys y cynnydd yn y pensiwn a gronwyd yn sgîl chwyddiant, cyfraniadau a dalwyd gan y cyflogai (gan gynnwys gwerth unrhyw fuddion a drosglwyddwyd o gynllun pensiwn arall), ac mae’n defnyddio ffactorau priso’r farchnad gyffredin ar gyfer dechrau a diwedd y cyfnod.

The **partnership** pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3% and 12.5% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of three providers. The employee does not have to contribute but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer’s basic contribution). Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of **classic, premium and classic plus** and 65 for members of **nuvos**.

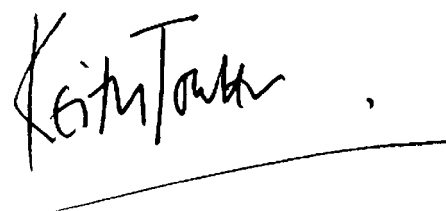
Further details about the Civil Service pension arrangements can be found at the website [www.civilservice-pensions.gov.uk](http://www.civilservice-pensions.gov.uk).

## (i) Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarial assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member’s accrued benefits and any contingent spouse’s pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The figures include the value of any pension benefit in another scheme arrangement which the individual has transferred to the Principal Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional pension benefits at their own cost. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are drawn.

## (ii) Real increase in CETV

This reflects the increase in CETV effectively funded by the employer. It does not include of the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme arrangement) and uses common market valuation factors for the start and end of the period.



Keith Towler  
Comisiynydd Plant Cymru  
a Swyddog Cyfrifyddu  
Children’s Commissioner for Wales  
and Accounting Officer  
Gorffennaf / July 2012



## DATGANIAD O GYFRIFOLDEBAU'R SWYDDOG CYFRIFYDDU

O dan Atodlen 2 o Ddeddf Safonau Gofal, mae Gweinidogion Cymru wedi rhoi cyfarwyddyd i Gomisiynydd Plant Cymru baratoi datganiad o gyfrifon ar gyfer pob blwyddyn ariannol ar ffurf yr hyn a nodwyd yn y Cyfarwyddyd Cyfrifon ac ar y sail honno. Paratoir y cyfrifon ar sail cronïadau a rhaid iddynt ddarparu darlun gwir a theg o sefyllfa fusnes Comisiynydd Plant Cymru, yr incwm a'r gwariant, newidiadau yn ecwiti trethdalwyr a llifoedd arian y flwyddyn ariannol.

Wrth baratoi'r cyfrifon, mae gofyn bod y Swyddog Cyfrifyddu yn cydymffurfio â gofynion Llawlyfr Adroddiadau Ariannol y Llywodraeth, ac yn arbennig â'r canlynol:

— **glynu at y Cyfarwyddyd Cyfrifon a roddwyd gan Weinidogion Cymru, gan gynnwys y gofynion perthnasol o ran cyfrifo a datgelu, a defnyddio polisiau cyfrifeg addas yn gyson;**

— **dod i benderfyniadau a llunio amcangyfrifon ar sail resymol;**

— **datgan a yw'r safonau cyfrifo perthnasol, fel y'u cyflwynir yn Llawlyfr Adroddiadau Ariannol y Llywodraeth, wedi cael eu dilyn, a datgelu ac egluro unrhyw achosion pwysig yn y cyfrifon lle na ddilynwyd y safonau hynny; a**

— **pharatoi'r cyfrifon ar sail busnes gweithredol.**

Y Comisiynydd yw'r Swyddog Cyfrifyddu ar gyfer ei swyddfa yn sgîl paragraff 10 o Atodlen 2 i Ddeddf Safonau Gofal 2000. Cyflwynir cyfrifoldebau'r Swyddog Cyfrifyddu, gan gynnwys cyfrifoldeb am briodoldeb a rheoleidd-dra'r arian cyhoeddus y mae Swyddog Cyfrifyddu yn atebol amdano, am gadw cofnodion priodol ac am ddiogelu asedau Comisiynydd Plant Cymru, yn y Memorandwm ar gyfer Swyddogion Cyfrifyddu a luniwyd gan Drysorlys EM.

## DATGANIAD LLYWODRAETHU BLYNYDDOL

### Cwmpas cyfrifoldeb

Fel Swyddog Cyfrifyddu, fi sy'n gyfrifol am gynnal system lywodraethu gadarn sy'n cynnal y gwaith o gyflawni fy mholisiau, fy nodau a'm hamcanion, ond ar yr un pryd yn diogelu'r cronfeydd cyhoeddus a'r asedau yr wyf i'n bersonol gyfrifol amdanynt, yn unol â'r cyfrifoldebau a roddwyd i mi wrth Reoli Arian Cyhoeddus.

### Diben y Fframwaith Llywodraethu

Mae'r Fframwaith Llywodraethu yn cynnwys y systemau a'r prosesau, a'r diwylliant a'r gwerthoedd sy'n darparu sylfaen i mi gyfeirio a rheoli gweithgareddau fy swyddfa. Mae'r Fframwaith yn fy ngalluogi i fonitro cyflawniad fy amcanion strategol a phennu a yw'r amcanion wedi eu cyrraedd mewn modd cost-effeithiol.

Mae'r system reolaeth fewnol yn rhan bwysig o'r Fframwaith ac fe'i lluniwyd i reoli risg ar lefel resymol yn hytrach na dileu pob perygl y methir â chyflawni polisiau, nodau ac amcanion; ni all felly ond darparu sicrwydd rhesymol, yn hytrach nag absoliwt, o effeithiolrwydd.

Mae'r system reolaeth fewnol wedi'i seilio ar broses barhaus a luniwyd i nodi a blaenoriaethu'r risgiau i gyflawni polisiau, nodau ac amcanion, i werthuso pa mor debygol yw gwireddu'r risgiau hynny a'u heffaith petai hynny'n digwydd, ac i'w rheoli'n effeithiol, yn effeithlon ac yn ddiwasttraff. Mae'r system reolaeth fewnol wedi bod ar waith yn swyddfa'r Comisiynydd ar gyfer y flwyddyn yn diweddu ar 31 Mawrth 2012 ac yn parhau hyd at ddyddiad cymeradwyo'r adroddiad blynyddol a'r cyfrifon, mae'r systemau rheolaeth fewnol yn cyd-fynd â chanllawiau'r Trysorlys.

### Y Fframwaith Llywodraethu

Nid oes gan swyddfa Comisiynydd Plant Cymru gorff llywodraethu, yn hytrach mae'n Gorfforaeth Undyn. Byddai corff llywodraethu megis Bwrdd yn gweithredu'n groes i annibyniaeth fy swyddfa. Mae'r annibyniaeth hon yn hanfodol ar gyfer y rôl galw i gyfrif a gyflawnir gan y swyddfa yng nghyswllt hawliau dynol plant a phobl ifanc.

O ystyried y pwyslais ar rôl y Comisiynydd fel unigolyn, mae'r strwythur gwneud penderfyniadau yn wahanol i gyrff eraill sector cyhoeddus mewn rhai ffyrdd. Fodd bynnag, oherwydd ei bod yn rôl gyhoeddus sy'n defnyddio arian cyhoeddus, mae angen i'r atebolrwydd a'r penderfyniadau a wneir fod yn drylwyr ac yn dryloyw.

Mewn egwyddor, dylid gwneud penderfyniadau ar y lefel isaf bosib, fodd bynnag, rhaid sicrhau bod perthynas bob amser rhwng awdurdod a chyfrifoldeb. Dylai fod gan y rhai sy'n gyfrifol am feysydd gwaith penodol awdurdod sydd wedi ei ddiffinio'n glir i wneud penderfyniadau, a llwybr clir a mesur o atebolrwydd. Mae rheolwyr yn gyffredinol gyfrifol am eu meysydd gwaith a goruchwylio eu timau o staff. Mae'r dirprwyo yn gweithredu ar sail dirprwyo i swyddogion penodol, yn hytrach nag i grwpiau neu bwyllgorau. Mae'n hanfodol felly bod cwmpas a therfynau'r dirprwyo hwnnw yn cael eu nodi'n glir. Pennir hyn yn y Polisi Llywodraethu ac oddi mewn i'r gweithdrefnau ariannol.

Dirprwyr rheolaeth strategol a gweithredol y swyddfa i'r Prif Swyddog Gweithredol a'r Tim Rheoli. Y Prif Swyddog Gweithredol a'r Tim Rheoli sy'n gyfrifol am gyflawni nodau ac amcanion y swyddfa. Wrth geisio cyflawni nodau ac amcanion y swyddfa, rhaid i'r gweithwyr lynu at bolisiau a gweithdrefnau'r swyddfa a chadw oddi mewn i'r cyllidebau a ddynodwyd.

Mae'r Tim Rheoli yn cwrrd yn fisol, ac o leiaf yn chwarterol gyda mi, fel Comisiynydd. Ei brif ddiben yw darparu arweinyddiaeth, gweledigaeth, pwrpas ac atebolrwydd wrth ddatblygu a chyflawni cenhadaeth y swyddfa. Adolygir y cylch gorchwyl bob chwe mis, a rhoddir copi ar y fewnwyd.

## STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES

Under Schedule 2 to the Care Standards Act, Welsh Ministers have directed the Children's Commissioner for Wales to prepare for each financial year a statement of accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Children's Commissioner for Wales and of its income and expenditure, changes in taxpayers' equity and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual and in particular to:

— **observe the Accounts Direction issued by Welsh Ministers, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;**

— **make judgements and estimates on a reasonable basis;**

— **state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed, and disclose and explain any material departures in the financial statements; and**

— **prepare the financial statements on a going concern basis.**

The Commissioner is the Accounting Officer for his office by virtue of paragraph 10 of Schedule 2 to the care Standards Act 2000. The responsibilities of the Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Children's Commissioner for Wales' assets, are set out in an Accounting Officers' Memorandum issued by HM Treasury.

## ANNUAL GOVERNANCE STATEMENT

### Scope of Responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of governance that supports the achievement of my policies, aims and objectives, whilst safeguarding the public funds and assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Managing Public Money.

### The Purpose of the Governance Framework

The Governance Framework comprises the systems and processes, and culture and values by which I direct and control the activities of my office. The Framework enables me to monitor the achievement of my strategic objectives and to determine whether the objectives have been delivered in a cost effective manner.

The system of internal control is a significant part of the Framework and is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness.

The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. The system of internal control has been in place in the Commissioner's office for the year ended to 31st March 2012 and continuing up to the date of approval of the annual report and accounts, the systems of internal control accords with Treasury guidance.

### The Governance Framework

The office of the Children's Commissioner for Wales has no governing body, but is instead a Corporation Sole. A governing body such as a Board would act counter to the independence of my office. This independence is critical to the holding to account role performed by the office in relation to the human rights of children and young people.

Given the emphasis on the role of the Commissioner as an individual, there are some respects in which the decision-making structure is different to other public sector bodies. However, as it is a public role involving use of public funds, accountability and decision-making need to be rigorous and transparent.

In principle, decisions should be made at the lowest level possible, however, there must always be a relationship between authority and responsibility. Those who are responsible for particular areas of work should have a clearly defined authority to make decisions, and a clear route and measure of accountability. Managers have overall responsibility for their area of work and the supervision of their staff teams. Delegation operates on the basis of delegation to named officers rather than to groups or committees. It is essential therefore that the scope and limits of that delegation be clearly spelled out. This is determined within the Governance Policy and within financial procedures.

The strategic and operational management of the office is delegated to the Chief Executive Officer and the Management Team. The Chief Executive Officer and the Management Team are responsible for the delivery of the aims and objectives of the office. In pursuing the aims and objectives of the office, employees must adhere to office policies and procedures and keep within allocated budgets.

The Management Team meet monthly and at least quarterly with me, as Commissioner. Its primary purpose is to provide leadership, vision, purpose and accountability in taking forward and delivering the mission of the office. The terms of reference are reviewed every six months and a copy is posted onto the intranet.

## Canolbwyntio ar Ddiben y Sefydliad ac ar Ddeilliannau

Cynllunio corfforaethol yw'r dull systemig o bennu ein nodau. Mae'n fy ngalluogi i, fel corfforaeth undyn, i gadw at fy nghylch gwaith deddfwriaethol a chyflawni yn unol â'r weledigaeth a gyflwynwyd yn fy Nghynllun Pum Mlynedd, sef sicrhau newidiadau cadarnhaol a pharhaol i blant a phobl ifanc yng Nghymru. Mae'r prosesau cynllunio corfforaethol a blynyddol yn darparu cyfeiriad strategol cyffredinol ar gyfer holl swyddogaethau'r swyddfa; ac yn helpu i sicrhau ein bod yn gwneud y defnydd mwyaf effeithiol o adnoddau sefydliadol er mwyn mwyafu ein heffaith dros blant a phobl ifanc yng Nghymru.

Mae'r broses gynllunio flynyddol yn cynnwys y camau canlynol:

— **Cam un – Asesiad cario drosodd** – Bydd y broses gynllunio bob blwyddyn yn cychwyn ym mis Medi gydag asesiad cario drosodd o gynllun gwaith blynyddol y flwyddyn flaenorol.

— **Cam dau – Amgylchedd allanol** - Cwblheir dadansoddiad allanol sy'n edrych ymlaen bob blwyddyn, a bydd yn adeiladu ar yr asesiad cario drosodd a'r trafodaethau cychwynnol yn y Tim Rheoli ym mis Medi/Hydref.

— **Cam tri (Hydref/Tachwedd) - Casglu gwybodaeth - Barn Plant a phobl ifanc**

Cynhelir ymarferiad casglu gwybodaeth, dan arweiniad aelodau'r Tim Rheoli, gyda chefnogaeth aelodau'r fim o staff, ynghylch materion a godwyd gan rwydweithiau o blant a phobl ifanc ar hyd y flwyddyn flaenorol.

**Rhanddeiliaid**  
Cesglir gwybodaeth hefyd o gyswllt â rhanddeiliaid allanol ar hyd y flwyddyn flaenorol, ac ynghylch materion oedd yn destun pryder yng nghyswllt plant a phobl ifanc.

— **Cam pedwar (Tachwedd) – Drafftio ac ymgynghori mewnol** – Llunnir cynllun gwaith blynyddol drafft, ynghyd ag amcanion mesuradwy a chyllideb ddangosol. Bydd y cynllun drafft hwn wedi ei gwblhau erbyn diwedd Tachwedd bob blwyddyn, ac yn cael ei ddsbarthu i'r fim ehangach o staff ar gyfer sylwadau a chyfraniadau pellach.

— **Cam pump – Ystyried sylwadau** – Bydd sylwadau ar y cynllun gwaith blynyddol drafft yn cael eu hystyried gan y Tim Rheoli yng nghyfarfod fim rheoli mis Ionawr. Bydd ail ddrafft o'r cynllun yn cael ei lunio wedi'r cyfarfod hwn.

— **Cam chwech – Y gyllideb ac ymgynghori allanol** – Cynhelir cyfarfod dyrannu cyllideb gyda Phen-naeth y Gwasanaethau Corfforaethol er mwyn amcangyfrif costau ac adnoddau ail ddrafft y cynllun gwaith blynyddol. Unwaith yr asesydd bod y costau a'r adnoddau yn gyflawnadwy, dosbarthir ail ddrafft y cynllun gwaith blynyddol at y rhanddeiliaid allanol ar gyfer sylwadau yn ystod mis Chwefror ynghyd â'r fim ehangach o staff.

— **Cam saith – Cynllun gwaith terfynol** – Bydd sylwadau ar ail ddrafft y cynllun gwaith blynyddol yn cael eu hystyried gan y Tim Rheoli yng nghyfarfod mis Chwefror o'r fim rheoli, ynghyd ag amcangyfrif manylach o'r gost a'r adnoddau. Bydd cynllun gwaith terfynol yn cael ei lunio a'i gyflwyno i'r fim ehangach o staff erbyn dechrau mis Mawrth.

— **Cam wyth – Cynlluniau gwaith unigol ac arfarnu** – Bydd rheolwyr yn gallu defnyddio'r cynllun gwaith blynyddol terfynol i ddisgrifio amcanion cynlluniau gwaith unigol, ac arfarnu yn erbyn amcanion cynllun y flwyddyn flaenorol, gyda staff y maent yn rheolwyr arnynt, erbyn diwedd Mawrth, yn unol â Pholisi a Gweithdrefn Arfarnu Comisiynydd Plant Cymru.

— **Cam naw** - Bydd y cynllun gwaith blynyddol terfynol yn dod i rym o 1 Ebrill bob blwyddyn.

Caiff dogfen y cynllun gwaith blynyddol ei monitro a'i diweddarau'n chwarterol gan y Tim Rheoli. Adroddir hefyd ar y cyflawniadau o ran y cynllun gwaith, achosion o amserlenni'n llithro a chamau adferol i'r Pwyllgor Archwilio, sy'n cyfarfod bob chwarter.

Mae fy Nghofrestr Risgiau yn cyfateb i'r nodau strategol ac yn cael ei monitro'n rheolaidd gan y Tim Rheoli a'r Pwyllgor Archwilio.

Cyhoeddir y cynllun gwaith blynyddol terfynol y cytunir arno bob blwyddyn ar fewnwyd y staff, ac fe'i defnyddir fel mater o drefn i gynnal a hysbysu prosesau rheoli perfformiad. Mae hefyd grynodedd cyhoeddus o'r cynllun gwaith blynyddol ar wefan y swyddfa.

Hefyd rhennir cofnodion cynnydd gyda'r staff a'u cynnal gan y Prif Swyddog Gweithredol.

## Swyddogion yn Cydweithio i Gyflawni Diben Cyffredin gyda Swyddogaethau a Rolau a Ddiffiniwyd yn Glir

Mae'r rolau a'r cyfrifoldebau wedi eu diffinio'n glir yn y Polisi Llywodraethu a manylir arnynt yn y ddogfen Trosolwg o Rolau a Chyfrifoldebau. Mae'r dogfennau hyn yn amlinellu lefel y cyfrifoldeb a ddirprwywyd yn y swyddfa; ac fe'u rhoddir ar fewnwyd y staff.

Mae gan bob gweithiwr amodau cyflogaeth clir a disgrifiadau swydd, sy'n nodi eu rolau a'u cyfrifoldebau.

Mae gan y Tim Rheoli a'r Pwyllgor Archwilio gylch gorchwyl, sy'n nodi eu rolau a'u cyfrifoldebau.

Mae'r Pwyllgor Archwilio yn rhoi cyngor a sicrwydd ynghylch llywodraethu corfforaethol, rheoli risg a rheolaeth yn y swyddfa, ynghyd â digonoldeb y trefniadau archwilio mewnol ac allanol. Yn 2010-11 cwblhaodd y Pwyllgor Archwilio adolygiad effeithiolrwydd a amlygodd nifer o anghenion datblygu. Yn dilyn yr adolygiad hwn, mae'r Pwyllgor wedi datblygu cynllun gweithredu i symud yr anghenion hyn ymlaen.

## Hyrwyddo Gwerthoedd ar gyfer y Sefydliad ac Arddangos Gwerthoedd Llywodraethu Da trwy Gynnal Safonau Uchel o Ymarfer ac Ymddygiad

Mae fy niffiniad i o werthoedd allweddol fy swyddfa fel a ganlyn:

- Mae plant a phobl ifanc yn ganolog i bopeth a wnawn;
- Rydym yn gwrandao ar blant a phobl ifanc, gan sbarduno gweithredu a newid;
- Rydym yn gwneud gwahaniaeth i fywydau plant a phobl ifanc trwy weithio mewn partneriaeth â phobl a sefydliadau a'u galw i gyfrif lle bo angen;
- Rydym yn bencampwyr plant a phobl ifanc;
- Rydym yn credu yn hawliau pawb, amrywiaeth a pharch;
- Rydym yn arwain ac yn herio ag uniondeb a dewrder;
- Rydym yn ysbrydoli pobl i wneud eu gorau dros blant a phobl ifanc; ac
- Rydym yn buddsoddi mewn staff.

Datblygwyd y gwerthoedd hyn gyda'r staff a'u cyfleu i'r holl staff. Maent hefyd ar fewnwyd y staff. Mae'r holl staff newydd yn dilyn hyfforddiant sefydlu sy'n darparu gwybodaeth am swyddfa'r Comisiynydd, gwerthoedd a diwylliant, polisiâu a gweithdrefnau cysylltiedig â Chyflogaeth, Iechyd a Diogelwch, CCUHP, Gweledigaeth a Phwrpas, Gweithdrefnau Ariannol a Diogeled TGCh.

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## Focusing on the Purpose of the Organisation and on Outcomes

Corporate planning is the systemic approach to determining our goals. It enables me as a corporate sole, to fulfil my legislative remit and to deliver against the vision set out in my Five Year Plan of ensuring positive and lasting changes for children and young people in Wales. The corporate and annual planning processes provide an overall strategic direction for all functions within the office; and helps to ensure we make the most effective use of organisational resources to maximise our impact for children and young people in Wales.

The annual planning process involves the following steps:

— **Step one – Rollover assessment stage** – The planning process each year will commence in September with a rollover assessment of the previous year's annual work plan.

— **Step two – External environment stage** – An external forward looking analysis will be completed each year and will build on the rollover assessment and initial discussions in Management Team in September/October.

— **Step three (October/November) – Information gathering stage Children and Young People views**

An information gathering exercise will be conducted, led by members of the Management Team, supported by staff team members, with regards to issues that have been raised by networks of children and young people throughout the preceding year.

**Stakeholders**  
Information will also be gathered from contact with external stakeholders throughout the preceding year and with regards to issues of concern regarding children and young people.

— **Step four (November) – Drafting and internal consultation stage** – A draft annual work plan, complete with measurable objectives, and indicative budget submission will be compiled. This draft plan will be completed by the end of November each year and will be circulated to the wider staff team for comments and further contributions.

— **Step five – Consideration of comments stage** – Comments on the draft annual work plan will be considered by the Management Team at January's management team meeting. A second draft plan will be compiled following this meeting.

— **Step six – Budget and external consultation stage** – A budget allocation meeting will take place with the Head of Corporate Services in order to estimate costs and resources of the second draft annual work plan. Once costs and resources have been assessed as achievable the second draft annual work plan will be circulated to external stakeholders for comment during February along with the wider staff team.

— **Step seven – Final work plan stage** – Comments on the second draft annual work plan will be considered by the Management Team at February's management team meeting along with a more detailed estimate of cost and resources. A final annual work plan will be compiled and issued to the wider staff team by the beginning of March.

— **Step eight - Individual work plans and appraisal stage** – Managers will be able to use the final annual work plan to describe individual work plan objectives, and appraisal against objectives for prior year's plan, with staff that they manage by the end of March in line with CCfW's Appraisal Policy and Procedure.

— **Step nine** – The final annual work plan will be effective from **1st April** each year.

The annual work plan document is monitored and updated on a quarterly basis by the Management Team. Achievement against work plan, slippage and remedial action is also reported to the Audit Committee, which meets quarterly.

My Risk Register is aligned with the strategic goals and monitored regularly by the Management Team and the Audit Committee.

The final annual work plan agreed each year is published on the staff intranet and is used routinely to support and inform performance management processes. There is also a public summary version of the annual work plan on the office's website.

Records of progress is also shared with staff and maintained by the Chief Executive Officer.

## Officers Working Together to Achieve a Common Purpose with Clearly Defined Functions and Roles

Roles and responsibilities are clearly defined in the Governance Policy and detailed within the Overview of Roles and Responsibilities document. These documents outline the level of delegated responsibility within the office; and are posted onto the staff intranet.

All employees have clear conditions of employment and job descriptions, which set out their roles and responsibilities.

The Management Team and Audit Committee have terms of reference, which sets out their roles and responsibilities.

The Audit Committee provides advice and assurance in respect of corporate governance, risk management and control within the office and the adequacy of the internal and external audit arrangements. In 2010-11 the Audit Committee completed an effectiveness review which highlighted a number of development needs. Following on from this review, the Committee have developed an action plan to take forward these needs.

## Promoting Values for the Organisation and Demonstrating the Values of Good Governance through Upholding High Standards of Conduct and Behaviour

I define my office's key values as:

- Children and young people are at the centre of everything we do;
- We listen to children and young people, driving action and change;
- We make a difference to children and young people's lives by working in partnership with people and organisations and holding them to account where necessary;
- We champion children and young people;
- We believe in everyone's rights, diversity and respect;
- We lead and challenge with integrity and courage;
- We inspire people to do their best for children and young people; and
- We invest in staff.

These values have been developed with staff and communicated to all staff and are posted onto the staff intranet. All new staff undertake induction training which provides information on the Commissioner's office, values and culture, policies and procedures relating to Employment, Health and Safety, UNCR, Vision and Purpose, Financial procedures and ICT Security.

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Rwy'n cymryd materion yn ymwneud â thwyll a chamweinyddu yn gwbl o ddifri, ac rwyf wedi sefydlu'r polisiau canlynol:

- **Polisi Datgelu camarfer;**
- **Polisi Gwrth-dwyll;**
- **Polisiau yn ymwneud â disgyblu neu gôd ymddygiad; a**
- **Pholisi Cwynion.**

Mae'r Tim Rheoli yn adolygu'r polisiau hyn yn rheolaidd ac yn monitro cydymffurfiaeth â hwy.

## Gwneud Penderfyniadau Gwybodus a Thyroyw sy'n Destun Craffu Effeithiol a Rheoli Risg

Fi sy'n gyfrifol am wneud penderfyniadau yn y swyddfa, ond rwyf wedi dirprwyo'r penderfyniadau gweithredol i'r Tim Rheoli. Dogfennir lefel y dirprwyo yn y Polisi Llywodraethu.

Nodir dyletswyddau'r Tim Rheoli yn ei Gylch Gorchwyl. Nodir a chofnodir penderfyniadau a wneir gan y Tim Rheoli yn y cofnodion, a roddir ar fewnrywyd y staff.

Hysbysir yr holl staff am benderfyniadau a wneir gan y Tim Rheoli, ac fe'u cyfeir trwy e-bost, diweddariadau i'r fewnrywyd a diweddariadau a gyflwynir gan y Prif Swyddog Gweithredol.

Mae gennyf Bolisi a Fframwaith Rheoli Risgiau, ac rwyf wedi penodi Rheolwr Strategaeth Risgiau. Rwyf wedi sicrhau bod fy Rheolwr Strategaeth Risgiau wedi asesu'r risgiau cysylltiedig â rheoli gwybodaeth o fewn fy swyddfa. Mae'r holl staff yn ymwybodol o'r polisi a'r fframwaith sy'n manylu ar y dull o ymdrin â rheoli risgiau a'r agwedd at hynny, ac yn diffinio'r strwythur ar gyfer rheoli risgiau a pherchnogaeth arnynt.

Hyfforddwyd yr holl reolwyr sydd ag awdurdod i wneud penderfyniadau ynghylch trafod risgiau, gan gydnabod y bydd angen cyfeirio rhai risgiau at y fîm rheoli. Anogir pob aelod o staff i drafod materion rheoli risg yn ystod eu cyfarfodydd fîm. Rwyf wedi gofyn i'm harchwilwyr mewnol, RSM Tenon, gynnal hyfforddiant wedi ei ddiweddarau ar gyfer yr holl staff er mwyn sicrhau eu bod yn ymwybodol o ganllawiau ac arfer gorau. Darperir yr hyfforddiant hwn hefyd i aelodau annibynnol fy Mhwylgor Archwilio. Cynhelir yr hyfforddiant yn y flwyddyn ariannol newydd. Mae Pennaeth fy Ngwasanaethau Corfforaethol yn aelod o'r Rhwydwaith Cyfarwyddwyr Ariannol, lle trafodir rheoli risgiau, ac rydym yn dysgu o'u profiadau.

Ymgorfforir rheoli risgiau i'r broses gynllunio gorfforaethol. Asesir y risgiau strategol allweddol gan y Tim Rheoli. Mae pob risg yn eiddo i aelod o'r fîm, ac mae'r gofrestr risgiau ar gael i'r holl staff. Yn ystod y flwyddyn, mae'r gofrestr risgiau wedi cael ei hadolygu'n rheolaidd yng nghyfarfodydd y Tim Rheoli. Caiff unrhyw risgiau newydd neu newidiadau eu nodi a'u gwerthuso. Pennir yr awydd i gymryd risgiau gan y Tim Rheoli yng nghyd-destun yr effaith ar enw da'r swyddfa; perfformiad gweithredol, gweithrediadol ac unigol; annibyniaeth y swyddfa; ac adolygiad annibynnol, gwrthrychol o weithgareddau, cerydd o unrhyw fath gan gyrrf rheoliadol, colled ariannol, gwerth gwael am arian, defnydd amhriodol o arian cyhoeddus neu unrhyw achos o dorri rheoleidd-dra neu briodoldeb. Cynhelir asesiad risg o bob gweithgaredd gweithrediadol neu brosiect cyn cychwyn arno.

Mae fy archwilwyr mewnol, RSM Tenon, wedi cynnal adolygiad o'm strategaeth risgiau yn y gorffennol. Maent hefyd wedi cynnal adolygiad o'm cydymffurfiaeth â threfniadau rheoli gwybodaeth ac â Deddf Diogelu Data. Maent wedi cyflwyno nifer o argymhellion, sy'n cael eu rhoi ar waith. Mae'r canfyddiadau allweddol yn ymwneud â datblygu fy mholisi Diogeled System Dechnoleg Gyfathrebu ymhellach, ac yn arbennig, cynnwys canllawiau ar ddefnyddio dyfeisiau cludadwy.

## Datblygu Cynneddf a Gallu Swyddogion i fod yn Effeithiol

Trwy fy Nhîm Rheoli, rwy'n sicrhau bod gan bob aelod o staff y sgiliau, yr wybodaeth a'r capasiti angenrheidiol i gyflawni eu cyfrifoldebau. Rwy'n cydnabod pwysigrwydd gweithwyr galluog, sydd wedi eu hyfforddi'n dda, i sicrhau bod fy amcanion yn cael eu cyflawni'n effeithiol. Mae pob aelod newydd o staff yn dilyn proses sefydlu sy'n eu cyflwyno i'r polisiau a'r gweithdrefnau; a diwylliant y swyddfa.

Rwyf wedi cyflwyno Polisi Arfarnu, sy'n cysylltu perfformiad a datblygiad yr unigolyn ag amcanion corfforaethol y sefydliad. Fe'i lluniwyd i wella perfformiad pob gweithiwr a'u cyfraniad at gyflawni'r amcanion corfforaethol trwy roi iddynt y sgiliau a'r amgylchedd priodol i'w galluogi i wneud eu gwaith hyd eithaf eu gallu.

Rwy'n ymroddedig i alluogi a grymuso gweithwyr i gyraedd nodau unigol, fîm a chorfforaethol, ac yn fy marn i mae'r broses arfarnu flynyddol, pennu amcanion a phrosesau cynllunio datblygiad personol yn rhan hanfodol o gyflawni hynny.

Mae gweithwyr yn cael eu goruchwyllo'n rheolaidd er mwyn cefnogi datblygiad profesiynol parhaus. Mae hynny'n chwarae rhan hanfodol o ran cynnal y staff wrth eu gwaith, sydd yn aml yn gymhleth ac yn heriol. Mae goruchwyliaeth yn gyfle i'r staff fyfyrio ar ansawdd eu hymarfer a'i berchnogi. Mae hefyd yn hanfodol i wella gwasanaethau'n barhaus.

Mae rheoli perfformiad yn broses sy'n cyfrannu at reolaeth effeithiol ar unigolion a thimau er mwyn cyflawni lefelau uchel o berfformiad sefydliadol. Mae'n sefydlu dealltwriaeth a rennir ynghylch beth sydd i'w gyflawni ac agwedd at arwain a datblygu pobl a fydd yn sicrhau ei fod yn cael ei gyflawni. Mae rheoli perfformiad yn strategol yn yr ystyr ei fod yn ymwneud â materion ehangach a nodau tymor hir, ac mae'n integredig yn yr ystyr ei fod yn cysylltu amrywiol agweddau ar y sefydliad, rheoli pobl, unigolion a thimau.

Seiliodd y rheolaeth ariannol ar fframwaith o wybodaeth a ddarperir yn rheolaidd i reolwyr a chyfres o weithdrefnau ariannol clir. Mae'r wybodaeth i reolwyr yn cynnwys monitro ac adrodd rheolaidd ar y gyllideb; a datblygu targedau ariannol a mesurau perfformiad eraill.

## Ymgysylltu â Phobl Leol a Rhanddeiliaid Eraill

Rwyf yn cael fy llywodraethu gan ddeddfwriaeth sy'n nodi bod rhaid i mi gymryd camau rhesymol i sicrhau bod plant a phobl ifanc yn cael eu hannog i roi eu barn ar rôl a swyddogaethau'r Comisiynydd a'r rhaglen o waith mae'n ei chyflawni.

Fel rhan o'r broses gynllunio gorfforaethol, cynhelir ymgynghoriad gyda rhanddeiliaid allanol.

Mae'r Tim Rheoli wedi datblygu Strategaeth Gyfathrebu. Mae'r strategaeth hon yn sicrhau bod negeseuon allweddol y Comisiynydd yn cael eu cyfleu i'r holl rhanddeiliaid perthnasol, ac yn sicrhau bod cyhoeddiadau o ansawdd uchel yn cael eu chynhyrchu a'u dosbarthu i'r rhanddeiliaid perthnasol. Rhan o'r strategaeth yw datblygu a gweithredu Polisi Cyfryngau Cymdeithasol y Comisiynydd, sy'n cynnwys rheoli cyfrifon ar Twitter a Flickr.

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I take issues around fraud and maladministration very seriously and have established the following policies:

- **Whistleblowing Policy;**
- **Anti-Fraud Policy;**
- **Policies relating to disciplinary or code of conduct; and**
- **Complaints Policy.**

The Management Team regularly review and monitor compliance with these policies.

## Taking Informed and Transparent Decisions which are Subject to Effective Scrutiny and Managing Risk

Responsibility for decision making in the office rests with me, however, I have delegated the operational decision making to the Management Team. The level of delegation is documented in the Governance Policy.

The duties of the Management Team are documented within its Terms of Reference. Decisions made by the Management Team are documented and recorded in the minutes, which are posted to the staff intranet.

All staff are informed of decisions made by the Management Team which are communicated via email, updates to the intranet and through updates presented by the Chief Executive Officer.

I have a Risk Management Policy and Framework in place and I have appointed a Risk Strategy Manager. I have ensured that my Risk Strategy Manager has assessed the risks associated with the management and control of information within my office. All staff are aware of the policy and framework which details the approach and attitude to risk management and defines the structure for management and ownership of risk.

Training has been provided to all managers with authority to make decisions about risk treatment, recognising that some risks will need to be referred to the management team. All staff are encouraged to discuss risk management issues during their team meetings. I have asked my internal auditors, RSM Tenon, to undertake updated training for all staff to ensure that they are aware of guidance and best practice. This training will also be provided to the independent members of my Audit Committee. The training will take place in the new financial year. My Head of Corporate Service is a member of the Directors of Finance Network, where risk management is discussed and we learn from their experiences.

Risk management is incorporated into the corporate planning process. The key strategic risks are assessed by the Management Team. Each risk is owned by a member of the team and the risk register is made available to all staff. During the year, the risk register has been regularly reviewed at Management Team meetings. Any new risks or changes are identified and evaluated. The risk appetite is determined by the Management Team in the context of the impact on the reputation of the office; the executive, operational and individual performance; the independence of the office; and the independent and objective review of activities, censure of any kind by regulatory bodies, financial loss, poor value for money, inappropriate use of public funds or any breach of regularity or propriety. A risk assessment of each operational or project activity is undertaken prior to commencement.

My internal auditors, RSM Tenon, have previously undertaken a review of my risk strategy. In addition they have undertaken a review of my compliance with the control and management of information and my compliance with the Data Protection Act. They have made a number of recommendations which are being implemented. The key findings relate to further development of my Communicating Technology System Security policy, in particular, the inclusion of guidance on the use of portable devices.

## Developing the Capacity and Capability of Officers to be Effective

Through my Management Team, I ensure that all members of staff have the necessary skills, knowledge and capacity to discharge their responsibilities. I recognise the importance of competent and well trained employees to ensure the effective deliver of my objectives. All new members of staff attend an induction process which introduces them to the policies and procedures; and culture of the office.

I have introduced an Appraisal Policy, which links individual performance and development to the corporate objectives of the organisation. This is designed to improve every employee's performance and contribution to the achievement of corporate objectives by providing them with the right skills and environment to do the job to the best of their ability.

I am committed to enabling and empowering employees to meet individual, team and corporate goals and I consider the process of annual appraisals, objective setting and personal development planning processes to be fundamental to achieving this aim.

In support of continuing professional development, employees have regular supervision. This has a vital role to play in supporting staff in their work which is often complex and challenging. Supervision provides an opportunity for staff to reflect on and take ownership of the quality of their practice. It is also fundamental to the continuous improvement of services.

Performance management is a process which contributes to the effective management of individuals and teams in order to achieve high levels of organisational performance. It establishes a shared understanding about what is to be achieved and an approach to leading and developing people which will ensure that it is achieved. Performance management is strategic in that it is about broader issues and long term goals and integrated in that it links various aspects of the organisation, people management, individuals and teams.

Financial management is based upon a framework of regular management information and a set of clear financial procedures. Management information involves regular budget monitoring and reporting; and the development of financial targets and other performance measures.

## Engaging with Local People and Other Stakeholders

I am governed by legislation that states I must take reasonable steps to ensure that children and young people are encouraged to give their views on the role and functions of the Commissioner and the programme of work he undertakes.

As part of the corporate planning process consultation is completed with external stakeholders.

The Management Team has developed a Communication Strategy. This strategy ensures that the Commissioner's key messages are communicated to all relevant stakeholders, and ensures that high-quality publications are produced and disseminated to relevant stakeholders. As part of the strategy is the development and implementation of the Commissioner's Social Media Policy, which includes managing accounts on Twitter and Flickr.

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## Adolygu Effeithiolrwydd

Fel Swyddog Cyfrifyddu, fi sy'n gyfrifol am adolygu effeithiolrwydd y system lywodraethu. Hysbysir fy adolygiad o'r system honno gan waith yr archwilyr mewnol a'r Tim Rheoli sy'n gyfrifol am ddatblygu a chynnal y fframwaith rheoli mewnol a sylwadau'r archwilyr allanol yn eu llythyr at y rheolwyr ac adroddiadau eraill. Rwyf hefyd wedi derbyn cyngor ynghylch effeithiolrwydd y system lywodraethu trwy waith y Pwyllgor Archwilio. Rwyf wedi ymrwymo i sicrhau gwelliant parhaus yn y systemau mewnol ac i ymdrin ag unrhyw wendidau wrth iddynt godi.

**Roedd y broses a ddefnyddiwyd wrth gynnal ac adolygu effeithiolrwydd y fframwaith llywodraethu fel a ganlyn:**

- bu'r Tim Rheoli yn trafod ac yn adolygu gweithrediad y mesurau rheoli ariannol mewnol ar y cyd;
- cwblhaodd archwilio mewnol adolygiad o effeithiolrwydd y mesurau rheoli mewnol allweddol; a
- chyfarfu'r Pwyllgor Archwilio yn ystod y flwyddyn a chynghori ar oblygiadau sicrwydd a roddwyd ynghylch llywodraethu corfforaethol, rheoli risgiau a mesurau rheoli, digonoldeb y trefniadau archwilio mewnol ac allanol ac ymatebion rheolwyr i'r argymhellion archwilio.

RSM Tenon sy'n darparu gwasanaeth Archwilio Mewnol i'm swyddfa. Maent yn gweithredu'n unol â safonau Archwilio Mewnol y Llywodraeth. Maent yn cyflwyno adroddiadau rheolaidd sy'n cynnwys barn annibynnol ar ddigonoldeb ac effeithiolrwydd system rheolaeth fewnol y Comisiynydd, ynghyd ag argymhellion ar gyfer gwelliant. Yn ystod 2011-12 darparodd RSM Tenon sicrwydd rhesymol i mi ar gyfer y cyfnod hwn fod gennyf broses reoli fewnol effeithiol a digonol i reoli'r gwaith o gyflawni fy amcanion.

Ar sail fy adolygiad effeithiolrwydd, nid oes materion rheolaeth fewnol arwyddocaol yn codi.

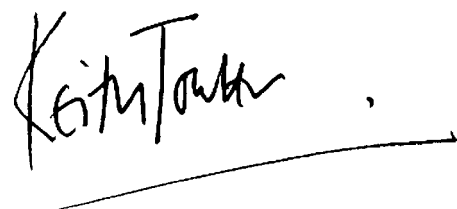
## Rhaglen o Welliant ar gyfer Materion Llywodraethu

Yn ystod y cyfnod dan sylw nid oedd materion arwyddocaol a oedd yn effeithio ar y fframwaith llywodraethu.

Bydd y Tim Rheoli yn parhau i fonitro'r amgylchedd rheoli mewnol a sicrhau bod y fframwaith llywodraethu yn parhau i ddiwallu anghenion y sefydliad.

## Ardystiad gan y Swyddog Cyfrifyddu

Cefais fy sicrhau bod y system lywodraethu a fu'n weithredol yn fy swyddfa yn ystod 2011-12 yn un gadarn. Ar sail yr adolygiad o effeithiolrwydd y systemau rheoli mewnol, cefais fy sicrhau bod y trefniadau presennol yn diwallu anghenion y swyddfa ac yn sicrhau eu bod yn cydymffurfio ag arfer gorau.



Keith Towler  
Comisiynydd Plant Cymru a Swyddog Cyfrifyddu  
Gorffennaf 2012

## Review of Effectiveness

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of governance. This review is informed by the work of the internal auditors and the Management Team who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letter and other reports. I have also been advised on the effectiveness of the system of governance by the work of the Audit Committee. I have undertaken to ensure the continuous improvement of the internal systems and to address any weaknesses as they arise.

**The process applied in maintaining and reviewing the effectiveness of the governance framework was:**

- collectively the Management Team discussed and reviewed the operation of internal financial controls;
- internal audit completed a review of the effectiveness of key internal controls; and
- the Audit Committee met in the year and advised on the implications of assurances provided in respect of corporate governance, risk management and control, the adequacy of the internal and external audit arrangements and management responses to audit recommendations.

RSM Tenon provides the Internal Audit for my office. They operate to Government Internal Audit standards. They submit regular reports which include the independent opinion on the adequacy and effectiveness of the Commissioner's system of internal control together with recommendations for improvement. During 2011-12 RSM Tenon provided me with reasonable assurance for this period that I have adequate and effective internal control process to manage the achievement of my objectives.

From my review of the effectiveness there are no significant internal control issues.

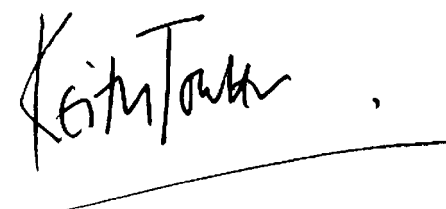
## Programme of Improvement for Governance Issues

During the period there were no significant issues that impacted upon the governance framework.

The Management Team will continue to monitor the internal control environment and ensure that the governance framework continues to meet the needs of the organisation.

## Certification by Accounting Officer

I am assured that the system of governance in operation within my office during 2011-12 has been robust. From the review of the effectiveness of the systems of internal control I am assured that the present arrangements meet the needs of the office and ensure that they comply with best practice.



Keith Towler  
Children's Commissioner for Wales  
and Accounting Officer  
July 2012



## Tystysgrif ac Adroddiad Archwilydd Cyffredinol Cymru i Gynulliad Cenedlaethol Cymru

Rwy'n tystio fy mod wedi archwilio datganiadau ariannol Comisiynydd Plant Cymru ar gyfer y flwyddyn yn diwedd 31 Mawrth 2012 o dan baragraff 9(2) o Atodlen 2 i Ddeddf Safonau Gofal 2000. Maent yn cynnwys y Datganiad o Wariant Net Cynhwysfawr, Datganiad o'r Sefyllfa Ariannol, Datganiad o Lifoedd Arian, Datganiad o Newidiadau yn Ecwiti Trethdalwyr a'r nodiadau cysylltiedig. Paratowyd y datganiadau ariannol hyn o dan y polisiau cyfrifo a gyflwynwyd ynddynt. Rwyf hefyd wedi archwilio'r wybodaeth yn yr Adroddiad Taliadau Cydnabyddiaeth y mae'r adroddiad hwnn'n nodi ei bod wedi cael ei harchwilio.

## Cyfrifoldebau'r Swyddog Cyfrifyddu a'r archwilydd yn eu tro

Fel yr esboniwyd yn llawnach yn y Datganiad o Gyfrifoldebau'r Swyddog Cyfrifyddu, y Swyddog Cyfrifyddu sy'n gyfrifol am baratoi'r Adroddiad Blynyddol, sy'n cynnwys yr Adroddiad Taliadau Cydnabyddiaeth a'r datganiadau ariannol, yn unol â Deddf Safonau Gofal 2000 a chyfarwyddyd Gweinidogion Cymru a wnaed yno ac er mwyn sicrhau uniondeb trafodion ariannol.

Fy nghyfrifoldeb i yw archwilio'r datganiadau ariannol a'r rhan o'r adroddiad taliadau cydnabyddiaeth sydd i'w harchwilio yn unol â'r gyfraith berthnasol, ac â'r Safonau Archwilio Rhyngwladol (y DU ac Iwerddon). Mae'r safonau hynny'n gofyn fy mod yn cydymffurfio â Safonau Moeseg y Bwrdd Ymarfer Archwilio ar gyfer Archwilywyr.

## Cwmpas yr archwiliad o'r datganiadau ariannol

Mae archwiliad yn golygu casglu tystiolaeth ddigonol am y symiau a'r datgeliadau yn y datganiadau ariannol i roi sicrwydd rhesymol nad oes cam-ddatganiadau pwysig yn y datganiadau ariannol, boed hynny trwy dwyll neu gamgymeriad. Mae hyn yn cynnwys asesu'r canlynol: a yw'r polisiau cyfrifo yn briodol ar gyfer amgylchiadau Comisiynydd Plant Cymru ac wedi cael eu defnyddio'n gyson a'u datgelu'n ddigonol; rhesymoldeb amcangyfrifon cyfrifo arwyddocaol a wnaed gan Gomisiynydd Plant Cymru; a chyflwyniad cyffredinol y datganiadau ariannol.

Ar ben hynny, mae'n ofynnol fy mod yn casglu tystiolaeth ddigonol i roi sicrwydd rhesymol bod y gwariant a'r incwm wedi cael eu defnyddio at y dibenion a fwrwydd gan Gynulliad Cenedlaethol Cymru a bod y trafodion ariannol yn cydymffurfio â'r awdurdodau sy'n eu llywodraethu. Rwyf hefyd yn darllen yr holl wybodaeth ariannol ac anariannol yn y Rhagair, y Crynodeb o Weithgaredd a Sylwadau'r Rheolwyr, a gynhwysir yn yr Adroddiad Blynyddol, er mwyn canfod anghysondebau pwysig â'r datganiadau ariannol a archwiliwyd. Os deuaif yn ymwybodol o unrhyw gamddatganiadau pwysig neu anghysondebau ymddangosiadol, byddaf yn ystyried goblygiadau hynny o ran fy adroddiad.

## Barn ar y Datganiadau Ariannol

Yn fy marn i mae'r datganiadau ariannol:

— yn rhoi golwg wir a theg ar sefyllfa fusnes Comisiynydd Plant Cymru ar 31 Mawrth 2012, ynghyd â Datganiad o Wariant Net Cynhwysfawr, Datganiad o'r Sefyllfa Ariannol, Datganiad o Lifoedd Arian, a Datganiad o'r Newidiadau yn Ecwiti Trethdalwyr ar gyfer y flwyddyn a ddaeth i ben bryd hynny; ac

— fe'u paratowyd yn briodol yn unol â chyfarwyddyd Gweinidogion Cymru a gyflwynwyd o dan Ddeddf Safonau Gofal 2000.

## Barn ynghylch Rheoleidd-dra

Yn fy marn i, ym mhob ystyr bwysig, defnyddiwyd y gwariant a'r incwm at y dibenion a fwrwydd gan Gynulliad Cenedlaethol Cymru ac mae'r trafodion ariannol yn cydymffurfio â'r awdurdodau sy'n eu llywodraethu.

## Barn ar faterion eraill

Yn fy marn i:

— mae'r rhan o'r Adroddiad Taliadau Cydnabyddiaeth sydd i'w harchwilio wedi cael ei pharatoi'n briodol, yn unol â chyfarwyddyd Gweinidogion Cymru a wnaed o dan Ddeddf Safonau Gofal 2000; ac

— mae'r wybodaeth a geir yn y Rhagair, y Crynodeb o Weithgaredd a Sylwadau'r Rheolwyr, a gynhwysir yn yr Adroddiad Blynyddol, yn cyd-fynd â'r datganiadau ariannol.

## Materion yr wyf yn adrodd arnynt yn ôl eithriad

Nid oes gennyf ddim i'w adrodd ynghylch y materion canlynol, lle byddaf yn adrodd i chi mewn achosion, yn fy marn i, lle:

— nad yw'r Datganiad Llywodraethu Blynyddol yn adlewyrchu cydymffurfiad â chanllawiau Trysorlys EM;

— na chadwyd cofnodion cyfrifo priodol;

— na ddatgelwyd gwybodaeth a bennwyd gan Drysorlys EM ynghylch taliadau cydnabyddiaeth a thrafodion eraill; neu

— lle nad wyf wedi derbyn yr holl wybodaeth ac esboniadau y mae eu hangen arnaf ar gyfer fy archwiliad.

## Adroddiad

Nid oes gennyf sylwadau i'w gwneud ar y datganiadau ariannol hyn.

**Huw Vaughan Thomas**  
Archwilydd Cyffredinol Cymru  
24 Heol y Gadeirlan  
Caerdydd CF11 9LJ

## The Certificate and Report of the Auditor General for Wales to the National Assembly for Wales

I certify that I have audited the financial statements of Children's Commissioner for Wales for the year ended 31st March 2012 under paragraph 9(2) of Schedule 2 to the Care Standards Act 2000. These comprise the Statement of Comprehensive Net Expenditure, the Statement of Financial Position, the Statement of Cash Flows, the Statement of Changes in Taxpayers' Equity and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

## Respective responsibilities of the Accounting Officer and auditor

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for preparing the Annual Report, which includes the Remuneration Report and the financial statements, in accordance with the Care Standards Act 2000 and Welsh Ministers' directions made there under and for ensuring the regularity of financial transactions.

My responsibility is to audit the financial statements and the part of the remuneration report to be audited in accordance with applicable law and with International Standards on Auditing (UK and Ireland). These standards require me to comply with the Auditing Practice Board's Ethical Standards for Auditors.

## Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to Children's Commissioner for Wales' circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Children's Commissioner for Wales; and the overall presentation of the financial statements.

In addition, I am required to obtain evidence sufficient to give reasonable assurance that the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them. In addition I read all the financial and non-financial information in the Foreword, the Summary of Activity and the Management Commentary, included in the Annual Report to identify material inconsistencies with the audited financial statements. If I become aware of any apparent material misstatements or inconsistencies I consider the implications for my report.

## Opinion on Financial Statements

In my opinion the financial statements:

— give a true and fair view of the state of the Children's Commissioner for Wales' affairs as at 31st March 2012 and of its Statement of Comprehensive Net Expenditure, the Statement of Financial Position, the Statement of Cash Flows, and the Statement of Changes in Taxpayers' Equity for the year then ended; and

— have been properly prepared in accordance with Welsh Ministers' directions issued under the Care Standards Act 2000.

## Opinion on Regularity

In my opinion, in all material respects, the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them.

## Opinion on other matters

In my opinion:

— the part of the Remuneration Report to be audited has been properly prepared in accordance with Welsh Ministers' directions made under the Care Standards Act 2000; and

— the information which comprises the Foreword, the Summary of Activity and the Management Commentary, included within the Annual Report is consistent with the financial statements.

## Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

— the Annual Governance Statement does not reflect compliance with HM Treasury guidance;

— proper accounting records have not been kept;

— information specified by HM Treasury regarding the remuneration and other transactions is not disclosed; or

— I have not received all of the information and explanations I require for my audit.

## Report

I have no observations to make on these financial statements.

**Huw Vaughan Thomas**  
Auditor General for Wales  
24 Cathedral Road  
Cardiff CF11 9LJ

**Datganiad o Wariant Net Cynhwysfawr ar gyfer y flwyddyn a ddaeth i ben ar 31 Mawrth 2012**  
**Statement of Comprehensive Net Expenditure for the year ended 31 March 2012**

	Nodyn Note	2011-12 £000	*Wedi'i ailddatgan/ Restated 2010-11 £000
<b>Gwariant/Expenditure</b>			
<b>Costau gweinyddo/Administration costs:</b>			
Costau staff/Staff Costs	2	1,116	1,263
Dibrisiant/ Depreciation	4	33	43
Costau gweinyddol eraill/ Other Administration Costs	4	488	418
		1,637	1,724
<b>Incwm/Income</b>			
Incwm o weithgareddau /Income from Activities		-	-
Incwm arall/Other Income	5	-	36
		-	36
Gwariant net/Net Expenditure		1,637	1,688
Llog taladwy/derbyniadwy/ Interest payable/receivable		-	-
Gwariant net ar ôl llog/ Net Expenditure after interest		1,637	1,688
<b>Gwariant cynhwysfawr arall/ Other Comprehensive Expenditure</b>			
Elw/(colled) net ar ailbriso peiriannau a chyfarpar / Net gain/(loss) on revaluation of Plant and Equipment		-	-
<b>Cyfanswm y Gwariant Cynhwysfawr ar gyfer y flwyddyn a ddaeth i ben ar 31 Mawrth 2012 / Total Comprehensive Expenditure for the year ended 31 March 2012</b>		1,637	1,688

Mae'r holl incwm a gwariant yn deillio o weithrediadau parhaus. Nid oes enillion na cholledion ac eithrio'r rhai yr adroddwyd amdanynt yn y Datganiad o Wariant Net Cynhwysfawr.

All income and expenditure is derived from continuing operations. There are no gains or losses other than those reported in the Statement of Comprehensive Net Expenditure.

Mae'r nodiadau ar dudalennau 91 i 103 yn rhan o'r cyfrifon hyn

The notes on pages 91 to 103 form part of these accounts

**Datganiad o'r Sefyllfa Ariannol ar 31 Mawrth 2012**  
**Statement of Financial Position as at 31 March 2012**

	Nodyn Note	2012 £000	2011 £000
<b>Asedau anghyfredol / Non-current assets:</b>			
Eiddo, peiriannau a chyfarpar / Property, plant and equipment	7	36	62
<b>Asedau cyfredol / Current assets:</b>			
Elfennau masnach ac eraill derbyniadwy / Trade and other receivables	8	35	45
Arian parod a'r hyn sy'n cyfateb i arian parod / Cash and cash equivalents	9	531	430
<b>Cyfanswm asedau cyfredol / Total current assets</b>		<b>566</b>	475
<b>Cyfanswm asedau / Total Assets</b>		<b>602</b>	<b>537</b>
<b>Rhwymedigaethau cyfredol / Current liabilities:</b>			
Elfennau masnach ac eraill taladwy / Trade and other payables	10	(55)	(122)
<b>Cyfanswm rhwymedigaethau cyfredol / Total current liabilities</b>		<b>(55)</b>	(122)
<b>Asedau anghyfredol a/llai asedau/ rhwymedigaethau cyfredol net Non-current assets plus/less net current assets/liabilities</b>		<b>547</b>	415
<b>Rhwymedigaethau anghyfredol / Non-Current liabilities:</b>			
Darpariaeth ar gyfer rhwymedigaethau a thaliadau / Provision for liabilities and charges	16	(179)	(159)
<b>Cyfanswm rhwymedigaethau anghyfredol / Total non-current liabilities</b>		<b>(179)</b>	(159)
<b>Asedau llai cyfanswm rhwymedigaethau / Assets less total liabilities</b>		<b>368</b>	<b>256</b>
<b>Ecwiti trethdalwyr / Taxpayer's equity:</b>			
Cronfa gyffredinol / General fund		<b>368</b>	<b>256</b>

**Keith Towler**  
Comisiynydd Plant Cymru a Swyddog Cyfrifyddu  
Gorffennaf 2012

Mae'r nodiadau ar dudalennau 91 i 103 yn rhan o'r cyfrifon hyn

**Keith Towler**  
Children's Commissioner for Wales  
and Accounting Officer  
July 2012

The notes on pages 91 to 103 form part of these accounts



**Datganiad o Lifoedd Arian**  
**Ar gyfer y cyfnod rhwng 1 Ebrill 2011 a 31 Mawrth 2012**  
**Statement of Cash Flows**  
**for the period 1st April 2011 to 31st March 2012**

	<b>Nodyn Note</b>	<b>2011-2012 £000</b>	<b>*Wedi'i ailddatgan/ Restated 2010-2011 £000</b>
<b>Llifoedd arian o weithgareddau gweithredu</b> Cash flows from operating activities			
Gwariant net/ Net Expenditure	2,4	1,637	1,688
Addasiad ar gyfer trafodion nad ydynt yn cynnwys arian parod / Adjustment for non-cash transactions	4	(72)	(43)
(Gostyngiad) mewn elfennau masnach ac eraill derbyniadwy / (Decrease) in trade and other receivables	8	(10)	(1)
(Cynnydd)/Gostyngiad mewn elfennau masnach taladwy / (Increase)/Decrease in trade payables	10	67	(6)
Defnydd o ddarpariaethau / Use of Provisions	16	19	22
<b>All-lif arian parod net o weithgareddau gweithredu</b> Net cash outflow from operating activities		<b>1,641</b>	<b>1,660</b>
<b>Llifoedd arian o weithgareddau buddsoddi</b> Cash flows from investing activities			
Prynu eiddo, peiriannau a chyfarpar Purchase of property, plant and equipment	7	7	21
<b>All-lif arian parod net o weithgareddau buddsoddi</b> Net cash outflow from investing activity		<b>7</b>	<b>21</b>
<b>Llifoedd arian o weithgareddau ariannu</b> Cash flows from financing activities			
Cyllid gan Lywodraeth Cymru / Financing from the Welsh Government		1,749	1,837
<b>Ariannu net / Net Financing</b>		<b>1,749</b>	<b>1,837</b>
(Cynnydd)/gostyngiad net mewn arian parod a'r hyn sy'n cyfateb i arian parod / Net (increase)/decrease in cash and cash equivalents	9	(101)	(156)
Arian parod a'r hyn sy'n cyfateb i arian parod ar ddechrau'r cyfnod / Cash and cash equivalents at beginning of period		430	<b>274</b>
<b>Arian parod a'r hyn sy'n cyfateb i arian parod ar ddiwedd y cyfnod / Cash and cash equivalents at end of period</b>		<b>531</b>	<b>430</b>

Mae'r holl incwm a gwariant yn deillio o weithrediadau parhaus. Ni does enillion na cholledion ac eithrio'r rhai yr adroddwyd amdanynt yn y Datganiad o Wariant Net Cynhwysfawr.

All income and expenditure is derived from continuing operations. There are no gains or losses other than those reported in the Statement of Comprehensive Net Expenditure.

Mae'r nodiadau ar dydalennau 91 i 103 yn rhan o'r cyfrifon hyn

The notes on pages 91 to 103 form part of these accounts

**Datganiad o Newidiadau i Ecwiti Trethdalwyr ar gyfer y flwyddyn a ddaeth i ben ar 31 Mawrth 2012**  
**Statement of Changes in Taxpayers' Equity for the year ended 31st March 2012**

	<b>Nodyn Note</b>	<b>Cronfa Cyffredinol/ General Fund £000</b>
<b>Balans ar 31 Mawrth 2010</b> Balance at 31 March 2010		<b>107</b>
<b>Newidiadau i Ecwiti Trethdalwyr 2010-2011</b> Changes in Taxpayers' Equity 2010-2011		
Cyllid gan Lywodraeth Cymru Funding from Welsh Government		1,837
Gwariant cynhwysfawr am y flwyddyn Comprehensive expenditure for the year		(1,688)
		<b>256</b>
<b>Newidiadau i Ecwiti Trethdalwyr 2011-2012</b> Changes in Taxpayers' Equity 2011-2012		
Cyllid gan Lywodraeth Cymru Funding from Welsh Government		1,749
Gwariant cynhwysfawr am y flwyddyn Comprehensive expenditure for the year		(1,637)
		<b>368</b>

Mae'r nodiadau ar dudalennau 91 i 103 yn rhan o'r cyfrifon hyn

The notes on pages 91 to 103 form part of these accounts

## Nodiadau ar y Cyfrifon Adnoddau

### 1. Datganiad o Bolisiau Cyfrifo

Paratowyd y datganiadau ariannol hyn yn unol â Llawlyfr Adroddiadau Ariannol y Llywodraeth (FReM) a gyflwynwyd gan Drysorlys Ei Mawrhydi. Mae'r polisiau cyfrifo a geir yn yr FReM yn cymhwyso Safonau Cyfrifo Rhyngwladol (IFRS), fel y'u mabwysiadwyd neu y'u dehonglwyd ar gyfer cyd-destun y sector cyhoeddus. Lle bo'r FReM yn caniatáu dewis o bolisi cyfrifo, dewiswyd y polisi cyfrifo y barnwyd ei fod yn fwyaf priodol ar gyfer amgylchiadau penodol y Comisiynydd, at ddiben rhoi golwg wir a theg. Fe'u defnyddiwyd yn gyson wrth ddelio ag eitemau y barnwyd eu bod yn bwysig yng nghyswllt y cyfrifon. Disgrifir y polisiau cyfrifo penodol a fabwysiadwyd gan Gomisiynydd Plant Cymru isod.

#### 1.1 Confensiwn Cyfrifo

Paratowyd y cyfrifon hyn o dan y confensiwn cost hanesyddol gan fod Comisiynydd Plant Cymru yn barnu mai dibwys yw effaith ailbriso asedau sefydlog yn ôl eu gwerth i'r sefydliad trwy gyfeirio at eu cost gyfredol.

#### 1.2 Incwm a Chyllido

Yr unig ffynhonnell o gyllid ar gyfer Comisiynydd Plant Cymru yw Llywodraeth Cymru trwy grant blynyddol, sy'n cael ei gredydu i'r gronfa gyffredinol pan dderbynnir y grant. Cydnabyddir y grant yn y cyfnod pryd y darperir y gwasanaethau.

Ceir yr unig ffynhonnell incwm yng nghyswllt adennill costau cyflog mewn achos o secondiad, a chredydir yr incwm hwnnw i'r gronfa gyffredinol pan dderbynnir ef.

#### 1.3 Eiddo, Peiriannau a Chyfarpar

Mae'r Comisiynydd wedi priso'r holl asedau anghyfredol yn ôl eu cost hanesyddol, gan nad yw unrhyw addasiadau ailbriso, ym marn y Comisiynydd, yn bwysig. Y lefel isaf ar gyfer cyfalafiad asedau unigol yw £1,000. Grwpwyd niferoedd mawr o'r un math o asedau gyda'i gilydd wrth bennu a ydynt uwchben neu o dan y trothwy.

#### 1.4 Dibrisiad

Darperir dibrisiad ar gyfraddau y cyfrifir y byddant yn diddymu gwerth asedau nad ydynt yn gyfredol mewn rhandaliadau cyfartal dros y cyfnod a amcangyfrifir ar gyfer eu hoes ddefnyddiol, fel a ganlyn:

Offer TG	3 blynedd
Celfi	5 mlynedd
Cyfarpar Swyddfa	5 mlynedd
Gosodiadau a Ffitiadau	5 mlynedd
Cerbydau	5 mlynedd

Codir am ddibrisiad blwyddyn lawn y flwyddyn gaffael.

#### 1.5 Datganiad o'r Gwariant Net Cynhwysfawr

Incwm a gwariant gweithredu yw'r hyn sy'n uniongyrchol gysylltiedig â gweithgareddau gweithredu y Comisiynydd. Mae'n cynnwys taliadau am nwyddau a gwasanaethau a ddarparwyd ar sail cost lawn. Dosbarthir yr holl wariant fel gwariant gweinyddu.

#### 1.6 Treth ar Werth

Nid yw'r Comisiynydd wedi'i gofrestru ar gyfer TAW. Cyfrifir gwariant a phwrcasau asedau sefydlog gyda TAW wedi'i gynnwys, gan na ellir adennill TAW.

#### 1.7 Pensiynau

Mae staff y Comisiynydd wedi'u cynnwys o dan ddarpariaethau Prif Gynllun Pensiwn y Gwasanaeth Sifil (PCSPS). Mae'r PCSPS yn gynllun buddion diffiniedig. Cydnabyddir cost elfen buddion diffiniedig y cynllun yn systematig a rhesymegol dros y cyfnod pryd y bydd yn cael mantais o wasanaethau cyflogaion trwy dalu symiau a gyfrifir ar sail gronol i'r PCSPS. Mae'r atebolrwydd am dalu buddion yn y dyfodol yn gyfrifoldeb ar y PCSPS. Yng nghyswllt elfennau cyfraniad diffiniedig y cynllun, mae'r Comisiynydd Plant yn cydnabod y cyfraniadau sy'n daladwy am y flwyddyn; nodir y symiau hyn ar y Datganiad o Wariant Net Cynhwysfawr ym mlwyddyn eu talu.

#### 1.8 Prydlesi

Dosbarthir prydlesi asedau lle mae holl risgiau a manteision perchnogaeth ar ased wedi'i phrydlesi i bob pwrpas yn nwylo'r Comisiynydd fel prydlesi cyllidol. Cofnodir yr ased fel ased sefydlog diriaethol a chofnodir dyled i'r prydleswr o isafswm y taliadau prydles. Codir y taliadau ar y Datganiad o Wariant Net Cynhwysfawr, a chodir tâl cyllid ar sail y gyfradd llog sy'n ddealedig yn y brydles.

Codir taliadau rhentu prydlesi gweithredol ar y Datganiad o Wariant Net Cynhwysfawr fesul symiau cyfartal ar hyd cyfnod y brydles.

#### 1.9 Adroddiadau Segmentol

Mae swyddfa'r Comisiynydd yn gweithredu yng Nghymru ac yn delio â materion sy'n effeithio ar blant a phobl ifanc yng Nghymru. Mae'r Datganiad o Wariant Net Cynhwysfawr a'r nodiadau cysylltiedig yn adlewyrchu'r segmentau lle'r adroddir am y canlyniadau gweithredu.

#### 1.10 Treuliau Staff

Mae'r Comisiynydd yn darparu ar gyfer absenoldebau tymor byr adferedig sydd heb eu defnyddio ar ddiwedd y flwyddyn.

#### 1.11 Darpariaethau

Mae'r Comisiynydd yn darparu ar gyfer rhwymedigaethau cyfreithiol neu gontractiol y mae eu hamseru neu eu symiau'n ansicr ar ddyddiad y fantolen, ar sail yr amcangyfrif gorau o'r gwariant y bydd ei angen ar gyfer y rhwymedigaeth.

#### 1.12 Arian Parod a'r hyn sy'n cyfateb iddo

Mae'r Comisiynydd yn cadw arian parod, sy'n cael ei adneuo mewn cyfrif banc masnachol wrth ei dderbyn. Hefyd cedwir arian mân ym mhob un o swyddfeydd y Comisiynydd.

## Notes to the Resource Accounts

### 1. Statement of Accounting Policies

These financial statements have been prepared in accordance with the Government's Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Accounting Standards (IFRS) as adopted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which has been judged to be most appropriate to the particular circumstances of the Commissioner for the purpose of giving a true and fair view has been selected. They have been applied consistently in dealing with items considered material in relation to the accounts. The particular accounting policies adopted by the Children's Commissioner for Wales are described below.

#### 1.1 Accounting Convention

These accounts have been prepared under the historical cost convention as in the opinion of the Children's Commissioner for Wales the effect of the revaluation of fixed assets at their value to the organisation by reference to their current cost is considered to be immaterial.

#### 1.2 Income and Funding

The only source of funding for the Children's Commissioner for Wales is from the Welsh Government via an annual grant, which is credited to the general fund when the grant is received. The grant is recognised in the period in which services are provided.

The only source of income is in relation to recover of salary costs related to secondment, which is credited to the general fund when the income is received.

#### 1.3 Property, Plant and Equipment

The Commissioner has valued all non-current assets at historic cost as any revaluation adjustments are, in the Commissioner's opinion, not material. The minimum level for capitalisation of individual assets is £1,000. Large numbers of the same type of asset have been grouped together in determining if they fell above or below the threshold.

#### 1.4 Depreciation

Depreciation is provided at rates calculated to write off the value of non-current assets by equal instalments over their estimated useful lives, as follows:

IT Equipment	3 years
Furniture	5 years
Office Equipment	5 years
Fixtures & Fittings	5 years
Vehicles	5 years

A full year's depreciation is charged in the year of acquisition.

#### 1.5 Statement of Comprehensive Net Expenditure

Operating income and expenditure is that which relates directly to the operating activities of the Commissioner. It comprises charges for goods and services provided on a full cost basis. All expenditure is classed as administration expenditure.

#### 1.6 Value Added Tax

The Commissioner is not registered for VAT. Expenditure and fixed asset purchases are accounted for VAT inclusive, as VAT is irrecoverable.

#### 1.7 Pensions

The Commissioner's staff are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS). The PCSPS is a defined benefit scheme. The cost of the defined benefit element of the scheme is recognised on a systematic and rational basis over the period during which it derives benefit from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution elements of the scheme, the Children's Commissioner recognises the contributions payable for the year; these amounts are charged to the Statement of Comprehensive Net Expenditure in the year of payment.

#### 1.8 Leases

Leases of assets where substantially all risks and rewards of ownership of a leased asset are borne by the Commissioner are classified as finance leases. The asset is recorded as a tangible fixed asset and a debt is recorded to the lessor of the minimum lease payments. Payments are charged to the Statement of Comprehensive Net Expenditure and a finance charge is made at based upon the interest rate implicit in the lease.

Operating lease rentals are charged to the Statement of Comprehensive Net Expenditure in equal amounts over the lease term.

#### 1.9 Segmental Reporting

The Commissioner's office operates in Wales and deals with issues that impact upon children and young people in Wales. The Statement of Comprehensive Net Expenditure and associated notes reflects the segments that the operating results are reported.

#### 1.10 Staff Expenses

The Commissioner provides for short term compensated absences unused at the year-end.

#### 1.11 Provisions

The Commissioner provides for legal or contractual obligations which are of uncertain timing or amounts at the balance sheet date, on the basis of best estimate of the expenditure required to settle the obligation.

#### 1.12 Cash and Cash Equivalent

The Commissioner holds cash which is deposited in a commercial bank account upon receipt. Petty cash is also held at each of the Commissioner's offices.



## 2. Niferoedd staff a chostau cysylltiedig Staff numbers and related costs

a) Ar gyfer y flwyddyn, roedd y costau staff yn cynnwys y canlynol /  
For the year staff costs consist of:

	2011-2012 £000	2010-2011 £000
Tâl a chyflogau / Wages and Salaries	874	959
Costau nawdd cymdeithasol / Social security costs	73	81
Costau pensiwn / Pension costs	158	223
	1,105	1,263
Secondiad mewnol a staff asiantaeth / Inward secondment and agency staff	11	-
<b>Is-gyfanswm / Sub total</b>	<b>1,116</b>	<b>1,263</b>
Llai adenillion mewn perthynas â secondiadau allanol Less recoveries in respect of outward secondments	-	(36)
	1,116	1,227

b) Roedd nifer cyfartalog y personau cyfwerth amser llawn a gyflogwyd (gan gynnwys uwch reolwyr) yn ystod y cyfnod fel a ganlyn / The average number of whole-time equivalent persons employed (including senior management) for the period was as follows:

	2011-2012	2010-2011
Gweithwyr a gyflogir yn uniongyrchol / Directly Employed	22.6	24.5
Arall / Other	-	-
Staff a gyflogir ar brosiectau cyfalaf / Staff employed on capital projects	-	-
<b>Cyfanswm / Total Number</b>	<b>22.6</b>	<b>24.5</b>

## 3. Adroddiadau ar gynllun iawndal y Gwasanaeth Sifil a chynlluniau iawndal eraill – pecynnau gadael / Reporting of Civil Service and Other compensation schemes – exit packages

Band cost y pecyn gadael Exit package cost band £000	Dileu swydd gorfodol / Number of compulsory redundancies	Nifer y bobl eraill a gytunodd i adael / Number of other departures agreed	2011-2012		2010-2011	
			Cyfanswm nifer y pecynnau gadael fesul band cost / Total number of exit packages by cost band	Dileu swydd gorfodol / Number of compulsory redundancies	Nifer y bobl eraill a gytunodd i adael / Number of other departures agreed	Cyfanswm nifer y pecynnau gadael fesul band cost / Total number of exit packages by cost band
< £10	-	-	-	-	-	-
£10-£25	-	-	-	-	-	-
£25-£50	-	-	-	-	1	1
£50-£100	-	-	-	-	-	-
£100-£150	-	-	-	-	-	-
£150-£200	-	-	-	-	-	-
<b>Cyfanswm nifer y pecynnau gadael fesul math Total number of exit packages by type</b>	-	-	-	-	1	1
<b>Cyfanswm costau adnoddau Total resource cost £000</b>	-	-	-	-	44	44

Talwyd costau dileu swyddi a chostau ymadael eraill yn unol â darpariaethau Cynllun Iawndal y Gwasanaeth Sifil, cynllun statudol a luniwyd o dan Ddeddf Blwydd-daliadau 1972. Cyfrifir y costau ymadael yn llawn ym mlwyddyn yr ymadawiad. Lle bo'r Comisiynydd wedi cytuno ar ymddeoliadau cynnar, telir am y costau ychwanegol gan y Comisiynydd, ac nid gan gynllun pensiwn y Gwasanaeth Sifil. Telir am gostau ymddeoliad oherwydd afiechyd gan y cynllun pensiwn, ac nid ydynt wedi eu cynnwys yn y tabl.

Codir costau llawn yr ymadawiad ar y Datganiad o Wariant Net Cynhwysfawr ym mlwyddyn gwneud y penderfyniad. Credyd y symiau sy'n daladwy mewn blynyddoedd i ddod i ddarpariaeth a ddefnyddir pan wneir y taliadau (gweler nodyn 16).

Redundancy and other departure costs have been paid in accordance with the provisions of the Civil Service Compensation Scheme, a statutory scheme made under the Superannuation Act 1972. Exit costs are accounted for in full in the year of departure. Where the Commissioner has agreed early retirements, the additional costs are met by the Commissioner and not by the Civil Service pension scheme. Ill-health retirement costs are met by the pension scheme and not included in the table.

The full costs of departure are charged to the Statement of Comprehensive Net Expenditure in the year that the decision is made. Amounts payable in future years are credited to a provision which is utilised when the payments are made (see note 16).

#### 4. Costau gweinyddu eraill Other administration costs

	2011-2012 £000	* Wedi'i ailldatgan / Restated 2010-2011 £000
<b>4.1 Rhentu o dan brydlesi gweithredol</b> Rental under operating leases:		
- cerbydau / vehicles	4	8
- llety / accommodation	69	70
- llungopiwr / photocopier	4	3
	77	81
<b>4.2 Rhentu o dan brydlesi cyllidol</b> Rental under finance leases:		
- llungopiwr / photocopier	-	6
	-	6
<b>4.3 Costau gweinyddu:</b> Administration costs:		
Eiddo / Premises	42	51
Swyddfa / Office	90	70
Hyfforddi a recriwtio / Training and recruitment	31	19
Teithio a chynhaliadaeth / Travel and subsistence	35	43
Taliad cydnabyddiaeth archwilydd allanol / External auditors remuneration	18	18
Taliad cydnabyddiaeth archwilydd mewnol / Internal auditors remuneration	12	8
Cyfathrebu / Communication	80	12
Cyfrifiadur / Computer	29	20
Arall / Other	21	64
Ffioedd cyfreithiol a phroffesiynol / Legal and professional fees	14	26
	372	331
<b>4.4 Eitemau heblaw arian parod</b> Non-cash items:		
- tâl dibrisiant asedau cyffredin / depreciation charge on ordinary assets	33	37
- tâl dibrisiant prydles gyllidol / depreciation charge on finance lease	-	6
- colled gwaredu asedau sefydlog / loss on disposal of fixed assets	-	-
- darpariaeth o fewn y flwyddyn / in year provision made	39	-
	72	43
	521	461

\*Mae datgeliad costau gweinyddu eraill 2010-11 wedi newid i adlewyrchu'r wybodaeth reoli a adroddir i'r ffin rheoli. Felly, mae ffigurau 2009-10 wedi'u haildatgan i gyfateb i'r datgeliad hwn.

\*\* Mae ffigurau'r flwyddyn flaenorol wedi'u haildatgan i ddileu'r gost gyfalaf dybiannol, yn dilyn canllawiau Trysorlys Ei Mawrhydi.

\*The disclosure of the 2010-11 other administration costs has changed to reflect the management information reported to the management team. Therefore the 2009-10 figures have been restated to match this disclosure.

\*\*The prior year figures have been restated to remove the notional cost of capital, following HM Treasury guidance.

#### 5. Incwm Income

	2011-2012 £000	2010-2011 £000
Incwm o secondiad Income from secondment	-	36
	-	36

Mae'r unig ffynhonnell incwm a dderbynnir gan y Comisiynydd yn ymwneud ag adennill costau cyflog a chostau cysylltiedig secondiadau rhwng swyddfa'r Comisiynydd a sefydliadau eraill.

The only source of income received by the Commissioner relates to the recovery of salary and related costs associated with secondments between the Commissioner's office and other organisations.

#### 6. Gwybodaeth segmentol Segmental information

	2011-2012 £000	*Wedi'i ailldatgan/ Restated 2010-2011 £000
	Segment i'w adrodd/ Reportable segment £000	Segment i'w adrodd/ Reportable segment £000
Gwariant gros / Gross expenditure	1,637	1,724
Incwm / Income	-	(36)
Gwariant net / Net expenditure	1,637	1,688
Gwybodaeth arall a adroddir i'r Prif Benderfynwr Gweithredol / Other information reported to the Chief Operating Decision Maker	-	-
Cyfanswm asedau / Total assets	602	537
Asedau net / Net assets	368	256

Mae swyddfa'r Comisiynydd yn gweithredu yng Nghymru ac yn delio â materion sy'n effeithio ar blant a phobl ifanc yng Nghymru. Seilwyd yr wybodaeth fisol a gyflwynir i'r ffin rheoli ar fantolenni'r cyfriflyfr. Cadarnheir yr wybodaeth hwn yn ôl llinellau'r gyllideb ac mae'n cyfateb i linellau'r gyllideb a gyflwynwyd i Lywodraeth Cymru fel rhan o'r broses amcangyfrif. Nid yw'r wybodaeth yn gwahaniaethu rhwng gwahanol weithgareddau yn swyddfa'r Comisiynydd. Nid yw dadansoddiad pellach o'r wybodaeth yn nodi gwahanol weithgareddau na segmentau. Barn y Comisiynydd, felly, yw mai mewn un segment yn unig y mae ei swyddfa'n gweithredu, fel yr adroddwyd.

The Commissioner's office operates in Wales and deals with issues that impact upon children and young people in Wales. The monthly information presented to the management team is based upon the ledger balances. This information is consolidated into the budget lines and matches the budget lines presented to the Welsh Government as part of the estimate process. The information does not differentiate between different activities within the Commissioner's office. Further analysis of the information does not identify different activities or segments. It is therefore the Commissioner's opinion that his office only operates in one segment as reported.



## 7. Eiddo, peiriannau a chyfarpar Property, plant and equipment

	Cyfarpar TG / IT Equipment	Gosodiadau a Ffitiadau/ Fixtures & Fittings	Dodrefn a Chyfarpar Swyddfa / Office Furniture and Equipment	Cyfarpar Cludiant / Transport Equipment	Cyfanswm/ Total
	£000	£000	£000	£000	£000
<b>Cost</b>					
Ar 1 Ebrill 2011/ At 1 April 2011	208	205	293	49	755
Ychwanegiadau / Additions	7	-	-	-	7
Gwarediadau / Disposals	-	-	(28)	-	(28)
<b>Ar 31 Mawrth 2012</b> At 31st March 2012	215	205	265	49	734
<b>Dibrisiant / Depreciation</b>					
Ar 1 Ebrill 2011 / At 1st April 2011	201	192	270	30	693
Yn ystod y flwyddyn Charged in year	11	3	9	10	33
Gwarediadau / Disposals	-	-	(28)	-	(28)
<b>Ar 31 Mawrth 2012</b> At 31st March 2012	212	195	251	40	698
<b>Gwerth net ar bapur</b> <b>Ar 31 Mawrth 2011</b> Net book value At 31st March 2011	7	13	23	19	62
<b>Gwerth net ar bapur</b> <b>Ar 31 Mawrth 2012</b> Net book value At 31st March 2012	3	10	14	9	36
<b>Cyllido asedau /</b> <b>Asset financing:</b>					
Perchen / Owned	3	10	14	9	36
Prydles gyllidol/ Finance leased	-	-	-	-	-
<b>Gwerth net ar bapur</b> <b>Ar 31 Mawrth 2012</b> Net book value At 31st March 2012	3	10	14	9	36
Perchen / Owned	7	13	17	19	56
Prydles gyllidol/ Finance leased	-	-	6	-	6
<b>Gwerth net ar bapur</b> <b>Ar 31 Mawrth 2011</b> Net book value At 31st March 2011	7	13	23	19	62

## 8. Elfennau masnachol derbyniadwy ac asedau cyfredol eraill Trade receivables and other current assets

	2011-2012 £000	2010-2011 £000
<b>Symiau sy'n ddyledus o fewn blwyddyn</b> Amounts falling due within one year:		
Elfennau masnachol derbyniadwy Trade receivables	-	16
Rhagdaliadau ac incwm cronodig Prepayments and accrued income	35	29
	<b>35</b>	<b>45</b>

## 9. Arian parod a'r hyn sy'n cyfateb i arian parod Cash and cash equivalents

	2011-2012 £000	2010-2011 £000
Balans ar 1 Ebrill 2011 / Balance at 1st April 2011	430	274
Newid net yn y balansau arian parod a'r hyn sy'n cyfateb i arian parod / Net change in cash and cash equivalent balances	101	156
<b>Balans ar 31 Mawrth 2012</b> Balance at 31st March 2012	<b>531</b>	<b>430</b>

Roedd yr holl falansau ar 31 Mawrth ar ffurf daliadau  
gyda banc Masnachol ac arian mewn llaw.  
All balances as at 31 March were held with a  
Commercial bank and cash in hand.

## 10. Elfennau masnachol taladwy a rhwymedigaethau cyfredol eraill Trade payables and other current liabilities

	2011-2012 £000	2010-2011 £000
<b>Symiau sy'n ddyledus o fewn blwyddyn</b> Amounts falling due within one year		
Trethi a nawdd cymdeithasol / Taxation and social security	28	25
Elfennau masnachol taladwy / Trade payables	15	13
Croniadau / Accruals	12	78
Prydles gyllidol / Finance lease	-	6
	<b>55</b>	<b>122</b>

**12. Rhwymedigaethau o dan brydlesi**  
Commitments under leases

**12.1 Prydlesi gweithredol**  
Operating leases

Roedd y Comisiynydd wedi ymrwymo i wneud y taliadau canlynol mewn perthynas â phrydlesi gweithredol a oedd yn dod i ben  
The Commissioner was committed to making the following payments in respect of operating leases expiring

	2011-2012 £000		*Wedi'i ailddatgan/ Restated 2010-2011 £000	
	Tir ac adeiladau/Land & Buildings	Arall / Other	Tir ac adeiladau/Land & Buildings	Arall / Other
Rhwymedigaethau o dan brydlesi gweithredol Obligations under operating leases:				
Heb fod yn hwyrach na blwyddyn Not later than one year	70	8	70	-
Ar ôl blwyddyn a chyn pen pum mlynedd Later than one year and not later than five years	249	31	342	-
Ar ôl pum mlynedd Later than five years	199	-	266	-
	518	39	678	-

**12.2 Lesoedd cyllid**  
Finance leases

Roedd y Comisiynydd wedi ymrwymo i wneud y taliadau canlynol mewn perthynas â phrydlesi cyllidol a oedd yn dod i ben  
The Commissioner was committed to making the following payments in respect of finance leases expiring

	2011-2012 £000		2010-2011 £000	
	Tir ac adeiladau/Land & Buildings	Arall / Other	Tir ac adeiladau/Land & Buildings	Arall / Other
Rhwymedigaethau o dan brydlesi gweithredol Obligations under operating leases:				
Heb fod yn hwyrach na blwyddyn Not later than one year	-	-	-	6
Ar ôl blwyddyn a chyn pen pum mlynedd Later than one year and not later than five years	-	-	-	-
Ar ôl pum mlynedd Later than five years	-	-	-	-
	-	-	-	6
Taliadau ar y brydles gyllidol yn y dyfodol Future charges on finance lease	-	-	-	-
Gwerth presennol rhwymedigaeth y brydles Present value of lease obligation	-	-	-	6



### 13. Offerynnau ariannol

Mae IFRS7, Offerynnau Ariannol, yn gofyn bod rôl offerynnau ariannol yn ystod y cyfnod yn cael ei datgelu o ran creu neu newid y risgiau mae endid yn eu hwynebu wrth ymgymryd â'i weithgareddau. Oherwydd natur anfasnachol gweithgareddau'r Comisiynydd, a'r dull o gyllido'i weithrediadau, nid yw ei swyddfa'n cael ei gadael yn agored i'r lefel o risg ariannol mae endidau busnes yn ei hwynebu. Ymhellach, mae offerynnau ariannol yn chwarae rôl sy'n llawer mwy cyfyngedig o ran creu neu newid risg nag a fyddai'n nodweddu'r cwmnïau rhestredig y mae IFRS7 yn bennaf berthnasol iddynt. Mae gan y Comisiynydd bwerau cyfyngedig iawn i fenthylg neu fuddsoddi cronfeydd sy'n weddill a chynhyrchir asedau ariannol a rhwymedigaethau gan ei weithgareddau gweithredu o ddydd i ddydd, yn hytrach na'u dal i newid y risgiau y mae'n eu hwynebu wrth ymgymryd â'i weithgareddau.

#### Risg Hylifedd

Ariannir gofynion y Comisiynydd o ran refeniw net ac adnoddau cyfalaf gan Lywodraeth Cymru. Nid yw ei swyddfa felly yn cael ei gadael yn agored i risgiau hylifedd sylweddol.

#### Risg cyfradd llog

Nid yw asedau ariannol a rhwymedigaethau'r Comisiynydd yn cael eu gadael yn agored i risgiau cyfradd llog.

#### Risg Arian Tramor

Nid yw asedau ariannol a rhwymedigaethau'r Comisiynydd yn cael eu gadael yn agored i risgiau arian tramor.

#### Gwerthoedd teg

Nid oes gwahaniaeth rhwng llyfrwerthoedd a gwerthoedd teg asedau ariannol a rhwymedigaethau'r Comisiynydd ar 31 Mawrth 2012.

### 14. Ymrwymadau cyfalaf

Nid oedd ymrwymadau cyfalaf ar 31 Mawrth 2012.

### 15. Rhwymedigaethau amodol

Nid oedd rhwymedigaethau amodol ar 31 Mawrth 2012.

### 16. Trafodion Parhau Cysylltiedig

Mae Llywodraeth Cymru yn barti cysylltiedig, a derbyniodd y Comisiynydd ei unig ffynhonnell gyllido oddi wrth Lywodraeth Cymru; derbyniodd £1.7 miliwn yn ystod y cyfnod. Cafodd y Comisiynydd nifer bach o drafodion pwysig yn ystod y cyfnod gyda Chyllid y Wlad (taliadau Treth ac Yswiriant Gwladol); a Swyddfa'r Cabinet (taliadau yng nghyswllt Prif Gynllun Pensiwn y Gwasanaeth Sifil).

Ni chafwyd trafodion o bwys gyda sefydliadau lle roedd gan staff uwch, nac unrhyw aelodau o'u teuluoedd, swyddi dylanwadol.

### 13. Financial Instruments

IFRS7, Financial Instruments, requires disclosure of the role which financial instruments have had during the period in creating or changing the risks an entity faces in undertaking its activities. Because of the non-trading nature of the Commissioner's activities and the way in which his operations are financed, his office is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of the listed companies to which IFRS7 mainly applies. The Commissioner has very limited powers to borrow or invest surplus funds and financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks he faces in undertaking his activities.

#### Liquidity Risk

The Commissioner's net revenue and capital resource requirements are financed by the Welsh Government. His office is not therefore exposed to significant liquidity risks.

#### Interest-rate Risk

The Commissioner's financial assets and liabilities are not exposed to interest-rate risks.

#### Foreign Currency Risk

The Commissioner's financial assets and liabilities are not exposed to foreign currency risks.

#### Fair Values

There is no difference between the book values and fair values of the Commissioner's financial assets and liabilities as at 31st March 2012.

### 14. Capital Commitments

There were no capital commitments as at 31st March 2012.

### 15. Contingent Liabilities

There were no contingent liabilities as at 31st March 2012.

### 16. Related Party Transactions

The Welsh Government is a related party the Commissioner received his sole source of funding from the Welsh Government; he received £1.7 million during the period. The Commissioner has had a small number of material transactions during the period with HM Revenue and Customs (Tax and National Insurance payments); and the Cabinet Office (payments in respect of the Principle Civil Service Pension Scheme).

There were no material transactions with organisations in which senior staff, or any of their family, held positions of influence.

## 17. Darpariaethau ar gyfer Rhwymedigaethau a Thaliadau Provisions for Liabilities and Charges

	Gadael yn gynnar/Early Departure £000
Balans ar 1 Ebrill 2012 / Balance as at 1 April 2012	159
Defnydd o'r ddarpariaeth / Use of provision	(19)
Darpariaeth o fewn y flwyddyn/ In year provision	39
Balans ar 31 Mawrth 2012 Balance as at 31 March 2012	179

## Dadansoddiad o amserau disgwylidig darpariaethau Analysis of expected timings of provisions

	Gadael yn gynnar/Early Departure £000
Heb fod yn hwyrach na blwyddyn Not later than one year	19
Ar ôl blwyddyn a chyn pen pum mlynedd Later than one year and not later than five years	99
Ar ôl pum mlynedd/ Later than five years	61
Balans ar 31 Mawrth 2012 / Balance as at 31 March 2012	179

## Costau Ymadael yn Gynnar

Mae'r Comisiynydd yn talu am gost ychwanegol buddion y tu hwnt i fuddion arferol Prif Gynllun Pensiwn y Gwasanaeth Sifil (PCSPS) yng nghyswllt gweithwyr sy'n ymddeol yn gynnar trwy dalu'r symiau angenrheidiol yn flynyddol i'r PCSPS dros y cyfnod rhwng ymadael yn gynnar ac oedran arferol ymddeol. Mae'r Comisiynydd yn darparu ar gyfer hyn yn llawn pan fydd yr ymadawiad cynnar yn dod yn rhwymol trwy sefydlu darpariaeth ar gyfer y taliadau a amcangyfrifir.

## 17. Digwyddiadau wedi'r cyfnod adrodd

Nid oedd unrhyw ddigwyddiadau rhwng dyddiad datganiad y sefyllfa ariannol a dyddiad llofnodi'r cyfrifon sy'n effeithio ar y datganiadau hyn.

## Early Departure Costs

The Commissioner meets the additional cost of benefits beyond the normal Principal Civil Service Pension Scheme (PCSPS) benefits in respect of employees who retire early by paying the required amounts annually to the PCSPS over the period between early departure and normal retirement age. The Commissioner provides for this in full when the early departure becomes binding by establishing a provision for the estimated payments.

## 17. Events After the Reporting Period

There were no events between the statement of financial position date and the date the accounts were signed that impact upon these statements.





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\* Tecstiwch ni am ddim (gan ddechrau eich neges â COM)  
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