



# A YEAR OF CHANGE 2016-17

THE CHILDREN'S COMMISSIONER FOR WALES : ANNUAL REPORT & ACCOUNTS

## YEAR ONE:

Three Year Strategic Plan



## MENTAL HEALTH, WELLBEING AND TACKLING BULLYING

'Sam's Story'

## POVERTY AND SOCIAL INEQUALITIES

Community Ambassadors  
Scheme

## PLAY AND LEISURE

Partnership working:  
Mudiad Meithrin

## SAFETY IN THE COMMUNITY, SCHOOL AND HOME

Intergenerational Project  
AGENDA.wales

## RAISING AWARENESS OF THE UNCRC AND ITS ADOPTION ACROSS PUBLIC SERVICES

Student Ambassador Scheme  
'The Right Way'

## TRANSITIONS TO ADULTHOOD

'Hidden Ambitions'  
'The Right Care: Children's  
Rights in Residential Care in  
Wales'



**“Many recommendations for the Welsh Government come from strong messages I have received from children and young people directly”**

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# A YEAR OF CHANGE<sub>2016-17</sub>



**“We are listening,  
we are speaking out  
and we are delivering results”**

# FOREWORD

## FROM THE CHILDREN'S COMMISSIONER FOR WALES

**I think I would be underselling it** if I said that this year has been a year of change. Unprecedented would probably be a better description.

Brexit, elections and political infighting have dominated the news headlines this year. This, despite there being some significant children's rights breaches taking place across the country. In July 2016 the UN Committee on the Rights of the Child published their Concluding Observations for the UK state party. Its report highlights concerns, some of which were also highlighted in the 2008 Concluding Observations, in relation to child poverty, the voting age and the lack of youth parliament, the disproportionate impact on children of financial policies and resource allocation, and children not having equal protection in the law from assault or physical punishment. One of the main functions of my office is to speak out and stand up for the rights of children and young people who are so rarely given the chance to speak out for themselves. With the noisy background of Brexit, I feel this duty of speaking about these breaches more than ever.

In this report, many of the recommendations for the Welsh Government come from strong messages I have received from children and young people directly, on issues that may have otherwise escaped the notice of policy makers, practitioners and the general adult population. These include recommendations on the costs of transport, sibling contact post-adoption, quality and costs in residential child care, bullying and healthy relationships education.

We are listening, we are speaking out and we are delivering results. This report demonstrates the breadth of issues challenged by my office, the significant number of children and young people we listen to and work with on a daily basis, including those who contact my Investigation and Advice service, and the effectiveness of our performance.

A strengthened focus on partnership working has also delivered results for children and young people in Wales. My three year plan for children

and young people clearly indicates my vision of a Wales where all children and young people have an equal chance to be the best they can be. Through collaborations, we have seen this chance increase for a number of our most vulnerable children, namely children and young people in care. This report provides details of where we have made bold suggestions and then worked with institutions, who are able to deliver change across the country, to turn suggestions into real improvements.

My sincere gratitude to my staff team, whose challenge and support I have come to rely upon, whose commitment to children and their rights has shaped and driven the work you'll read over the next few chapters.

Finally, I would like to dedicate this report to the memory of Peter Clarke, Wales, and the UK's, first children's commissioner, who passed away ten years ago. In reviewing the memories people shared during his untimely passing, two struck a chord with me:

*"Peter was a true friend to children and young people in Wales. He spoke to them as equals, listened to what they had to say and respected their views. He was an honourable children's champion."*

*"Let us never talk so much we cannot listen. Let us never know so much we cannot learn. Remember those who think they are forgotten. And be there when they have no place to turn. And let the world our actions make be better – for children's sake."* Act of commitment from Peter's Memorial Service, by Grahame Davies

The greatest honour we can bestow on Peter's memory is to do just that.

**Sally Holland**

# FOREWORD

## BY THE CHAIR OF THE COMMISSIONER'S ADVISORY PANEL

**In 2014, the Welsh Government commissioned** an independent review focussed on ensuring the role of the Children's Commissioner is as clear and effective as possible. It made recommendations aimed at further strengthening the Commissioner's position.

Following that review and with regard to its recommendations the current Commissioner set about creating a set of arrangements that would provide her with independent advice and support without diluting or compromising her statutory role and independence. Whilst vehemently defending the independent status of the office, the Commissioner saw an opportunity to draw on the expertise and support of a varied group of young people and adults recruited through an open process to help deliver positive outcomes for children and young people in Wales. The Commissioner's advisory panel and the children and young people's panel were formed during 2016-17, following an open recruitment process. Included as members are a mix of talents, from parents, lawyers, ex-Government officials, media consultants and charity leads. Our young people panel members, aged 11 to 18, bring a range of experience and skills in championing children's rights, speaking up in school councils, as ambassadors and mentors and champions. Panel members are drawn from the four corners of Wales.

Whilst both panels meet separately, our young people's panel Chairs take it in turn to co-chair the Commissioner's panel with me and we have worked together to share the role effectively. Thank you Malin and Eve for your brilliant contribution. We also have plans for the panels to meet together on an annual basis to advise the Commissioner on her annual report.

Eve and Malin have made videos talking about the work of the young people's panel to accompany this report, which are available on the Commissioner's website.

Any new structure takes time to find its feet and bed in. As panel members we are proud to be engaged with the Commissioner and her team to support the delivery of her three year plan – A Plan for All Children and Young People 2016 - 2019. We want to use our experiences and skills to broaden horizons, challenge assumptions and add value to the Commissioner's role. We want to continue to work closely with the children and young people's panel, learning and developing together to deepen the impact of these new arrangements. Our joint meeting will enable us to build a shared understanding of our respective roles and give us a strong platform for our work to complement and strengthen the Commissioner's vital role in Welsh civil society. We will deliver by working with the Commissioner, her capable and competent team and our exceptionally accomplished children and young people's panel.

Every child in Wales must have every opportunity to be the best they can be. We will always be sure our panel has this at its core. Thank you Sally for giving us this opportunity to support and advise you in your role.

**Margaret Provis**

Chair, Commissioner's Advisory Panel

# HOW WE'VE DELIVERED ON OUR COMMITMENTS

## Three Year Plan

Based on the extensive consultation with over 7000 children, young people and adults in 2015, the Commissioner published her three-year strategic plan in early 2016: A Plan for All Children and Young People 2016 to 2019. Contained within this three year plan are six priorities:

**3 YEAR OBJECTIVE:  
MENTAL HEALTH,  
WELLBEING AND  
TACKLING BULLYING**

**3 YEAR OBJECTIVE:  
POVERTY AND  
SOCIAL INEQUALITIES**

**3 YEAR OBJECTIVE:  
PLAY  
AND LEISURE**

**3 YEAR OBJECTIVE:  
SAFETY IN  
THE COMMUNITY,  
SCHOOL AND HOME**

**3 YEAR OBJECTIVE:  
RAISING AWARENESS  
OF THE UNCRC AND  
ITS ADOPTION ACROSS  
PUBLIC SERVICES**

**3 YEAR OBJECTIVE:  
TRANSITIONS  
TO ADULTHOOD**

# 3 YEAR STRATEGIC PLAN

## 2016-17

### YEAR 1 ACHIEVEMENTS

#### 3 YEAR OBJECTIVE: MENTAL HEALTH, WELLBEING AND TACKLING BULLYING

##### **'Sam's Story'**

Consulted with over 2000 children and nearly 300 professionals about their feelings and experiences of bullying in Wales.

Hosted two evidence exchanges to garner views of professionals.

Committed to publishing the findings of the consultation in July 2017 in memory of the first Children's Commissioner for Wales, Peter Clarke.

#### 3 YEAR OBJECTIVE: POVERTY AND SOCIAL INEQUALITIES

##### **Community Ambassador Scheme**

Maintained contact with our groups in Cardiff, Swansea and Blaenau Gwent and have established new groups in Powys, Flintshire and Ceredigion – they all represent special interest groups to ensure the voice of some of Wales' most vulnerable children have direct influence on our work.

#### 3 YEAR OBJECTIVE: PLAY AND LEISURE

##### **Partnership working: Mudiad Meithrin**

Committed to working in partnership with Mudiad Meithrin and the National Assembly for Wales to have a joint presence at the 2017 Urdd Eisteddfod, to consult with children, young people and adults about play and leisure provision.



Below is an analysis of our major achievements for children and young people in year 1 of the Commissioner's strategic plan, through the delivery of our **project work**.

### 3 YEAR OBJECTIVE: SAFETY IN THE COMMUNITY, SCHOOL AND HOME

#### **Intergenerational project**

Worked with the Older People's Commissioner for Wales to create a resource to promote and celebrate intergenerational relationships.

Videos supporting the resource have been viewed 9000 times on Facebook and lesson plans downloaded 117 times from our website.

#### **AGENDA**

We teamed up with the NSPCC in Wales, Cardiff University, Welsh Women's Aid and Welsh Government to create 'AGENDA: a young people's guide to make positive relationships matter.' The resource – available on [www.agenda.wales](http://www.agenda.wales) – provides a range of creative ideas, tried and tested in schools in Wales, that enable young people to lead healthy relationships education to prevent and combat bullying related to sexism and homophobia. A group of students from a comprehensive school, which has adopted AGENDA approaches, will represent Wales at a European Children's Commissioners' participation conference.

### 3 YEAR OBJECTIVE: RAISING AWARENESS OF THE UNCRC AND ITS ADOPTION ACROSS PUBLIC SERVICES

#### **Student Ambassador scheme**

Programme launched following pilot. 67 secondary schools across Wales are now engaged with the scheme.

#### **'The Right Way'**

Worked with Swansea University to create 'The Right Way: A Children's Right Approach in Wales'

March 2017: published guide, downloaded 314 times from website during first week.

Organisations including Wales Ambulance Trust and National Museum of Wales committed to taking a child's rights approach to planning and service delivery.

### 3 YEAR OBJECTIVE: TRANSITIONS TO ADULthood

#### **'Hidden Ambitions'**

Summer 2016: Events hosted for young people in care and leaving care.

September 2016: survey issued to all local authorities.

October 2016: Workshop with young people in care, assembly members and the Cabinet Secretary for Communities and Children.

March 2017: Report launched and Welsh Government committed £1m towards a care leavers' bursary which will go directly to young people leaving care to support them with training, education, transport and leisure activities as well as a number of other concrete commitments from Welsh Government and WLGA.

#### **'The Right Care: Children's Rights in Residential Care in Wales'**

June 2016: Report published about the rights of young people living in and leaving residential care. All of the recommendations were accepted in full by the First Minister.

February 2017: All four of our report's recommendations taken forward through the work of a dedicated Welsh Government Task and Finish Group established to look at residential placements for young people in care in Wales.

# HIGHLIGHTS OF CORE WORK

## POLICY AND PUBLIC AFFAIRS

### Advocacy

Our significant influencing work this year, along with other key players including the WLGA and Welsh Government, has led to a commitment from all local authorities to implement a national approach to statutory advocacy by June 2017. It means that Wales' most vulnerable children will be actively offered the services of an advocate.

## COMMUNICATIONS

### Media Relations

Secured 437 positive / neutral pieces of coverage for our work and issues concerning children and young people.

Social media: Launched Facebook page and increased Twitter following.

## PARTICIPATION

### Advisory Group

Recruited and trained members aged 11 – 18 to provide the Commissioner and staff team with independent advice and support.

### Youth Parliament

In October, the National Assembly's Llywydd heeded our call for a national democratic space for young people. Elin Jones AM announced her intention to work towards establishing a youth parliament for Wales early in this Assembly term. The Commissioner and a young member of her advisory panel have played an active role in the working group created by the Assembly to support its creation.

Below is an analysis of our major achievements for children and young people in year 1 of the Commissioner's strategic plan, through the delivery of our **core work** (day-to-day work).

## INVESTIGATIONS AND ADVICE

### Case Work

528 individual cases handled by our independent investigations and advice service.

Read more about our case work on page 32 - 35

## FINANCE, HR AND IT

### Internal Audit

A number of independent reports received from Deloitte have given assurances of the effectiveness and adequacy of many aspects of our internal processes and systems, meaning we are managing the resources made available to us effectively.

### Recruitment

Young people were supported to take a significant role in the recruitment of a number of new members of staff, including policy, participation and investigations and advice officers.

# YEAR 1 PLAN

# THE FOUR 'P's

**Our work is divided up** under the four Ps of the United Nations Convention on the Rights of the Child (UNCRC):

## Provision

Children have rights to have their needs met including safe and warm housing, food, education, healthcare, extra care if they are disabled, access to leisure, culture and play, and their families should receive extra help if they are living in poverty.

## Participation

Children have a right to have a say on issues that affect them and to make choices. This includes participating in decisions about their individual lives, such as their care and support plans and participation in their schools, communities and nation.

## Protection

Children have a right to be safe in their homes, schools and communities. This includes on-line safety. Risks to safety include bullying, neglect, physical and sexual abuse and emotional harm.

## Promotion

Governments who have signed up to the UNCRC should ensure that children and others know about the UNCRC and what those rights mean for their everyday lives. The Commissioner also has a duty to promote children's rights in Wales and to encourage others, like schools and public bodies, to do so too.

## A Children's Rights Approach

A key aim within the Commissioner's three year plan for children and young people is to encourage those providing support and services to children and young people to take a children's rights approach. The four Ps sum up the 42 articles of the UNCRC and 'The Right Way: A Children's Rights Approach in Wales' provides a framework for implementing the four Ps as a

systematic approach to ensure that every child has access to all of their human rights.

Our guide, published in March 2017, aims to assist public bodies to integrate children's rights into every aspect of decision making, policy and practice. It was created with expert advice from the Wales Observatory on Human Rights of Children and Young People and it encourages public services across the country to commit to the UNCRC and to improve how they plan and deliver their services.

All public bodies have a legal duty to contribute toward the realisation of children's rights. A Children's Rights Approach is consistent with these duties, and will help public bodies to meet their statutory duties.

The principles of a Children's Rights Approach are:

**Embedding children's rights** – putting children's rights at the core of planning and service delivery.

**Equality and non-discrimination** – ensuring that every child has an equal opportunity to be the best they can be.

**Empowering children** – enhancing children's capabilities as individuals so they're better able to take advantage of rights, and engage with and hold accountable the institutions and individuals that affect their lives.

**Participation** – listening to children and taking their views meaningfully into account.

**Accountability** – authorities should be accountable to children for decisions and actions that affect their lives.



If an organisation takes a Children's Rights Approach to all of its work, it means that they will prioritise children's rights in their work with children and families to improve children's lives, and all children are given opportunities to make the most of their talents and potential. My vision is for every child in Wales to have an equal chance to be the best that they can be, and organisations across Wales can support this vision by adopting a Children's Rights Approach in their work. I am pleased with the positive response the guide has received from several major public bodies. I will report on how this guide is being implemented across Wales in next year's annual report.

Over the following pages, I have highlighted the most pressing issues relating to the four Ps as well as providing some examples of where a children's rights approach is being taken to create positive changes in children's everyday lives.



**“My vision is for every child in  
Wales to have the equal chance to  
be the best they can be”**

# PROVISION

## SOCIAL SERVICES

### Hidden Ambitions

#### The key issues

Transitions to Adulthood features in my three year work plan, and the first year of this work has focused on Transitions for Care Leavers. In particular, I have focused on safe and stable housing, education, employment and training opportunities and practical and emotional support.

#### How we've influenced

Through my consultation events with care experienced young people in 2015 and 2016, I heard consistent and strong messages from care leavers - those leaving local authority foster or residential care - about the differing levels of support that they receive from their local authority as their corporate parent. I also heard in detail about the ambitions they each have for the future and the help they would like to receive in order to achieve these ambitions.

Whilst I heard many examples where local authorities are providing innovative and practical support options and bespoke training and apprenticeship courses for care leavers, I also

heard how the picture differs across the country.

My *Hidden Ambitions* report was launched on 1 March 2017, and contains commitments to Wales' care leavers from the Welsh Government and Welsh Local Government Association (WLGA). As a direct result of my

£1M care leavers' bursary that will go directly to care leavers to support them with accessing training courses or further education, assist with transport costs for work or training, or ensure that they can access leisure and social activities along with their peers. In addition, the Welsh Government have committed to exploring options to reduce poverty amongst care leavers, to extend entitlement to the support of personal advisors up to the age of 25 and to ensure that they receive clear and up to date information about their entitlements.

I have visited and met with leading officials, elected members and young people in every local authority in Wales. Each authority endorsed the report and committed to implementing its recommendations. They also committed to reporting to their looked after children and care leavers how they will work towards improving safe and stable housing, education, employment and training opportunities and practical and emotional support.

In working collaboratively with the Welsh Government and WLGA to agree their respective commitments to care leavers, I have seen a really positive response to the contents of my report. Several Assembly Members also attended my national consultation event in October 2016 and heard first-hand the priorities and experiences of care experienced young people from across Wales and which resulted in a number of plenary questions. This has translated into ongoing policy change for this group of young people..

Support for all care leavers up to the age of 25 is something that is incredibly important to care leavers, whether or not they are in education or training. Many care leavers have told me of the importance of their personal advisor as someone who sticks by them, and who can point them in the right direction or "keep on their case" to help them progress with formal training and informal skills development as they progress towards independence.



report, on 1 March 2017 the Cabinet Secretary for Communities and Children announced an annual

## £1M care leavers' bursary announced



Care leavers have also repeatedly raised concerns with me about the amount of money they have to live on once they reach the age of 18. I have been struck by the relative poverty that they live in and by the social isolation that this creates due to young people having to miss out on socialising with their peers as a result of low finances.

### Future opportunities

I will continue to liaise with the Welsh Government and WLGA (and individual local authorities) to achieve the longer term aims of the report and ensure that Wales' commitment to care leavers is fulfilled. I will publish a further report following on from engagement with all 22 local authorities in Wales, to share the ambitions and options being explored across Wales to better support our care leavers.

### RECOMMENDATIONS

- The Welsh Government should fulfil all of their commitments set out in the Hidden Ambitions report, including equal support for all care leavers whether they have come from foster care or residential care, funding for personal advisors to support for all care leavers up to the age of 25, publishing clear information for care leavers on finances and guaranteeing financial support for care leavers entering higher education.
- The Welsh Government should actively report on their progress against these commitments to local authorities and directly to children and young people themselves.
- The Welsh Government should exempt young people leaving care from paying council tax up to the age of 21 to assist with alleviating poverty amongst care leavers.



# PROVISION

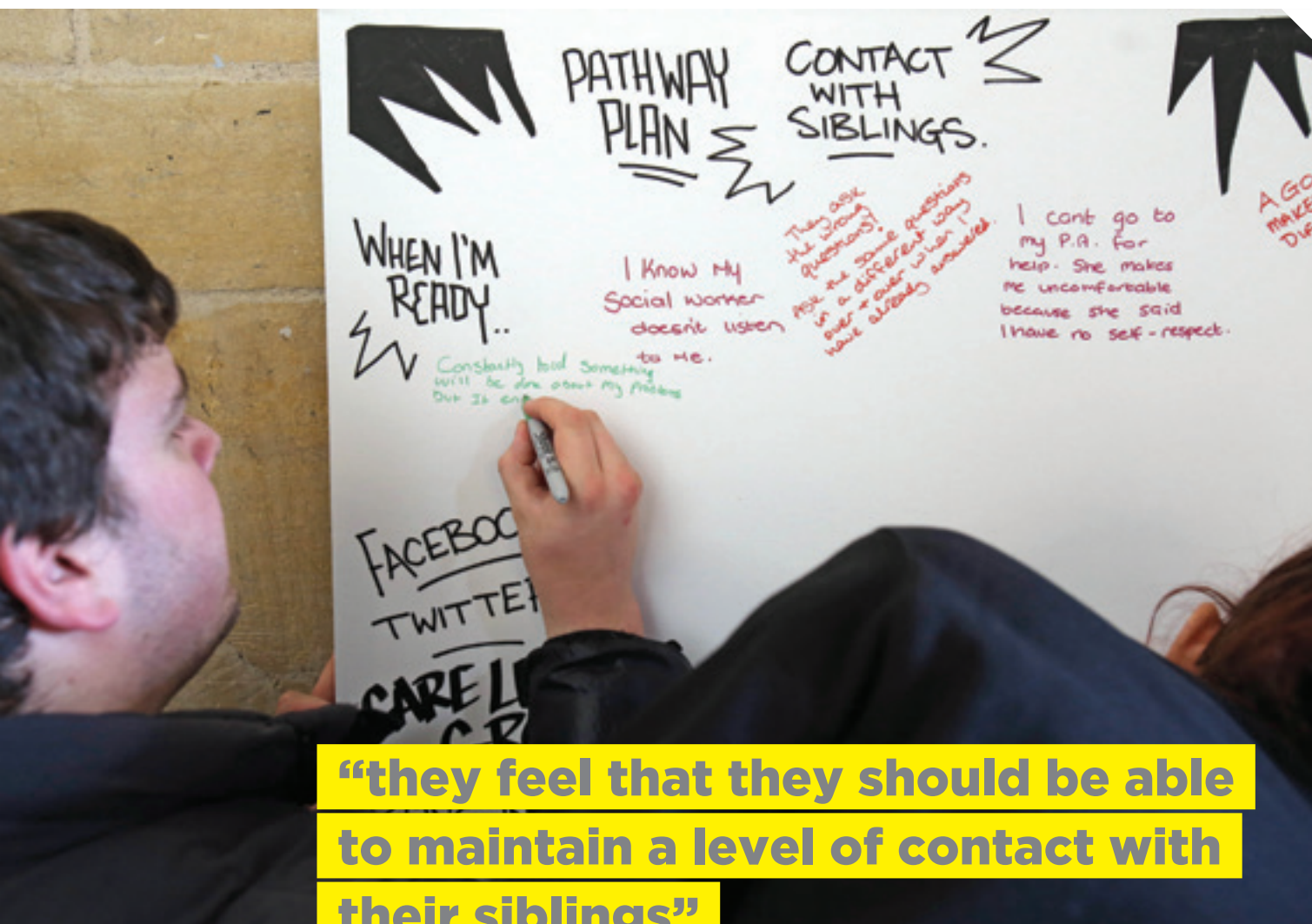
## SOCIAL SERVICES

### Adoption and siblings

#### The key issues

Care experienced young people have raised with my office their concerns about not being able to maintain contact with their adopted siblings, whether this is through regular face to face contact or even just to receive letter updates regarding their younger siblings' progress. This issue has come through to my independent investigations and advice service, and been raised with me directly at two separate consultation events.

The young people I have spoken to recognised that there may be many different factors surrounding decisions about ongoing contact, as these decisions have the potential to affect the children of both families, the birth parents, adopters and foster carers. However as a fundamental point, they feel that they should be able to maintain a level of contact with their siblings, and they have a right to retain their family relationships. Young people report feeling like they are being punished when contact is not promoted. Sibling relationships are the earliest and usually longest lasting relationships in any person's life and the importance of maintaining these cannot be underestimated.



**“they feel that they should be able to maintain a level of contact with their siblings”**



### How we've influenced

I have raised this issue with the Cabinet Secretary for Communities and Children, the National Adoption Service (NAS) and with Adoption UK. I have encouraged one group of young people to share their stories directly with the NAS. The National Adoption Service Director of Operations has expressed an interest in hearing from young people affected and making progress on the issue.

### Future opportunities

There are potentially two elements to this issue; one is a recognition of the rights of children to maintain contact with their family members and to preserve their identity, and the other is a training issue around the approach to care planning to ensure that other siblings are considered as a matter of course. The Social Services and Well-being (Wales) Act 2014 requires those who make decisions about care and support planning for children to pay due regard to children's rights when doing so. At present it is not always clear how much regard has been paid to the rights of all of the children of the family.

### RECOMMENDATION

The Welsh Government should work with the National Adoption Service to ensure that siblings' rights to contact are fully considered during adoption care planning.

## Residential care

### The key issues

In June 2016 I published a report entitled "*The Right Care: Children's Rights in Residential Care in Wales*". This report was the result of qualitative fieldwork with 34 children in residential care and many more professionals working in this sector.

It included **four recommendations:**

- 1. Social workers, their managers, independent reviewing officers and children's home staff** should actively involve young people in decisions about the care and support they receive,
- 2. CSSIW should consider including in its inspection framework for children's homes** an assessment of whether providers are accepting young people into their care before adequate support and notification of local agencies has taken place,
- 3. CSSIW, providers, commissioners and the police** should consider how best to safeguard children and prevent unnecessary criminalisation,
- 4. Welsh Government** should explore the extension of the 'When I'm Ready' scheme to all children in care.

Since the launch of the report, I have met with the Welsh Government, the Police and CSSIW in order to explore further how these recommendations can be taken forward to enhance the experiences of young people who live in children's homes. There are ongoing concerns and sometimes disagreements between local authorities, care providers and police about how to respond to young people who go missing or present challenging behaviour.

Cont.d >>

# PROVISION

## SOCIAL SERVICES

I have been encouraged by the willingness of all three groups to openly discuss and try to resolve these issues but further dialogue is needed to develop a rights-based, safe way of working on issues such as how to prevent young people getting into dangerous situations and how to safely avoid or de-escalate conflict and violence. It is vital to avoid unnecessary criminalisation of looked after young people.

I have also heard about severe pressure throughout the system in finding suitable specialist residential and foster care places close to home to maintain contact with family members and minimise the risks of young people going missing in an unfamiliar area. These young people often require therapeutic and educational provision, but local authorities have reported to me that they find it difficult to assess quality and suitability of such provision in urgent situations where many local authorities across England and Wales may be competing to secure a placement for vulnerable children in their care. The very high costs of such provision can lead to a pressure to move children as soon as possible, increasing the number of moves they experience.

In meetings with young people who have lived in residential care, I have heard their concerns that some providers make an excessive profit out of their care.

### How we've influenced

In response to my report, **the First Minister accepted all recommendations** and committed to delivering change for those in residential care in Wales.

### Key opportunities

I am pleased to note that the Welsh Government has set up a Task and Finish group to pick up on the issues raised in *The Right Care* report. I will continue to liaise with the Welsh Government to ensure progress is being made against the recommendations of my report.

In addition, the group is tasked with measuring the capacity of the system currently and the usage of placements and commissioning arrangements. This group should analyse and make plans for the provision of adequate specialist residential care placements for Wales. There is an opportunity here to align this commissioning work with the work being undertaken on a National Fostering Framework, as any capacity issues in different types of placements necessarily have a knock on effect to other types of placement.

The National Assembly's Public Accounts Committee is conducting an inquiry into provision for looked after children in Wales in 2017-18 and I hope that the Committee will thoroughly investigate outcomes for children, value for money and levels of profit in children's services in Wales.

I have raised with the Cabinet Secretary for Communities and Children and the Parliamentary Review of Health and Social Care my concerns about the lack of availability of suitable specialist placements and the concerns that young people have raised with me about profit making in looked after children's services.

### RECOMMENDATIONS

- The Welsh Government should deliver against the work plan of their Task and Finish group, set up in response to my recommendations in *The Right Care* report.
- The Welsh Government should ensure that local authorities deliver their duties under Section 16 of the Social Services and Well-being (Wales) Act 2014 to involve children and young people in the design and delivery of services and increase the range of not for profit services so that money invested in social care services can be spent on improving outcomes for children rather than providing returns for shareholders.

## Advocacy

### The key issues

Advocacy has been a key issue for this office for over a decade and remains an ongoing priority. Independent Advocacy provides a fundamental safeguard for children and their rights, particularly for the most vulnerable members of society.

### How we've influenced

In November 2016 I submitted written and oral evidence to the Children, Young People and Education Committee in relation to the National Approach to Statutory Advocacy for children in care and children with care and support needs. I recognised the progress that had been made in implementing a National Approach which is fully costed and standardised to ensure the same level of provision for children right across Wales. However despite a significant amount of work by the Welsh Government, WLGA and other key stakeholders, there remained uncertainty about consistent implementation of the National Approach across Wales, thus perpetuating the concerns about provision not being available as and when needed nor being publicised right across Wales.

In December 2016, we, along with the WLGA, secured commitment from every local authority in Wales to implement a standardised National Approach to advocacy. Every region of Wales is on course to have a full service in place by August 2017. As a member of the Senior Leadership Group (SLG) on advocacy I have, and will continue to, maintain scrutiny of the implementation of the agreed approach across Wales.

I recognise that the full implementation of the National Approach will be a significant step in the journey towards ensuring that advocacy is reaching all children and young people that are entitled to it, to act as that fundamental safeguard and promote their rights and entitlements. The Active Offer in particular, as called for in my predecessor's *Missing Voices* reports, represents a notable shift in the approach taken to advocacy and seeks to address the concerns that advocacy was not known about or widely understood.

### Future opportunities

I will continue to monitor the progress on implementation of the National Approach through the SLG.

However, achieving implementation across the 6 regions in Wales is only part of the story; ongoing monitoring of progress and the take up of advocacy as a result of the Active Offer are also important to ensure that advocacy is reaching those who are entitled to receive it, and that it is being used to support them in achieving positive outcomes.

### RECOMMENDATION

I recommend that the Welsh Government monitors the implementation of the National Approach to Statutory Advocacy to ensure that the intended services reach all those who are entitled to receive it, increasing the prospect of positive outcomes for children and young people.

**“Advocacy has been a key issue for this office for over a decade and remains an ongoing priority”**

# PROVISION

## EDUCATION

### Deaf children and family access to British Sign Language (BSL)

#### The key issues

Deaf children, young people and their family members have expressed concern to me on multiple occasions in relation to the lack of provision and support for families of Deaf children to learn BSL. We have met with parents who have expressed being unable to communicate with their Deaf children, whose children and families clearly require a more tailored approach and more specific support in order to develop and thrive.

Access to BSL learning opportunities for newly diagnosed Deaf children of all ages, for their parents and for other family members is a priority. An inability to communicate effectively can lead to disengagement and isolation, negatively affecting Deaf children's emotional and mental health, development and wider life chances. Parents have identified prohibitive costs, a lack of childcare, and a lack of support or suitable informal BSL learning opportunities such as support groups as key barriers to access to BSL. Specific support through learning and play groups for families in similar situations would allow parents to learn their child's language to communicate with them and for both Deaf children and their family members to be able to access peer support.

There are key ongoing concerns in relation to a lack of support in mainstream education to meet individuals' needs and support their learning, a lack of positive role models for Deaf children, and a lack of parity in standards of language-related qualifications required to teach Deaf children and support their learning. It is disappointing to note that only one local authority in Wales has signed up to the British Deaf Association Charter, although an additional local authority has undertaken considerable work and demonstrated commitment to the principles of the Charter.

Although the Welsh Government recognises BSL as a language in its own right, there is insufficient resourcing of provision to ensure that children who communicate using BSL are supported by professionals in school who are appropriately qualified, experienced and confident in the use of BSL.

#### How we've influenced

I have met with Deaf children, young people and their family members and heard about their views and experiences around access to BSL and support in mainstream education. I subsequently called for more state support for the communication needs of Deaf children and their families in coverage of the issue by BBC Wales. The issue formed part of my evidence to the All Wales Parliamentary Review of Health and Social Care.

#### Future opportunities and challenges

New and forthcoming legislation in Wales such as the Social Services and Well-being (Wales) Act (2014), the Well-being of Future Generations (Wales) Act (2015) and the Additional Learning Needs and Educational Tribunal (Wales) Bill (ALN Bill) provide opportunities to better meet the needs of disabled children and young people through the requirement of person-centred, preventative and integrated public services. Provision for Deaf and hearing impaired children and young people should be aligned to fit with the aspirations of this legislative programme, ensuring them access to quality support to ensure that their rights are met.

#### RECOMMENDATION

The Welsh Government and local authorities should ensure appropriate state support for the communication needs for Deaf and hearing impaired children and young people and their families, including accessible and affordable BSL learning opportunities at a range of levels and the employment of staff in schools who are fluent communicators of BSL, to meet individuals' needs.



# PROVISION

## HEALTH

### Mental Health

#### The key issues

My annual report for 2015-16 highlighted the unacceptable length of waiting lists for clinical services, the under-development of primary and preventative mental health services and an ongoing difficulty in providing timely access to psychological therapies. Whilst I welcome the new, ambitious waiting times targets for CAMHS and an encouraging decrease in CAMHS waiting times in some areas, progress against waiting times targets has not been evenly achieved across Wales, perpetuating inequalities of access to mental health support for children and young people. As progress on waiting lists starts to take effect, it is essential that work is undertaken to further develop early intervention and prevention services, community teams and acute care.

There are still improved links to be made between the Together for Children and Young People (T4CYP) Programme and the health and wellbeing focus within the curriculum reform, to promote and plan for evidence-based, whole school approaches to mental health, wellbeing and healthy relationships. I would wish to see more systematic involvement of young people in developing and evaluating services. The T4CYP Programme is currently in its final of three years with no further funding having been confirmed at this stage.

#### How we've influenced

During 2016-17 I have continued to monitor progress and continuing barriers to suitable mental health services for children and young people through engagement with children and families, professionals, health boards and trusts, the T4CYP Programme and the All Wales Parliamentary Review of Health and Social Care. I sit on the Expert Reference Group for the T4CYP Programme as an observer.

My team has met regularly with the T4CYP Programme Manager and Young Wales to discuss the engagement and involvement of young people in the T4CYP Programme.

#### Future opportunities and challenges

There is still ongoing work to be done in relation to improving waiting times for clinical services to ensure equality of access for all children and young people across Wales. It is vital, however, to ensure that the focus on early intervention, prevention and primary care is not diluted and that mental health services at all levels are appropriately resourced.

We must capitalise on the opportunity that the current curriculum reform work and the T4CYP programme offers us to ensure that the links between education and mental health and wellbeing are strengthened. It is vital that the T4CYP programme ensures that health boards are collating evidence in relation to whether children's experiences of mental health service are improving, to develop a local and national evidence base. Children and young people should be enabled to more effectively engage in the programme and the work it is taking forward. The systematic change required to ensure appropriate provision promoting wellbeing, preventing mental ill-health and providing the right services in a timely manner to those who require early intervention or clinical treatment requires a continued concerted effort and investment. The Welsh Government will need to continue to provide funding to help the service achieve transformational change.

#### RECOMMENDATIONS FOR THE WELSH GOVERNMENT AND NHS

The Welsh Government should ensure that the T4CYP programme is continued beyond this financial year, until they can be satisfied that sufficient mental health and wellbeing services are available for children in Wales when and where they need them. The impact and outputs of the Programme need to be sustainable for delivery at a local level, and the work from the Programme needs to be sufficiently embedded so that the regional planning boards can then maintain progress and quality of provision for all children across Wales.

# PROVISION

## HEALTH

### Health Advocacy

#### The key issues:

Despite the progress being made in relation to a National Approach to statutory advocacy for children under Part 10 of the Social Services and Well-being (Wales) Act 2014, it is currently unclear how consistently Local Health Boards and NHS Trusts are approaching their provision of advocacy for under 18s who wish to make a complaint about the care and treatment provided to them as part of the health service in Wales. Community Health Councils are currently expected to provide advocacy for over 18s yet there is some evidence to suggest that some will accept referrals from under 18s. In 2011, the previous Health Minister clarified Welsh Government's expectation for local health boards to provide independent advocacy for children and young people up to the age of 18 who wish to make a complaint under Section 187(2a – 2c) of the NHS (Wales) Act (2006), but there is a need for further clarification around what children and young people can expect now in relation to health related advocacy outside of independent mental health advocacy.

#### How we've influenced

I raised health related advocacy for under 18s with the Chair of the All Wales Parliamentary Review of Health and Social Care Review Panel. I also highlighted this issue through my response to the consultation on the National Standards for CHCs (Community Health Councils) and I wrote to the Cabinet Secretary for Health, Wellbeing and Sport in March 2017 to seek clarification on what children and young people should expect and his assessment of the current level of implementation.

#### Future opportunities and challenges

There is a timely opportunity to provide clarification on health related advocacy for children and young people under 18 in the child friendly version of the 'Putting Things Right' patient information leaflet to be developed, which currently refers to the CHCs' role in supporting those who wish to raise concerns.

#### RECOMMENDATION

The Welsh Government should ensure that health related advocacy for under 18s is available and accessible to all who need it.

**“Community Health Councils are currently expected to provide advocacy for over 18s”**

# PROVISION

## TRANSPORT

### Costs of bus travel for young people

#### The key issue

Transport for young people is an issue that is often raised with my office; particularly in relation to accessing education but also as a general point. In the last year I have heard about difficulties with transport in rural areas especially. Young people have told me how they spend the first hour or more of their pay from a minimum wage job just on transport costs.

Young people under 17 are dependent upon public transport as they are unable to drive and even aged 17 and over the costs of learning to drive and maintaining a car with insurance and running costs can be prohibitively expensive.

#### How we've influenced

During this year I was made aware that the MyTravelPass discounted bus travel scheme for young people aged 16-18 was to come to an end. I requested sight of the Children's Rights Impact Assessment (CRIA) for this decision; there was no CRIA in place when the decision was made and the CRIA that was created subsequent to my request reflected that the scheme was only ever to run until March 2017 and suggested that there would be no negative impact on children as a result of this decision. I wrote to the Cabinet Secretary for Economy and Infrastructure to raise my concerns about this scheme ending and the lack of consideration for children's rights and experiences.

#### Future opportunities

The MyTravelPass scheme was reinstated during a transitional period while alternative options are being explored. The Welsh Government is reviewing options for future provision. There is no logical reason for eligibility for discounted fares to end at the age of 16 when the legal definition of childhood is 0-18 and most young people aged 16-18 are in education or training.

#### RECOMMENDATION

I urge Welsh Government to ensure that public transport subsidies for children are available up to age 18 with no change in eligibility at age 16.

## Additional Learning Needs

### Additional Learning Needs and Educational Tribunal (Wales) Bill

#### The key issues

Welsh Government has made progress introducing the Additional Learning Needs and Education Tribunal Bill (ALN Bill) to the National Assembly. The ALN Bill seeks to introduce a new legislative framework for children and young people with additional learning needs and aims to strengthen the coordination of provision and support available to them. I have welcomed the general principles of the Bill and am pleased the Minister for Lifelong Learning and Welsh Language has committed £20m to support the system-change transformation programme. However, I am disappointed that the Welsh Government has not included a duty for relevant bodies to pay due regard to the United Nations Convention on the Rights of the Child (UNCRC) and United Nations Convention on the Rights of Disabled People on the face of the Bill. I am also disappointed that Welsh Government has not proposed to strengthen the powers of the Education Tribunal for Wales to include health bodies in its remit.

*Cont.d >>*

# PROVISION

## ADDITIONAL LEARNING NEEDS

### What we've done

Responding to the additional learning needs of children and young people remains a priority area of focus. I have submitted a number of responses to the National Assembly's Children, Young People and Education Committee as part of the legislative scrutiny process and my Office continues to sit on a number of strategic groups influencing curriculum reform.

During 2016 the Welsh Language Commissioner and I responded to concerns from parents about the availability of Welsh medium provision for ALN, by undertaking an information gathering exercise exploring the extent to which local authorities in Wales have succeeded in meeting demand for Welsh medium education. We circulated a short questionnaire to Directors of Education in all 22 Welsh local authorities and our analysis of the survey results found that support for pupils with ALN in Welsh medium schools was generally unsatisfactory. There were a lack of assessment tools available through the medium of Welsh, and a lack of Welsh speaking specialist staff such as Education Psychologists resulting in children and young people with Additional Learning Needs being assessed and provided with services only through the medium of English.

The survey results clearly indicated that the majority of local authorities were unable to fully respond in Welsh to the range of additional learning needs that they were dealing with. In particular there were gaps in provision in relation to autism, those with particularly serious conditions, speech and language services, and a shortage of staff within the various services and teams that support schools, including behaviour support. A number of authorities mentioned the difficulty of recruiting suitably qualified Welsh speaking specialist staff, whilst other authorities appear to have a larger range of Welsh speaking specialist and support staff. Unsurprisingly, the local authority areas where Welsh was more widely spoken were less likely to raise this as an issue but that did depend to a certain extent upon the nature of the specialist support required. Some

authorities reported that they do not undertake speech and language assessments in Welsh because teachers do not feel that they have the skills or qualifications to do this. I have raised these issues in my responses to the CYPE Committee's first stage inquiry into the Bill, and in response to the Welsh Government's consultation on the implementation of the ALN Bill.

### Future opportunities

Much work has been undertaken to ensure that the life-chances of children and young people with additional learning needs are improved by the Bill. As Wales moves towards implementation, my office will continue to ensure the obligations laid down contained in the UNCRC are explicitly upheld in the legislation, Code of Practice and the new curriculum.

### RECOMMENDATIONS

- The Welsh Government should introduce a duty upon all relevant bodies under the Act to pay due regard to the UNCRC and UNCRDP and to place this duty on the face of the Bill.
- The Welsh Government should also strengthen the powers of the Education Tribunal for Wales by extending its remit over health bodies.



# PROVISION

## EARLY YEARS

### The key issues

Early childhood is a critical period to ensure the realisation of children's rights and the UNCRC clearly reflects this. I am aware of many developments within the Early Years agenda in Wales, including the Welsh Government's Childcare Offer. I welcome the planned expansion of free childcare for 30 hours a week to the majority of three and four year olds. It will assist considerably with childcare costs for working families, recognising that the majority of children living in poverty have working parents. It will however be essential that it is high quality and also able to meet the needs of those with additional learning needs and those requiring Welsh medium provision in order to benefit children's quality of life and development.

However, I am concerned that the exclusion of children from non-working households may widen further the school readiness gap between this group and those with working parents. While childcare provision offered in Flying Start areas meets some of this need, not all children of non-working parents live in Flying Start areas. Universal childcare should be at the heart of our ambitions for public services in Wales and whilst I am, in principle, pleased with its developments to date, we must recognise the growing evidence base supporting the development of a universal system, which promotes social mobility as well as economic prosperity, by extending entitlement to affordable, high quality childcare and early education. We need to recognise the contribution that this can have within an integrated package of both quality childcare and early education. The wellbeing of very young children is dependent on access to high quality services in areas of health, education and childcare. The UN Committee has previously raised the issue that early childhood has at times, received low priority in the development of quality services. On this note, I refer to the conclusions made within the Independent Review Of Childcare And Early Education Registration, Regulation And Inspection (2014) that the broader we view the needs of our children, the stronger our service provision will be. The capacity to allow for this must now be provided.

### How we've influenced

We have observer status on the Expert Reference Group associated with the Childcare Offer for Wales Group and have raised concerns that we mention above within Ministerial meetings, and at every given opportunity, including Committee appearances.

### Future opportunities

I am aware of concerns amongst the current childcare workforce in Wales in relation to capacity and sustainability, including Welsh Language provision. The six local authorities who will, as 'early implementers', be testing the offer in their pilot areas have now been identified. We must use this opportunity to helpfully provide us with the information on capacity and sustainability of the sector through thorough evaluation of both its impact, reach and accessibility.

### RECOMMENDATION

The Welsh Government should ensure, through the childcare offer pilot and any subsequent scheme, that the children of non-working parents do not miss out on the increased childcare being offered to children of working parents.

# PROVISION

## POVERTY

### The key issue

Child Poverty is probably the greatest challenge facing the Welsh Government. Whilst I welcome a very slight fall in child poverty figures in Wales this year, there are a number of challenges to making further progress in this area. Children are facing the ongoing impact of austerity measures on their parents' incomes and cuts to services that traditionally would have helped them such as libraries and youth centres. Some tax credit and benefit cuts have newly come into force that disproportionately impact on children, particularly those in single parent families and those with more than two children.

The impact of Brexit remains to be seen in Britain but of the UK Nations, Wales is the largest beneficiary of EU funding per capita. Much of this funding is targeted at supporting disadvantaged communities across Wales and it is important that Wales does not lose out in future when funding is being allocated to replace these EU funds.

In addition, the Cabinet Secretary for Communities and Children announced during this year that Communities First will discontinue. Children First aims to set up children's zones in pilot areas to trial new ways of working, but it is important that the benefits of the most successful child, youth and family projects from Communities First can be maintained.

The revised Child Poverty Strategy reaffirmed the Welsh Government's commitment to their ambition of eradicating child poverty by 2020. However a Welsh Government announcement in December 2016 made it clear that this ambition would not be achieved.

The UN Committee on the Rights of the Child published their Concluding Observations for the UK state party in July 2016 and noted that all parts of the state party should: "Set up clear accountability mechanisms for the eradication of child poverty, including re-establishing concrete targets with a set timeframe and measurable indicators, and continue regular monitoring and reporting on child poverty reduction".

### How we've influenced

My office is a member of the End Child Poverty Network Cymru and the Network continues to raise concerns about the lack of visibility of child poverty across the Welsh Government and the child poverty targets being abandoned but with no alternative provision in place.

I have asked the Cabinet Secretary for Communities and Children for reassurance that responses to poverty are being considered and coordinated across the Welsh Government. If this doesn't happen, I remain concerned that Wales' children will continue to be disproportionately affected by the impact of austerity and Brexit and that they will be placed at a disadvantage in trying to be the best that they can be.

### Future opportunities

The newly-established Public Service Boards (PSBs) engage a wide range of partners from across health, social care and the wider public sector to come together to plan and deliver services in each local authority area. There is a real opportunity for PSBs to tackle the larger issues in their area that are perhaps "too big" for one agency to deal with. This would include poverty, but also other areas of real concern such as mental health, which cannot continue to be seen simply as a "health matter".

My 2017-18 work plan includes a commitment to publishing a guide for PSBs and other public bodies to embed children's rights (including their right to an adequate standard of living) within their work on well-being assessments and plans under the Wellbeing of Future Generations Act 2015. Children and young people should be involved in the assessment and planning processes, to help shape service delivery in their area.

### RECOMMENDATION

The Welsh Government should use all available levers to alleviate child poverty, including the use of new tax raising powers. It should support local authorities to offer further relief in specific areas known to cause pressure on the poorest families, including holiday hunger, school uniform costs and high domestic fuel bills.

# PROTECTION

## EDUCATION

### Children's Rights Approaches in Education

#### The key issues

Schools in Wales implementing a children's rights approach have reported to me that this has been instrumental in safeguarding pupils. Developing children's understanding of their rights and in particular of Article 19 has led directly to child protection disclosures and enabled schools to effectively deal with safeguarding issues and ensure children are made safe. However, many education settings in Wales are yet to develop an understanding of children's rights across their community and currently there are too few pupils in Wales safeguarded through this approach.

#### How we've influenced

My office has worked with our network of primary and secondary Ambassador schools to collate examples of effective implementation of children's rights approaches. Using the principles of a children's rights approach developed by my office for public bodies in Wales (with advice from the Wales Observatory on the Human Rights of Children and Young People), I have worked with children and professionals to develop a principled and practical framework for working with children in educational settings. This approach is grounded in the UN Convention of the Rights of the Child.

I have also promoted the beneficial impact of children's rights education through the curriculum reform process in Wales, by meeting with pioneer schools, presenting to the working group for the Health and Wellbeing Area of Learning and Experience, and the Expert Advisory Group chaired by Professor Donaldson.

#### Future Opportunities

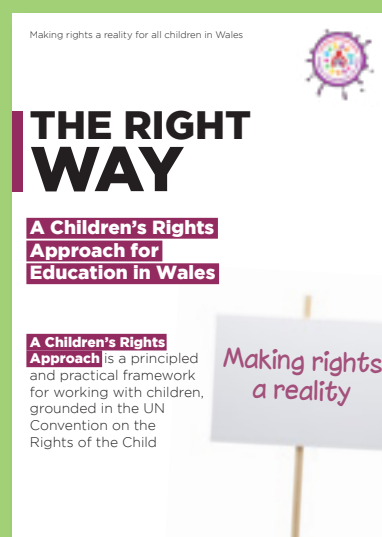
A guidance document 'The Right Way: A Children's Rights Approach to Education in Wales' will be published in May 2017 and made available to all schools in Wales as a free resource.

This will be designed to provide practical guidance for schools and enable professionals to learn from

the practice of settings that have successfully implemented children's rights approaches. I will continue to promote this guidance to Welsh Government, local authorities and schools to advocate for children's rights approaches to be embedded into the new curriculum in Wales in order to safeguard the long-term needs and welfare of children and young people. A children's rights-based education system would be potentially world-leading and a very significant step forward in Wales's commitment to implementing children's human rights under the UNCRC.

#### RECOMMENDATION

I recommend that the Welsh Government ensures that the long-term needs and welfare of children are safeguarded by ensuring that the new curriculum is overtly underpinned by a Children's Rights Approach and that learning outcomes support all children to know their rights under the UNCRC.



# PROTECTION

## EDUCATION

### Healthy Relationships Education

#### The key issues

Whilst most children and young people who participated in my *What Next / Beth Nesa* consultation in 2015 reported that they felt safe in school and their communities, I was disappointed to learn that a substantial minority reported that they did not. They told me that bullying, risks from 'other people' and feeling alone were important matters that were affecting them. This was particularly true for children and young people from less affluent backgrounds. Experiences of being hit, socially excluded and called names by other children and young people at school were relatively common experiences, particularly for primary school children. Although the results from *Beth Nesa* do not represent a direct causal link, young people who had been bullied tended to have lower levels of emotional well-being.

In my 'Plan for Children and Young People 2016 – 19', I outlined my intentions for Welsh Government and public services to make significant progress on ensuring that children's contemporary experiences are better understood and for schools to prevent and tackle bullying more effectively. A significant opportunity for moving forward on the ways that Wales tackles bullying in school exists due to the current review of the national guidance on bullying, 'Respecting Others', and the more general review of the curriculum and teacher training. In this context, it was disappointing to note that the Welsh Government took the decision to disband the All Wales Anti-Bullying Leadership Group in June 2016.

In order to prevent bullying, children need to be given the opportunity to learn about and experience healthy relationships from a young age. The UN Committee on the Rights of the Child's Concluding Observations set out a



“ensuring that children’s  
contemporary experiences are  
better understood ”



number of recommendations in respect of promoting healthy relationships. One of the most consistent messages I receive from secondary school students throughout Wales is the need for stronger sex and relationships education, with more emphasis on healthy relationships.

The Cabinet Secretary for Education has recently announced the establishment of a Healthy Relationships Expert Panel to influence the new curriculum and my office is engaged with this work.

### What we've done

During 2016, my office collaborated with Cardiff University, Welsh Women's Aid and the NSPCC to develop *AGENDA: A young people's guide to making positive relationships matter*. AGENDA is an online educational resource that was created by young people to support other young people to promote healthy relationships and creatively challenge gender inequalities, oppressive gender norms, violence against girls and women, homophobia and transphobia.

During the 2016 Autumn Term, I launched a Super Ambassadors special mission called 'Sam's Story'. This special mission asked pupils to share their thoughts and feelings about bullying. Over 2000 children and young people shared their experiences with us, as well as nearly 300 professionals.

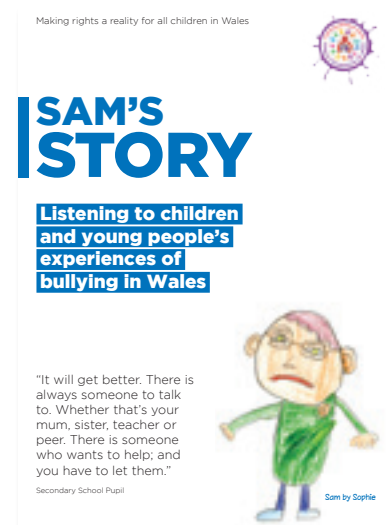
Difference is seen as a key issue for children when it comes to bullying. This includes issues surrounding physical appearance, poverty, disability, ethnicity, gender stereotyping and preferred activities.

Cyberbullying is a key issue, particularly in secondary schools, and should not be seen in isolation to physical or verbal bullying. Children also told me that they often felt unsure about what to do when they witnessed bullying and talked about the importance of direct action by school staff and trusted adults to intervene.

### Future opportunities

I will continue to work with schools and local and national government to ensure that the messages shared with my office through Sam's Story are listened to and implemented.

Implementing a Children's Rights based curriculum, including ensuring that children learn about and experience the right to be safe in school will help. Significant opportunities exist to place children's learning and experiences within a human rights framework including the principles of equality and non-discrimination, rights to be protected from abuse and the right to privacy, online as well as offline. For example, the recently developed Digital Competency Framework would be strengthened with more explicit links to these children's rights throughout the materials.



### RECOMMENDATIONS

- The Welsh Government's review of the 'Respecting Others' Guidance should pay attention to the direct experiences and perspectives of children and young people on the impact of bullying and the effectiveness of current policies and practices. It should clearly set out how it intends to prevent and tackle bullying nationally and outline how this work will influence curriculum reform and teacher training.
- The Welsh Government should make children's human rights education a compulsory aspect of the curriculum. The Curriculum Reform programme should embed learning about the UN Convention on the Rights of the Child across all parts of the new curriculum. This should include linking the Digital Competency Framework to children's rights and support children and young people to understand they have the same rights online as they do offline.



# PROTECTION

## EDUCATION

### Elective Home Education

#### The key issues

Concerns have been brought to my office as a result of a Child Practice Review relating to the tragic death of a home-educated child who was subsequently found to have been largely invisible to universal and statutory services. I have also heard from a variety of professionals from different sectors, expressing their safeguarding concerns for children who are educated at home and who are not known to any statutory services. Whilst I recognise that choosing to home-educate children is not a safeguarding issue in itself, I have previously called upon Welsh Government to strengthen requirements for parents to register as electively home educating their children and to strengthen the powers of local authorities. Many children and their families who are electively home educating are doing so because of their children's additional learning needs which they feel have not been accommodated by the school system, and they will benefit from a supportive and enabling service from the local authority. Planning for support services will be more effective when needs and numbers are clearly established. It is important that children are consulted on their views of their own education regularly and that these views are listened to and taken into account.

#### What we've done

I have raised my concerns about this issue with the Cabinet Secretary for Education, the Cabinet Secretary for Communities and Children and the National Independent Safeguarding Board. The Cabinet Secretary for Education has advised that this issue remains under consideration, including the possibility of legislative change. The National Independent Safeguarding Board has commissioned a review into elective home education with a view to making recommendations to Ministers.

In January 2017, the Welsh Government published updated guidance on how local authorities could better support elective home educated children.

However, I was disappointed about its non-statutory status and it is my view that the revisions are insufficient to make any positive impact. The reissued guidance does not make any mention of children's rights to be heard and consulted about their education and does not take the opportunity to reframe any of the approaches in order to ensure that children are being seen and kept safe.

#### RECOMMENDATION

It remains my view that the Welsh Government needs to amend the current guidance to give it statutory force and include a compulsory register for all home educated children to ensure they do not end up "off the radar" from even universal services. It is also important that the revision of the guidance includes clear powers for local authorities to ensure that they are seeing children and speaking to them directly about their own education.

### Child Sexual Exploitation (CSE)

#### The Key Issues

Wales is developing a national response to CSE, with police forces having seen a rise in the proactive identification of children and young people at risk of CSE and in offenders being actively pursued. Following the launch of The All-Wales National Action Plan to Tackle CSE, Local Safeguarding Children's Boards and partner agencies are working individually and collaboratively to prevent and protect children and young people from sexual exploitation. The Welsh Government completed a Data Collection pilot, which will enable consistent collection of data across Wales to provide a national picture of our challenges in relation to CSE, and how we are responding to those challenges.

### How we've influenced

I chair a National Roundtable on Child Sexual Exploitation. This roundtable group meets throughout the year and supports me in holding the Welsh Government and other services to account and keeps the momentum for CSE related developments across Wales. It brings together senior managers from police, child health, social services, children's charities, youth justice and Welsh Government to share best practice and work towards a national approach so that children receive the same level of protection no matter where they live in Wales.

### Future opportunities and challenges

I will continue to chair a National Roundtable on Child Sexual Exploitation, seeking to maintain momentum for CSE related awareness and service developments across Wales and monitoring progress around the National Action Plan. The UK Government's additional £40m package of measures to protect children and young people from sexual abuse, exploitation and trafficking and to crack down on offenders signals a change in the UK wide response to sexual violence against, and exploitation of, children and young people. This investment has brought real opportunities, including the development of a ground-breaking Centre of Expertise on CSA. However, gaps remain particularly in relation to prevention, especially for those children and young people who are most vulnerable. There is a shortage of therapeutic support for children and young people to support them to recover from the trauma they

have experienced and to go on to lead happy and productive lives. Services need to be consistently available to all children and young people who have experienced CSE across Wales.

There are further opportunities for development and improvement through a revision of the All Wales Protocol for Missing Children and the All Wales Child Protection Procedures, particularly in relation to consistency of responses to CSE and consistent categorisation of incidents. A Review of the Safeguarding Children and Young People from Sexual Exploitation (CSE) guidance is also to be undertaken by a team at CASCADE (Children's Social Care Research and Development Centre) in the School of Social Sciences at Cardiff University. The CSE roundtable will continue to monitor and support work to increase awareness and effectiveness of the statutory guidance, protect children from CSE, disrupt and prosecute perpetrators, and further develop best practice and provision for enabling children to recover from abuse.

### RECOMMENDATION

The Welsh Government should ensure consistent collection of data in relation to CSE across Wales to provide a national picture of our challenges in relation to CSE. It should thoroughly analyse and act on challenges and gaps identified by the national data.

**“Many children and their families who are electively home educating are doing so because of their children’s additional learning needs that they feel have not been accommodated by the school system”**

# PROTECTION

## INVESTIGATIONS AND ADVICE

Our investigations and advice service is an independent source of advice and support for children and young people or those who care for them, if they feel they've got nowhere else to go with their problem.

This year we handled **528 cases**, compared with 519 in the previous year and 540 cases in 2015. They came from **every local authority area** in Wales.

### Who made contact with us?

In our experience, parents, extended family members or carers are the principal advocates for children's rights and welfare. Unsurprisingly, it is usually these advocates who contact us first:

- Parent (271)
- Extended family member (48)
- Child or young person (45)
- Other professional (35)
- Foster carer (34)
- Member of the public (23)

### How did they make contact with us?

- Phone (355)
- Email (139)
- Letter (28)
- In person (4)
- Text (2)

### What did they contact us about?

The issues raised with us were broad but the top three issues raised from the 528 cases were in relation to:

- Education (284 times)
- Social Services (267 times)
- Environment (77 times)

Please note that cases can include more than one issue.

The following case studies illustrate the range of cases dealt with by our office this year.

## CASE STUDIES

### Education

#### The issue:

A parent requested the support of our office to help them deal with a situation facing their child who has Asperger syndrome and a physical health condition. The young person was in Year 12 studying 3 A levels and the Welsh Baccalaureate, having successfully passed their GCSEs. The young person and the parent felt that the school had become less supportive than in previous years of the young person's additional needs, and following a poor mock exam result had been advised to drop a subject, meaning that they would have to drop out of Year 12, as they would no longer be meeting the minimum number of subjects required by the school.

#### What we did:

The parent had pursued the issue with the school and the local authority and while doing so had been paying for private tuition for this young person to continue with their AS exams outside of school, while dialogue was ongoing. Our office provided advice to enable the parent to have a productive meeting with the local authority and raise issues with the school. One of our Investigation & Advice Officers met with the young person to record their wishes and feelings in relation to these matters and ensured this information was provided to the local authority.

#### Outcome for the young person:

The local authority subsequently agreed to provide funding for the private tuition to continue for the next two years to enable the young person to complete their A-levels and to also pursue a third A-level over the next two years. This would enable them to apply to university to pursue Higher Education and reach their full potential.

### Education

#### The issue:

Following an event at which a parent met with the Commissioner, the parent contacted the Investigation and Advice team about a school transport issue. Their child, who has autism, had been due to commence at a special school at the start of the autumn term, but when they contacted the office at the beginning of November school transport had still not been organised.

#### What we did:

The Investigation and Advice officer called the manager of the Additional Learning Needs team who was aware of the child but not that transport remained an issue and agreed to look into the matter.

#### The Outcome:

The Special Education Needs (SEN) manager reported back that the delays to school transport being provided were due to the need to recruit, train and DBS check an escort. Following a suggestion from the Investigation and Advice officer the SEN Manager agreed to telephone the parent to discuss an interim short term arrangement whilst this process was completed. We were contacted a short time later to say that the matter had been resolved and the parent was delighted with the intervention of the office.

# PROTECTION

## INVESTIGATIONS AND ADVICE

### Education

#### The issue:

Our team was contacted by a parent about the allocation of a primary school place for her child who has a disability. They were concerned that the allocated school would not meet their child's needs.

#### What we did:

Our officer made contact with the local authority admissions department, inclusion service and catchment school. It transpired that key information about health needs had not been passed to the admissions department and so decisions were being made without access to all of the relevant information.

#### Outcome for the young person:

Following our intervention, the education inclusion department liaised with the local authority's admissions department and catchment school. The previous decision was reviewed and overturned and a place was allocated to this pupil for the start of term. The Investigation and Advice Officer was able to negotiate effective communication between different local authority departments to overturn a decision that would have negatively impacted upon this young person.

### Social Services and Housing

#### The issue:

An advocate made contact about the provision of supported accommodation for a looked-after young person who had been living in an out-of-county foster placement since the age of 5. The young person had been told they were not eligible for a local supported accommodation service as that was a provision specifically for care leavers from the local authority in which they were living. As the young person was not originally from that local authority they could not access the accommodation.

#### What we did:

Our officer met with the young person to determine their exact wishes and discussed those concerns with various local authority departments. Following advice from the housing department, the young person was advised to place their name on the housing register.

#### Systemic change required:

This case highlighted the issue of some children in care, who are placed in out-of-county placements for significant periods of time, not having the same accommodation rights as their peers – an issue which the Commissioner has subsequently highlighted to senior local and national government officers and the Cabinet Secretary for Communities and Children as an issue that needs addressing.

### Health

#### The issue:

A family member contacted us with concerns about their 14 year old child who was having suicidal thoughts, had disengaged with education and that despite referrals to Child and Adolescent Mental Health Services (CAMHS) from their GP and education provider, no support was felt to be forthcoming.

#### What we did:

Our officer made contact with the local authority education department, social services and CAMHS to establish which roadblocks were preventing the young person from accessing the required mental health support. It became apparent that the education provider with whom the family had been in contact had referred the child to an Educational Psychologist requesting them to make the referral to CAMHS, and had not directly referred the case themselves to CAMHS. The family member was unaware of the various services' attempt to make a referral and therefore assumed nothing had been done.



**Outcome for the young person:**

Following our intervention, the local authority's social services department put in place a package of support for the child in the short-term and CAMHS made arrangements to meet with and assess the young person.

**Environment and community****The issue:**

We received a letter from pupils of a school council seeking advice on how to ensure their voices were heard during a consultation process regarding the proposed closure of their local sports centre.

**What we did:**

We made contact with the local authority and obtained information about their existing plans to consult with local children and young people. The authority provided us with information about the next stages of consultation and confirmed the pupils would be afforded an opportunity to ask questions and be heard at the public meeting soon to take place. We shared the information with the pupils and encouraged them to ask for any children's rights impact assessment completed as part of the planning process.

**Outcome for children:**

Here's the feedback received from the school: "Thank you for your reply to our letter in October about the possible closure of Sports Centre A. Our School Council attended the public meeting and, following your advice, asked a question about whether local authority B had completed a children's rights impact assessment on the removal of the Sports Centre. Mr C (Local Authority Strategic Director) told the meeting that local authority B had not yet completed an assessment but that they would complete one before making a final decision about the centre."

**How did people feedback?**

On the closure of every case, we offer the opportunity for those who received our advice and support to feedback on the service provided. Here's a selection of the feedback we received this year:

"The support I received was fantastic and the involvement of the Commissioner's office made all the difference. I will definitely contact you again if I need support."

"I can't thank her [Investigations and Advice Officer] enough for the support she gave me. She dealt with the issue but didn't just say the right words – she cared. I could tell that and I am so, so grateful for everything she did."

**"After the initial call, the Commissioner's office was brilliant and opened doors and really got things moving. They put me in touch with X which has been extremely helpful."**

# PARTICIPATION

## Highlights

- Engaged with **10,550** children and young people
- In just 7 months since the launch, we have recruited **32%** of secondary schools in Wales to our Student Ambassador scheme
- Over **2000** children and young people and nearly **300** professionals took part in a consultation about bullying
- Hosted event with care leavers from **19** local authorities
- New Welsh Baccalaureate **community challenge launched**

The work of our participation team seeks to ensure that in relation to children's rights, children and young people have their voices heard, and their voices contribute to influencing the work of the Commissioner. We want children and young people to understand how and why they are involved in our organisation and how their views make a difference.

Here's a flavour of our work this year:

## Ambassador Schemes

We have continued to expand our Ambassador schemes this year. We now run three different schemes, having launched a student ambassador scheme in September 2017. The ambassador programmes provide one of the key mechanisms for the office to engage with children and young people.

**Community Ambassadors** - Children and young people who are part of a special interest groups and have volunteered to be Ambassadors for the Commissioner. We have maintained contact with our groups in Cardiff, Swansea and Blaenau Gwent and have established new groups in Powys, Flintshire and Ceredigion.

**Student Ambassadors** - This programme was piloted during 2015/16 with a small number of schools and evaluated in the summer of 2016. Using the key findings from the evaluation, the programme was further developed and went live from September 2016. The programme was officially launched in November via a webinar attended by 87 pupils from 21 different secondary schools.

This scheme aims to promote young people's rights and the UNCRC in secondary schools. Following a successful launch of the scheme, 71 secondary schools signed up as student ambassadors and started to contribute to the work of the office.

**Super Ambassadors** - The original Ambassadors scheme promoting children's rights and the UNCRC in primary schools. During 2016/17 a total of 262 primary schools signed up to this scheme.

To support our Super Ambassadors, we hosted a series of training events in October 2016, in St Asaph, Carmarthen and Cardiff involving 244 children from schools in 19 of the local authority areas in Wales. The events gave Ambassadors the opportunity to learn more about their role as Ambassadors as well as the chance to contribute to our consultation on bullying. Due to the demand from schools to attend the events, two mini ambassador schools events were also run in Powys during the year.

All our ambassadors have a direct impact on the delivery of our work plan. Each school term, the schemes are set special missions, seeking their views about a particular topic from our work plan. This year saw our ambassadors share, in their thousands, their views about bullying and about taking a child's rights approach to education.



**“The work of our participation team ensures children and young people contribute to and influence our work”**

**Webinars:** With a small staff team, we are making greater use of webinars to communicate with larger numbers of children and young people. The interactive nature of web-based seminars enables participants to send, receive and discuss issues in real time without the need to all be in the one place at the same time. We’ve held 2 secondary school webinars this year, each having sign up of between 12-20 schools, with a combined total of over 230 pupils participating. We have delivered separate Welsh language and English language webinars.

#### **Commissioner’s Young People’s Advisory Panel:**

The team has recruited, trained, inducted and supported young people to form a new advisory panel for the Commissioner’s office. The panel forms part of our revised governance arrangements and is made up of 15 children and young people between the ages of 11-17 (when they were recruited). They have three full day meetings a year and its chair and vice chair are also members of the Commissioner’s advisory panel.

*Cont.d >>*

# PARTICIPATION

Based in north and south Wales, the panel members hold us to account on the delivery of our three year and annual work plans. Young people attending the panels have been able to provide advice, challenge and support on a range of topics. The following represent some of the aspirations of young people at the start of their involvement with the newly established advisory panel:

- *'I strongly believe that young people's voices and opinions should be heard and I like to support that as much as possible. I am truly thankful to be working with the CCFW and eager to see what will become of it. Let's get young people's voices heard!'. - Maisy*
- *'I'm interested in the rights of a young person and how the decisions of people in authority affect the lives and experiences of the younger generation'. - Eleri*
- *'I'm passionate about campaigning and volunteering to fight for children's rights and human rights. I am also an advocate for LGBT rights, disability rights and mental health care for young people in particular'. - Eve*
- *'I'm a school council member and am used to expressing the views of children and young people in my community. I represent the children of Anglesey already; I shall represent Wales' children even better.' - Sam*

**Events and visits:** A critical function of our participation work is enabling the views of all children and young people to be heard by the office. Some of this activity will be sustained and ongoing while other activity will be more occasional. We have engaged with children and young people at over 115 different events this year including the Urdd Eisteddfod, play events in north Wales, Blaenau Gwent and Pembrokeshire and targeted work with Gypsy and Traveller children and young people, children in the Youth

Justice system including ongoing work at HM Prison and Young Offenders' Institution, Parc in Bridgend, asylum seekers and refugees, children with disabilities, young carers, and children with emotional and mental health issues.

We have also supported pupils from Mountain Ash Comprehensive School in Rhondda Cynon Taf to represent Wales at a European conference in Paris, where they will be presenting work they have undertaken in relation to healthy relationships.

## **Welsh Baccalaureate Community Challenge:**

Working with the Welsh Joint Education Council (WJEC) we've developed a community challenge for Welsh Baccalaureate learners in schools. This received ratification from the WJEC in November 2016.

The challenge can be completed as part of KS4 National / Foundation qualification. The challenge involves delivering training to other young people about children and young people's rights and the role of the Commissioner. The training will improve other young people's understanding of their rights and about our work.

**Youth Parliament:** Contained within our two previous annual reports is a recommendation around establishing a national democratic space for young people in the form of a youth assembly. We were thrilled to see the Llywydd announce plans in October 2016 for the Assembly Commissioner to establish a national Youth Parliament for Wales. It sends out a clear message to children and young people in Wales that they are important citizens with a part to play in the governance of our nation. Along with a member of our young people's advisory panel, the Commissioner has taken an active part in the steering group formed to help establish the new youth parliament.



# PROMOTION

## Highlights

- **437 pieces of media coverage**
- **Intergenerational project** work viewed over 9000 times on Facebook
- **Published five policy reports** on subjects including residential care and healthy relationships
- **Awareness levels** of the Commissioner at all-time high

The work of our communication team involves reacting to news about children's issues, proactively securing attention to our major pieces of work and introducing creative ways of enhancing children's rights.

Here's a flavour of our work this year:

**Intergenerational project:** In February 2017 we launched a resource in partnership with the Older People's Commissioner for Wales, which aims to encourage schools and groups of older people to establish intergenerational groups. Having an intergenerational project can be a really positive way of breaking down barriers between younger and older people, of learning new skills, and of boosting confidence and wellbeing. The resource includes films, activities and lesson plans and is hosted on both Commissioners' websites and through Hwb.

**UNCRC Symbols Pack:** In November 2016, to coincide with International Children's Day, we launched a joint resource with counterparts in England and Scotland. The resource communicates children's rights using symbols and simplified text. It has been designed to be used by educators, support workers, and other professionals working with children and young people with the aim of enhancing children and young people's understanding of their rights and how they can relate to their everyday lives.

It is aimed at children and young people who are non-verbal, have speech and language difficulties, additional support needs, or very young children. However the resource is flexible and can be used to teach a variety of children about the UNCRC. Additional resources available on our website have been prepared to show professionals how the resource might be used.

**Website:** Working with Deaf young people from Swansea, we have introduced the main sections of information on our website as BSL videos. This includes videos on every right under the UNCRC.

**Social media:** Every Friday between 12 noon and 1pm we invite people to share their work on children's rights, using the hashtag #RightsHour / #AwrHawliau. Acting as a virtual display board of the country's work on children's rights, the hour has picked up international interest with organisations and individuals from countries including USA, Scotland and England now sharing relevant, creative material.





# CONCLUSION

## AND SUMMARY OF RECOMMENDATIONS

### **My three year aspirations for children and young people in Wales**

By 2019 I hope that Welsh Government and public services will have made significant progress towards delivering the following improvements for children:

- **Children and young people** will have access to the mental health services they need in a timely manner. There will be stronger programmes for promoting emotional health and wellbeing in place in our health and social services, schools and young services
- **Children's contemporary experiences of bullying** will be better understood and more schools will prevent and tackle bullying effectively
- **There will be better access to play, culture and leisure activities** by children who are most likely to miss out on these, particularly those living in poverty and disabled children
- **Care leavers will have better access to safe and secure housing** options and an active offer of a job, education or training place
- **All young people requiring continuing health and social support** will have improved transitions to adult services
- **Children will have the same legal protection** as adults from physical assault
- **Children and young people will be better involved in public services**, including my own organisation.

My office will be playing its part towards achieving some of these aims. In **2017/18** we will be working on projects in the following areas:

- **Children's rights and future generations**
- **Inaugural Children's Rights in Health Seminar**
- **Transitions to adulthood** for disabled children and young people
- **Tackling bullying**
- **Ensuing equal opportunities** to play, leisure and cultural activities
- **Islamophobia lesson plan**
- **Bright Spots survey** with looked after children
- **Downloadable lectures** about the UNCRC and my office
- **Follow up work** on our 'The Right Care' report about residential care
- **Follow up work on our 'Full Lives: Equal Access' report**, looking at wheelchair accessibility in secondary schools
- **Continued work on our 'Hidden Ambitions' report** on transitions to adulthood for care leavers.

## SUMMARY OF RECOMMENDATIONS

In response to the issues reported in this annual report, I draw together here the recommendations to the Welsh Government made throughout this report.

## Provision

- 1. Social Services:** The Welsh Government should fulfil all of their commitments set out in the Hidden Ambitions report, including equal support for all care leavers whether they are living in foster care or residential care, funding for personal advisors to support for all care leavers up to the age of 25, publishing clear information for care leavers on finances and guaranteeing financial support for care leavers entering higher education. The Welsh Government should actively report on their progress against these commitments to local authorities and directly to children and young people themselves.
- 2. Social Services:** The Welsh Government should exempt young people leaving care from paying council tax up to the age of 21 to assist with alleviating poverty amongst care leavers.
- 3. Adoption:** The Welsh Government should work with the National Adoption Service to ensure that siblings' rights to contact are fully considered during adoption care planning.
- 4. Residential Care:** The Welsh Government should deliver against the work plan of their Task and Finish group, set up in response to my recommendations in The Right Care report.
- 5. Residential Care:** The Welsh Government should ensure that local authorities deliver their duties under Section 16 of the Social Services and Well-being (Wales) Act 2014 to involve children and young people in the design and delivery of services and increase the range of not for profit services so that money invested in social care services can be spent on improving outcomes for children rather than providing returns for shareholders.
- 6. Advocacy:** I recommend that the Welsh Government monitors the implementation of the National Approach to Statutory Advocacy to ensure that the intended services reach all those who are entitled to receive it, increasing the prospect of positive outcomes for children and young people.
- 7. Education:** The Welsh Government and local authorities should ensure appropriate state support for the communication needs for Deaf and hearing impaired children and young people and their families, including accessible and affordable BSL learning opportunities at a range of levels and the employment of staff in schools who are fluent communicators of BSL, to meet individuals' needs.
- 8. Mental health:** The Welsh Government should ensure that the T4CYP programme is continued beyond this financial year, until they can be satisfied that sufficient mental health and wellbeing services are available for children in Wales when and where they need them. The impact and outputs of the Programme need to be sustainable for delivery at a local level, and the work from the Programme needs to be sufficiently embedded so that the regional planning boards can then maintain progress and quality of provision for all children across Wales.
- 9. Health advocacy:** Welsh Government should ensure that health related advocacy for under 18s is available and accessible to all who need it.
- 10. Transport:** I urge Welsh Government to ensure that public transport subsidies for children are available up to age 18 with no change in eligibility at age 16.

*Cont.d >>*

# CONCLUSION

## AND SUMMARY OF RECOMMENDATIONS

- 11. Additional Learning Needs:** The Welsh Government should introduce a duty upon all relevant bodies under the Act to pay due regard to the UNCRC and UNCRPD and to place this duty on the face of the Bill.
- 12. Additional Learning Needs:** The Welsh Government should also strengthen the powers of the Education Tribunal for Wales by extending its remit over health bodies.
- 13. Early Years:** The Welsh Government should ensure through the childcare offer pilot and any subsequent scheme that the children of non working parents do not miss out on the increased childcare being offered to children of working parents.
- 14. Poverty:** The Welsh Government should use all available levers to alleviate child poverty including use of new tax raising powers. It should support local authorities to offer further relief in specific areas known to cause pressure on the poorest families, including holiday hunger, school uniform costs and high domestic fuel bills.
- 3. Curriculum:** The Welsh Government should make children's human rights education a compulsory aspect of the curriculum. The Curriculum Reform programme should embed learning about the UN Convention on the Rights of the Child across all parts of the new curriculum. This should include linking the Digital Competency Framework to children's rights and support children and young people to understand they have the same rights online as they do offline.
- 4. Elective Home Education:** It remains my view that the Welsh Government needs to amend the current guidance to give it statutory force and include a compulsory register for all home educated children to ensure they do not end up "off the radar" from even universal services. It is important the revision of the guidance includes clear powers for local authorities to ensure that they are seeing children and speaking to them directly about their own education.
- 5. Child Sexual Exploitation (CSE):** The Welsh Government should ensure consistent collection of data in relation to CSE across Wales to provide a national picture of our challenges in relation to CSE. It should thoroughly analyse and act on challenges and gaps identified by the national data.

### Protection

- 1. Education:** The Welsh Government should ensure that the long-term needs and welfare of children are safeguarded by ensuring that the new curriculum is overtly underpinned by a Children's Rights Approach and that learning outcomes support all children to know their rights under the UNCRC.
- 2. Healthy Relationships:** The Welsh Government's review of the 'Respecting Others' Guidance should pay attention to the direct experiences and perspectives of children and young people on the impact of bullying and the effectiveness of current policies and practices. It should clearly set out how it intends to prevent and tackle bullying nationally and outline how this work will influence curriculum reform and teacher training.

# ANALYSIS OF LAST YEAR'S RECOMMENDATIONS

Here is an analysis of progress made by the Welsh Government (WG) on last year's annual report recommendations.

**Green**  
**Yellow**  
**Red**

indicates good progress made against recommendations,  
indicates steady progress made but the Commissioner remains concerned,  
indicates little or no progress and the Commissioner remains very concerned.

	Annual Report Calls 2015-16	Response	Comments from WG response and updates
1	<b>Curriculum Reform:</b> The curriculum review programme 'Successful Futures' should work closely with the NHS's 'Together for Children and Young People' programme to promote evidence-based, whole-school approaches to healthy relationships, mental health and wellbeing.		<p>The Welsh Government's response to my 2015-16 Annual Report stated that the two pieces of work would align and that the lead for developing the AoLE for Health and Well-being is a member of the 'Together for Children and Young People' working group on resilience, early years and well-being. However, there has been little concrete evidence to date of joint planning or information sharing between the two groups.</p> <p>In order to bring the two work streams together, I shared a paper with the working groups for Together for Children and Young people and Curriculum Reform, setting out how the two programmes can complement each other. I remain concerned about the Welsh Government potentially missing the opportunity to fully integrate the development of these approaches.</p> <p>Due to ongoing concerns about this, I wrote to the Cabinet Secretaries for Education and for Health, Well-being and Sport in March 2017 to reiterate the points raised in my paper.</p>
2	<b>Mental Health:</b> The NHS's 'Together for Children and Young People' programme should continue to receive adequate funding to fulfil its ambitions and should monitor whether children's experiences of mental health care are improving.		<p>The Welsh Government's response refers to the almost £8m new funding annually into child and adolescent mental health services. However this does not address whether that money is being invested in the right places and whether or not children's experiences of mental health care are actually improving.</p> <p>Children's experiences need to be gathered and actively monitored in order to drive improvements.</p>

# ANALYSIS OF

## LAST YEAR'S RECOMMENDATIONS

	Annual Report Calls 2015-16	Response	Comments from WG response and updates
3	<b>Education:</b> The Welsh Government should introduce new legislation and a robust Code of Practice that delivers on its commitment to children and young people with additional learning needs. It should strengthen the coordination, provision and support provided to children and young people with additional learning needs, including committing the maximum extent of available resources to meet the extension of entitlement support, introducing statutory duties on Local Health Boards and NHS Trusts to provide support and to strengthening the powers of the Education Tribunal for Wales.		The Welsh Government has made progress introducing the Additional Learning Needs and Education Tribunal Bill to the National Assembly. The Bill seeks to introduce a new legislative framework for children and young people with additional learning needs and aims to strengthen the coordination of provision and support available to them. I have welcomed the general principles of the Bill and am pleased the Minister for Lifelong Learning and Welsh Language has committed £20m to support the system-change transformation programme. I am disappointed that Welsh Government has not proposed to strengthen the powers of the Education Tribunal for Wales to include health bodies in its remit.
4	<b>Home Education:</b> The Welsh Government should strengthen requirements for parents to register as electively home educating their children and for every child who is electively home educated to be seen by a professional at least annually so that they can express a view about their educational experiences.		<p>The Cabinet Secretary for Education has stated that she is considering whether legislation is required on this issue. The National Independent Safeguarding Board has commissioned a review into home education with a view to making recommendations to Ministers.</p> <p>However, in the meantime the guidance has been reissued but the duties in it are not any stronger and it does not have statutory force. The reissued guidance does not give any more detail on children's rights to be heard and consulted about their education despite the reissue coming after the Child Practice Review into the Dylan Seabridge case. The introduction of a register and more robust statutory requirements to ensure children are being seen and heard to remain priorities for this work.</p>



	Annual Report Calls 2015-16	Response	Comments from WG response and updates
5	<b>Advocacy:</b> The Government should work with ADSS and the WLGA to implement a National Approach to Statutory Advocacy as a matter of priority, to ensure that all eligible children and young people across Wales receive an 'active offer' of advocacy and are supported to express their views on the care and support they receive.		<p>The Welsh Government appointed an implementation manager, in response to the Children, Young People and Education Committee's inquiry into statutory advocacy for children in Wales. We gave written and oral evidence to that Inquiry and continued to raise with the Cabinet Secretary and officials the need to ensure all regions give effect to all of the component parts of the proposed National Approach, in order to achieve consistency of provision for children and young people across Wales.</p> <p>There has been "active sign up" by all 22 LA leaders but the approach has not been implemented during this year. The implementation target is June 2017.</p> <p>Once all of the regions have implemented the National Approach, there will also be a need to monitor the take up and awareness of advocacy services to ensure that positive outcomes are being achieved with the support of advocacy services.</p>
6	<b>Adoption:</b> Welsh Government should work with the National Adoption Service and regional collaboratives to ensure increased provision of adoption support, providing extra resources where required.		<p>The National Adoption Service (NAS) is developing their approach to support services, and the Welsh Government has provided £90,000 for the 'Framework for Adoption Support' to be developed by the NAS. Work is ongoing in relation to this but it is welcome that positive steps are being made to address what is still a gap for too many children and their families.</p> <p>The NAS is prioritising adoption support and keeping my office informed of progress and the considerable work still required on this issue.</p>

# ANALYSIS OF LAST YEAR'S RECOMMENDATIONS

	Annual Report Calls 2015-16	Response	Comments from WG response and updates
7	<b>Poverty:</b> The Welsh Government should demonstrate clear and strong leadership to eradicate child poverty, by engaging positively and collaboratively with the UK Government, and public and private bodies across all sectors, including employers.		<p>The Welsh Government response refers to working closely with Local Authorities and Public Bodies named in the Children and Families (Wales) Measure 2010 to ensure a focus on child poverty in the development of well-being objectives, as well as engagement with employers and businesses in Wales to create jobs and growth.</p> <p>During this year, it has been announced that the Communities First programme will be discontinued as it is not achieving its aim of tackling poverty and the target of eradicating child poverty by 2020 has been dropped.</p> <p>Children First is a new approach that is under development but it is important that Welsh Government shows strong leadership and focuses particularly on tackling poverty through any proposed changes.</p>
8	<b>Poverty:</b> To tackle child poverty, Welsh Government should put in place and monitor a specific child poverty delivery plan, with clear targets and milestones, to drive the implementation of national strategy to ensure that no child is disadvantaged in realising their rights under the UNCRC.		<p>The Welsh Government does not believe that a separate Child Poverty Delivery Plan is needed.</p>
9	<b>Equal protection:</b> The Commissioner recommends that the Welsh Government introduces a Bill to the Welsh Assembly as soon as possible to remove the 'reasonable punishment' defence.		<p>I warmly welcome the announcement by the First Minister that this legislation will be brought forward during this Assembly term. I await further details of the timing and content of this legislation.</p>

	Annual Report Calls 2015-16	Response	Comments from WG response and updates
10.	<b>School Transport:</b> The Welsh Government should review the Learner Travel (Wales) Measure 2008 and associated statutory provision and operational guidance, to ensure that all journeys to and from school are safe and that local authorities are quite clear about their responsibilities for ensuring that this happens.		<p>The guidance was last updated in January 2016 and is not targeted for further revision.</p> <p>I wrote to the Cabinet Secretary for Economy and Infrastructure in March 2017 on this issue as there remains concern about a lack of clarity at a local level in interpreting and applying the guidance.</p>
11.	<b>Human Rights Education:</b> Including knowledge about children's rights, has a firm footing in the new 'Curriculum for Wales – a Curriculum for Life'.		<p>The Welsh Government response stated that the pioneer schools would have the opportunity to consider the inclusion of human rights education in the context of the six individual Areas of Learning and Experience as part of the development of the new curriculum.</p> <p>From my experience this is not happening as part of the Curriculum reform process itself. However my guide 'The Right Way: A Children's Rights Approach to Education in Wales' gives schools information on how to incorporate a children's rights approach into all areas of their work. It contains practical examples and case studies of how schools have used a rights approach to address problems with behaviour and school exclusions and to teach children about their rights to be safe resulting in significant disclosures.</p>
12.	<b>Participation:</b> Welsh Government should ensure that arrangements are in place to support children and young people's participation in decision making processes relating to education reform.		<p>The education sector in Wales is going through a positive, yet challenging, period of significant change. I am aware that substantial work is being undertaken by the Curriculum Reform team and Pioneer Schools to develop the content of the new Areas of Learning and Experience (AoLEs).</p> <p>I remain concerned that there continues to be no strategy or mechanism to systematically take account of children and young people's views in this decision-making.</p>

# ANALYSIS OF LAST YEAR'S RECOMMENDATIONS

	Annual Report Calls 2015-16	Response	Comments from WG response and updates
13.	<b>Recommendation for the National Assembly for Wales and the Welsh Government:</b> Whilst I have no legislative remit to make recommendations to the National Assembly for Wales, I want to reaffirm my intention to press for a reinstated national democratic space for young people, in the form of a Youth Assembly. I am fully committed to working with young people and the National Assembly to realise this ambition.		I am pleased with the progress that has been made toward the establishment of a democratically elected and representative Youth Assembly in Wales. I have attended the Youth Parliament Steering Group together with a member of my Youth Advisory Panel and will continue to engage with this process as required in order to realise this.



**‘Embedding a Children’s Rights Approach puts the UNCRC at the heart of every child’s experience of education, and at the core of every school’s practice.’**



# HOW WE'VE PERFORMED AS AN ORGANISATION



# OPERATIONAL

## PROCESSES

### Welsh Language Standards

In accordance with section 44 of the Welsh Language (Wales) Measure 2001, we must comply with the Standards set by the Welsh Language Commissioner. Whilst many of the standards reflected our existing operational practices, we have reviewed current practice and made changes to ensure that we're compliant with all standards. We have:

- self-assessed against the Welsh Language Commissioner's compliance notice;
- created an internal action plan to ensure all standards are met;
- provided guidance via staff briefings;
- ensured the action plan is a standard item on monthly Management Team meetings' agenda; and
- enabled all staff to improve Welsh language skills through in-house learning.

We received no complaints this year in relation to the operational standards with which we are under a duty to comply.

Of the 25 people employed during the reporting period we are fortunate to have a high level of bilingual team members:

- 7 describe themselves as proficient
- 7 describe themselves as having advanced skills
- 2 describe themselves as having intermediate level skills
- 1 describes herself as having foundation level skills
- 8 describe themselves as unable to speak Welsh/entry level

We advertised for 2 posts where Welsh language skills were assessed as essential (1 Admin Officer and 1 Investigations and Advice Officer) and 3 posts where the Welsh language skills were assessed as desirable (2 Policy Officers and 1 Participation Officer).

### Equality Duty

We have complied with the public sector equality duty by publishing a new Strategic Equality Plan for 2016 – 2020, which outlines how we intend to work towards ensuring children and young people grow up in a country where equality and children's human rights are essential to the way in which public services are delivered. We have set four broad strategic equality objectives:

1. Our leadership and governance ensure that equality objectives are included in all our planning processes
  2. Delivering a public focused and effective service that ensures the needs of children and young people and the general public are central to the way in which services are organised and delivered
  3. Developing and promoting resources and knowledge to enable others to respond to the needs of children and young people with protected characteristics
  4. Employment, pay and training: creating a supportive, inclusive and empowering workplace through the promotion of exemplary people and performance management practices using equality related evidence.
- Our progress on achieving these objectives is formally reviewed on a quarterly basis in the management team meeting.

# OPERATIONAL PROCESSES

As an organisation we collect workforce statistics in relation to all of the protected characteristics which can then be used to contribute to the development of positive actions in relation to equality each year. Not all of these statistics are

published in this document due to the small size of our workforce and subsequent difficulty in maintaining our obligations to staff in relation to the anonymity of sensitive data.

## 1. Workforce Gender Statistics

### Headcount on 31st March 2017 by gender and comparison against census population data 2014: Wales (3,092,000)

Gender	CCFW		Wales		% Difference against population
	No.	%	No.	%	
Male	6	25	1,500,000	49	-24
Female	18	75	1,560,000	51	24

The gender split within the organisation on 31 March 2017 does not reflect the gender split in the population as a whole, the exception to this is in the leadership roles.

There has been a slight decrease in male members of staff over the last 2 years from 37% on 31 March

2015 to 28% and 25% respectively in 2016 and 2017 as seen in the table below. However given that the employment rate for the UK (according to the Office of National Statistics) is 10% higher for men we are not actively concerned about the increased take up of opportunities by women in our organisation.

Gender	31 March 2017		31 March 2016		31 March 2015		31 March 2014	
	No.	%	No.	%	No.	%	No.	%
Male	6	25	6	28.6	9	37.5	9	31
Female	18	75	15	71.4	15	62.5	20	69

## 2. Workforce Age Statistics

### Headcount by age on 31 March 2017

16-24	25-34	35-44	45-54	55-64	65 & Over
1 (4%)	5 (21%)	8(33%)	7 (29%)	3(13%)	0

All age ranges are represented in the organisation except age 65 and over at present.

### 3. Workforce Gender and Pay Statistics

#### Headcount by gender, pay-band, contract type and working pattern on 31 March 2017:

Job	F/T Male Perm	F/T Male Temp	P/T Male Perm	P/T Male Temp	F/T Female Perm	F/T Female Temp	P/T Female Perm	P/T Female Temp	Total
Team Band £17- 21k pa					1	1			2
Officer band 3 £23 - 26k pa							2		2
Officer band 2 £29 - 34k pa	3				5	1	5		14
Officer band 1 £37 - 44k pa	1		1				1		3
Exec. Officer band 2 £48 - 56k pa	1				1				2
Commissioner £90 - 95k pa					1				1
<b>Total</b>	<b>5</b>		<b>1</b>		<b>8</b>	<b>2</b>	<b>8</b>		<b>24</b>

The pay system within the organisation is underpinned by the Job Evaluation and Grading System (JEKS). This system allocates a banding to individual posts based on seven different work factors: autonomy, problem solving, decision making, impact, management of resources, contacts and communication, knowledge and skills. This system ensures that differences in pay relate to specific job requirements.

Analysis of our current work force by gender, pay band, contract and working pattern still reveals some gender pay differences:

#### Grading:

Of the 18 female staff in post on 31 March 2017, 3 female staff members (16.6% of the female workforce ) are employed in the three highest pay bands, this is balanced by 3 male staff members (50% of the male workforce). So although the

leadership team has a good gender balance on 31 March 2017, over the whole workforce the small number of male employees occupy a disproportionate number of more senior roles. Only female staff members occupy the lowest pay bands within the organisation and this has been the case since 2011 when we began collecting workforce equality statistics. We are committed to paying the Living Wage to our lower paid team members.

#### Salary:

Although female staff continue to be and are increasingly the larger part of our workforce the average salary for a female worker on 31 March 2017 was £37,202 and the average salary for a male worker was £39,964. However the differential in 16/17 (£2762) is less than the differential reported in 15/16 (£5482) and in previous years which is positive.

# OPERATIONAL PROCESSES

## Working patterns:

Of the 18 female staff employed 8 (44.4% of the female workforce) are employed in part time roles compared to 1 male employee (16.6% of the male workforce).

Flexible working is an important part of our culture for many of our team members. 9 members of the team (37.5 %) worked part time hours during the reporting period. Many more team members' work compressed hours and are enabled to work from home or off site on a regular basis.

## 4. Workforce Pregnancy, Adoption and Maternity Statistics

### Pregnancy adoption maternity between April 2016 and March 2017

Number of pregnant employees in 2016 -2017

**1**

Number of employees taking Adoption and Maternity Leave in 2016 - 2017

**2**

## 5. Workforce Training and Development Statistics

### Headcount of employees who successfully engaged in externally delivered training by gender, pay band, contract type and working pattern in 2016 -2017:

Pay-Band	F/T Male Perm	F/T Male Temp	P/T Male Perm	P/T Male Temp	F/T Female Perm	F/T Female Temp	P/T Female Perm	P/T Female Temp	Total
Team Band Officer £17- 20k pa					1	1			<b>2</b>
Officer band 3 £20 - 25k pa							2		<b>2</b>
Officer band 2 £25 - 33k pa	3				5	1	3		<b>12</b>
Officer band 1 £33 - 42k pa	1		1				1		<b>3</b>
Exec. Officer band 2 £44 - 54k pa	1				1				<b>2</b>
Commissioner £90 - 95k pa					1				<b>1</b>
<b>Total</b>	<b>5</b>		<b>1</b>		<b>8</b>	<b>2</b>	<b>6</b>		<b>22</b>



During the financial year 2016 - 2017 we are proud to report that all members of the team (except for those on maternity and adoption leave) participated in learning and development that was externally provided. This is a significant increase on the numbers from the preceding year where only 3 employees applied and were supported to undertake an externally delivered training opportunity.

In addition to this over the previous 3 years employees from the Team Band and Executive Band rarely applied for externally delivered training, however in 2016-2017 employees from all pay bands applied and have been supported to undertake training opportunities.

## **6. Workforce Health and Well being**

The physical and mental health and well-being of our team is important to us. The average number of days absent per employee in the reporting period was 6.6 days, this figure is lower than the public sector average reported by the CIPD's Absence Management Survey in 2016 of 8.5 days per employee and is on a par with the overall figure for all sectors of 6.3 days per employee.

## **7. Workforce and Engagement Levels**

We are committed to conducting a staff survey every 2 years to help measure the 'employee experience' and use that information to contribute to a continuous cycle of improvements in relation to people practices.

When the survey was conducted in November 2016 there were 23 people invited to take the survey, excluding the Commissioner. We received 19 completed questionnaires by the closing date which is an above average response rate of 82%. This year's high response rate means that we can have more confidence in seeing the results as a fair reflection of the employee experience at this point in time.

In 74% of the questions we saw an improvement in satisfaction levels, in 15% of the questions we stayed the same and in 10% of the questions we saw a decline in the satisfaction levels. These results were a positive boost to the team and provided us with a focus for areas of improvement. We will continue to look for new and innovative ways to measure our progress and find out what team members think about the organisation.

# OPERATIONAL PROCESSES

## Children's Commissioner's People

- Most staff members now take part in Welsh language training according to their level of skill
- 20 members of staff trained on an Association of Project Management course, with 16 members of staff sitting the certificate exam
- Sickness levels: 2.8% absence this year

## Children and Young People in Wales

- Engaged with 10550 children and young people
- Commissioner spoke at 36 conferences on issues relating to our three year plan
- Handled 528 individual investigations and advice cases
- Awareness of the Commissioner at an all-time high: nearly 20% of children surveyed by Beaufort Omnibus had heard about the Children's Commissioner for Wales

## Financial Sustainability and Value for Money

- See Governance Report and financial statement for further information (see page 58 onwards)
- Seconded three members of staff to the Future Generations Commissioner's office, including HR, Finance and Policy Officers.

A photograph of the Children's Commissioner for Wales, a woman with short brown hair wearing a bright blue blazer, sitting on the floor and smiling while talking to a group of children. In the foreground, a girl with blonde hair in a ponytail, wearing a red hoodie, is seen from the back. To the left, a boy in a maroon hoodie looks towards the camera. Another woman in a blue top and grey cardigan is also visible, gesturing with her hand. The background shows other children sitting on the floor in a large room.

# **CHILDREN'S COMMISSIONER FOR WALES ACCOUNTS 2016-17**



# REPORT OF THE AUDIT AND RISK ASSURANCE COMMITTEE TO THE CHILDREN'S COMMISSIONER FOR WALES 2016-17

## Purpose of the Annual Report

The Committee is required to produce an annual report on its business, as set out in the agreed Terms of Reference.

The Children's Commissioner's Audit and Risk Assurance Committee is therefore pleased to present this report on its work for the year ended 31 March 2017.

## Introduction

During the financial year 2016-17 the Commissioner completed radical changes to her office and to her governance structure.

The Committee and its Chair continued to be closely involved in advising on aspects of the changes that were required to be made. As the outgoing Audit and Assurance Committee we were consulted on all aspects of the changes and as our term expired we were pleased to be able to endorse the Commissioner's proposals; to hold a joint meeting with members of the new Committee; and Aine Denvir and Iolo Doull were appointed to roles within the new structure, providing an element of continuity between the two regimes.

The Committee continued to fulfil its responsibilities in respect of audit and risk, policy issues, strategic developments and the Commissioner's annual work-plan.

## Membership

During the year the membership of the Audit Committee was comprised of:-

Member	Attendance record
Wyn Mears – Chair	100%
Ian Summers	100%
Iolo Doull	75%
Aine Denvir	75%

## Remuneration

Members did not receive any remuneration in accordance with the policy established by the Committee, but could be reimbursed for agreed out of pocket travel expenses incurred.

## Frequency of Meetings

The Audit Committee met in Swansea and Cardiff on four occasions during the year 2016-17:-

2016 May, July, October

2017 February

Meetings of the Committee were always attended by the Children's Commissioner and the Head of Corporate Services.

Representatives of the internal and external auditors were also regular attendees at meetings.

## Agenda business

Routine agenda items included:-

- Internal audit reports
- Annual Report and Accounts
- External audit matters
- Changes to the risk register
- Governance and internal control arrangements

We were also kept informed of the progress of the Commissioner's work programme, and the Committee's input was welcomed by the staff team.

## Main Audit Committee Business

### Internal Audit

The Committee was pleased to receive a review of Internal Audit in 2015-16 which concluded that the Commissioner had an adequate and effective framework in place for risk management, governance and financial control in the areas which had been reviewed in the previous year. It was reassuring that the report reflected favourably on the organisation during a time of transition and change, and the Committee noted that the way in which risks were identified and mitigated had been re-evaluated.

During the year, Deloitte were welcomed as the new Internal Auditors and the Committee received a 3-year plan which included essential audit work comprising audit planning, management and administration. The Plan would be kept under review to identify any amendments needed to reflect changing priorities and emerging audit needs, including a review of the new internal governance structure at the end of its first twelve months.

### Annual Accounts and External Audit

The Committee welcomed the report from the Auditor General which stated that it was his intention to issue an unqualified audit report on the financial statements. The Auditor General found that the financial statements were true and fair with no irregularities. There were no misstatements identified in the financial statements which remained uncorrected.

## Conclusion

The Committee was satisfied with the level and quality of internal and external audit in 2016-17 as they relate to the Commissioner's arrangements for financial management, the wider corporate governance and identification of risk and management processes. Based on the findings of the auditors and its own conclusions, the Committee can provide the Commissioner with an assurance that the arrangements in place are appropriate and have been operating effectively.

**New governance arrangements**

The Committee welcomed proposals for new governance arrangements based on the good governance standards for public services highlighted by the Wales Audit Office as a good practice model built on the Nolan Principles. It includes information on risk management, project management, strategic planning, personal development and advisory panels.

**Acknowledgments**

As its term expires the Committee would wish to express its appreciation of the commitment of two Commissioners who have held office. They have both been prepared to co-operate closely with members, to consult on a wide range of administrative and governance issues, and to ensure that we have not lost focus on the needs of children in Wales as we fulfilled our responsibilities.

Members also appreciate the ready support of the Head of Corporate Services, Tony Evans, and the Committee's Secretary, Monica Roberts in assisting the Committee with the successful fulfilment of business during the year.

We are confident that the new governance structure will prove to be invaluable to the Commissioner as she conducts her role, and we offer the new Chair our best wishes as she embarks on her term of office.

**Wyn Mears**

Chair of Audit and Risk Assurance Committee 2016-17  
31 July 2017



# DIRECTORS' REPORT

## Introduction

The Children's Commissioner for Wales is an independent children's human rights institution. The principal aim of the Commissioner is to safeguard and promote the rights and welfare of children. Two laws set out rules about how she can carry out her work and give her certain powers. These are the Care Standards Act 2000 and the Children's Commissioner for Wales Act 2001 (which amended the Care Standards Act 2000.)

## Here is a summary of the Commissioner's powers

- The power to review and monitor the arrangements for complaints, whistleblowing and advocacy of defined public bodies;
- The power to review the exercise of functions (powers and duties) or proposed exercise of functions of defined public bodies, including Welsh Government;
- The power to examine cases, in respect of individual children;
- The power to provide assistance to individual children; and
- The power to make representations to the First Minister, Welsh Ministers and the Counsel General about any matters affecting the rights and welfare of children which concern her and for which she does not have the power to act.

The Commissioner does not have the power to act in a number of defined circumstances:

- Matters that have not been devolved to the Welsh Government which include immigration and asylum, child poverty, justice and policing, and children in the military;
- Where CAFCASS (the Children and Court Advisory Service) is able to act;
- Where Welsh Ministers have functions in respect of family proceedings; and
- From enquiring about or reporting on any matter that is or has been the subject of legal proceedings.

Professor Sally Holland took up her post as the Commissioner from 20th April 2015, having been appointed by the First Minister, for a seven year term. The remaining senior officers took up appointments between May 2006 and August 2016 and were appointed by the Commissioner under Schedule 2 paragraph 4 of the Care Standards Act 2000.

## Senior Officers

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

- **Professor Sally Holland** - Children's Commissioner for Wales;
- **Eleri Thomas** - Chief Executive Officer and Deputy Children's Commissioner, until 31st May 2016;
- **Tony Evans** - Head of Corporate Services, until 31st July 2016 and Head of Finance from 1st August 2016;
- **Andy Wallsgrove** - Head of Practice and Participation;
- **Sara Jermin** - Head of Communications and Performance, from 1st August 2016;
- **Amanda Evans** - Head of Human Resources; and
- **Hywel Dafydd** - Head of Policy and Public Affairs.

## Audit and Risk Assurance Committee

The Commissioner's Audit and Risk Assurance 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. The Non-Executive members of the Committee are:

- **Wyn Mears** - Business Consultant and former Director of the Association of Certified Chartered Accountants;
- **Ian Summers** - Former Partner at the Wales Audit Office;
- **Dr Iolo Doull** - Consultant Respiratory Paediatrician at the University Hospital of Wales, Cardiff; and
- **Aine Denvir** - Child Care Solicitor.

## Funding

The Children's Commissioner for Wales is independent of, but funded by the Welsh Government. In 2016-17 the Commissioner received £1.543 million (2015-16: £1.718 million) to fund the Commissioner's activities.

### 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 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 2016 to 31st March 2017 and reflect the assets, liabilities and resource outturn of the Children's Commissioner. 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.

### Results for the Year

The Statement of Comprehensive Net Expenditure shows expenditure, for the period, of £1.409 million (2015-16: £2.048 million). The general fund balance as at the year-end is £215,000 (2015-16: £78,000).

During 2016-17 the Commissioner's staff changed to 20.7 (whole time equivalent) from 23.1 (whole time equivalent) members of staff, which includes full time and part time employees.

### Learning and Development

The Commissioner continues to invest in the provision of learning and development opportunities for staff. Through the Commissioner's Appraisal Process all staff are encouraged to identify personal development needs and record these needs on a Personal Development Plan. The Appraisal Policy is a process which links individual performance and development to the objectives of the organisation. The main purpose of this process is to improve every employee's performance and contribution to the achievement of objectives by providing them with the right skills and environment to do their job to the best of their ability.

In addition the Office provides all employees with regular staff development sessions each financial year. These meet its obligations with regards to learning and development that is either dictated by statute or is considered essential for all staff groups, covering topics, for example, on Child Protection and Safeguarding.

### Staff Consultation and Engagement

The Commissioner regularly consults with staff on major changes to the organisation and organisational development priorities. This is achieved through a variety of methods including staff meetings, regular surveys and the intranet. In addition all staff were provided with opportunities as individuals and in groups to contribute to the strategic planning.

### Staff Absences

During 2016-17 the sickness absence rate within the Commissioner's office was 2.8 percent (2015-16: 4 percent), based as a percentage of the total available working days.

### Sustainability

The Commissioner is committed to the principles as outlined in the Wellbeing and Future Generations Act 2015, which are:

- A prosperous Wales;
- A resilient Wales;
- A healthier Wales;
- A more equal Wales;
- A Wales of cohesive communities;
- A Wales of vibrant culture and thriving Welsh language; and
- A globally responsible Wales.

The Commissioner is committed to minimising her 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. Printing and photocopying are kept to the minimum;
- **Travel:** where practical, meetings are held using video conferencing wherever possible. More than 90 percent of the Commissioner's official journeys are carried out by train or bicycle and she encourages her staff to do the same;
- **Energy:** the Commissioner encourages all staff to 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.

# DIRECTORS' REPORT

## **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.

## **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.

Deloitte 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 end of the financial year that affect the understanding of these financial statements.

# STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES

Under Schedule 2 of 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 her 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

## Equal Opportunities

This Statement by the Children's Commissioner for Wales sets out the basis on which the organisation has been established, the way in which it is governed and managed and how it is accountable for what it does.

## Governance Structure

Below is a description of our governance structure. Further details about the membership of each group, attendance and respective terms of reference can be accessed here [www.childcomwales.org.uk](http://www.childcomwales.org.uk).

### Sally Holland

Children's Commissioner for Wales

- Corporation Sole
- Accounting Officer

### Management Team

Comprising: Head of Communications and Performance, Head of Practice, Head of Finance, Head of Policy & Public Affairs, Head of Human Resources

The Management Team primary purpose is to provide the Commissioner with support and advice on the strategic direction of the organisation, including contributing to the development of strategic aims and annual work plans. The MT is also responsible for the strategic leadership of the organisation, managing the operational, day-to-day running of the office in line with the organisation's values.

### Commissioner's Advisory Panel & Young People's Panel

Chaired by Margaret Provis, comprising 10-12 adult members & 2-4 young people.

Young People's Panel chaired by Malin (in north Wales) and Eve (in south Wales), comprising 15 members aged 11-18

Provide independent advice, support, scrutiny and challenge to the Commissioner and her staff, so as to secure the effective delivery of the Children's Commissioner's statutory responsibilities and her staff regarding policies and proposals, informing the policy and strategic priorities.

### Audit and Risk Assurances Committee

Chaired Wyn Mears

Comprising 4-6 members

Advise the Commissioner on the strategic processes for risk, control and governance, accounting policies, the accounts, and the planned activity and results of both internal and external audit.



# GOVERNANCE FRAMEWORK

As a public office in receipt of public funds, I am committed to implementing rigorous and transparent accountability and decision-making systems.

My governance framework comprises the systems, processes and values by which the organisation is directed and controlled. These arrangements are firmly rooted in 'The Good Governance for Public Services', highlighted by the Wales Audit Office as a best practice model, and the 'International Framework: Good Governance in the Public Sector'. It also draws

on elements from the 'UK Corporate Governance Code'. It builds on the Nolan Principles for the conduct of individuals in public life by setting out six core principles of good governance for public service organisations.

Below are details of the extent to which the organisation lives up to these standards and explains the reasons for adapting the principles to suit the organisation.



# GOVERNANCE FRAMEWORK

## Being clear about the organisation's purpose and outcomes

Having a clear organisational purpose and set of objectives is a hallmark of good governance. Our strategic planning approach is the systemic approach to determining our goals. It enables the office to fulfil its legislative remit and to deliver against the vision and objectives set out in my three year plan: 'A Plan for All Children and Young People 2016 – 2019'.

The strategic and annual planning processes provides 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.

## Engaging stakeholders and making accountability real

In 2015-16 we undertook our biggest ever consultation of children and young people. Over 7000 children, young people and adults took part. Their views and opinions helped shape 'A Plan for All Children and Young People 2016 – 2019', which outlines my strategic objectives for the organisation.

It is my role to be an independent voice of all children and young people in Wales. To be an effective champion, I need to hear directly from children and young people about what I should be speaking out about. The organisation's participation strategy ensures I am working with and speaking up for children and young people across Wales, whatever their background or beliefs. At a strategic level I have established a young person's advisory panel that advises on and scrutinises my work.

I aspire to a Wales where all children and young people have an equal chance to be the best that they can be. To ensure this aspiration is realised, my team target rights issues on 3 levels:

1. **Underpinning policies and laws for children's rights:** I will work to influence and change these so that they fulfil the Welsh Government's commitment to putting children's rights at the centre.
2. **Effective implementation of these policies and laws throughout Wales and for all groups of children:** I will monitor how children's rights are fulfilled, promote best practice and challenge those who do not respect rights.

3. **Children and young people's experiences and outcomes:** I will listen to children and young people and seek real changes in their everyday quality of life and equal chances to fulfil their potential.

All this work is supported by two comprehensive internal strategies for public affairs and external relations.

## Capacity and capability to be an effective organisation

I recognise that governance is strengthened by the participation of people with many different types of knowledge and experience. I am confident, due to our Appraisal and Supervision policies, that all members of staff have the necessary skills, knowledge and capacity to discharge their responsibilities.

All new staff members attend an induction process and we have a rolling learning and development programme for all staff.

Our biennial staff survey also assists the organisation to help measure the employee experience and contributes to the continuous cycle of improvements in relation to people practices.

In 2016, I undertook a restructure due to the following internal and external drivers:

- Efficiency savings required due to impact of a significant 10% budget cut from the Welsh Government
- Recommendations made by the Welsh Government's independent reviews of the powers and remit of the Commissioner (Shooter Review, 2014)
- Findings of the National Assembly for Wales' Public Accounts Committee following evidence sessions with public bodies in the autumn of 2014
- The Commissioner's perceptions of the organisation's working practice as new in post, specifically in relation to a whole organisation approach and the interdependency of teams.

In March 2017, I concluded a review of my 2016 restructure. It reflected that the overwhelming view of staff members was that the restructure has led to positive changes overall for the organisation.

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

Developed with staff during 2015, our values and principles for delivery underpin all our operational and staff policies as well as our three year strategy. They are shared with new staff members during induction and are communicated externally on our website [www.childcomwales.org.uk](http://www.childcomwales.org.uk) and in our strategic publications, including our three year strategy.

We are committed to enabling and empowering employees to meet individual, team and strategic goals and consider the process of annual appraisals, objective settings and personal development planning processes to be fundamental to achieving this aim. Our Appraisal Policy is a process that links individual performance and development to the strategic objectives of the organisation. The main purpose of the process is to improve every employee's performance and contribution to the achievements of our strategic objectives by providing them with the right skills and environment to do the job to the best of their ability.

The Management Team regularly reviews and monitor compliance with these policies. These policies are also subject to regular review on a rolling basis. The policies are dated when complete and new review dates are noted following their review.

## Taking Informed and Transparent Decisions which are Subject to Effective Scrutiny and Managing Risk

Responsibility for decision-making in the office rests with me, as corporation sole. However, I have delegated aspects of the operational decision making to the Management Team. Roles and responsibilities for all staff are clearly defined in respective job descriptions and within the Governance Framework. All employees have clear conditions of employment and job descriptions, which set out their roles and responsibilities.

All staff are required to work within our project management approach, which ensures our outputs and intended outcomes for children and young people are clearly defined and achieved. A comprehensive project management plan is developed for each project, saved centrally for all staff to access. Details of all our project work can be accessed here [www.childcomwales.org.uk](http://www.childcomwales.org.uk).

Discussions and decisions taken by the Management Team and our Audit and Risk Assurance Committee are documented and recorded in minutes, which are shared with all staff on a monthly and quarterly basis respectively. Time sensitive or critical information is shared with the staff team by emails or via our weekly 'Fika' meetings, which involve all staff members. Outcomes of discussions with the advisory panels and Audit and Risk Assurance Committee are also shared with staff, and members of the team are involved in those meetings as appropriate.

The system of internal control in relation to risk is based on a continuous process designed to identify and prioritise the risks to the achievements of the organisation's strategic objectives and compliance with policies and procedures. This involves evaluating the likelihood of those risks being realised and impact should they be realised on the organisation and on children and young people, and managing them efficiently, effectively and economically. Staff, in their role as project managers, are also required to identify risks and issues via our project management approach.

During this year, the Management Team has carried out a thorough risk identification and remodelled the risk register to align fully with the Commissioner's three year strategic plan, following training from our internal audit providers, Deloitte.

The careful management of risk has been subject to Internal Audit review this year and resulted in a strong assurance rating. Our Audit and Risk Assurance Committee also maintained an overview of the effectiveness of risk management arrangements.

Financial management is based on a framework of regular management information and a set of clear financial procedures, outlined within the organisation's Finance Handbook. Review of management information involves regular budget monitoring and reporting. Comparison of spend against budget is reposted to Management Team every month and to the Audit and Risk Assurance Committee on a quarterly basis. Our project management approach also requires all project managers to develop detailed budgets, which are reported on monthly at Management Team.

I also take issues around fraud and maladministration very seriously. We have in place policies on whistleblowing, anti-fraud, code of conduct and complaints.

# GOVERNANCE FRAMEWORK

## Performing effectively in clearly defined functions and roles

The organisation consists of three interrelated functions that work together in a whole-team approach. We deliver a work programme that is completely interdependent. Officers take expert roles within this according to their specialism but are dependent on the other parts of the organisation to deliver the programme of work.

All committees and advisory panels associated with the Commissioner have Terms of Reference, which are reviewed annually and are published on our website [www.childcomwales.org.uk](http://www.childcomwales.org.uk).



As outlined in our Strategic Planning Policy and Process, the Management Team reviews progress against all our projects, outlined in the annual work plan, every month. On an annual basis, via the Annual Report, I will reflect on the progress made against each of our strategic objectives.

Also created this year was an evaluation framework that enables the organisation to demonstrate the effective delivery of our core work and internal processes and focuses on four elements: the Commissioner's people, organisational processes, financial sustainability and value for money and children and young people. These reports are discussed monthly at Management Team meetings and quarterly by the Audit and Risk Assurance Committee.

In place from this year are two new advisory panels. Contained within their Terms of Reference is a specific requirement for them to offer considered advice to me and my staff, as necessary, so that our effectiveness is enhanced and my remit is fulfilled.

### Review of Effectiveness

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of governance and in accordance with Managing Public Money in Wales, whether I comply with the Cabinet Office's Corporate Governance Code. 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 and Risk Assurance 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 and the quality of the information provided;
- internal audit completed a review of the effectiveness of key internal controls; and
- the Audit and Risk Assurance 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.

Deloitte provides the Internal Audit for my office within the period. They operate to Public Sector Internal Audit Standards. They submit regular reports, which include the independent opinion on the adequacy and effectiveness of my system of internal control together with recommendations for improvement.

From my review of the effectiveness there are no significant internal control issues and where applicable, I comply with the principles as outlined in the Corporate Governance Code.

**Programme of Improvement for Governance Issues**

Along with my Management Team I will continue to monitor the internal control environment and ensure that the governance framework continues to meet the needs of the organisation.

As Accounting Officer I have a legal duty to properly manage the resources made available to me to enable my office to deliver on its statutory obligations. I must also ensure that arrangements have been put in place to ensure that my office is properly managed and governed. This Governance Statement has provided a detailed description of these arrangements.

**Certification by Accounting Officer**

I am assured that the system of governance in operation within my office during 2016-17 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.

**Professor Sally Holland,**

Children's Commissioner for Wales  
and Accounting Officer  
27th July 2017



# REMUNERATION AND STAFF REPORT

## Remuneration of Senior 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 who have delegated responsibility within the Commissioner's office:

	Salary £000*		Benefits in kind (to nearest £100)*		Pensions in kind (to nearest £1000)*		Total £000*	
	2016-17	2015-16	2016-17	2015-16	2016-17	2015-16	2016-17	2015-16
<b>Professor Sally Holland</b> Children's Commissioner for Wales.	85-90	85-90	-	-	35,000	33,000	120-125	120-125
<b>Eleri Thomas</b> Chief Executive Officer and Deputy Commissioner until 31st May 2016.	5-10	70-75	-	-	2,000	28,000	7-12	100-105
<b>Andy Wallsgrove</b> Head of Practice and Participation.	55-60	55-60	-	-	17,000	36,000	72-77	95-100
<b>Tony Evans</b> Head of Corporate Services until 31st July 2016 then Head of Finance from 1st August 2016.	45-50	55-60	-	-	19,000	33,000	64-69	90-95
<b>Sara Jermin</b> Head of Communication and Performance, from 1st August 2016**.	35-40	-	-	-	-	-	35-40	-

\* This information is subject to audit.

\*\* Sara Jermin is a member of the Partnership Pension Scheme £4,500 was paid as employer contributions during the period.

**Median Remuneration**

	2016-17		2015-16
Band of highest paid individual's remuneration (£000)	85-90	Band of highest paid individual's remuneration (£000)	85-90
Median total	30,538	Median total	34,750
Ratio	1:2.87	Ratio	1:2.52

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 2016-17 was £85-£90,000 (2015-16: £85-£90,000). I have taken the mid-point of this range to compare these amounts, this was 2.87 times (2015-16: 2.52) 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.

**Compensation Paid, Significant Awards to Former Senior Managers**

During the period of restructuring a senior manager was made redundant. The compensation paid was included in the 2015-16 financial statements.

**Pension Benefits – Civil Service Pension Scheme**

	Real increase in pension*	CETV(i) at 31.3.17*	CETV(i) 31.3.16*	Real increase/(decrease) in CETV*
	£000	£000	£000	£000
<b>Professor Sally Holland</b> Children's Commissioner for Wales from 20th April 2015.	0-2.5	46	22	17
<b>Eleri Thomas</b> Chief Executive Officer and Deputy Commissioner until 31st May 2016.	0-2.5	114	113	1
<b>Andy Wallsgrove</b> Head of Practice and Participation.	0-2.5	515	485	9
<b>Tony Evans</b> Head of Corporate Services until 31st July 2016 the Head of Finance from 1st August 2016.	0-2.5	371	347	8
<b>Sara Jermin</b> Head of Communication and Performance, from 1st August 2016.	Note 1	Note 1	Note 1	Note 1

Note 1: Sara Jermin is a member of the Partnership Pension Scheme £4,500 was paid as employer contributions during the period.

\* This information is subject to audit.

# REMUNERATION AND STAFF REPORT

## Pension Scheme

Pension benefits are provided through the Civil Service pension arrangements. From 30th 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 a percent of pensionable earnings for **classic**, **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 1st 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 (31st March) the member's earned pension account is credited with 2.3 percent 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 a lump sum up to the limits set by the Finance Act 2004.

The **partnership** pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3 percent and 12.5 percent (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of 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 percent of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.8 percent 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 any 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.

## Changes to the Civil Service Pension Scheme

From 1st April 2015 a new pension scheme, called Alpha, came into effect. The Alpha scheme replaces the **classic**, **premium**, **classic-plus** and **nuvos** schemes. The majority of staff transferred directly into Alpha on 1st April 2015.

**Staff Numbers and Related Costs**

a) For the year staff costs consist of:

	<b>2016-17 £000 Permanently Employed Staff</b>	<b>Other</b>	<b>Total</b>	<b>2015-16 £000 Total</b>
Wages and Salaries	835	17	852	997
Social Security Costs	76	-	76	79
Pension Costs	106	-	106	302
<b>Sub Total</b>	<b>1,017</b>	<b>17</b>	<b>1,034</b>	<b>1,378</b>
Less recoveries in respect of outward secondments	(44)	-	(44)	(13)
<b>Total Net Costs</b>	<b>973</b>	<b>17</b>	<b>990</b>	<b>1,365</b>

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme but the participating organisations are not able to identify their share of the underlying assets and liabilities. The scheme was last actuarially valued as at 31 March 2007 but since this date, actuarial valuations of the Scheme were suspended pending the implementation of the Hutton Review recommendations. Details can be found in the Resource Accounts of the Cabinet Office: Civil Superannuation – [www.civilservice-pensions.gov.uk](http://www.civilservice-pensions.gov.uk).

For 2016-17, employer's contributions of £77,980 were payable to the PCSPS (2015-16: £168,808) at one of four rates in the range 16.7 percent to 24.3 percent of pensionable pay, based on salary bands. The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employer's contributions of £16,904 were paid to one or more of a panel of appointed stakeholder pension providers (2015-16: £17,040). Employer contributions are age-related and range from 3 to 12.5 percent of pensionable pay (2015-16: 3 to 12.5 percent). Employers also match employee contributions up to 3 percent of pensionable pay. In addition, employer contributions of £972 or 0.8 percent of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service and ill health retirement of employees (2015-16: £750 or 0.8 percent). Contributions of £10,481 were due to the partnership pension providers at 31st March 2017, (2015 16: £nil). All these contributions are included in Pension costs.

b) The average number of whole-time equivalent persons employed (including senior management) for the period was as follows:

	<b>2016-17 £000 Permanently Employed Staff</b>	<b>Other</b>	<b>Total</b>	<b>2015-16 £000 Total</b>
Directly Employed	20.7	-	20.7	23.1
<b>Total</b>	<b>20.7</b>	<b>-</b>	<b>20.7</b>	<b>23.1</b>

# REMUNERATION AND STAFF REPORT

## Reporting of Civil Service and Other Compensation Schemes – Exit Packages:

Exit Package cost band £000	2016-17 Number of compulsory redundancy	Number of other departures agreed	Total number of exit packages by cost band	2015-16 Number of Compulsory redundancy	Number of other departures agreed	Total number of exit packages by cost band
< £10	-	-	-	-	-	-
£10-£25	-	-	-	-	3	3
£25-£50	-	-	-	-	3	3
£50-£100	-	-	-	1	-	1
£100-£150	-	-	-	-	-	-
£150-£200	-	-	-	-	-	-
Total number of exit packages by type	-	-	-	1	6	7
Total resource cost £000	-	-	-	79	179	258

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. 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.

**Professor Sally Holland,**  
Children's Commissioner for Wales  
and Accounting Officer  
27th July 2017



# THE AUDITOR GENERAL FOR WALES REPORT

## 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 the Children's Commissioner for Wales for the year ended 31 March 2017 under Paragraph 9 (2) of schedule 2 to the Care Standards Act 2000. These comprise the Statement of Comprehensive Net Expenditure, Statement of Financial Position, the Statement of Cash Flows, Statement of Changes in Taxpayers Equity and 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 and Staff 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 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, certify and report on the financial statements in accordance with applicable law and with International Standards on Auditing (UK and Ireland). These standards require me to comply with the Financial Reporting Council'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 the 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 Director's Report, Annual Governance Statement and Remuneration and Staff Report to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by me in the course of performing the audit. If I become aware of any apparent material misstatements or inconsistencies I consider the implications for my certificate and 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 31 March 2017 and of its net expenditure, 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 in the financial statements have been applied to the purposes intended by the National Assembly for Wales and the financial transactions recorded in the financial statements conform to the authorities which govern them.

## Opinion on other matters

In my opinion:

- the part of the Remuneration and Staff Report to be audited has been properly prepared in accordance with Welsh Ministers' directions issued under the Care Standards Act 2000; and
- the information in the Director's Report, Annual Governance Statement and Remuneration and Staff 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 Welsh Ministers' guidance;
- adequate accounting records have not been kept;
- the financial statements and the part of the Remuneration and Staff Report to be audited are not in agreement with the accounting records and returns;
- information specified by Welsh Ministers 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

1 August 2017

24 Cathedral Road, Cardiff CF11 9LJ

## STATEMENT OF COMPREHENSIVE NET EXPENDITURE FOR YEAR ENDED 31 MARCH 2017

Expenditure	Note	2016-17 £000	2015-16 £000
Administration costs:			
Staff Costs	Remuneration Report	990	1,365
Depreciation	2.2	11	21
Other Administration Costs	2.1	408	662
		1,409	2,048
<b>Income</b>			
Income from Activities		-	-
Other Income		-	-
		-	-
Net Expenditure		1,409	2,048
Interest payable/receivable		-	-
Net Expenditure after interest		1,409	2,048
Other Comprehensive Expenditure			
		<b>2016-17 £000</b>	<b>2015-16 £000</b>
Net gain/(loss) on revaluation of Plant and Equipment		-	-
<b>Total Comprehensive Expenditure for the year ended 31st March 2017</b>		1,409	2,048

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.

The Commissioner receives funding from the Welsh Government.

The notes on pages 80 to 85 form part of these accounts.

## STATEMENT OF FINANCIAL POSITION

### AS AT 31 MARCH 2017

	Note	<b>2017</b>		<b>2016</b>	
		£000	£000	£000	£000
<b>Non-current assets:</b>					
Property, plant and equipment	4		9		16
<b>Current assets:</b>					
Trade and other receivables	5	60		131	
Cash and cash equivalents	6	<b>329</b>	389	<b>204</b>	335
<b>Total assets</b>			398		351
<b>Current liabilities:</b>					
Trade and other payables	7	(92)	(92)	(75)	(75)
<b>Total assets less current liabilities</b>			306		276
<b>Non-Current liabilities:</b>					
Provision for liabilities and charges	13	(91)	(91)	(198)	(198)
<b>Total assets less total liabilities</b>			<b>215</b>		<b>78</b>
<b>Taxpayer's equity:</b>					
General fund			<b>215</b>		<b>78</b>

**Professor Sally Holland,**  
Children's Commissioner for Wales and Accounting Officer  
27th July 2017

The notes on pages 80 to 85 form part of these accounts.

## STATEMENT OF CASH FLOWS

### FOR THE PERIOD 1ST APRIL 2016 TO 31ST MARCH 2017

	Note	2016-17 £000	2015-16 £000
<b>Cash flows from operating activities</b>			
Net Expenditure	Remuneration Report / 2	1,409	2,048
Adjustment for non-cash transactions	2	(11)	(110)
Increase/(decrease) in trade and other receivables	5	(71)	80
(Increase)/decrease in trade payables	7	(17)	45
Use of Provisions	13	107	23
<b>Net cash outflow from operating activities</b>		1,417	2,086
<b>Cash flows from investing activities</b>			
Purchase of property, plant and equipment*	4	1	11
<b>Net cash outflow from investing activity</b>		1	11
<b>Cash flows from financing activities</b>			
Financing from the Welsh Government		(1,543)	(1,718)
<b>Net Financing</b>		1,418	2,097
Net increase/(decrease) in cash and cash equivalents	6	125	(379)
Cash and cash equivalents at beginning of period		204	583
<b>Cash and cash equivalents at end of period</b>		329	204

\*Purchase of additional assets in year excludes those assets received in year but paid for in cash in the following financial period.

The notes on pages 80 to 85 form part of these accounts.

## STATEMENT OF CHANGES IN TAXPAYERS' EQUITY FOR THE YEAR END 31ST MARCH 2017

	Note	General Fund £000
<b>Balance as at 31st March 2015</b>		<b>408</b>
Funding from Welsh Government		1,718
Comprehensive net expenditure for the year		(2,048)
<b>Balance as at 31st March 2016</b>		<b>78</b>
<b>Changes in Taxpayers' Equity 2016-2017</b>		
Funding from Welsh Government		1,543
Comprehensive net expenditure for the year		(1,409)
Adjustment for item not passing through net expenditure		3
<b>Balance at 31st March 2017</b>		<b>215</b>

The notes on pages 80 to 85 form part of these accounts.



## NOTES TO THE 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.

We have considered the impact of standards and interpretations which have been issued but are not yet effective and which have not been adopted early by the Commissioner. With the exception of International Financial Reporting Standards (IFRS) IFRS16 Leases, the Commissioner anticipates that the adoption of these Standards and interpretations in future periods will have no material impact on the financial statements. The impact of IFRS16, which has been issued by the International Accounting Standards Board (IASB) but not yet adopted by the European Union and will apply from 2019-20, is not reasonably estimable at this stage.

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 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.

#### 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:

• ICT 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 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. Other Administration Costs**

	<b>2016-17 £000</b>	<b>2015-16 £000 (Restated)</b>
<b>2.1 Administration costs:</b>		
Premises	100	124
Office	56	75
Training and recruitment	21	36
Travel and subsistence	11	26
External audit's remuneration	18	19
Internal auditor's remuneration	10	10
Communication	40	44
ICT equipment	13	18
Other	113	166
Legal and professional fees	26	55
	408	573
<b>2.2 Non-cash items:</b>		
- depreciation charge on ordinary assets	11	21
- loss on disposal of fixed assets	-	-
- in year provision made	-	89
	11	110
	419	683

\*The prior year figures have been restated to reflect a disclosure adjustment between budget lines and ledger codes.

## NOTES TO THE ACCOUNTS

### 3. Segmental Information

The Commissioner's office operates in Wales and deals with issues that impact upon children and young people in Wales. It is therefore the Commissioner's opinion that her office only operates in one segment as reported.

### 4. Pension Benefits – Civil Service Pension Scheme

	IT Equipment £000	Fixtures & Fittings £000	Office Furniture and Equipment £000	Transport Equipment £000	Total £000
<b>Cost</b>					
At 1 April 2016	273	211	271	49	804
Additions	3	-	1	-	4
Disposals	(87)	(14)	(61)	(49)	(211)
At 31st March 2017	189	197	211	-	597
<b>Depreciation</b>					
At 1st April 2016	262	208	269	49	788
Charged in year	8	1	2	-	11
Disposals	(87)	(14)	(61)	(49)	(211)
At 31st March 2017	183	195	210	-	588
Net book value At 31st March 2016	11	3	2	-	16
Net book value At 31st March 2017	6	2	1	-	9
<b>Asset financing:</b>					
Owned					
Net book value At 31st March 2017	6	2	1	-	9
Owned					
Net book value At 31st March 2016	11	3	2	-	16

All assets are owned by the Commissioner, there are no assets financed through a finance lease.

**5. Trade Receivables**

	<b>2016-17 £000</b>	<b>2015-16 £000</b>
<b>Amounts falling due within one year:</b>		
Trade and other receivables	-	89
Prepayments and accrued income	60	42
	<b>60</b>	<b>131</b>

**6. Cash and Cash Equivalents**

	<b>2016-17 £000</b>	<b>2015-16 £000</b>
Balance at 1st April	204	583
Net change in cash and cash equivalent balances	125	(379)
Balance at 31st March	<b>329</b>	<b>204</b>

All balances as at 31st March 2017 were held with a Commercial bank and cash in hand.

**7. Trade Payables and Other Current Liabilities**

Amounts falling due within one year

	<b>2016-17 £000</b>	<b>2015-16 £000</b>
Taxation and social security	22	18
Trade payables	16	31
Accruals	54	26
	<b>92</b>	<b>75</b>

**8. Commitments under Leases**

The Commissioner was committed to making the following payments in respect of operating leases expiring

	<b>2016-17 £000</b>		<b>2015-16 £000</b>	
	Land & Buildings	Other	Land & Buildings	Other
Obligations under operating leases:				
Not later than one year	50	1	59	-
Later than one year and not later than five years	166	5	199	-
Later than five years	-	-	17	-
	<b>216</b>	<b>6</b>	<b>275</b>	<b>-</b>

## NOTES TO THE ACCOUNTS

### 9. 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 her operations are financed, her 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 she faces in undertaking her activities.

### Liquidity Risk

The Commissioner's net revenue and capital resource requirements are financed by the Welsh Government. Her 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 2017.

### 10. Capital Commitments

There were no capital commitments as at 31st March 2017.

### 11. Contingent Liabilities

There were no contingent liabilities as at 31st March 2017.

### 12. Related Party Transactions

The Welsh Government is a related party, the Commissioner received her sole source of funding from the Welsh Government; she received £1.543 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.

### 13. Provisions for Liabilities and Charges

	Early Departure £000	Other £000	Total £000
Balance as at 1 April 2016	192	6	198
Use of provision	(101)	(6)	(107)
In year provision	-	-	-
Balance as at 31st March 2017	91	-	91

### Analysis of Expected Timings of Provisions

	Early Departure £000	Other £000	Total £000
Not later than one year	9	-	9
Later than one year and not later than five years	82	-	82
Later than five years	-	-	-
Balance as at 31st March 2016	91	-	91



**13. 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.

**14. 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. The Accounting Officer authorised these financial statements for issue on 27th July 2017.

