

# Annual Report and Accounts 2017-18




**Comisiynydd  
Plant Cymru**

Children's  
Commissioner  
for Wales

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**We cannot reshape, plan  
for the future or work  
smarter without placing  
people at the heart of  
decision making.**





# Foreword

Re-shaping, forward planning, and integrating. They are words we often hear by those in the public arena. But what do they mean? How do they affect people's lives? The answer for me is simple. We cannot reshape, plan for the future or work smarter without placing people at the heart of decision making.

To ensure children are the heart of policy making, we must first realise that they do not fit nicely into 'boxes'. Their lives are often complex; the challenges they face and the issues they have to overcome are broad, meaning solutions cannot sit with one Minister, or one department. But to be able to change lives, we must first understand those challenges and issues by placing people at the heart of decision making.

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Included in this report are examples of how we've taken this approach to drive real improvements for children in Wales.

You'll also see how children's opinions and experiences drive everything I do as their Commissioner. Their life experiences and views appear in every aspect of our work, from what I speak out about in the media and how we go about influencing change within Government, to how my organisation should approach recycling.

This report shows that we are still listening, we are still speaking out and we are still delivering results. My sincere thanks again to my staff team, my advisory panels and to children and young people from across Wales who have been so willing to share their views with me.

I am now exactly half-way through my seven-year term as commissioner. I have seen some progress during that period in Welsh children and young people's access to their human rights in some spheres of their lives, and my team and I have played a role in this, but huge challenges remain. I will continue to work tirelessly to promote and safeguard children's rights in Wales towards the aim of every child in Wales having an equal chance to be the best they can be.

**Sally Holland**  
Children's Commissioner for Wales

**...we are still  
listening, we are  
still speaking out  
and we are still  
delivering results.**

# At a glance

## This year we have:

- Listened to 9443 children and young people all over Wales
- Assisted 554 individual children and young people through our Investigation and Advice Service
- Assessed progress on wheelchair access to schools
- Published Sam's Story report highlighting the views of 2000 children about bullying, developed resources for schools and put on a Sam's Story exhibition in the Senedd
- Brought forward new evidence on children's experiences of play and leisure
- Developed sensitive and powerful Tackling Islamophobia lessons for schools that changed children's understanding and attitudes
- Listened to the experiences of young people with learning disabilities, and their families, as they move towards adulthood
- Secured a new legal duty for children's rights in Additional Learning Needs provision in education
- Secured further opportunities and resources for young people leaving care
- Ensured that children and young people living in care had a chance to express their views through the Bright Spots survey
- Worked with public bodies including health boards, Welsh Ambulances, Parc Prison, National Museums and local authorities to implement a Children's Rights Approach
- Published a new guide for schools on how to implement a children's rights approach and supported thousands of pupils and their teachers to learn about rights and influence our work through our successful ambassador schemes
- Produced a self-assessment toolkit with the Future Generations Commissioner for public bodies to work on children's rights alongside the Well-being of Future Generations (Wales) Act 2015
- Intervened to protect Sexual Assault Referral centres
- Enabled primary schools to set up new, rewarding inter-generational clubs and activities with their older neighbours
- Engaged with a primary school eco-committee to audit our environmental record, and changed our behaviour as a result
- Become a Real Living Wage employer
- Secured 763 pieces of media coverage for the Commissioner's work



...working tirelessly to promote and safeguard children's rights in Wales towards the aim of every child in Wales having an equal chance to be the best they can be.



# 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, we published our 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:

1. **Mental health, wellbeing and tackling bullying**
2. **Poverty and social inequalities**
3. **Play and leisure**
4. **Safety (in the community, school and at home)**
5. **Raising awareness of the UNCRC and promoting its adoption across public services**
6. **Transitions to adulthood for all young people requiring continuing support and care**



Below is an analysis of our major achievements for children and young people in **years 1 and 2** of our strategic plan, through the delivery of our **project work**.

## Year 1 (2016/17)

### MENTAL HEALTH, WELLBEING AND 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.

### 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 have direct influence on our work.

### 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.

### SAFETY IN THE COMMUNITY, SCHOOL AND HOME

#### Intergenerational project

Worked with 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 YouTube and lessons plans downloaded 117 times from February to April 2017.

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

#### Student Ambassador scheme

Programme launched in September 2016 following pilot. 67 secondary schools across Wales had engaged with scheme by March 2017 – this number had almost doubled by March 2018.

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### 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.

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

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# Year 1 (2016/17)

## SAFETY IN THE COMMUNITY, SCHOOL AND HOME

### 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.

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

### 'The Right Way'

Worked with Swansea University to create The Right Way, a Children's Rights Approach for 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.

## TRANSITIONS TO ADULTHOOD

### '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 looked after children in Wales.

## Year 2 (2017/18)

### MENTAL HEALTH, WELLBEING AND BULLYING

#### [Inaugural All Wales Child Health Seminar](#)

In conjunction with Public Health Wales, we hosted the inaugural All Wales Child Health Seminar.

Read more about the seminar on page 32.

#### [Sam's Story](#)

Published a report about children and young people's experiences of bullying in Wales, based on consultation with over 2000 children and young people and nearly 300 professionals.

Worked with Penygawsi Primary to create and publish a suite of materials for schools to use during Anti-Bullying Week 2017.

### POVERTY AND SOCIAL INEQUALITIES

#### [Full Lives, Equal Access?](#)

Reviewed progress made by all 22 local authorities on wheelchair accessibility in secondary schools.

Seven local authorities have already committed to making improvements and the Welsh Government has committed to updating their guidance to reflect children's rights.

### PLAY AND LEISURE

#### [Article 31: a spotlight report](#)

Published a report on the experiences of 450 children and young people accessing play/free time, sport, leisure, culture, heritage and the arts in Wales.

Read more about the report on page 19.

### SAFETY IN THE COMMUNITY, SCHOOL AND HOME

#### [Tackling Islamophobia](#)

Produced a resource for secondary schools which enabled pupils to explore the issue of islamophobia.

Work resulted in 85 pieces of positive media coverage for the resource, 96% of pupils who returned evaluation forms within first 3 months said they were more likely to recognise negative stereotyping and 78% of them would challenge negative stereotyping.

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

#### [The Right Way: A Wales future fit for children in Wales](#)

Worked with the Future Generations Commissioner for Wales to produce a resource, including a self-assessment toolkit, to enable public bodies and public services boards to embed children's rights as well as the requirements of the Well-being of Future Generations Act.

### TRANSITIONS TO ADULTHOOD

#### [Hidden Ambitions: One Year On](#)

Published a follow up report on progress made against suggested areas for improvement within 2016/17 'Hidden Ambitions' report.

Commissioner visited all 22 local authorities to discuss progress made.

6 local authorities have already exempted their care leavers from paying Council Tax.

At least 411 young people across Wales have directly benefitted from the St David's Day fund.



## Year 2 (2017/18)

### MENTAL HEALTH, WELLBEING AND BULLYING

#### Bright Spots

Worked in partnership with Coram Voice and the Welsh Government to fund a pilot programme with 6 local authorities to survey the wellbeing of looked after children in their respective authorities. Tailored reports were created for each authority and a national report was planned for publication in 2018/19.

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

#### Downloadable lectures about the UNCRC and the Commissioner

Creation of downloadable lecture materials for colleges and Universities all about children's rights and the Commissioner's role in promoting and protecting those rights in Wales.

### TRANSITIONS TO ADULTHOOD

#### Transitions to adulthood for young people living with a learning disability

Began work scoping the experiences of young people with learning disabilities and their families and committed to publishing the findings in 2018/19

# Some highlights of project work

## Bright Spots

Coram Voice and the University of Bristol have developed the Your Life, Your Care survey, which is a tool for measuring the quality of looked after children's care experiences and their sense of well-being. The survey was developed with children and young people in recognition that they are experts on their own experiences. Your Life, Your Care is based on two international literature reviews, a roundtable discussion with professionals across the children's services sector, and focus groups and interviews with 140 children and young people. It aims to identify "Bright Spots" of practice, as well as identifying areas that local authorities can improve to better support the well-being and experiences of their looked after children.

We identified the potential for this survey to learn about and improving the experiences of Wales's looked after children and proposed to Welsh Government and local authorities to pilot it in Wales. We were delighted to receive a positive response from Welsh Government and local authorities to this proposal.

The six local authorities that have taken part are Rhondda Cynon Taf, Swansea, Caerphilly, Flintshire, Pembrokeshire and Cardiff. The work has been funded mainly by the Welsh Government's Ministerial Advisory Group on Improving Outcomes for Children, with a contribution from our office as well.

Each local authority had tailored support in promoting the survey to their looked after children and will receive a written report with the individualised results for their area. The survey is operated at 3 different age levels, ranging between ages 4-18, and there are different versions for each age group, so that local authorities can recognise what that age group has said and respond accordingly. There will also be a national report that brings together the Bright Spots of practice and this will be shared at a national event later in 2018.



# Some highlights of project work

## Transitions to Adulthood – learning disabilities

In this year's work plan we continued our work around Transitions to Adulthood, this time focusing on young people with a learning disability.

We recognised that there were others who already had a lot of specialist knowledge in this area. We therefore arranged for two teams to do the research work that provided the content for this report.

**There were two elements to this:**

### **a) A review of the evidence: what is already known from research?**

Dr Axel Kaehne and his colleagues in Edge Hill University conducted a 'rapid review' of existing research into this topic. On our request they looked particularly at the relevance of research to Wales.

### **b) The direct views and experiences of young people, their parents or carers and professionals**

Most of the evidence in the report comes directly from young people with learning disabilities and the adults who care for them or work with them. We engaged Vikki Butler and her team at CARP Collaborations to do this work. They worked in partnership with a peer researcher – a young researcher with learning disabilities – to help them get this right. The report is due to be published in the summer of 2018 but all of the fieldwork and research has taken place during 2017-18.



# Some highlights of project work

## Sam's Story

The lack of consistency in how schools and authorities are handling and reporting cases of bullying in schools is leading to some children feeling isolated and others unsure of what to do if they are aware of others being bullied. This was the key finding of a large scale consultation with over 2000 children and young people and nearly 300 professionals led by us in 2017.

This consultation explored feelings and experiences of bullying with children in primary and secondary schools and in community settings across the country, their feelings and experiences of bullying. The results are all too familiar. Being seen as 'different' in terms of appearance, interests or identity are major factors behind why children are being bullied. Unsurprisingly, cyber-bullying is also a major concern, especially for pupils at secondary schools.

### Key findings from over 2000 children and young people

- **Difference** is seen by children as a key issue in bullying. This includes issues such as ethnicity, poverty, disability and gender stereotyping
- **Isolation** is another cause of bullying.
- **Parents** are often seen as unresponsive or ineffective.
- **A trusted person** to talk to seems to be a key pathway to deal with bullying and often, that trusted person is a teacher.

### Key findings from nearly 300 professionals working with children and young people

- **Consistency**; a number expressed a wish for more consistency across schools within local authority areas and across Wales as a whole. The material collected suggests a very diverse and uneven picture.
- **Monitoring**: participants noted there was no standard or consistent national system for monitoring instances of bullying.
- **Nature of bullying**: whilst there were certain typical characteristics that made a child more vulnerable to being bullied, there was also a very wide range of possible factors and that this was a complex issue.
- **Definition of bullying**: a recurring theme was the importance of clarity about what bullying is.

- a large scale consultation
- 2000 children and young people
- nearly 300 professionals



## Some highlights of project work

Included in the report were a series of priorities for improvement, including:

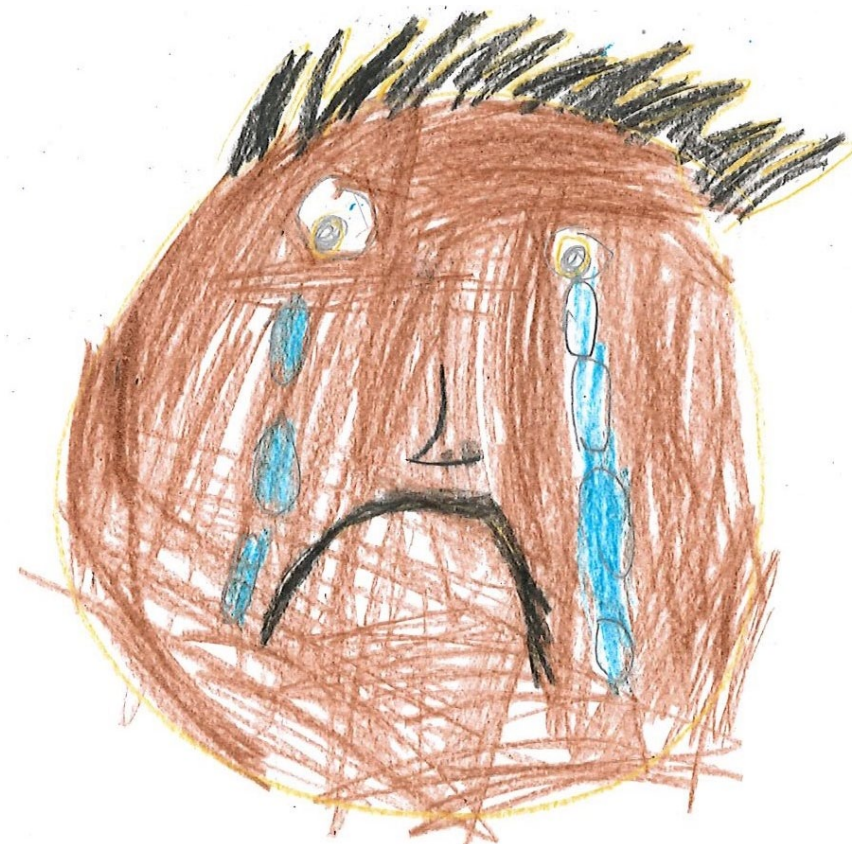
- placing a statutory duty on schools to report all incidences of bullying;
- making human rights education a compulsory part of the new curriculum;
- incorporating healthy relationships and restorative approaches into the curriculum;
- considering how the curriculum reform fits with reforms to mental health and well-being services to ensure the best possible support for pupil well-being;
- reviewing the Respecting Others Guidance; and ensuring that there is a strategic and long-term plan to developing a consistent approach to tackling bullying across Wales.

### Sharing the messages from Sam's Story – and acting on the recommendations

A key recommendation from our work on 'Sam's Story' is that children and young people of all ages have facilitated pastoral time to reflect on and discuss their relationships. We published resources for both Primary and Secondary Schools ahead of anti-bullying week 2017, using these resources as one way to act on the recommendations. These resources provided practical ideas and activities for teachers and pastoral support officers linked to the curriculum and helped lead discussions, and promoted awareness of bullying issues across Wales in 2017. Our resources for primary schools secured 10,640 downloads and the secondary resource was downloaded 1439 times.

**Primary School resource** – Penygawsi Primary School took a whole school approach to delivering the Sam's Story special mission in October 2016, developing a series of differentiated lesson plans for each key stage and adapting existing resources. We worked with a teacher at the school to co-produce an anti-bullying resource which showcased the whole school teaching approach Penygawsi took.

**Secondary School resource** – We worked with the Equality and Human Rights Commission Wales to produce a Secondary School Resource. As well as a series of practical activities and ideas we included guidance for secondary school teachers on Identity-based bullying: what teachers need to know. This explains how the public sector equality duty can be used to tackle identity-based bullying in school and also gives information for teachers to better understand protected characteristics and to reflect this in discussions with pupils.



# Some highlights of project work

## Taking Sam's Story messages to the National Assembly for Wales

In November 2017, we exhibited a selection of images and words, created and authored by children and young people, gathered as part of the Sam's Story consultation. We took this opportunity to highlight the real impact that being bullied is having on children's lives in Wales, bringing these messages directly to public visitors to the National Assembly for Wales and decision makers based there.

A group of young artists as part of the group, Criw Celf, contributed an artistic response to the material we originally gathered, exploring the idea of putting themselves in 'Sam's shoes'. We provided the group of young artists with a selection of the visual images, written stories and blogs we had received. The group reflected on these and responded to them, effectively adding their own personal narrative and experiences of bullying and contributing to this thought provoking exhibition. National Assembly for Wales Education and Engagement team Officers included a visit to our exhibition as part of their November tours. In excess of 200 pupils visited the exhibition.





# Some highlights of project work

## Full Lives: Equal Access?

During 2017 we followed up our 'Full Lives: Equal Access?' report from November 2014, which highlighted concerns about wheelchair access for secondary school pupils in Wales.

The report made recommendations to the Welsh Government, asking them to update their guidance on access for disabled pupils, and to ensure that those building new schools under the 21st Century Schools programme demonstrate their intentions to increase accessibility. We also asked the Welsh Government to make sure that all Local Authorities and schools were complying with their duties under the Equality Act 2010.

We made contact with all 22 Local Authorities in Wales and spoke to representatives from the Welsh Government, Welsh Local Government Association (WLGA), Estyn and the Wales Audit Office (WAO). We wanted to find out whether Welsh Government, local authorities and schools are effectively planning for increased access to education for pupils in Wales. We also wanted to know whether children and their families are able to access clear information about accessibility in schools in their area, in order to make informed choices and to make sure that children can attend the school of their choice, along with their friends.

The follow up report was published in March 2018. This report highlighted general improvements in the awareness of schools and local authorities of their duties under the Equality Act 2010, but the fact remains that information is extremely difficult for children and their families to obtain when they need to make decisions about school places. It was also the case that, aside from some positive individual examples, schools and local authorities are not routinely consulting with or involving young people in decisions about which school place will be best for them. The experiences that we highlighted showed that, where young people are involved in planning their transition to secondary school for example, those experiences are far more positive. Provision can be tailored to the individual needs of the learner, ensuring they can access all parts of the school estate.

The guidance for schools and local authorities on access to schools remained very out of date and made no clear reference to children's rights or the importance of involving young people in the decisions about accessible school places.

The Welsh Government committed in their response to this report to work with my office to revising their guidance in order to reflect these points.



# Some highlights of project work

## Play and Leisure: Article 31 UNCRC

In March 2018 we published our Spotlight report: Article 31 - the right for all children to have rest and leisure, to engage in play and recreational activities and to participate in cultural life and the arts. Informed by the views of over 450 children and young people in Wales the report provided an insight into their experiences of play, and access to sport, arts, cultural and heritage opportunities.

It was pleasing to hear during the fieldwork that many children and young people are enjoying the opportunities available to them, yet it is clear there is more that needs to be done. It was striking that despite living in a range of different circumstances and having different needs a number of common barriers emerged. Finances, transport and lack of choice were the top reasons for not being able to take part in structured activities. Meanwhile there were clear messages about the value our children and young people place on playing and having experiences near to where they live, and that confidence or time to embrace the opportunities currently available are seen as real issues for them.

Children and young people in particular circumstances also identified the specific challenges they faced. For example, disabled children felt they had very few opportunities outside of school to take part in a number of activities enjoyed by their non-disabled peers. The report also includes examples of how organisations responsible for delivering play, recreational, art, cultural and heritage opportunities can incorporate children's rights into their work by adopting a Children's Rights Approach.

We have promoted the report to a range of organisations and urged them not only to consider how it can inform their current thinking but also to consider whether or not they are providing sufficient arrangements to engage with children and young people to enable them to inform and plan their services. Providing such opportunities has real value not only for children and young people but organisations themselves.

# Some highlights of project work

## Tackling Islamophobia

Research shows that religious hate crime has risen in previous years, and that Muslims are more likely to be affected than any other religious group<sup>1</sup>. Figures also show that the Muslim community is younger than Britain as a whole, with 33% aged 15 or under in 2011, compared to 19% of the whole British population at that time<sup>2</sup>, meaning that young people could be disproportionately affected by Islamophobia.

We heard directly from young Muslims from all over Wales who are often abused, demeaned and threatened because of their faith.

We wanted to raise awareness of the harmfulness of Islamophobia and encourage all children and young people to be able to recognise negative stereotyping of Muslims in the media, which we had identified as major factor behind Islamophobic abuse. We decided that, in order to achieve our aim of challenging negative stereotypes of Muslims and raising awareness of Islamophobia in Wales, we needed to:

- **Create a resource for secondary schools that allowed pupils to explore the topic**
- **Ensure resource had clear links to the Welsh Government's Literacy and Numeracy Framework and Digital Literacy Framework for schools**
- **Create videos to share the direct experiences of young Muslims with their peers from across Wales**
- **Encourage pupils to identify and challenge harmful media portrayals**
- **Help pupils to understand the harmfulness of racist abuse**
- **Help pupils to celebrate the commonalities between all people**
- **Help pupils to understand that Islamophobia is not an issue limited to places far away: it is an issue that affects young people in Wales as well as all over the world.**

<sup>1</sup> [www.theguardian.com/world/2015/oct/26/muslim-leaders-in-uk-warn-of-worrying-levels-of-islamophobia](http://www.theguardian.com/world/2015/oct/26/muslim-leaders-in-uk-warn-of-worrying-levels-of-islamophobia)

<sup>2</sup> [www.bbc.co.uk/news/uk-31435929](http://www.bbc.co.uk/news/uk-31435929)



## Some highlights of project work

We met with staff at the Ethnic Youth Support Team in Swansea and Show Racism the Red Card in Cardiff – both leading organisations in Wales, working with and for young Muslims, among other groups. Their advice echoed the views of the young Muslims in our focus groups; Islamophobia was a growing concern and any material to support awareness raising was to be welcome.

We also met with a group of senior teaching staff from five secondary schools. They told us that the resource needed to be interesting and flexible, and that the Welsh language should be used to reflect the fact that Muslims in Wales can be as 'Welsh' as any other citizen, and that Islamophobia is an issue in Wales.

We produced a Tackling Islamophobia resource, consisting three sessions, designed for young people aged 11-14 (Key Stage 3). Each session focused on a different right, as laid out in the United Nations Convention of the Rights of the Child. Using videos and interactive activities, young people could explore how rights are experienced by young people in Wales generally, and young Muslims in Wales specifically. Sessions could be delivered as standalone sessions but will have most impact if all three are delivered to develop incremental learning. Accompanying teacher guidance informed teachers about how best to facilitate young people to explore children's rights and to understand and challenge discrimination.

### Here are the results:

- 1274 downloads of resource
- 4674 video views
- 85 pieces of positive media coverage secured for new resource, with 31 million reach

96% of pupils who returned the evaluation forms in the first three months agreed that they were 'more likely to recognise negative stereotyping in the media', while 78% agreed that they were 'more likely to challenge negative stereotyping.'



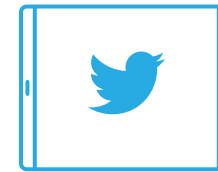
1274

downloads of resource



4674

video views



85

pieces of positive media coverage secured for new resource, with 31 million reach

## Quotes from pupils' evaluation forms

I know that they are just like me.

They get singled out and we should stop it.

They have helped me understand that this happens everywhere.

I know what to look for and will try to find more reliable news.



# Highlights of core work

Below is an analysis of our major achievements for children and young people in **year 1** (2016-17) of our strategic plan, through the delivery of our **core work** (day-to-day 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 advocacy by June 2017. It means that some of 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 12-18 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 youth member of our young advisory panel have played an active role in the working group created by the Assembly to support its creation.

## INVESTIGATIONS AND ADVICE

### Case work

529 individual cases handled by our independent Investigations and Advice service

## FINANCE, HR AND IT

### Internal Audit

A number of independent reports received from Deloitte, have given assurances of the effectiveness and adequacy of a 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.

# Highlights of core work

Below is an analysis of our major achievements for children and young people in **year 2** (2017-18) of our strategic plan, through the delivery of our **core work** (day-to-day work).

## POLICY AND PUBLIC AFFAIRS

### Additional Learning needs

The duty of 'due regard' to the UNCRC has been included in the Additional Learning Needs and Education Tribunal (Wales) Act 2018. This will mean that children with additional learning needs can expect to have their rights considered and respected by local authorities and other bodies that are making decisions about the support that they need to fulfil their potential in education.

### Advocacy

The National Approach to Statutory Advocacy is now in place in every region in Wales including an Active Offer of advocacy. Our influencing work has had a significant effect on this.

## COMMUNICATIONS

### Media relations

Secured 763 separate pieces of media coverage for our work and issues concerning children and young people – all mainly positive or neutral pieces of coverage.

### Social Media

Social media: launched Instagram profile and increased Twitter following to over 10,000.  
Generated over 5000 tweets using the hashtag #RightsHour, to celebrate children's rights work across Wales.

## PARTICIPATION

### Ambassador Schemes

- Super Ambassadors
  - 402 primary schools
- Student Ambassadors
  - 102 secondary schools, including 9 colleges and Pupil Referral Units
- Community Ambassadors
  - Recruited 11 new groups, following 14 workshops
  - Creation of interactive resource pack to support group
  - Involved with 5 of our projects this year
  - Hosted regional events for ambassadors to meet Commissioner
  - Facilitated conversation about lowering voting age to 16 between ambassadors and Mark Drakeford AM

## INVESTIGATIONS AND ADVICE

### Case work

554 individual cases handled by our independent investigations and advice service

- 342 issues raised about education, including Special Educational Needs (98), complaints (66) and bullying (25)
- 251 issues raised about social services including complaints (91) and provision of service (22)

### Who made first contact?

- 322 parents
- 56 extended family member
- 31 members of the public
- 26 child or young person
- 21 elected members
- 20 other professionals
- 19 foster carers
- 11 advocacy services
- 17 unknown

## FINANCE, HR AND IT

**An evaluation of some of our internal processes can be found on page 82**

### Living Wage

We were accredited by the Living Wage Foundation as a living wage employer. This means we pay at least the real living wage to all directly employed staff and on-site contractors.

### Partnership Working

We teamed up with Brecon Beacons National Parks Authority for the provision of offsite backup storage. Using the Welsh Government PSBA initiative, this cooperation provides a cost effective alternative for off-site storage as part of a Disaster Recovery Strategy.



# Highlights of core work

Below is an analysis of our major achievements for children and young people in **year 2** (2017-18) of our strategic plan, through the delivery of our **core work** (day-to-day work).

## POLICY AND PUBLIC AFFAIRS

### Hidden Ambitions

As a result of our influencing work following the publication of this report, an additional £625k was allocated this year to support work placements / traineeships for care leavers.

In response to this report, the Welsh Government announced a £1M St David's Day fund for care leavers and further funding for local authorities to meet our call for Personal Advisor support for all care leavers up to the age of 25

### 'The Right Care: children's rights in residential care', 2016

By February 2017, the Welsh Government's Children's Residential Care Task and Finish Group had accepted and included all our recommendations within its work plan

## PARTICIPATION

### Youth Parliament

The Commissioner and a member of our advisory panel took an active role in a steering group established by the Llywydd to advise on the set up of the new youth parliament for Wales


### Engagement work

Engaged directly with 9443 children and young people, including 2450 for our project work

## FINANCE, HR AND IT

### Traineeship

Working with Neath Port Talbot College, we welcomed a young person on a 12 week traineeship. The programme for the young person was based on the outcomes of a Business Administration NVQ, but they also had an opportunity to work closely with the participation function. After initially having difficulty finding employment, the young person managed to secure interviews with several employers following their period with us.

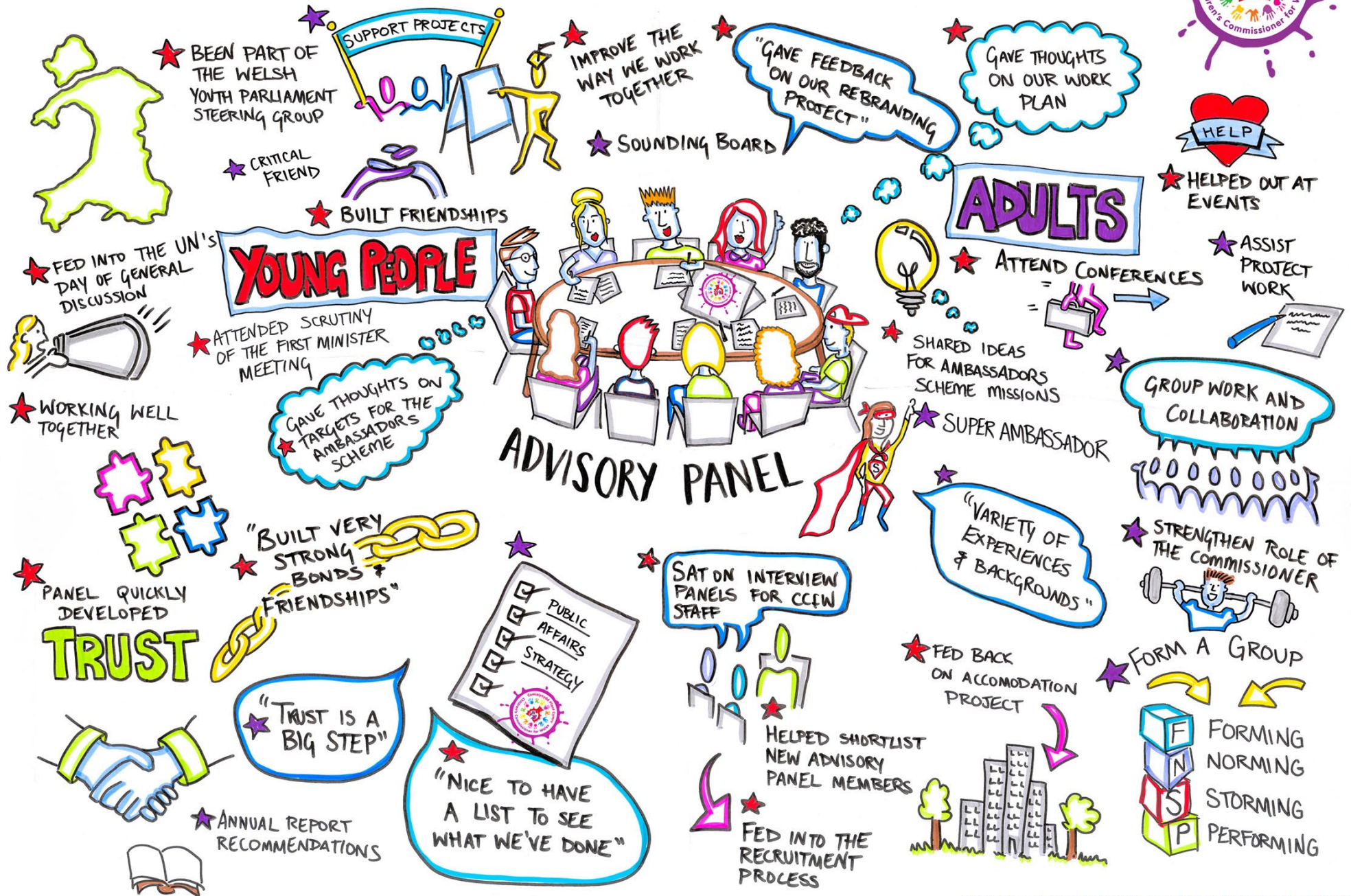


Our advisory panels have continued to have an extremely positive impact on our work. The next pages show some of that impact, captured by an artist at a recent event.





# IMPACT OF OUR WORK AND LESSONS LEARNED





**The 5 principles of a Children's Rights Approach are Embedding children's rights, Equality and Non-discrimination, Empowerment, Participation and Accountability.**





# The Right Way

**In March 2017, we published 'The Right Way'. It sets out a model for public bodies in Wales to take a Children's Rights Approach, which would enable organisations to prioritise children's rights in their work.**

Such was the interest in the guide, we decided to create a tailored model for education establishments, ['The Right Way to Education'](#), published in May 2017. This Children's Rights Approach to education aims to safeguard the long term needs of children and young people and will help develop healthy, confident individuals who can learn and thrive. The framework places children's rights at the core of a child's experience of education and at the core of school planning, teaching, decision-making, policies and practice. Included are some examples of interesting practice from schools across Wales taking a Children's Rights Approach to education.

As well as encouraging all public bodies to implement the 5 principles of a Children's Rights Approach, we have analysed how well our own organisation is implementing these principles.

# Our 'Right Way'

## **Embedding:** children's rights should be at the core of planning and service delivery

- Our Strategic Planning Policy and our Strategic Plan are built around children's rights
- All staff have explicit reference to the protection and promotion of children's rights in their job descriptions
- We have a dedicated Participation team who help promote children's rights through as our Ambassador schemes
- We have a dedicated Communications team who help promote children's rights
- Included in our corporate risk register is the need for us to protect children's rights in our work

## **Empowering:** enhancing children's capabilities as individuals so they are better able to take advantage of their rights

- Our Investigations and Advice team plays a key role in protecting children's rights
- Our Ambassador schemes enable children and young people to become ambassadors for children's rights and the Commissioner in their schools and communities
- Our young people's advisory panel members are provided with the training they need to scrutinise and advise our work
- All our publications are published in accessible formats
- Young people are often invited to peer review our work before publication
- Our Strategic Plan and Work Plans are all geared towards furthering children's rights in Wales
- The Right Way suite of materials all promote and encourage public bodies across Wales to take a Children's Rights Approach

## **Equality and non-discrimination:** ensuring every child has an equal opportunity to make the most of their lives, and treating them all fairly

- One of our key organisational values is around combating discrimination in all forms and our commitment to adhere to equalities legislation is in all spheres of our work
- Our annual staff training programme has a compulsory training element on an equality issue
- We have a Strategic Equality Plan, which includes a requirement on all project managers to undertake a full Equality Impact Assessment of their work
- On an annual basis, we survey young people's awareness levels of the Children's Commissioner, the results of which are split into age categories and demographic backgrounds
- Our main aspiration, included in our three year strategy, is to ensure all children and young people in Wales have an equal chance to be the best that they can be

# Our 'Right Way'

## Participation:

**listening to children and taking their views meaningfully into account**

- Our vision statement includes a commitment to enabling children and young people to play a clear and genuine part in informing and directing our work
- Our Participation Strategy contains details of all our engagement work, all underpinned by the National Participation Standards for Wales
- Participation with children and young people is built into all job descriptions
- All our project plans include engagement work with children and young people, to ensure all our work is underpinned by children's voices and experiences
- RHANNU: is a weekly meeting where all requests for school visits and workshops are discussed and allocated to staff
- Our advisory panel of young people includes members from across Wales, and has a specific role in holding us to account on our promises. Members are also invited to become members of our project steering groups
- Our Ambassador schemes provide a systematic base for us to enable children and young people from a wide variety of backgrounds to influence our work

## Accountability:

**be accountable to children for decisions that affect their lives**

- We publish the progress we've made against our strategic plan in our annual report
- We measure the impact of our work on an annual basis and report on it every month to our Management Team, every three months to our Audit Committee and annually in our annual report
- We ask our advisory panels (including our advisory panel of young people) to hold us to account on the commitments we've made
- Information about how to complain about us is available in an accessible format on our website

## Our improvement plan

- Continue to work with the National Assembly for Wales' Youth Parliament team to establish a mechanism for new members to hold the Commissioner to account
- Identify ways in which we can further explore candidates' understanding of our core values and about children's rights during recruitment campaigns.

# The Right Way

## Some examples of other public bodies in Wales who have decided to adopt a Children's Rights Approach, following our influencing work

### All Wales Inaugural Child Health Seminar

In June 2017, in conjunction with Public Health Wales, we hosted a seminar for representatives from all Health Boards and Trusts across Wales, to discuss children's rights in health settings.

The event was well attended and rich discussions took place around the principles of The Right Way, with each attendee agreeing some pledges towards incorporating children's rights in their area. The seminar will become an annual event and will allow for these pledges to be followed up. It allows Boards and Trusts to come together to share ideas and examples of good practice that can then be implemented across Wales. It also assists us in keeping up to date with key trends and issues arising in health settings across Wales and to maintain contact with the designated safeguarding leads from each organisation.

### Welsh Ambulance Services NHS Trust

The Trust has decided to apply a Children's Rights Approach and began by engaging with children and young people (aged 8-18) to capture feedback on 'What they expect when they use any of our services'. This feedback was then used to develop a set of 'Promises for Children and Young People', which will be shared with the Trust's staff. Experiences of children and young people will be measured against these promises.

### National Museum Wales

As part of its 'Kick the Dust' initiative, the team has worked with young people to design new ways to engage young audiences, particularly from marginalised or under-represented groups. They have also begun embedding children's rights in policies that influence safeguarding, accountability and equality.

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# The Right Way

## Powys County Council

In October 2017, following an inspection visit by Care and Social Services Inspectorate for Wales (CSSIW) in July 2017, Powys County Council Children's Social Services were issued with a Warning Notice, under Part 8 of the Social Services and Well-being (Wales) Act 2014.

Following the Warning Notice being issued, a request was received from Welsh Government for our Head of Policy and Public Affairs, Rachel Thomas, to represent the office on the Improvement Board that was established to assist the Council in addressing the findings of the inspection.

Rachel has engaged with the activities of the Board on a monthly basis and is working to ensure that children's voices and their rights are explicitly recognised and acted upon in the work of the Council. Rachel continues to engage as an advisor to the revised Improvement and Assurance Board.

The Improvement Plan for children's services makes explicit reference and commitments to the UNCRC including embedding the UNCRC into the work of the Council and following the principles of The Right Way.

Regular meetings take place with the Chief Inspector of Care Inspectorate Wales in order to share any concerns and progress updates.

## HM Prison and Young Offenders' Institution Parc

Following a meeting between the Commissioner and the Governor at Parc, they were keen to embed a rights-based approach to their practice. Following the principles of 'The Right Way' we have been supporting Parc to identify practical ways in which they can adopt a Children's Rights Approach within their education unit. We agreed an approach with senior staff and have arranged a visit to Garth Primary School in Bridgend, for managers to see first-hand the positive impact such an approach can have on young people.

**For further details about these case studies, or to read about more organisations that have taken a children's rights approach, head to our website [www.childcomwales.org.uk](http://www.childcomwales.org.uk)**



'I am delighted that we have secured a duty of 'due regard' to children's rights in the new Additional Learning Needs legislation'



# Children's Rights in Wales

## General Measures of Implementation of the United Nations Convention on the Rights of the Child (UNCRC)

In order to ensure that children's rights are being upheld at a national level, there are a number of measures called 'General Measures of Implementation' that can be used to measure progress in each country or state party. These include laws, policies, institutions, budgets and other actions that countries will need to focus on for the effective implementation of rights contained in the UNCRC.

We have considered the General Measures of Implementation of the UNCRC in the following section to set out how far Wales has progressed children's rights during the year.



# Children's Rights in Wales

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## Incorporation

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Incorporation of the UNCRC directly into laws and policies in Wales gives the rights contained within the Convention meaningful effect for children.

We are very pleased to note that, following considerable lobbying and extensive evidence from our office and others, a duty of 'due regard' to the UNCRC has been placed on the face of the Additional Learning Needs and Education Tribunal (Wales) Act 2018. This will mean that children with additional learning needs can expect to have their rights considered and respected by local authorities and other bodies that are making decisions about the support that they need to fulfil their potential in education.

## Compliance Report

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The Rights of Children and Young Persons (Wales) Measure 2011 requires the Welsh Government to produce a Children's Rights Scheme. That scheme requires the production of a compliance report that looks at how effective the Government has been in delivering against the Measure and the UNCRC in the period since the last report (June 2015).



# Children's Rights in Wales

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The most recent Compliance Report was produced by the Welsh Government and published in March 2018. We were pleased that the report was structured around the five principles of The Right Way in order for the Welsh Government to consider how far their work has taken forward a Children's Rights Approach.

The report covers training, children's rights impact assessments, participation, policies related to children's rights and awareness raising work.

I have encouraged the Welsh Government to publish a review of their commitments to the UNCRC in 2019, as this is the mid-point of the Government term and the UNCRC reporting round. This could include a specific plan on children's rights as well as the revision of the children's rights scheme as intended. 2019 will also mark 30 years since the UNCRC was first signed.

There has been no debate or scrutiny of the report in the National Assembly to date so Assembly members have not had the opportunity to directly scrutinise compliance with the Measure.

## Children's Rights Impact Assessments (CRIA)

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Of the fifteen relevant Welsh Government consultations that the office responded to during 2017-18, only three had a Children's Rights Impact Assessment (CRIA) which was published with the consultation papers.

We have noted in evidence and correspondence to the Welsh Government and the Children, Young People and Education Committee of the Assembly that the quality of analysis within CRIA has been variable. Some CRIA simply reflect the relevant article numbers from the UNCRC but don't go on to apply the policy proposals to those articles, and weigh up where positive and negative impacts will be felt. Negative impacts are in fact rarely mentioned. It is important to recognise when there may be some negative impact of decisions; the next step then is to analyse whether positives outweigh the negatives and whether any negatives can be mitigated, in forming the final terms of the policy.

# Children's Rights in Wales

A notable example of a thorough CRIA in this period was for the minimum alcohol pricing proposals. Whilst this may not be an obvious children's rights issue, the writer was able to consider whether or not certain actions would impact on children's behaviour and choices. Conversely, despite the MyTravelPass scheme being for 16 and 17 year olds, there was no CRIA completed initially when a decision was taken to disband the scheme (although now reversed). The CRIA that was completed, after it was requested by us, did not analyse the impact of the decision to end the scheme and whether or not there was anything else in place that would support those children who were eligible for it. The CRIA simply stated that the scheme was for a limited time frame and therefore identified no negative impact as that was always the intention.

The Children's Rights Scheme remains in force and requires CRIA to be undertaken as part of the Welsh Ministers discharging their duty of due regard under the Measure. Whilst CRIA is not the total extent of exercising that duty, it is the key document that demonstrates how the Government has paid due regard to the UNCRC, and therefore needs to be completed fully and contain sufficient analysis to show how due regard has been paid.

## Budget and resource allocation

The budget for 2018-19 was scrutinised closely by the Children, Young People and Education Committee of the Assembly. The initial draft budget documents that were published by the Welsh Government were not particularly detailed; it was difficult to identify particular areas of the budget relating to children as total figures for each 'ambit' area were stated without a detailed breakdown of how that figure is made up.

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# Children's Rights in Wales

In addition, there was no Children's Rights Impact Assessment (CRIA) of the budget proposals. When we requested further information on this, we were told in writing that a strategic integrated impact assessment was undertaken and published along with the Draft Budget. We were also informed that CRIA should have been done at the policy level in order to inform this overall assessment. However, we have requested the CRIA for three important children's issues, and have been told that there is no specific CRIA for any of the following:

- **The School Uniform Grant;**
- **The Minority Ethnic Achievement Grant; and**
- **The All Wales Schools Liaison Programme.**

All of the above have been subject to funding cuts in this budget round but this has not been made explicitly clear in any of the published documentation. This has meant that the CYPE Committee, the WLGA and our office have had to enter into detailed correspondence and discussions on each of the issues separately leading to some cuts being reduced or reversed. Whilst there have been some positive funding announcements for children and young people during this year, such as the funding for sanitary products to prevent "period poverty", this comes alongside other cuts to services that protect and promote the rights of the most vulnerable groups of children in Wales.

The CYPE Committee made strong recommendations in relation to children's budgeting in their scrutiny report, but the key recommendations have not been accepted by the Welsh Government.

# Our Report card

The policies and issues contained in this section have been divided up based upon the children's indicators developed by the European Agency for Fundamental Rights (FRA)<sup>3</sup>. The FRA has developed indicators relating to each area of the UNCRC, noting structural, process and outcome indicators which they argue should be used to understand a country's progress towards realising the UNCRC.

<sup>3</sup> FRA (2010) Developing indicators for the protection, respect and promotion of the rights of the child in the European Union.

# Our Report card

We have used these indicators to map out the progress made here in Wales on key children's issues in the last year.

**The indicators are:**

- **Family Environment and Alternative Care;**
- **Protection from Exploitation and Violence;**
- **Education, Citizenship and Cultural Activities; and**
- **Adequate Standard of Living.**

We have included in our report card the pressing issues facing children and young people during 1 April 2017 and 31 March 2018. It also includes details of how we've tried to influence, case examples from our independent [Investigations and Advice](#) service, examples of where we've spoken out in the media about the issue and children and young people's views.



# Family Environment and Alternative Care

## EQUAL PROTECTION

### The key issues

Children in Wales do not have equal protection from assault in the law compared to adults. This is a fundamental breach of the right of all children to be kept safe, and the state has a role to play in ensuring that children are kept safe from harm. The Welsh Government, in the election manifesto commitment in 2016, committed to removing the defence of reasonable punishment from the law in order to give children equal protection. It is important that this commitment is followed through in order to make that protection a reality for all children in Wales.

### How we've influenced

We have regularly discussed this issue with relevant Ministers and their officials, with spokespersons for children from each party in the Assembly and with the Children, Young People and Education Committee. We also issued a briefing to all Assembly members regarding the Welsh Government's proposals and what they would and would not mean in practice.

We responded to the Welsh Government's consultation in early 2018 and attended a public consultation event as part of this. The consultation did not ask whether or not the defence should be removed, as the government has already committed to this; the consultation sought views on how to achieve this and how to ensure support for parents and professionals in making this change. The consultation document recognises that removal of the defence of reasonable punishment from law is intrinsically linked to children's rights under the UNCRC, and that the Government has an obligation to take action where there is a potential risk of harm to children in Wales. I have welcomed this in my response to the consultation, as my office and many others have campaigned on this basis for many years.

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# Family Environment and Alternative Care

Our response to that consultation is available on our website, along with a number of other policy position papers such as childcare, elective home education and curriculum reform. This is a new development that we have created during this year, to ensure that our key policy positions are available to the public.



## In the news

**Twitter: @JakeyCat:** Strong Statement from the Children's Commissioner for Wales on equal protection from assault for children  
17 July 2017

## Children and young people's views

Year 5 pupils at a primary school in south Wales contacted my office during the Welsh Government's consultation period. They had held a debate on the topic and wanted to share their views with me and the Minister. At a visit to the school, here are some of the comments from the young people:

**"Children should be protected not smacked"**

**"Smacking can always go too far, where do you draw the line?"**

**"Some people think you have to smack children for them to learn how to behave. I disagree, it is completely unnecessary".**

**"You should talk and explain so that they don't do the same thing again."**

**"Instead of smacking you can ban TV or the iPad; anything is better than smacking"**

# Family Environment and Alternative Care

## Progress and recommendation

The government consultation has closed and next steps are awaited. A Bill will need to be introduced to the Assembly to remove the defence from the current law; **I recommend that** a Bill should be introduced as soon as possible to make sure that the Government's commitment is followed through.

# Family Environment and Alternative Care

## Young people leaving care: HIDDEN AMBITIONS

### The key issues

Our 2017 report Hidden Ambitions sets out the support that young people leaving care told us they would like, in order to pursue their ambitions for education, work and training. The importance of personal support and mentoring to help them manage independent living alongside work or college commitments was a really strong message in that work.

### How we've influenced

In the summer of 2017 the Commissioner completed visits to every local authority in Wales, to discuss the report recommendations and how they could be implemented to offer greater support to the young people in their area. The meetings were well attended with representation by senior officers from a range of departments across the council, and each local authority agreed to particular points that they would seek to take forward.

We recorded each local authority's pledges in letters that we sent back to them in July 2017 following all of the visits. We then commissioned Practice Solutions Ltd to follow up with all local authorities in early 2018 to find out what changes have been made as a result. We published a One Year On follow up report which noted significant progress. It has been fantastic to be able to share good practice examples and ideas and to maintain the momentum around the recommendations in this report. The Welsh Government has directed all local authorities to extend their provision of personal advisors to all young people leaving care up to the age of 25, and has provided additional funding for this. This is a very important step that recognises the value of supporting young people during this transition period.

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# Family Environment and Alternative Care

According to information from the Welsh Government's Ministerial Advisory Group on Improving Outcomes for Children, as at December 2017, reports from 18 local authorities noted that 411 young people had already benefitted from the new St David's Day fund to support care leavers.

The Welsh Government wrote to the Welsh Local Government Association asking them to consider council tax exemptions for their care leavers. To date six local authorities have exempted their care leavers from paying council tax in order to ease the financial burden upon them as they start to live independently. A further seven local authorities are actively exploring this.

## Investigations and Advice Case example

**The Issue:** A care leaver contacted the office about difficulties they were experiencing in relation to Social Services funding their university accommodation. The care leaver had been in local authority foster care and was starting a course at university and required money for a bond and deposit on a flat. The young person required a quick decision as their accommodation was at risk.

**What we did:** An Investigation and Advice officer contacted a number of different Social Services officers to resolve this matter and was eventually able to help the young person. Decision making processes within the local authority had delayed the young person having the immediate financial support they needed. The situation was exacerbated by the young person feeling they were not being supported by their personal advisor and not being able to pursue this issue through them.

**The Outcome:** Funding for accommodation was paid to the care leaver who was able to pay the landlord and secure their accommodation. It was important in this case to recognise that the local authority acting as corporate parent needed to respond to them as quickly and as supportively as if they were the young person's own parent. In this case communication with the personal advisor had broken down and the young person was unsure how to progress their concerns. This had left them feeling frustrated and vulnerable. As well as securing further rights for care leavers, our office will continue to push for high quality support.



# Family Environment and Alternative Care



## In the news

BBC Radio Wales news, 17 October 2017, 'Torfaen care leavers' council tax exemption to be Wales first'

**Reach: 137K**

## Children and young people's views

Young people with experiences of care were instrumental in informing our 'Hidden Ambitions' report. The young people whose views were included in the report were invited to attend meetings between the Commissioner and leaders in their local authorities in order to secure commitments to care leavers from each authority. Young people were supported to attend meetings in Merthyr Tydfil, Vale of Glamorgan, Monmouthshire, Cardiff, Wrexham, Flintshire and Conwy.

**Voices from Care** – Wales' national independent organisation dedicated to upholding the rights and welfare of children and young people who are or have been looked after – organised five events across Wales to engage with care leavers. We ran the morning sessions at each of these sessions. We used them to promote children's rights, the role of the Commissioner, as well as an opportunity to gather young people's views on our Article 31 project: Access to Play, Leisure and Cultural opportunities. We were also able to provide feedback to the young people about our Hidden Ambitions work. Many of those attending had engaged with this and shared their views, so it was important for them to hear what had happened since they had engaged with us.

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# Family Environment and Alternative Care

## Progress and recommendation

The recommendations from Hidden Ambitions, particularly Council Tax exemptions and clear financial information for young people, form part of the work of the Ministerial Advisory Group on Improving Outcomes for Children. To date these recommendations have not progressed as quickly as those being taken forward by Local Authorities directly. **I recommend** that the Welsh Government works with care leavers and local authorities to produce clear financial information that is available nationally, to help young people and their personal advisers access the range of grants, benefits and entitlements that are available when leaving care.

# Family Environment and Alternative Care

## ADVOCACY

### The key issues

My Annual Report for 2016-17 noted significant progress in establishing a National Approach to Statutory Advocacy for children and young people across Wales. As at 31st March 2017 progress was rated as 'amber' as the approach had not yet come into force.

### How we've influenced

I'm extremely pleased to recognise that the National Approach officially came in to force in summer 2017. We have attended monitoring meetings with the Welsh Government, which has led to the establishment of a formal Task and Finish Group to monitor the progress of implementation. This is something that I called for in my annual report last year and in my consultation responses and Committee evidence on this topic.

As a result of direct monitoring of the implementation phase, changes have been made to the 'Active Offer' process so that young people in care or whose names are on the child protection register are automatically referred to the independent advocacy service, unless they expressly decline this. Data collected by local authorities showed that, where an active offer meeting was taking place, the take up of advocacy was much higher. This reflects the findings of my Office's Missing Voices reports that noted that young people were unlikely to take up advocacy without knowing in detail what it is and how it can support them.

# Family Environment and Alternative Care

## Investigations and Advice Case example

We are monitoring the awareness and take up of advocacy through cases that come through to our Investigation and Advice service. There remain a number of cases that we've dealt with where young people are not aware of their entitlement to advocacy services so we will continue to signpost them to advocacy providers through this work.

## Children and young people's views

I recently met a 10 year old girl at an advocacy project in Wrexham. This is what she told me about the importance of advocacy for her:

**'My advocate has made a big difference to me. She had made sure that I get to see my mum once a month and that makes me very happy.'**

### Progress and recommendation

As noted above it is extremely positive to recognise the progress that has been achieved in this area. It is important that the monitoring of the take up of the active offer and outcomes as a result of take up of advocacy services continues. **I recommend** that the Part 10 Code of Practice is amended to give statutory force to the National Approach to Statutory Advocacy including all of the associated documents.



# Protection from Exploitation and Violence

## ELECTIVE HOME EDUCATION

### The key issues

In my last two Annual Reports, I have called on the Welsh Government to require parents to register the fact that they are educating their children at home, to ensure that they are seen and spoken to about the education they are receiving, and that they are happy, healthy and safe.

In October 2017, an evidence review of the risks to children and young people who are educated at home was published. This review was conducted by CASCADE research centre and commissioned by the National Independent Safeguarding Board. The report found that home educated children tend to have poorer access to universal services than their peers who are educated at school. Whilst abuse and neglect were no more prevalent for this group of children than any others, where children are maltreated when educated at home it can be more difficult for this to be identified. For example, in rare cases, parents can use home education as a method of preventing a child's access to universal services and the wider community. "Current practice leaves some children at risk because their parents are using home education as a way of controlling and limiting contact with their children".

The Welsh Government accepted my recommendation from last year in principle. There was an announcement in Plenary in January 2018 that the Cabinet Secretary for Education intended to assist local authorities in meeting their existing duties to identify children not receiving a suitable education. This would be done by consulting on using existing powers in the Children Act 2004 to require local authorities to establish a database, to assist them in identifying children who are not receiving a suitable education. There would also be a role for other agencies to support this, including local health boards. There have been no further announcements since then and no consultation has been launched.

# Protection from Exploitation and Violence

## How we've influenced

My team and I have met with officials, Ministers and Cabinet Secretaries to discuss this throughout the year. My office has secured representation on the Elective Home Education stakeholder group during this year, as well as engaging with a task and finish group on a protocol for safeguarding around elective home education, as part of the new National Protection Procedures.

At the time of the Cabinet Secretary's statement in January 2018, we issued a briefing to Assembly members on the topic and the relevant children's rights implications. We have also included frequently asked questions about this topic on our website.

No tangible progress has been made in relation to this important children's rights issue. I am particularly concerned that the proposals, if and when they are brought forward, may not include powers to see and speak to all children about their education. This is something that happens as a matter of course in formal education so children educated at home are currently not enjoying the same rights to receive information and express their views about their education.

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# Protection from Exploitation and Violence

## Investigations and Advice Case example

**The Issue:** A parent contacted the office having de-registered their child from school following serious bullying issues which involved the police and which they felt had not been properly addressed by the school. The parent had taken the decision to home educate their child but did not think this was necessarily in their child's best interests and did not know where to turn. The young person was also experiencing mental health difficulties that were a contributory factor in the bullying. The parent was concerned that the young person had been known to CAMHS for a number of years but had not yet received a diagnosis.

**What we did:** An Investigation and Advice Officer discussed with the parent the implications of de-registering their child from school including potential social impacts and advice was given about alternative solutions including the young person providing a written account of their wishes and feelings for a meeting with the school and Educational Psychologist. The following is part of what the young person wrote:

**"When I was in – comp I felt sad and angry because... they didn't like me they didn't understand me and the day was too long and too much... I sometimes made noises and tapping which I can't help and teachers didn't like it... I never wanted to go to school because I'm different and would have feeling in my stomach like feeling sick and worried and couldn't sleep all night... Lots of people bullied me they would push me punch me text me horrible things I couldn't go out in break. I think I would like things to help me but don't want to look different"**

# Protection from Exploitation and Violence

The I&A officer worked with the family, the school's admissions department, the Educational Psychologist, and the Education Other than at School (EOTAS) service in order to get appropriate provision and support for the young person. Due to school summer holidays, changes of staff within the local authority, and local authority procedures regarding referrals to alternative education provision this issue took 6 months to resolve.

**The Outcome:** The young person received a specific diagnosis from CAMHS, EOTAS provision was agreed and the young person re-engaged with education via alternative provision. Concerns were raised with the local authority that a young person with additional learning needs had been de-registered by a parent due to lack of appropriate provision, and the details of this case were provided to our policy team in respect of the extremely long time that it took for this young person to be assessed and diagnosed by CAMHS.



## In the news

BBC Radio 4, 4 October 2017

**Reach: 3.28m**

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# Protection from Exploitation and Violence

## Progress and recommendation

I am disappointed at the delays in taking forward the Government's stated proposals and that the government has not included in its policy statements the goal that every child receiving home education should be seen by a professional and have the opportunity to express their views.

**I recommend** that the Welsh Government brings their updated policy forward to consultation this year, with the aims of meeting the following three tests in full:

- **Firstly, that all children in Wales can be accounted for and that none slip under the radar of universal services, and society in general.**
- **Secondly, that every child receives a suitable education and their other human rights including health, care and safety.**
- **This cannot be achieved without the third aim, that every child should have the opportunity to be seen and their views, including their views about their education, and experiences listened to.**



# Protection from Exploitation and Violence

## SEXUAL ABUSE AND EXPLOITATION

### The key issues

#### **Sexual Assault Referral Centres**

The Commissioner facilitates and chairs a national roundtable meeting about child sexual exploitation (CSE). Senior representatives from all Welsh police forces and Police and Crime Commissioner Offices, local authorities, Public Health Wales, the Youth Justice Board, the National Independent Safeguarding Board and the voluntary sector attend the roundtable. The meetings monitor and assess progress in tackling the issue and share promising practice. Associated issues, including children who go missing overnight and County Lines drug running, are also regularly on the agenda.

In October 2017 members alerted the Commissioner to concerns about the funding and staffing of Sexual Assault Referral Centres (SARCs) in all regions of Wales except north Wales. These centres involve the health service, police, commissioned private providers and the voluntary sector. They provide forensic medical examinations, and counselling and support for child and adult victims of sexual assault.

There were a number of fundamental issues arising. There was an acute shortage of paediatric and Forensic Medical Examiner clinical staff for the service. The voluntary sector provider that runs the centres and provides counselling services for victims of sexual assault had not received the expected funding from the relevant Local Health Boards and was running at a loss. The centres faced potential closure by December 2017. The Welsh Government had allocated funds for this service to the Health Boards but the money had not been transferred to the provider by most of the health boards. Finally, the long-standing project board led by the NHS Collaborative that had been attempting to develop a new model for the services had ended without agreement.

# Protection from Exploitation and Violence

## How we've influenced

Following the roundtable meeting the Commissioner gathered further evidence from members of the project board and other relevant parties. She then wrote to the Cabinet Secretary Vaughan Gething and the NHS Chief Executive to outline her concerns and asking for urgent action. Her letter contained anonymised case examples provided by roundtable members, where children had to wait until late at night to be examined due to shortages of suitably qualified and experienced staff, potentially compounding the trauma they had experienced.

In response, the NHS Chief Executive Andrew Goodall wrote to all Health Boards stating that the situation outlined by the Children's Commissioner was 'completely unacceptable' and required urgent resolution. Health Board Chief Executives responded to the Commissioner promising to resolve the situation.

Following the Commissioner's intervention, the chief executive of New Pathways – a rape crisis and sexual abuse support service – wrote to explain:

**"...the Commissioner, in my opinion, has been pivotal in reinvigorating the process."**

# Protection from Exploitation and Violence

## Investigations and Advice Case example

**The Issue:** We were contacted by a parent whose child had reported they had been sexually assaulted by another pupil and the parent was dissatisfied with the response of the school and local authority to their concerns. The young person was not attending school due to concerns for their safety.

**What we did:** An Investigation and Advice Officer met and spoke with the young person on a number of occasions. They agreed to act on their behalf to speak with the school and local authority in order that a solution could be found that would enable them to remain in their current school and feel safe. This required the officer to develop a trusting relationship with the pupil who had become disillusioned with adults who they felt should have been protecting them.

This was a complex case that required the I&A officer to negotiate between parent and young person as well as a variety of senior school and local authority officials all of whom had different perspectives about the case. The case took three months to resolve including attendance at a multi-disciplinary meeting as part of the resolution process.

**The Outcome:** The young person eventually returned to school and was satisfied with the arrangements that had been put in place to safeguard them. The local authority brought forward training for all school staff on how to deal with incidents of this nature and the police as part of their ongoing work with schools delivered training to pupils in the school on appropriate and inappropriate behaviours.



### In the news

BBC Radio Wales, 17 November 2017:  
'Children's Commissioner: Lessons need to be learned from Caldey'  
**Reach: 137K**

# Protection from Exploitation and Violence

## Progress and recommendation

Following the Commissioner's intervention the NHS project board has been reinstated and funding for Sexual Assault Referral Centres has been resolved in the medium term. A staff member has been appointed by Cardiff and the Vale UHB to lead the regional approach. There are still problems to resolve around the staffing of the paediatric and Forensic Medical Examiner rotas to avoid children and young people travelling too far or waiting for urgent assessments.

**I recommend that** Welsh Government ensures that Sexual Assault Referral Centre provision for each health board area includes 24/7 access to a rota of suitably trained paediatricians and forensic medical examiners, so that no child has to wait for many hours or even days for an examination, and that sufficient counselling and recovery services for victims are available throughout Wales.

# Education, citizenship and cultural activities

## Healthy relationships education

### The key issues

A fundamental preventative mechanism against sexual, physical and emotional abuse is for children and young people to receive education about healthy relationships, so that they can develop positive and equal relationships with others, and recognise abusive relationships.

This year we continued to promote the Agenda resource, produced in collaboration with the NSPCC and Welsh Women's Aid and led by Professor Emma Renold of Cardiff University. It enables young people to explore gender equality, attitudes to sexualities and stereotyping using a range of creative methods.

### How we've influenced

My team worked with a group from Mountain Ash comprehensive school on their recommendations for healthy relationships education for the European network of Children's Commissioners and arranged for two pupils and two teachers to travel in June 2017 to a European meeting in Paris to share their ideas with young people from all over Europe. One of the students then travelled with the Commissioner to Helsinki in September 2017 to present the Agenda resource to Commissioners from all over Europe and join the debate on sex and relationships education at a European level.



# Education, citizenship and cultural activities



## In the news

'Sex education needs to be less about biology and more about rights',  
Children's Commissioner for Wales  
Wales Online, 13 December 2017  
**Reach: 1.06M**

## Children and young people's views

In 2016, we worked with Cardiff University, NSPCC Cymru/Wales and Welsh Women's Aid to create AGENDA: A young people's guide to making positive relationships matter ([www.agenda.wales](http://www.agenda.wales)) This year, we worked with the same partners to support the development of a primary school version of AGENDA. Primary AGENDA will showcase case studies highlighting good practice examples of working with under 11 year olds within education and community groups, promoting healthy relationships and challenging gender inequalities, oppressive gender norms, violence against women, homophobia and transphobia. Primary AGENDA will support practitioners to explore and challenge these issues creatively with younger children. Primary school children regularly raise issues of gender equality, stereotyping and healthy relationships with our team; these resources will help them discuss these issues and make changes.

# Education, citizenship and cultural activities

## Progress and recommendation

The Government established an Expert Panel chaired by Professor Renold and my office was part of this. The Panel reported in December 2017 with a framework for rights-based statutory Relationships and Sexuality Education.

**I recommend** that the Welsh Government takes forward the recommendations of their expert Panel's report, and makes healthy relationships education a statutory part of the new curriculum. Healthy relationships education should be rights-based and informed by learner involvement in the design.

# Education, citizenship and cultural activities

## CURRICULUM REFORM

### The key issues

My office and I have been actively involved in the curriculum reform process to date, but I have called for young people to have direct involvement as the new curriculum is shaped. I have also called for children's rights to be an underpinning element to the new curriculum so that the whole curriculum is shaped using a children's rights approach.

### How we've influenced

My office has engaged regularly with senior officials in Welsh Government, in addition to attending the Independent Advisory Group and engaging with the leads of the Areas of Learning and Experience (AoLEs). We also facilitated a workshop session in January 2018, for young people to engage directly with the Independent Advisory Group in relation to children's rights and participation in the curriculum.

We have written a detailed position paper on human rights education in the new curriculum, which is published on our website. The paper sets out why human rights should form the compulsory, underpinning basis of the new Curriculum and:

- **Provides a definition of human rights education;**
- **Identifies the benefits of human rights education;**
- **Maps current integration of children's rights across the new Curriculum's 4 Purposes and 6 Areas of Learning and Experience (AoLE).**

# Education, citizenship and cultural activities



## In the news

**Twitter: @WG\_Education**

'Open and honest – young people challenging curriculum advisory group with @childcomwales'

## Children and young people's views

We arranged for young people to attend the Independent Advisory Group for Curriculum Reform, along with the Commissioner, to emphasise the need to actively involve children and young people in the reform process and highlight their valuable insight. Seven different education settings, including formal and informal settings, were represented at the meeting and presented the priorities identified for curriculum reform in each of their schools or groups. They also explored key challenges in curriculum reform with members of the group.

An event to launch ['The Right Way: A Children's Rights Approach to Education in Wales'](#) was held at two schools, a primary and a secondary. Delegates from the Welsh Government's curriculum reform team were present at the event in which young people and teachers from both settings explained the transformational impact of children's rights approaches in their schools

We have subsequently trained 313 teachers about the approach during 8 events for our School Ambassadors and we have also presented the approach in additional meetings and conferences, including working with educational consortia to present at regional conferences of school leaders.

# Education, citizenship and cultural activities

## Progress and recommendation

Despite regular contact and offers of support, progress has been slow in this area and in spite of assurances, little progress has been made to ensure the UNCRC underpins each of the Areas of Learning and Experience. Aside from the session facilitated by my office, young people have not had any ongoing involvement in the process.

**I recommend** that the achievement outcomes of the new curriculum ensure that all children and young people learn about their rights and that a children's right approach underpins the guiding principles of curriculum delivery. The participation of children and young people should be systematically built into the next stage of curriculum development.



# Education, citizenship and cultural activities

## ALL WALES SCHOOLS LIAISON PROGRAMME

### The key issues

The All-Wales Schools Liaison Programme is a crime prevention and child protection programme jointly funded by Welsh Government and the four Police Forces in Wales. Every state school in Wales has a police liaison officer who delivers lessons on themes of substance misuse, personal safety and social and community issues. The police officer also works with the school to respond to potential in-school incidents of crime, advises students, staff and parents, implements restorative approaches and prevents criminalisation wherever possible and appropriate. There is a protocol for these interventions, to ensure all-Wales consistency. In recent years the officers have become more involved in tackling on-line behaviours, including bullying, sexting and child sexual exploitation.

### How we've influenced

The Commissioner has regular meetings with the All-Wales Liaison Service National Co-ordinator, the Head of the Youth Justice Board in Wales and senior police officers, who have updated her on the funding issues.

>>>

# Education, citizenship and cultural activities

## Progress and recommendation

This unique and comprehensive service for Wales is under threat due to the Government's decision to end the funding of its share of the costs in 2019. While there may be some potential for reshaping some of the provision following full implementation of the new curriculum, the loss of the expertise of the police liaison officer in dealing with incidents, which builds on the positive relationships developed through the preventative educational programme, would be significant for our schools and their students. There is a risk that incidents such as sexting and violence would be escalated more quickly into the criminal justice system.

There was no Children's Rights Impact Assessment carried out on the decision to end the funding. **I recommend** that the Welsh Government takes action to agree a funding model with the four police forces to ensure that all schools in Wales continue to have the benefits of a positive relationship with a police liaison officer, and that the programme's role in contributing to the Health and Wellbeing Area of Learning and Experience in the new curriculum is coherent and future-fit. An assessment on the impact on children's rights of any decision on the future of the Programme should be carried out.

# Adequate Standard of Living

## TRANSPORT

### The key issues

Across Wales, children and young people of all ages have raised concerns about access to reliable and affordable transport options. Access to transport affects children's ability to attend school or college, to access employment opportunities and to attend social and leisure activities.

### How we've influenced

The Welsh Government issued a consultation which closed in January 2018, to consider how subsidised transport should be operated and what age groups it should apply to. My office submitted a response to the consultation and we are also represented on the Welsh Government's Accessible Transport Panel.

### Children and young people's views

Just under 40 children and young people who participated in our interactive workshops completed an activity which involved writing a letter to the Commissioner telling her what they felt were the main barriers they faced to playing, using their free time and taking part in sport, leisure, arts, culture and heritage activities. Transport was one of the three most frequently mentioned issues.

**Bad public transport – £3.90 return to town – so expensive!**

Girls Circle

**Need transport to where things are happening/some activities are too far**

(Ceredigion Tuesday group – involves children with disabilities)

**Young people living in poverty may struggle to pay for train tickets etc. to travel to see their friends and make use of facilities – exclusion.**

Caerphilly youth forum

# Adequate Standard of Living

## Progress and recommendation

The Welsh Government will need to ensure that any revisions to the current scheme are made in consultation with children and young people so that it meets their needs and is easy to navigate.

**I recommend** that the new scheme should as a minimum ensure that the child fare is extended to the age of 18.

**I also recommend** that a CRIA is undertaken on proposals for revisions to the MyTravelPass scheme to identify any potentially excluded groups such as young parents and carers, care leavers undertaking work place training or apprenticeships, and those engaging in voluntary work.

# Adequate standard of living

## MENTAL HEALTH

### The key issues

The NHS's Together for Children and Young People programme (T4CYP) has been working to make systemic improvements to the Child and Adolescent Mental Health Service (CAMHS) since February 2015. While I welcome the improvements which have been made to waiting times for specialist CAMHS, it has become increasingly clear that a whole systems approach will be needed to provide an adequate response to rising demand for services.

While the Together for Children and Young People programme aimed to address prevention and early intervention as well as clinical services, this is the area where least progress has been made. I have consistently called for children to receive the support they need, when and where they need it. Prevention could best be met by whole school approaches to wellbeing and mental health, supported and advised by health professionals and youth and community provision.

Children, young people and their families requiring help and support often find that their needs are not yet deemed serious enough to qualify for CAMHS or social care services, or that they do not fit the criteria for established services. For example, children with behavioural or emotional needs that are not mental disorders may not receive CAMHS support. The T4CYP programme has created some clearer pathways for services, but these are not always applied consistently across Wales. The programme has also begun a pilot 'In-Reach' programme which is expected to deliver more mental health support in schools, but I would like to see a stronger vision of how this would fit with a coherent, whole-school approach to mental health and wellbeing, including curriculum reform. I would also like to see how the programme will be evaluated to ensure that it is helping children and young people to feel better.

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# Adequate standard of living

## How we've influenced

We submitted evidence to the Children, Young People and Education Committee's inquiry into the Emotional and Mental Health of Children and Young People in September 2017 and gave oral evidence in November 2017. The Commissioner also met the Cabinet Secretaries for Health and Education in January 2018 to express her concern about the lack of joint working between the Together for Children and Young People Programme and the education reforms, including curriculum reform, in developing a whole-school approach to wellbeing and mental health. She also notified the Cabinet Secretary for Health that there was inconsistency between health boards on referral pathways for CAMHS and followed this meeting up with further information in writing.

## Investigations and Advice Case example

**The Issue:** A parent contacted the office concerned about the challenges they had faced accessing CAMHS despite their child suffering from extreme anxiety which had led to the child missing significant periods of school and self-harming. Their child had been previously known to CAMHS but had had to be re-referred before they could access any more support as they had not had any re-occurrence of their initial illness. Although the child had recently been assessed and therapy had been agreed no timescale was given for when this would be delivered and no advice given about what should happen if things deteriorated in the meantime. The parent had tried contacting CAMHS but no-one answered or returned their calls.

**What we did:** An Investigation and Advice Officer contacted CAMHS and was able to speak to the relevant individual who was able to expedite a referral when the situation was explained to them. The officer also raised concerns about the difficulties in contacting CAMHS with the LHB's complaints team as she also had had to wait for an unreasonably long time before anyone answered her phone call. As a result of their complaint the relevant CAMHS contact phoned the officer the same day which allowed the issue to be progressed.

The information provided by the parent was shared with policy colleagues in the office to help them with their influencing work.

# Adequate standard of living

**The Outcome:** CAMHS made contact with the parent following our intervention and the young person received an appointment for a CAMHS assessment within a reasonable timescale. It is unlikely that this would have happened so quickly without the intervention of the office.



## In the news

BBC's Sunday Politics, 14 January 2018

**Reach: 1.15M**

'Children's Commissioner: 'Long way to go' to improve children's mental health services'

BBC News, 22 November 2017

**Reach: 11.7M**

## Children and young people's views

Children and young people raise issues of emotional and mental health support in almost every school and community group visit that the Commissioner makes. Children and young people tell us that they want more help in schools. They want their teachers and their peers to know more about mental health and well-being, so that when they are having a tough time there is a support network around them.

Children and young people tell us that they need a single point of contact within schools and within their community where they can access the help and support they need.

# Adequate standard of living

## Progress and recommendation

The Children, Young People and Education Committee conducted their inquiry into children and young people's emotional and mental health during 2017-18, drawing together evidence from a wide range of parties including young people, families and professionals. The evidence showed that although progress had been made in relation to the waiting lists for initial assessments for clinical mental health services in parts of Wales, provision for prevention and early intervention in mental health had made little progress. Professionals and leaders from different disciplines were concerned that clinical services are inaccessible to many of those who need them.

There are some local authorities where progress has been made in providing a more joined-up approach. This is considerably aided by specific multi-agency planning structures for children and young people that may act as a sub-committee to whole-population Public Services Boards and Regional Partnership Boards.

**I recommend** that the Welsh Government takes action to require Regional Partnership Boards (RPBs) to set up specific multi-agency planning structures for children and young people that will report to the RPB. They should also require RPBs to take steps to integrate children's social care and mental health services into multi-disciplinary teams, that will respond to the needs of their local populations of children and young people who require emotional, behavioural or mental health support and treatment.

Additionally, there have been some concerning instances this year where it has been very difficult to find the right care for some young people with very complex emotional, behavioural and mental health needs.

**I recommend** that Welsh Government takes concrete steps towards commissioning new provision that can meet the care and mental health needs of the small number young people with very challenging behavioural and emotional difficulties, for whom there is currently very little suitable residential provision in Wales.

# Adequate standard of living

## HEALTH ADVOCACY

### The key issues

In last year's Annual Report I highlighted a potential gap for advocacy for children and young people in health settings. This was due to differing commissioning arrangement in each region and a lack of clarity in the directions and guidance that have been issued by the Welsh Government.

### How we've influenced

In September 2017 we met with officials from health and social services in Welsh Government to explore how lessons learned from the National Approach to Statutory Advocacy in social services could be replicated across health provision. Whilst there is the potential for advocacy in health and/or education settings to be added to the regional contracts for social services, only two regions have done so and provision across Wales is inconsistent. This is in contrast to the principles of the National Approach, which was introduced in order to provide consistent services and ensure young people are aware of the support that they are able to access.


# Adequate standard of living

## Progress and recommendation

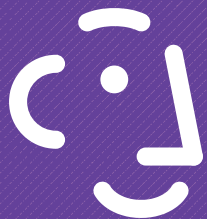
The Welsh Government accepted my recommendation from last year's report and stated in their response that they would review the current provision within 12 months. To date there have been no changes to any of the guidance or documents that provide information to children and their families accessing health services.

**I recommend** that the Welsh Government undertakes an audit of the provision of advocacy in health settings for under 18s and takes forward measures to ensure that any gaps identified are filled.

**I also recommend** that the Putting Things Rights patient information is updated to direct young people and their families as to how they can access face to face advocacy in health settings across Wales.



# CONCLUSION AND SUMMARY OF RECOMMENDATIONS





In February 2016, we set out the following goals for children's rights in Wales. By 2019 we 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 continue to play its part towards achieving some of these aims. In 2018/19 we will be working on projects in the following areas:

- Child poverty: ensuring local authorities in Wales and the Welsh Government use all available levers to alleviate child poverty
- Children's rights approach: enable more public sector bodies to adopt a children's rights approach
- Tackling bullying
- Develop school ambassador schemes for Special Educational Needs / Additional Learning Needs settings
- Undertake Beth Nwr? | What Now? To determine strategic priorities for 2019-2021

## Summary of recommendations

In response to the issues reported in this annual report, I draw together here the recommendations to the Welsh Government. Our assessment on Welsh Government's progress against last year's recommendations are available on our website [here](#). We update this assessment on a quarterly basis, ahead of the Commissioner's meeting with the Minister for Children.

### POLICY AREA

### RECOMMENDATION

#### Family Environment And Alternative Care

##### Equal Protection

**I recommend that** a Bill should be introduced as soon as possible to make sure that the Government's commitment is followed through.

##### Hidden Ambitions

**I recommend that** the Welsh Government works with care leavers and local authorities to produce clear financial information that is available nationally, to help young people and their personal advisers access the range of grants, benefits and entitlements that are available when leaving care.

##### Advocacy

**I recommend that** the Part 10 Code of Practice is amended to give statutory force to the National Approach to Statutory Advocacy including all of the associated documents.

#### Protection from Exploitation and Violence

##### Elective Home Education

**I recommend that** the Welsh Government brings their updated policy forward to consultation this year, with the aims of meeting the following three tests in full:

- Firstly, that all children in Wales can be accounted for and that none slip under the radar of universal services, and society in general.
- Secondly, that every child receives a suitable education and their other human rights including health, care and safety.
- This cannot be achieved without the third aim, that every child should have the opportunity to be seen and their views, including their views about their education, and experiences listened to.

## POLICY AREA

## RECOMMENDATION

### Protection from Exploitation and Violence (continued)

#### Sexual abuse and exploitation

**I recommend** that the Welsh Government ensures that Sexual Assault Referral Centre provision for each health board area should include 24/7 access to a rota of suitably trained paediatricians and forensic medical examiners, so that no child has to wait for many hours or even days for an examination, and that sufficient counselling and recovery services for victims are available throughout Wales.

### Education, Citizenship and Cultural Activities

#### Healthy Relationships Education

**I recommend** that the Welsh Government takes forward the recommendations of their expert Panel's report, and makes healthy relationships education a statutory part of the new curriculum. Healthy relationships education should be rights-based and informed by learner involvement in the design.

#### Curriculum Reform

**I recommend** that the achievement outcomes of the new curriculum ensure that all children and young people learn about their rights and that a children's right approach underpins the guiding principles of curriculum delivery. The participation of children and young people should be systematically built into the next stage of curriculum development.

#### All Wales Schools Liaison Programme

**I recommend** that the Welsh Government takes action to agree a funding model with the four police forces to ensure that all schools in Wales continue to have the benefits of a positive relationship with a police liaison officer, and that the programme's role in contributing to the Health and Wellbeing Area of Learning and Experience in the new curriculum is coherent and future-fit. An assessment on the impact on children's rights of any decision on the future of the Programme should be carried out.

#### Transport

**I recommend** that the new scheme should as a minimum ensure that the child fare is extended to the age of 18.

**I also recommend that** a CRIA is undertaken on proposals for revisions to the MyTravelPass scheme to identify any potentially excluded groups such as young parents and carers, care leavers undertaking work place training or apprenticeships, and those engaging in voluntary work.

#### 'Respecting Others' Guidance

**I recommend** that the Welsh Government's 'Respecting Others' guidance should require schools to integrate robust anti-bullying strategies informed by children and young people into a whole school approach to wellbeing.

## POLICY AREA

## RECOMMENDATION

### Adequate Standard Of Living

#### Mental health

**I recommend that** the Welsh Government takes action to require Regional Partnership Boards (RPBs) to set up specific multi-agency planning structures for children and young people that will report to the RPB. They should also require RPBs to take steps to integrate children's social care and mental health services into multi-disciplinary teams, that will respond to the needs of their local populations of children and young people who require emotional, behavioural or mental health support and treatment.

**I recommend that** Welsh Government takes concrete steps towards commissioning new provision that can meet the care and mental health needs of the small number of young people with very challenging behavioural and emotional difficulties, for whom there is currently very little suitable residential provision in Wales.

#### Health Advocacy

**I recommend that** the Welsh Government undertakes an audit of the provision of advocacy in health settings for under 18s and takes forward measures to ensure that any gaps identified are filled.

**I also recommend that** the Putting Things Rights patient information is updated to direct young people and their families as to how they can access face to face advocacy in health settings across Wales.



# Organisational Processes



# Organisational Processes





## Commissioner's people

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### Training:

Eight individuals from across the organisation participated in Continuing Professional Development activities with an external provider and supported by the organisation.

Team members from across a range of grades working patterns and gender applied and benefited from training.

In addition, during the financial year 2017-2018, all members of the team including those on secondment and adoption leave, participated in learning and development provided by external facilitators:

- Media Training
- Mindfulness
- Afasic Cymru
- Blake Morgan (legal issues).
- Whistleblowing
- Project Management
- Stonewall Cymru

### Sickness:

cumulative percentage for 2017/18 is 3.8%

## Workforce Profile and Equal Pay Profile for the financial year 1st April 2017 to 31st March 2018

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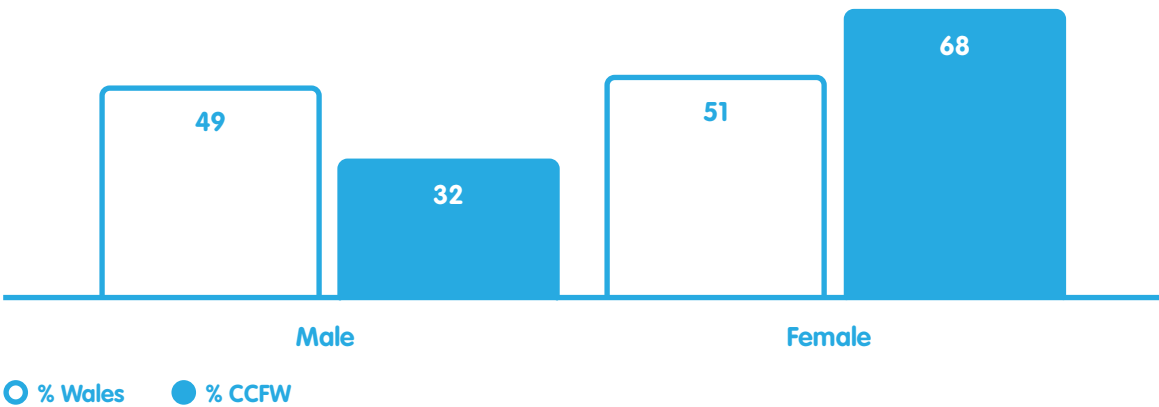
We collect workforce statistics in relation to all of the protected characteristics covered by the Equality Act. These statistics help us to identify positive actions in relation to equality each year.

We do not publish all of these statistics in this document due to the small size of our workforce and the difficulty in maintaining anonymity of our sensitive data.

This report outlines our employment gender, pay and training statistics.

1. Workforce Gender Statistics

Table 1  
Headcount by gender and comparison against census population data 2014 Wales (3,092,000) 31

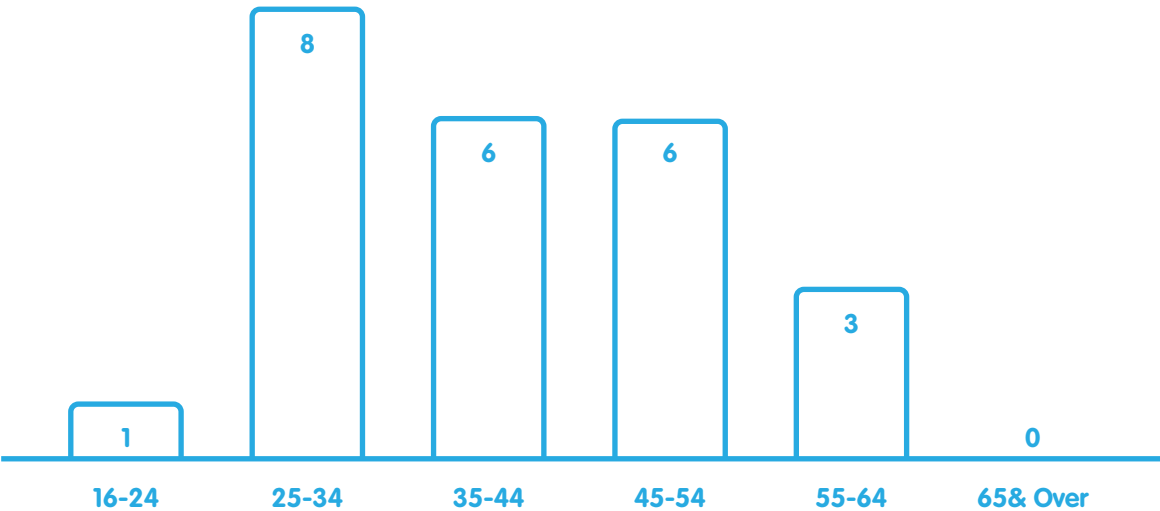


The gender split in CCFW on 31 March 2018 does not reflect the gender split in the population of Wales as a whole.

We are a predominantly female workforce and we have been very aware of our falling numbers of male team members over the last few years as seen in Table 2 below. However, this year we are pleased to report a slight increase and continue to work hard to improve our gender diversity with carefully worded adverts and gender balanced interview panels.

2. Workforce Age Statistics

Table 2  
Age profile



All age ranges with a relatively fair split are represented in the organisation except age 65 and over at present.

### 3. Workforce Gender and Pay Statistics

#### Headcount on 31 March 2018 by gender, grade, and working pattern

The Job Evaluation and Grading System (JEGS) underpins the pay system in CCfW. 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.

Further analysis of our current work force by gender, pay band, contract and working pattern reveals some continuing gender pay differences, although the situation has improved over the last year with a negligible difference between the average salary of male and female workers:

#### **Grading:**

Of the 17 female staff in post on 31 March 2018, 4 female staff members (23.5% of the female workforce) are employed in the three highest pay bands, this is balanced by 3 male staff members (37.5% of the male workforce). On 31 March 2018, the Management team had a good gender balance, but over the whole workforce, the smaller number of male employees occupy a disproportionate number of senior roles.

Only female staff members occupy the lowest pay band in CCfW and this has been the case since 2011 when we began collecting workforce equality statistics.

#### **Salary:**

The average salary for a female worker on 31 March 2018 was £37,596 and the average salary for a male worker was £37,566. There is negligible differential in 17/18 which is an improvement on the situation in 16/17 (£2762) and the differential reported in 15/16 (£5482).

#### **Working pattern:**

Of the 17 female staff employed almost half of the workers occupy part time roles (47% of the female workforce or 8 people) compared to just one male employee (12.5% of the male workforce).

#### 4. Workforce Leavers Statistics

##### Leavers between 1 April 2017 and 31 March 2018 by gender, grade and working pattern

Four new members of staff joined the team between April 2017 and March 2018 (1 temporary post and 3 permanent) and three staff members left the team in that period.

This is a 12% turnover rate.

## Organisational Processes

### Welsh Language Standards

The following information provides details about how we have complied with section 44 of the Welsh Language (Wales Measure) 2011 which have required the Commissioner to adhere to a set of Welsh Language standards since in 2016.

### How we have complied with the Act

We actively promote the Welsh language and the principles of the Welsh language (Wales Measure) 2011 and have put in place structural measures to ensure we comply with Welsh Language Standards. The Commissioner has designated a member of her management team to lead on compliance with all equalities and Welsh language legislative requirements.

**During the current reporting period the office has:**

- Continued to monitor and ensure compliance with the Welsh Language standards at monthly management team meetings.
- Improved the Welsh language skills of the workforce. All non- fluent staff have participated in internal Welsh Language tuition. Learning opportunities have been provided for staff according to their level of skill.
- Two members of staff are working towards formal Welsh qualifications through attendance at external training courses.
- Reviewed with staff existing opportunities to improve their Welsh language skills and implemented changes to the provision of in house Welsh learning.
- Fully embedded the practice of providing fully Welsh-medium webinars and Super Ambassador training days.
- Reviewed the job description of a key, public facing post – the Commissioner’s Executive Assistant – and changed the language skills requirement to bilingual. We successfully recruited to this post.



## Organisational Processes

### **Number of employees who have Welsh Language skills at the end of the year in question**

**(Standard 145)** – As at 31 March 2018 there were 25 members of staff employed at the Commissioner's office. Of the 25 people employed during that period:

8 describe themselves as proficient in Welsh.

6 describe themselves as having advanced skills in Welsh.

3 describe themselves as having intermediate level skills in Welsh.

0 describes themselves as having foundation level skills in Welsh

8 describe themselves as unable to speak Welsh/entry level Welsh

### **Number of employees who attended training courses we offered in Welsh during the year –**

We did not offer any training courses in Welsh during the year other than the various Welsh Language training courses.

### **Number of new and vacant posts that we advertised during the year that were categorised as posts where:**

- **Welsh Language Skills were essential – 1 Participation Officer post and 1 Executive Support Officer to the Commissioner.**
- **Welsh Language skills needed to be learnt when appointed to the post – 0**
- **Welsh Language skills were desirable – 2 Policy Adviser posts.**
- **Welsh Language skills were not necessary – 1 temporary Finance Officer post**

### **Number of complaints received during the year in relation to compliance with the operational**

**standards with which we were under a duty to comply** – We have received no complaints in relation to compliance with the operational standards.

## Organisational Processes

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### Equality Duty

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Our [Strategic Equality Plan for 2016-2020](#), 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.

### Financial Sustainability and Value for Money

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#### Recycling

We invited Glyncollen Primary's Eco Committee to audit our recycling practice. They made suggestions for improvement, including introducing more car sharing, fully recycled paper for office use, use of eco-friendly glitter for our art work with children and introduce better recycling systems for office waste. We improved our car sharing rates, began sourcing 100% recycled paper, better glitter and worked with the Council and a private firm to help us improve our recycling rates. Glyncollen Primary's Eco Committee has agreed to audit again in 2018/19 to check our progress.

See financial statement for further information on our financial sustainability.





Accounts





# Report of Audit and Risk Assurance Committee to the Children's Commissioner for Wales 2017/18

## Purpose of the Annual Report

**Under its Term of Reference the committee is required to produce an Annual Report summarising the work done during the year to support the Annual Accounts and Governance Statement. The Children's Commissioner's Audit and Risk Assurance Committee (ARAC) is therefore pleased to present this report for the year ending 31 March 2018.**

### Introduction

The Audit and Risk Assurance Committee has become a sub committee of the Children's Commissioner's newly-established Advisory Panel. The creation of the Advisory Panel has allowed us to become more focused on governance as well as audit and risk assurance matters, although our members are still available to the Commissioner should she need advice on specific issues. Margaret Provis, Chair of the Advisory Panel, also sits on our committee. Our role is now to provide independent advice to the Commissioner to assist her to discharge her responsibilities as Accounting Officer. In practice, this means we review and challenge the assurances provided by Commissioner's staff and by her internal and external auditors and to advise her on corporate governance, risk management and internal control.

### Membership

#### Non-Executive Members

- Wyn Mears (Chair until May 2017, when term of office ceased)
- Jocelyn Davies, a former Member of the National Assembly for Wales (Chair since May 2017)
- Aine Denver, a childcare solicitor
- Dr Iolo Doull, Consultant Respiratory Paediatrician at the University Hospital of Wales, Cardiff (up to February 2018)
- Margaret Provis, former Civil Servant
- Nina Riddle, Head of Public Policy Engagement at Wrexham Glyndwr University
- Arwel Thomas, former Civil Servant

#### Commissioner's staff

- Sally Holland, Children's Commissioner for Wales
- Tony Evans, Head of Finance
- Sara Jermin, Head of Communications and Performance
- Christian Webb, Executive Assistant to the Commissioner, who provides Secretariat support to ARAC

#### Others

Representatives from Deloitte LLP (internal auditors) and Wales Audit Office (external auditors)

# Report of Audit and Risk Assurance Committee to the Children's Commissioner for Wales 2017/18

## Purpose of the Annual Report

### Remuneration

Members do not receive any remuneration but can be reimbursed for out of pocket expenses incurred.

### Conflicts of interest

As members of ARAC, each member of the Committee completes an annual declaration of interests. In addition, the first agenda item for any ARAC meeting allowed for the declaration of any interest specific to the agenda items for that meeting.

### Training

Along with the Commissioner and Sara Jermin, the Commissioner's Head of Communications and Performance, myself and Margaret Provis attended Cyber Security, GDPR and Risk Assurance Workshop in May hosted by Deloitte and, along with Tony Evans, I attended a Wales Audit Office briefing on Cyber Security in October.

### Meetings

We aim to meet at least four times a year. In 2017 the committee met in May, July and October. In 2018 the March meeting was cancelled due to adverse weather conditions. The Children's Commissioner attended all meetings. On a number of occasions members joined by video and telephone conference facility. In March we agreed the Audit Plan out-of-committee following the forced cancelation of our scheduled meeting.

### Committee Business

As chair, I review the agenda prior to its despatch to Committee members and attendees. At each meeting we receive a number of standing agenda items including:

- Risk Register
- Finance Report
- Internal Audit Reports
- External Audit update
- Governance / Evaluation framework

Our Terms of Reference, updated and approved in May 2018, outlines in detail the programme of work for the Committee.

In addition to the routine items we completed a review of the Terms of Reference in May. In July we looked at Cyber Security and were pleased to see the creation of an Information Asset Register and work beginning on reviewing the Commissioner's Reserves Policy and the Risk Policy. In October we received a presentation on the Investigations and Advice Service and signalled our intention to further scrutinise the Documents Retentions Policy at a later date. We also examined and challenged the Draft Estimate and offered advice on the appropriate process and considerations for the Accommodation Review.

# Report of Audit and Risk Assurance Committee to the Children's Commissioner for Wales 2017/18

## Purpose of the Annual Report

### Overall Assessment

#### External Audit

In its Audit of Financial Statements Report and Management Letter, the Wales Audit Office reported the Auditor General's intention to issue an unqualified audit report on the Commissioner's financial statements. The report told us that all issues highlighted the previous year had been corrected and all recommendations this year will be addressed by March 2019.

#### Internal Audit

As the Commissioner's appointed internal auditors, Deloitte LLP completed a full internal audit programme in 2017/18, approved by ARAC. The role of internal audit is to provide independent and objective assurance to the Accounting Officer on risk management, control and governance. In its annual report to the Committee, Deloitte LLP stated the following:

**"In 2017/18 our internal audit involved following up on the implementation of recommendations raised in 2016/17 and assessing any significant changes to the corporate governance environment. Based on our work undertaken in the 2016/17 and 2017/18 internal audits our overall assessment is that the classification of assurance for corporate governance is substantial assurance."**

**"In 2017/18 our internal audit involved following up on the implementation of recommendations raised in 2016/17 and assessing any significant changes to the risk management environment. Based on our work undertaken in the 2016/17 and 2017/18 internal audits our overall assessment is that the classification of assurance for risk management is substantial assurance."**

**"Based on the work we have undertaken during the year we are able to conclude that the Commissioner has a basically sound system of internal control, which should provide substantial assurance regarding the achievement of the Commissioner's objectives."**

**"Substantial or moderate assurance has been achieved for all internal audits performed where an assurance rating was provided in 2017/18."**

### Conclusion

The Committee is satisfied that the comprehensive assurances received during the year have demonstrated satisfactorily overall internal control environment, financial reporting, management of risk, and of the quality of both the internal and external audit work undertaken. As such, the Committee has been able to provide assurances to effectively support the Children's Commissioner to comply with her Accounting Officer's responsibilities, in particular in assisting in the preparation of the Financial Statements, which incorporates the Governance Statement.

Prepared by  
**Jocelyn Davies, Chair**



## Accounts 2017-18

### 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;**
- **Andy Wallsgrove – Head of Practice and Participation;**
- **Sara Jermin – Head of Communications and Performance;**
- **Tony Evans – Head of Finance;**
- **Amanda Evans – Head of Human Resources;**
- **Hywel Dafydd – Head of Policy and Public Affairs, from 1 April until 21 May 2017; and**
- **Rachel Thomas – Head of Policy and Public Affairs, from 22 May 2017.**

# Accounts 2017-18

## Directors' Report

### 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, until May 2017;**
- **Jocelyn Davies – former Member of the National Assembly of Wales**
- **Dr Iolo Doull – Consultant Respiratory Paediatrician at the University Hospital of Wales, Cardiff;**
- **Aine Denvir – Child Care Solicitor;**
- **Margaret Provis – former Civil Servant;**
- **Nina Ruddle – Head of Public Policy Engagement at Wrexham Glyndwr University, and**
- **Arwel Thomas – former Civil Servant.**

### Funding

The Children's Commissioner for Wales is independent of, but funded by the Welsh Government. In 2017-18 the Commissioner received £1.583 million (2016-17: £1.543 million) to fund the Commissioner's activities. This included £40,000, from the Welsh Government, to fund a specific project (Bright Spots) within the period.

### 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 2017 to 31st March 2018 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 £1.524 million (2016-17: £1.409 million). The general fund balance as at the year-end is £271,000 (2016-17: £215,000).

During 2017-18 the Commissioner's staff changed to 22.36 (whole time equivalent) from 20.7 (whole time equivalent) members of staff, which includes full time and part time employees.

## Accounts 2017-18

### Directors' Report

#### 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 weekly staff meetings (Fika), regular surveys and whole team development days. In addition all staff were provided with opportunities as individuals and in groups to contribute to the strategic planning.

#### Staff Absences

During 2017-18 the sickness absence rate within the Commissioner's office was 3.8 percent (2016-17: 2.8 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.**

The Commissioner has also been aided by Glyncollen Primary School in helping improve energy efficiency to reduce the consumption of energy; and lower the carbon footprint of the office.

## Accounts 2017-18

### Directors' Report

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#### Equal Opportunities

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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

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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 LLP 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

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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

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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

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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

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**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

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**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.**

### **Role of the Children's Commissioner for Wales**

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Established by the Care Standards Act 2000, the Children's Commissioner for Wales is an independent human rights institution. The Commissioner's remit is laid down in the Children's Commissioner for Wales Act 2001, which amended the Care Standards Act 2000. The principal aim of the Commissioner is to safeguard and promote the rights and welfare of children. This must be the Commissioner's overriding objective when undertaking her functions.

A summary of the Commissioner's powers is available [here](#).

### **Current post holder**

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Professor Sally Holland took up her post as the Commissioner on 20 April 2015, having been appointed by the First Minister for a seven-year term.



# Annual Governance Statement

## 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](#).

### Sally Holland – Children’s Commissioner for Wales

- Corporation Sole
- Accounting Officer

### Management Team (MT)

**Comprising:** Head of Communications and Performance, Head of Practice, Head of Finance, Head of Policy and Public Affairs, Head of Human Resources.  
**Chaired by the Commissioner.**

The MT’s 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 and Young People’s Panel

**Chaired by:** Margaret Provis, comprising 10-12 adult members and 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 to act as a critical friend and sounding board for the Commissioner and her staff regarding policies and proposals, informing the policy and strategic priorities.

### Audit and Risk Assurance Committee

**Chaired by:** Jocelyn Davies  
**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

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**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. In accordance with the Public Sector Internal Audit Standards, corporate governance has been subject to internal audit by our consultants, Deloitte. They have offered substantial assurance for our corporate governance for 2017-18.



## 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 targets 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 three comprehensive internal strategies for public affairs, external relations and participation work with children and young people.

## Governance framework

### 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 new Performance Development Framework, 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 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.

In November 2017, our new Performance Development Framework was published. Developed with staff, this Framework helps us foster a culture that values high performance and strengthens and improves how we carry out our roles.

As an organisation we are committed to investing time and resources in the development of everyone who works here and the development of clear systems and structures to support the way we work because:

- **We know that establishing a shared understanding about what is to be achieved, and everyone understanding their role within that, enables people to deliver on behalf of the organisation and for children and young people in Wales. We will achieve this through the development of our longer term strategic goals and annual work plans.**
- **We know that people make their contribution and provide the highest quality of work when they have clear, meaningful and challenging work to do. We will achieve this through the setting of individual work objectives for the year.**
- **We know that the quality of the conversations between line managers and individuals has a direct impact on our success as an organisation. We hope to achieve this through the structure of regular supervision discussions.**
- **We also know that having time to plan work and reflect on what went well and what could be different in the future enables individuals to grow and improve in their practice. We will achieve this through our appraisal and personal development practice and our project management approach.**

## Governance framework

### 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, in accordance with our overhauled Strategic Planning Policy, 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). To support this way of working, every member of my team has had access to an Association of Project Management-approved project management training course, and a large proportion of staff members at all levels of the organisation have secured project management qualification.

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.

As part of our rolling plan to review internal operational and HR policies, our Risk Management Policy was updated this year. This document defines the framework for risk management within the organisation. It is based on good practice guidance from the Institute of Risk Management, the international risk management standards outlined in ISO 31000 and 'The Orange Book: Management of Risk – Principles and Concepts', published by HM Treasury.

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. In practice, it means all members of staff accepting that risks are inevitable. It also means in practice, every member of staff should be proactive in identifying and managing risks, to ensure the successful delivery of our three year strategic plan.

We manage risk on three levels:

- **Our corporate risk register, identifies risks associated with our strategic objectives**
- **Our project risk registers and issues logs, for each project within our annual work plan, are managed by our project managers, who report to Management Team every month**
- **Our thematic risk registers are in place for specific areas of core work e.g. cyber security. These are maintained by officers responsible for that area of work.**

The careful management of risk has been subject to Internal Audit, in accordance with Public Sector Internal Audit Standards. Deloitte, our internal auditors, concluded that the classification of assurance for risk management in 2017-18 is 'substantial assurance'. 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 reported 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



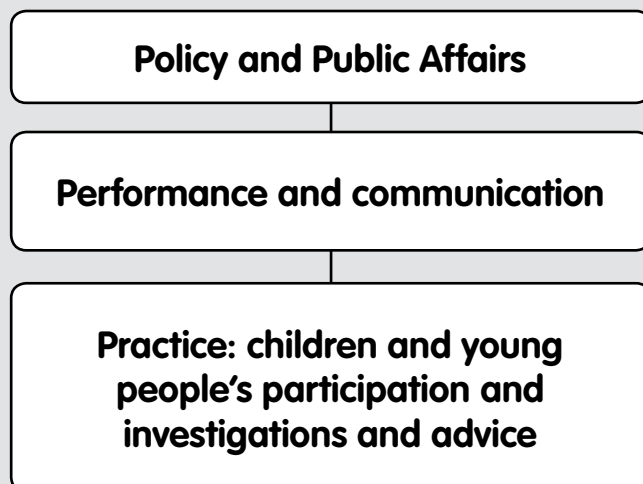
## Governance framework

budgets, which are reported on monthly at Management Team. Our internal auditors have provided substantial assurance for our budgetary control and fixed assets and moderate assurance for our banking and cash management processes.

I also take issues around fraud and maladministration very seriously. We have in place policies on whistleblowing, anti-fraud, code of conduct and complaints – all have been overhauled this year and are incorporated into a rolling schedule for review.

### 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.

Our evaluation framework 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 for the last two years are two 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 2017-18 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  
19 July 2018

## 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)*		Pension Benefits (to nearest £1000)*		Total £000*	
	2017-18	2016-17	2017-18	2016-17	2017-18	2016-17	2017-18	2016-17
Professor Sally Holland – Children's Commissioner for Wales	90-95	85-90	-	-	36,000	35,000	126-131	120-125
Sara Jermin – Head of Communication and Performance**	50-55	35-40	-	-	-	-	50-55	35-40
Andy Wallsgrove – Head of Practice	55-60	55-60	-	-	19,000	17,000	74-79	72-77
Eleri Thomas – Chief Executive Officer and Deputy Commissioner***	-	5-10	-	-	-	2,000	-	7-12
Tony Evans – Head of Finance***	-	45-50	-	-	-	19,000	-	64-69

\* This information is subject to audit.

\*\* Sara Jermin is a member of the Partnership Pension Scheme £4,688 was paid as employer contributions during the period.

\*\*\* Eleri Thomas left the organisation with effect from 31 May 2016 and Tony Evans was regraded with effect from 1 August 2016.

## Remuneration and Staff Report

### Median Remuneration

	2017-18	2016-17 Restated*
Band of highest paid individual's remuneration (£000)	90-95	85-90
Median total	30,246	30,538
Ratio	1:3.02	1:3.19

\* The prior ratio has been restated to reflect a change in calculation made in 2017-18.

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 2017-18 was £90-95,000 (2016-17: £85-£90,000). I have taken the mid-point of this range to compare these amounts, this was 3.06 times (2016-17: 2.87) 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 2017-18 there were no compensation payments or significant awards to former senior managers.

## Remuneration and Staff Report

### Pension Benefits – Civil Service Pension Scheme

	Real increase in pension*	CETV(i) at 31.3.18*	CETV(i) at 31.3.17*	Real increase/ (decrease) in CETV*
	£000	£000	£000	£000
Professor Sally Holland – Children’s Commissioner for Wales	0-2.5	72	46	18
Sara Jermin – Head of Communication and Performance	Note 1	Note 1	Note 1	Note 1
Andy Wallsgrove – Head of Practice	0-2.5	556	515	10
Eleri Thomas – Chief Executive Officer and Deputy Commissioner**	-	-	114	-
Tony Evans – Head of Finance**	-	-	371	-

Note 1: Sara Jermin is a member of the Partnership Pension Scheme £4,688 was paid as employer contributions during the period.

\* This information is subject to audit.

\*\* Eleri Thomas left the organisation with effect from 31 May 2016 and Tony Evans was regraded with effect from 1 August 2016.

## Remuneration and Staff Report

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### Pension Scheme

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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).

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## Remuneration and Staff Report

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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

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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.

## Remuneration and Staff Report

### Staff Numbers and Related Costs

	2017-2018 £000		2016-2017 £000
	Permanently Employed Staff	Other	Total
Wages and Salaries	858	-	858
Social Security Costs	85	-	85
Pension Costs	139	-	139
<b>Sub Total</b>	<b>1,082</b>	<b>-</b>	<b>1,082</b>
Less recoveries in respect of outward secondments	(78)	-	(78)
<b>Total Net Costs</b>	<b>1,004</b>	<b>-</b>	<b>990</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 2017-18, employer's contributions of £103,669 were payable to the PCSPS (2016-17: £77,980) 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.

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## Remuneration and Staff Report

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employer's contributions of £20,213 were paid to one or more of a panel of appointed stakeholder pension providers (2016-17: £16,904). Employer contributions are age-related and range from 3 to 12.5 percent of pensionable pay (2016-17: 3 to 12.5 percent). Employers also match employee contributions up to 3 percent of pensionable pay. In addition, employer contributions of £1,412 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 (2016-17: £972 or 0.8 percent). Contributions of £14,355 were due to the partnership pension providers at 31st March 2017, (2016 17: £10,481). 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:

	2017-2018		2016-2017	
	Permanently Employed Staff	Other	Total	Total
Directly Employed	22.36	-	22.36	20.7
<b>Total</b>	<b>22.36</b>	<b>-</b>	<b>22.36</b>	<b>20.7</b>

## Remuneration and Staff Report

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

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During the period 2017-18 there were no compensation payments or exit packages made to former employees.

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  
19 July 2018

# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

## Report on the audit of the financial statements

### Opinion

I certify that I have audited the financial statements of the Children's Commissioner for Wales for the year ended 31 March 2018 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. The financial reporting framework that has been applied in their preparation is applicable law and HM Treasury's Financial Reporting Manual based on International Financial Reporting Standards (IFRSs) as adopted by the European Union.

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 2018 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.**

### Basis for opinion

I conducted my audit in accordance with applicable law and International Standards on Auditing in the UK (ISAs (UK)). My responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of my report. I am independent of the body in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

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## Conclusions relating to going concern

I have nothing to report in respect of the following matters in relation to which the ISAs (UK) require me to report to you where:

the use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or

the Accounting Officer has not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the body's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

## Other information

The Accounting Officer is responsible for the other information in the annual report and accounts. The other information comprises the information included in the annual report other than the financial statements and my auditor's report thereon. My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my report, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information 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 report.

## 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.  
Report on other requirements



# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

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## Opinion on other matters

In my opinion, the part of the Remuneration Report to be audited has been properly prepared in accordance with Welsh Ministers' directions issued under the Care Standards Act 2000.

In my opinion, based on the work undertaken in the course of my audit:

- the information given in the Annual Governance Statement for the financial year for which the financial statements are prepared is consistent with the financial statements and has been prepared in accordance with Welsh Ministers' directions;
- the information given in the Directors' Report and the Remuneration and Staff Report for the financial year for which the financial statements are prepared is consistent with the financial statements and has been prepared in accordance with Welsh Ministers' directions.

## Matters on which I report by exception

In the light of the knowledge and understanding of the body and its environment obtained in the course of the audit, I have not identified material misstatements in the Directors' Report and the Remuneration and Staff Report or the Annual Governance Statement.

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept;
- the financial statements and the part of the Remuneration 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.

# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

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## Report

I have no observations to make on these financial statements.

## Responsibilities

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### Responsibilities of the Children's Commissioner for Wales for the financial statements

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, for being satisfied that they give a true and fair view and for such internal control as the Accounting Officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Accounting Officer is responsible for assessing the body's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless deemed inappropriate.

### Auditor's responsibilities for the audit of the financial statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of my auditor's report.

# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

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## Responsibilities for regularity

The Accounting Officer is responsible for ensuring the regularity of financial transactions. I am required to obtain sufficient evidence 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.

**Huw Vaughan Thomas**  
Auditor General for Wales  
20 July 2018

24 Cathedral Road  
Cardiff CF11 9LJ

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The maintenance and integrity of Children's Commissioner for Wales website is the responsibility of the Children's Commissioner. The work carried out by auditors does not involve consideration of these matters and accordingly auditors accept no responsibility for any changes that may have occurred to the financial statements since they were initially presented on the website.

# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

## Statement of Comprehensive Net Expenditure for the year ended 31 March 2018

	Note	2017-18 £000	2016-17 £000
<b>Expenditure</b>			
Administration costs:			
Staff Costs	2.3	1,004	990
Depreciation	2.2	8	11
Other Administration Costs	2.1	512	408
		1,524	1,409
<b>Income</b>			
Income from Activities		-	-
Other Income		-	-
		-	-
Net Expenditure		1,524	1,409
Interest payable/receivable		-	-
Net Expenditure after interest		1,524	1,409
Other Comprehensive Expenditure			
Net gain/(loss) on revaluation of Plant and Equipment		-	-
<b>Total Comprehensive Expenditure for the year ended 31st March 2018</b>		1,524	1,409

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 126 to 133 form part of these accounts.

# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

## Statement of Financial Position as at 31 March 2018

			2018		2017
	Note	£000	£000	£000	£000
<b>Non-current assets:</b>					
Property, plant and equipment	4		5		9
<b>Current assets:</b>					
Trade and other receivables	5	66		60	
Cash and cash equivalents	6	507	573	329	389
<b>Total assets</b>			578		398
<b>Current liabilities:</b>					
Trade and other payables	7	(147)	(147)	(92)	(92)
<b>Total assets less current liabilities</b>			431		306
<b>Non-Current liabilities:</b>					
Provision for liabilities and charges	13	(160)	(160)	(91)	(91)
<b>Total assets less total liabilities</b>			271		215
<b>Taxpayer's equity:</b>					
General fund			271		215

### Professor Sally Holland

Children's Commissioner for Wales and Accounting Officer  
19 July 2018

The notes on pages 126 to 133 form part of these accounts.

# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

## Statement of Cash Flows for the period 1st April 2017 to 31st March 2018

		2017-2018	2016-2017
	Note	£000	£000
<b>Cash flows from operating activities</b>			
Net Expenditure	2	1,524	1,409
Adjustment for non-cash transactions	2	(85)	(11)
Increase/(decrease) in trade and other receivables	5	6	(71)
(Increase)/decrease in trade payables	7	(55)	(17)
Use of Provisions	13	8	107
<b>Net cash outflow from operating activities</b>		<b>1,398</b>	<b>1,417</b>
<b>Cash flows from investing activities</b>			
Purchase of property, plant and equipment*	4	7	1
<b>Net cash outflow from investing activity</b>		<b>7</b>	<b>1</b>
<b>Cash flows from financing activities</b>			
Net Financing from the Welsh Government		(1,583)	(1,543)
<b>Net Financing</b>		<b>(1,583)</b>	<b>(1,543)</b>
Net increase/(decrease) in cash and cash equivalents	6	178	125
Cash and cash equivalents at beginning of period		329	204
<b>Cash and cash equivalents at end of period</b>		<b>507</b>	<b>329</b>

\* 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 126 to 133 form part of these accounts.



# The Certificate and independent auditor's report of the Auditor General for Wales to the National Assembly for Wales

## Statement of Changes in Taxpayers' Equity for the year ended 31st March 2018

	General Fund
Note	£000
<b>Balance as at 31st March 2016</b>	78
Funding from Welsh Government	1,543
Comprehensive net expenditure for the year	(1409)
Adjustment for item not passing through net expenditure	3
<b>Balance as at 31st March 2017</b>	215
<b>Changes in Taxpayers' Equity 2017-2018</b>	1,583
Funding from Welsh Government	(3)
Adjustment for item not passing through Net Operating Cost	-
Comprehensive net expenditure for the year	(1,524)
<b>Balance at 31st March 2018</b>	271

The notes on pages 126 to 133 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

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.

## Notes to the Accounts

### 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 statement of financial position 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 the Commissioner's office.

## Notes to the Accounts

### 2. Other Administration Costs

	2017-18 £000	2016-17 £000
2.1 Administration costs:		
Premises	95	100
Office	67	56
Training and recruitment	33	21
Travel and subsistence	15	11
External audit's remuneration	18	18
Internal auditor's remuneration	12	10
Communication	51	40
ICT equipment	21	13
Other	114	113
Legal and professional fees	9	26
In year provision made	77	-
	512	408
2.2 Depreciation charge on ordinary assets	8	11
	8	11
2.3 Staff costs:*		
Wages and salaries	858	852
Social security costs	85	76
Pension	139	106
Less recoveries in respect of outward secondments	(78)	(44)
	1,004	990
	1,524	1,409

\* Further information relating to staff costs can be found in the Remuneration Report.

## Notes to the Accounts

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### 3. Segmental Information

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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.

## Notes to the Accounts

### 4. Property, Plant and Equipment

	IT Equipment	Fixtures & Fittings	Office Furniture and Equipment	Total
	£000	£000	£000	£000
<b>Cost</b>				
At 1 April 2017	189	197	211	597
Additions	4	-	-	4
Disposals	-	-	-	-
At 31st March 2018	193	197	211	601
<b>Depreciation</b>				
At 1st April 2017	183	195	210	588
Charged in year	6	1	1	8
Disposals	-	-	-	-
At 31st March 2018	189	196	211	596
Net book value At 31st March 2017	6	2	1	9
Net book value At 31st March 2018	4	1	-	5
<b>Asset financing:</b>				
Owned				
Net book value At 31st March 2017	6	2	1	9
Owned				
Net book value At 31st March 2018	4	1	-	5

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

## Notes to the Accounts

### 5. Trade and Other Receivables

	2017-2018	2016-2017
	£000	£000
<b>Amounts falling due within one year:</b>		
Trade and other receivables	-	-
Prepayments and accrued income	66	60
	<b>66</b>	<b>60</b>

### 6. Cash and Cash Equivalents

	2017-2018	2016-2017
	£000	£000
Balance at 1st April	329	204
Net change in cash and cash equivalent balances	178	125
Balance at 31st March	<b>507</b>	<b>329</b>

All balances as at 31st March 2018 were held with a Commercial bank and cash in hand.

### 7. Trade and Other Payables

Amounts falling due within one year

	2017-2018	2016-2017
	£000	£000
Taxation and social security	81	22
Trade payables	12	16
Accruals	54	54
	<b>147</b>	<b>92</b>

### 8. Commitments under Leases

Operating Leases

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

	2017-2018 £000		2016-2017 £000	
	Land & Buildings	Other	Land & Buildings	Other
Obligations under operating leases:				
Not later than one year	50	1	50	1
Later than one year and not later than five years	116	4	166	5
Later than five years	-	-	-	-
	<b>166</b>	<b>5</b>	<b>216</b>	<b>6</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 2018.

### 10. Capital Commitments

There were no capital commitments as at 31st March 2018.

### 11. Contingent Liabilities

There were no contingent liabilities as at 31st March 2018.

### 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 £1.583 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.

## Notes to the Accounts

### 13. Provisions for Liabilities and Charges

	Early Departure	Dilapidations	Total
	£000	£000	£000
Balance as at 1 April 2017	91	-	91
Use of provision	(8)	-	(8)
In year provision	-	77	77
Balance as at 31st March 2018	83	77	160

#### Analysis of Expected Timings of

	Early Departure	Dilapidations	Total
	£000	£000	£000
Not later than one year	8	-	8
Later than one year and not later than five years	75	77	152
Later than five years	-	-	-
Balance as at 31st March 2018	83	77	160

### 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.

### Dilapidations

The Commissioner meets the cost of meeting her obligations under the terms of the lease of her Swansea office, the lease ends in July 2021. The Commissioner provides for this in full 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 19th July 2018.

## Here's how you can get in touch with us:

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