

Children's Commissioner for Wales

Strategic Equality Objectives 2020- 2024

Context – The Equality Act and the Public Sector Equality Duty

The Equality Act 2010 came into force on 1 October 2010 providing a legal framework that will protect the rights of individuals and advance equality of opportunity for all

A major feature of the Act is the **public sector equality duty** (the 'general duty'), which replaced separate duties on race, disability and gender equality and this came into force on 5 April 2011. The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services and that are kept under review.

Public bodies are required to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act;
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

The general duty covers the following protected characteristics:

- Age;
- Gender reassignment;
- Sex;
- Disability;
- Pregnancy and maternity;
- Sexual orientation;
- Race – including ethnic or national origin, colour or nationality; and
- Religion or belief – including lack of belief.

It applies to marriage and civil partnership, but only in respect of the requirement to eliminate discrimination in employment.

The phrase 'protected group' is sometimes used to refer to people who share a protected characteristic.

Specific Duties in Wales

The broad purpose of the specific duties in Wales is to help listed bodies in their performance of the general duty and to aid transparency. The specific duties apply to listed bodies in Wales but not to non-devolved public authorities operating in Wales. The specific duties set out the steps that listed bodies in Wales must take in order to demonstrate that they are meeting the general duty.

The specific duties in Wales are set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011. The specific duties in Wales came into force on 6 April 2011. The specific duties in Wales cover:

- Equality Objectives and Strategic Equality Plans
- Engagement and the equality duty
- Assessing impact and the equality duty
- Equality information and the equality duty
- Employment information, Pay Differences and Staff Training and the equality duty
- Procurement and the equality duty

The Children's Commissioner for Wales is subject to the Equality Act 2010 (Statutory Duties) (Regulations) Wales 2011 and this Strategic Equality Plan outlines how she will discharge those duties.

The role of the Children's Commissioner for Wales

The Children's Commissioner for Wales (CCfW) is an independent children's rights institution established in 2001. The Commissioner's principal aim is to safeguard and promote the rights and welfare of children.

The Children's Commissioner for Wales wants to see Wales as a country where children and young people are respected, valued, listened to and supported to lead safe and happy lives. Her vision is for a Wales where all children and young people have an equal chance to be the best they can be.

The Commissioner promotes the rights of children and young people under the UNCRC.

There's a team of people who work with Sally Holland the Children's Commissioner to help her to

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

The UN Convention on the Rights of the Child (UNCRC) is an international human rights treaty that applies to all children and young people aged 18 and under. It is the most widely ratified international human rights instrument and gives children and young people a wide range of civil, political, economic, social and cultural rights, which State Parties to the Convention are expected to implement. This convention underpins all our work.

The four general principles of the UNCRC are:

- Non-discrimination;
- the best interest of the child;
- the right to life, survival, and development; and
- respect for the views of the child.

The Children's Commissioner for Wales' Vision

The First Minister appointed Professor Sally Holland as Children's Commissioner in April 2015. During her term of office the Commissioner has published two strategic plans, outlining what she'll be working on to improve the life chances of children in Wales. The plan is developed from current research evidence about children's access to their rights in Wales and our own consultation with

Welsh children and adults. To help shape Sally Holland's final plan as the Commissioner (2019-2022), we consulted extensively. We split the consultation work into three phases:

Phase 1 (Apr - Sept 2018): Meetings and face-to-face consultation work were undertaken by the Commissioner and the team with education and health organisations, including health boards, patient groups, and child health specialists, academic institutions, community groups, Commissioner's Ambassador groups, non-governmental organisations and children and young people aged 3+ attending the Urdd Eisteddfod. This phase also included a separate nationwide survey with 6392 pupils and 391 teachers from our Ambassadors schemes, measuring how far children and young people in Wales are experiencing the five principles of a children's rights approach in their education.

Phase 2 (Oct 2018): We considered the national information which is already collected about children and young people, including routine administrative data as well as quantitative and qualitative data which is self-reported by children and young people in surveys and research studies, the results of which were published in a comprehensive evidence review.

Phase 3 (Oct - Nov 2018): Beth Nawr? | What Now? Surveys for children, young people, parents/carers and professionals, seeking views about issues that are important to them, how they think some of them should be tackled and what they believe should be the focus of the Commissioner's work over the next three years. Over 10,000 children and young people, aged 3-18 took part in Phase 3, including 847 2-7 year olds who took part in age-appropriate workshops.

It is this specific consultation and engagement work coupled with relevant key findings and recommendations from "Is Wales fairer?" 2018 that have shaped the setting of our equality objectives 2020 – 2024.

It is also part of the routine work of the Children's Commissioner for Wales and her staff to engage with a wide range of children and young people to help inform the Commissioner's work priorities on an ongoing basis and to ensure that the Commissioner is seen to represent the widest possible range of views of young people. We adopt different levels of engagement with children and young people depending upon the nature of the work that is undertaken. We engage children and young people through our school and community ambassador programmes, through project work linked to our annual work-plan, or on specific pieces of work like consultation responses to a Welsh Government policy. We also engage with children and young people through face-to-face advice work, at conferences and award ceremonies, electronically through facebook, twitter and email, or through written correspondence, phone or text.

Strategic Equality Objectives

Objective 1 – Our Leadership and Governance ensures that equality objectives are included in all our planning processes

As an established national human rights institution, we will ensure that equality objectives are embedded in all organisational planning processes

- The work of the Commissioner to be scrutinised and influenced by a children and young person's Advisory panel and an Adult Advisory panel. Panel members will be selected to ensure they reflect as wide a range as possible of Wales diverse population.
- Seek an opportunity for the Commissioner to become accountable to the democratically elected Senedd Ieuenctid (Youth Parliament) for Wales.

- Continue to develop and refine the Equality Impact Assessments process in relation to all aspects of the Commissioner’s work and decision-making and to ensure that the impact of equality measures taken as a result of these assessments are part of all evaluations undertaken of our work.
- Ensure that information we process is managed responsibly.
- Embed consideration and monitoring of equality objectives into our planning and management processes

Objective 2 – Deliver 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.

We will continue to improve the way the office delivers its work ensuring that the needs of children and young people and the general public are central to the way in which services are organised and delivered

- Provide systematic opportunities to promote children's rights throughout the year including to those with protected characteristics.
- Annual work-plan to reflect the views of children and young people and to provide opportunities for children and young people to influence.
- Tackle equality and discrimination issues head on to ensure that every child in Wales has an equal chance to be the best that they can be through key project work and the work of our Investigation and Advice team,
- Increase awareness of children’s rights and the role of the Commissioner, so that children themselves have access to information, which enables them to understand and exercise their rights including challenging discrimination.
- Aim to make sure all our work with children and young people is inclusive and accessible. We will work with government on opportunities to extend children’s rights in law, including further incorporation of the UNCRC into Welsh domestic law.
- Ensure that our communications with children and young people are accessible to as wide a range of children and young people as possible, utilising Plain English, Cymraeg Clir, Widgets, BSL and the use of images that reflect the diverse nature of Wales.

Objective 3 – Developing and promoting resources and knowledge to enable others to respond to the needs of children and young people including those with protected characteristics

Our office will seek to advance equality of opportunity and challenge discrimination, harassment and victimisation for those with a protected characteristic. We will do this by seeking to understand the experiences and views of children and young people with protected characteristics, develop, and promote resources, understanding and knowledge. We will seek to foster good relations between those with a protected characteristic and those who don't.

- Continue to publish accessible resources for children, young people and professionals that will enable them to utilise a rights-based approach to working with children and young people.
- Influence the development of a children's rights approach across all public bodies in Wales using our “Right Way” framework. This approach places equality and non-discrimination at the heart of public bodies’ work.

- Enhance children and young people’s ability to take up their rights and to recognise when their rights are being denied, through our ambassadors training programmes.
- Undertake focused project work, based upon the views of children and young people, that will seek to influence a rights-based approach to working with children and young people, and which will challenge discrimination, harassment and victimisation. There will be a particular focus on mental health, disability and poverty.
- Understand the experiences and views of children and young people with protected characteristics. This will include a focus on gender and sexual orientation as part of our Ambassadors schools programme.
- Encourage and enable children and young people to engage in citizenship and the democratic process.

Objective 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.

As an employer, we will ensure that we create a supportive, inclusive and empowering workplace through the promotion of exemplary people and performance management practices using equality related evidence

- Actively promote opportunities to work at the Children's Commissioner's office to those with protected characteristics.
- Identify, analyse and if necessary put actions in place to overcome any gender pay difference/ gap at the Children's Commissioner for Wales' office and to publish that information.
- Ensure that the office of the Children's Commissioner for Wales building is accessible to all.
- Provide a range of learning and development opportunities on an annual basis that will increase staff knowledge and understanding about working with diversity
- Provide a range of training and employment opportunities to children and young people that will help prepare them for full time employment.
- Regularly update our employment policies and practices to ensure that they provide a working environment that respects and actively promotes and responds to the needs of those with a protected characteristic including review of relevant Adoption and Maternity Policies.
- Collect and publish comprehensive workforce information in line with expectations of the Equality Act and the EHRC or provide an explanation for why this is not appropriate.
- Act in compliance with the Welsh Government’s Ethical employment in supply chains policy.
- Ensure that equality and diversity is part of contract monitoring for all contracts.