


Annual Report 2019–20



**Comisiynydd
Plant Cymru**

Children's
Commissioner
for Wales

01	Foreword by the Children's Commissioner for Wales	03
02	This year's highlights	06
03	How we've delivered on our commitments	10
04	The views of our advisory panels	57
05	The Right Way	60
06	Our 'report card': how have children's rights progressed in Wales in 2019-20?	68
07	Summary of Recommendations	109



Now more than ever, I feel a real sense of duty to make sure we become the voice of the voiceless and ensure the protection of every child's rights sits squarely in the centre of every decision by our Government and public services.



Foreword

I would like to think that as an organisation we have robust horizon scanning and approach to risk management; yet a pandemic has never featured on a risk register of ours, until earlier this year. Our lives and ways of working have been turned upside down and tragically, lives have been lost. Whilst this report covers the period just before the outbreak of the pandemic here in Wales, it would be remiss of me not to reflect on its significance.

From a work perspective, it's meant us postponing the publication of key pieces of work, including one on the role and function of school councils and another project about the effectiveness of regional partnership boards. It's meant us having to respond immediately to critical issues affecting the lives of children under lockdown conditions and agree to key new pieces of work for our 2020/21 programme of work, including a huge survey of children's experiences during lockdown. For children and young people across Wales, it's meant unthinkable changes to their daily lives, the impact of which we'll feel for years to come. Yet, although the pandemic's after-effects will be significant on the lives of many, the crisis itself will pass and the work of this office will be more critical than ever.

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Now more than ever, I feel a real sense of duty to make sure we become the voice of the voiceless and ensure the protection of every child's rights sits squarely in the centre of every decision by our Government and public services.

Bringing it back to the period this report covers – 1 April 2019 until 31 March 2020 – our steadfast focus on ensuring the voice and experiences of children drive all our work is evident from the content that follows. I am yet again blown away by the creativity, determination and work ethic of my small team who have delivered tangible results again for children and young people in Wales.

This year we began year 1 of our latest 3-year plan and are working to a new set of ambitions:

1. Wales: a country where rights become reality.

2. Protecting rights, wherever you are.

3. Learning, understanding and experiencing rights.

4. Being accountable to children in Wales.

This report covers our progress on the first year of that plan.

This is the final annual report that I will publish within the 2016–2021 Senedd Term. It is a Term that has been dominated from start to finish with uncertainties. From Brexit uncertainties, to annual budget allocations in place of longer term budgets, and culminating in the Coronavirus pandemic, there has been a series of barriers and crises throughout this term. This has affected the progress that has been made on some significant issues for children and children's rights. Despite these barriers the past year saw a major milestone for children's rights cemented into Welsh law. The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020 gives children the same protection as adults from physical punishment, often called smacking. This follows 20 years of campaigning by many, including Julie Morgan MS, who led the passage of the Bill as Deputy Minister, and it was a goal I spoke about publicly on my day of appointment as Children's Commissioner in 2015.

To focus minds, I have concentrated my recommendations on the most pressing, realistic changes our Government should and must introduce before the end of its Term in May 2021. As we shape our future post-pandemic, I have also included focus areas for Wales' next Government. We know what the challenges are; there's no time to deliberate, it's time for decisive, brave actions.

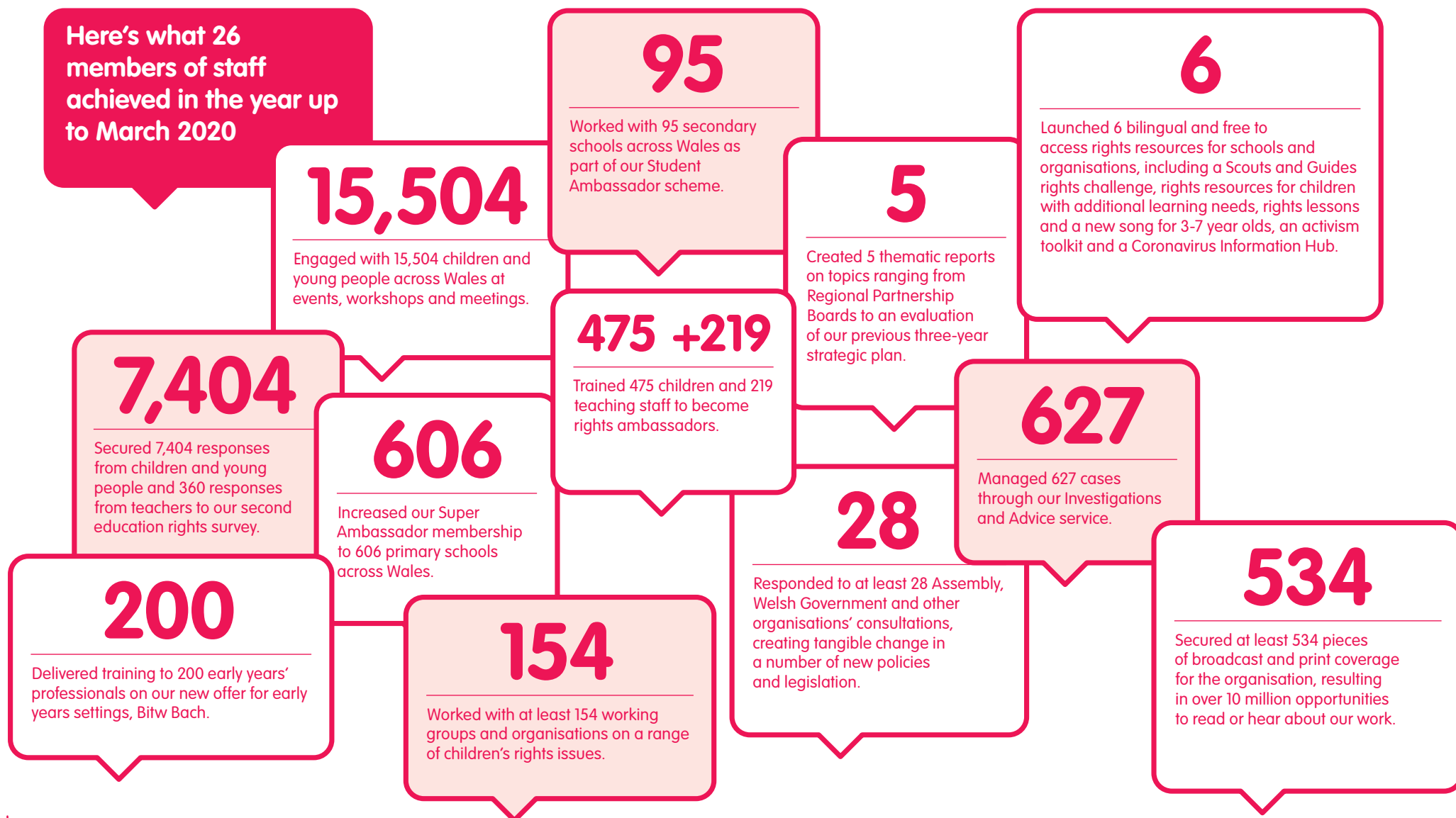
Sally Holland
Children's Commissioner for Wales



**This year's
highlights**



Our year in numbers



Major achievements

Our major achievements between 1 April 2019 and 31 March 2020 include:

- Warmly welcomed the Royal Assent of the Children (Abolition of the Defence of Reasonable Punishment) (Wales) Act – something which the Commissioner has campaigned for since her first day in office.
- Secured statutory anti-bullying guidance for schools in Wales, as a direct result of our policy and influencing work.
- Supported more major public bodies to adopt a children's rights approach, including all health boards in Wales.
- Commissioner's appearance in front of the Senedd Ieuentid / Wales' Youth Parliament in the Senedd Chamber, to discuss new curriculum and our work on mental health.
- Leading the 30 year celebrations of the UN Convention on the Rights of the Child in Wales.
- Hosted children's rights training across Wales, including 200 early years' professionals.
- Held innovative rights training sessions with fathers and their children in HMP Berwyn.
- Worked with 13 schools to create new children's rights resources for the Foundation Phase in schools.
- Visited every Regional Partnership Board in Wales to scrutinise inter-agency work with children.
- Surveyed over 7000 children and 300 teachers for our Right Way to Education work.


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Major achievements

And within our organisation:

- Supported young people's routes to employment by employing interns and a trainee, who played an integral role in the implementation of our work plan.
- Established a group of 'Wellbeing Warriors' as part of our commitment to the Time to Change Wales pledge. Here's what a member of staff said about the work:

"Commitments and pledges are important, but what is more important is how they are implemented in practice. I can say from my own experience this year that the organisation created a safe space which enabled me to share a mental health diagnosis and this has been a very positive process... I am grateful to everyone in the organisation for their support and feel that this has opened up lots of other healthy and honest conversations across the organisation."



...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

Summary of evaluation of first three-year plan

December 2019 saw us publish a review of our 2016–2019 work plan. Within that report, we highlighted the improvements made within our organisation and progress made against our ambitions.

How we've delivered on our commitments



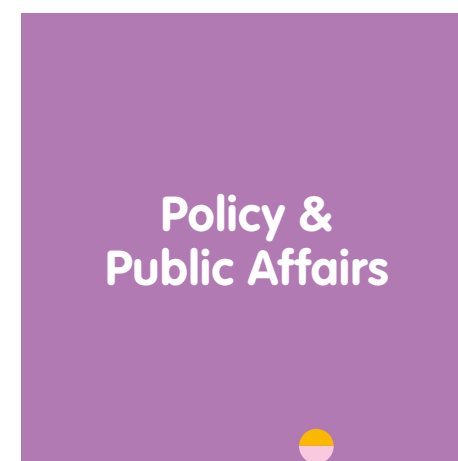
We have visited at least 361 groups, schools and organisations

361

Trained at least 465 schools to be rights ambassadors

465

29,850
We have engaged with 29,850 children



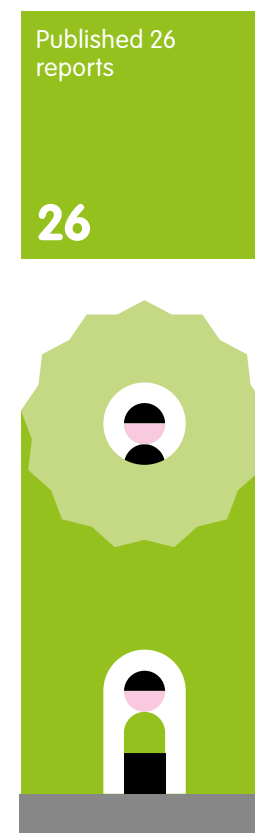
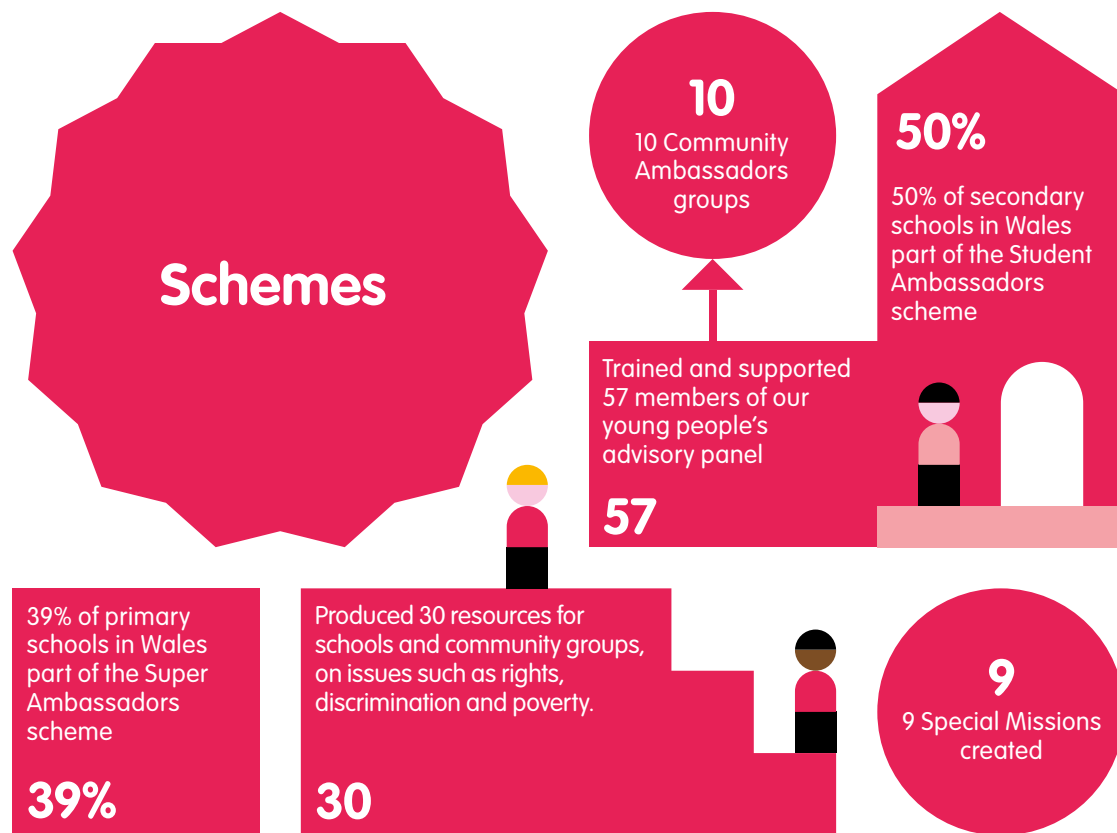
Responded to 63 Assembly, Welsh and UK Government Consultations

63

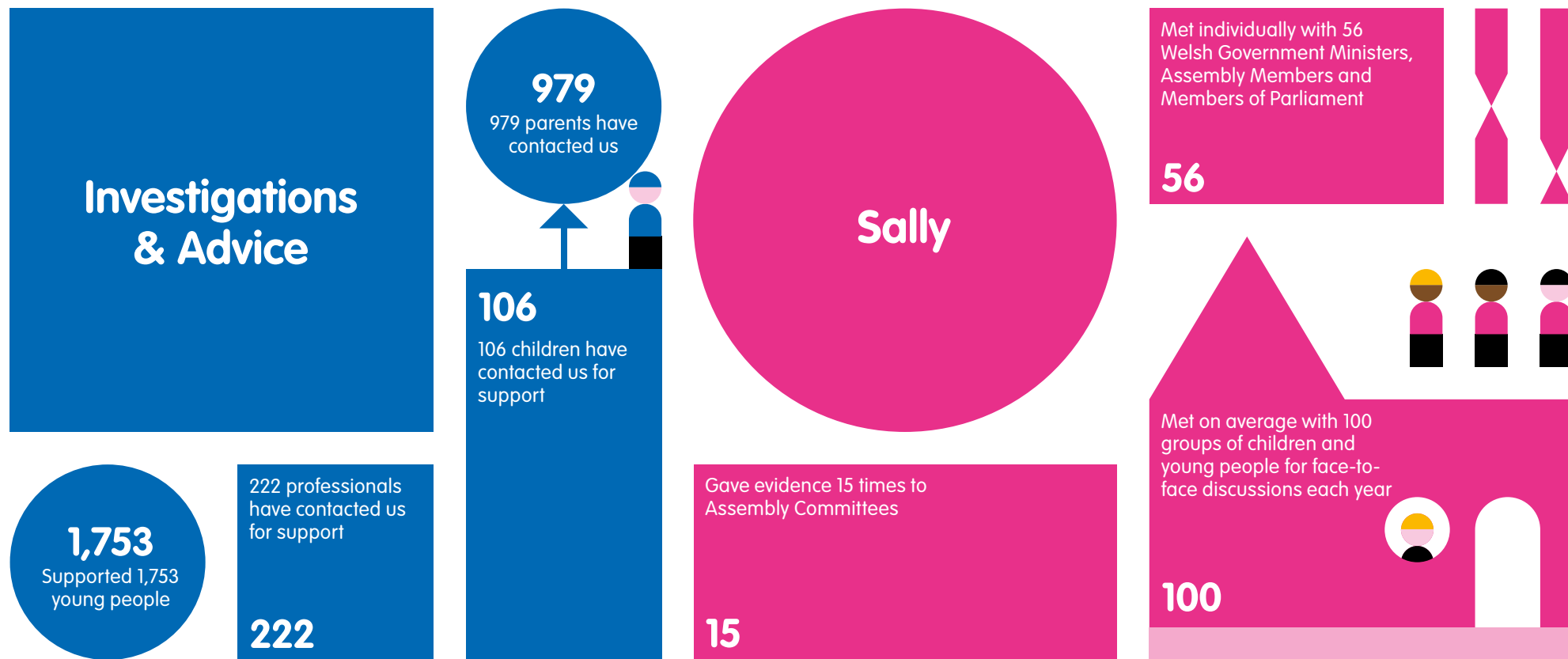
Attended 325 working groups since 2017

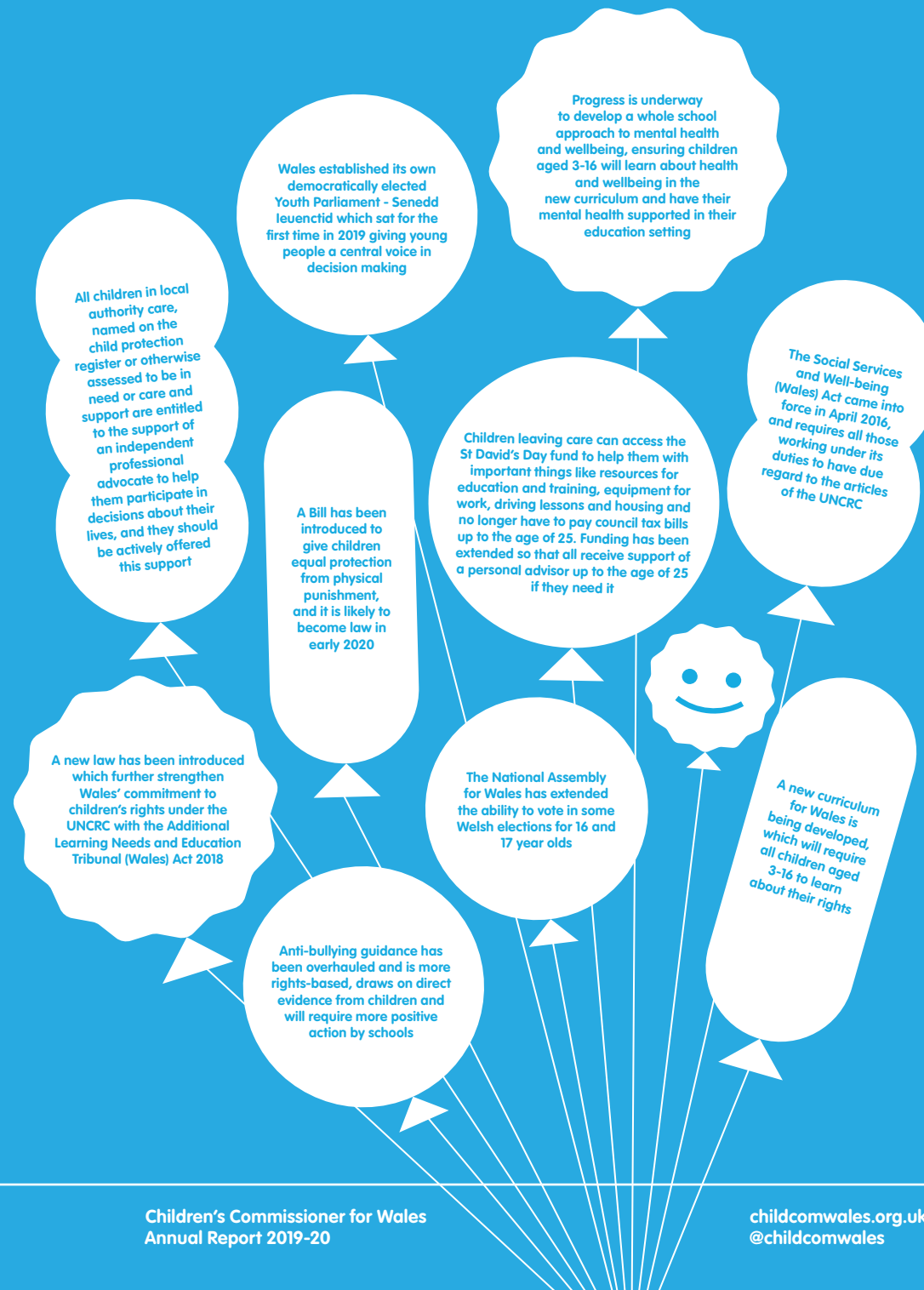
325

How we've delivered on our commitments



How we've delivered on our commitments





How we've delivered on our commitments

Year 1 of our new three-year plan (2019–2022)

Every three years the Commissioner publishes a three-year plan, outlining what we'll be working on to improve the life chances of children in Wales. Our **latest plan**, published in April 2019, was developed from **current research evidence** about children's access to their rights in Wales and our own **consultation** with Welsh children and adults.

From speaking with over 10,000 children, young people and those who care and work for them, and reviewing the best available evidence, we identified four new ambitions for the team to deliver over the next three years. They are:

1. **Wales: a country where rights become reality.**
2. **Protecting rights, wherever you are.**
3. **Learning, understanding and experiencing rights.**
4. **Being accountable to children in Wales.**

You can read a copy of our three-year plan **here**.

Within that plan we outlined what projects we'd complete in Year 1 of the plan, 2019/20, and what the focus of our day-to-day work would be this year.

Wales: a country where rights become reality

What's the issue children and young people told us about?

Our public services still do not meet the needs of our children and young people effectively. Children and their families have to navigate complex systems and are often not helped because they do not fit neat categories or are not helped until they are in crisis. This is a particular problem in our mental health services and disabled children's services. This was a strong message from young people, parents and professionals in our consultation.

Wales: a country where rights become reality

What have we done about it?

Project work

Project

Actively challenge those responsible for our public services nationally and locally to ensure that our systems work together to be responsive to children's and their families' needs – especially in relation to mental health and disability.

Outputs

Too often we hear of situations where health, social care and other professionals are (sometimes literally) arguing over the heads of children and young people with complex needs; when they cannot agree who is responsible for their care.

A key project this year saw us visit every Regional Partnership Board in Wales, whose job it is to bring services (primarily health and social care) together regionally to serve the needs of their local population.

Our work culminated in a report – **No Wrong Door** – within which we press on the Welsh Government, the NHS, health and social care commissioners, local authorities and many others to adopt a 'no wrong door' approach for children with complex needs. A 'no wrong door' approach means that whatever the reasons for a child being in distress, when they ask for help, they should not be told they have come to the wrong place, or feel like they have knocked on the 'wrong door'. The report also addresses some procedural matters related to the governance and funding of the Boards, and calls for new residential accommodation for children with complex needs within Wales.

Wales: a country where rights become reality

What have we done about it?

Project work

Project

We will work with public bodies including health boards, local authorities and the police to ensure they use children's rights to guide their work with children, using our 'The Right Way' framework.

Outputs

We worked with major public bodies to help them implement a children's rights approach. This included South Wales Police, Natural Resources Wales, Wrexham and Vale of Glamorgan Public Services Boards and all of the Health Boards.

For the third year in a row, we hosted a Child Health Seminar for all Health Boards and Trusts, in July 2019. We were really pleased that all Health Boards and most Trusts were able to attend the day, where the Boards and Trusts shared the work that they have been doing in working towards a children's rights approach in their organisation.

We were impressed with the work that several of the Boards and Trusts had undertaken, which included large-scale listening events, being able to demonstrate how the views they had heard have influenced policies, and actively involving children and young people in the co-production of policies.

You can read more about the work of the health boards in implementing the right way on page 63.

Wales: a country where rights become reality

What have we done about it?

Project work

Project

We will work with government on opportunities to extend children's rights in law, including further incorporation of the UNCRC into Welsh domestic law.

Outputs

The office has been represented at the Welsh Government's Strengthening and Advancing Equality and Human Rights Steering Group, chaired by the Deputy Minister, during this year. The work of this group includes consideration of further incorporation of UN treaties.

We gave written and oral evidence to the Senedd's Children, Young People and Education Committee inquiry on children's rights in Wales in Autumn 2019 which included a call for further direct incorporation of the UNCRC into Welsh law alongside other calls such as improved complaints mechanisms for children who feel their rights have been breached. The inquiry report has been unavoidably delayed due to Covid-19.

Wales: a country where rights become reality

What have we done about it?

Project work

Project

We will report on Wales' progress and commitment to children's rights following the UN Committee on the Rights of the Child's Concluding Observations 2016.

Outputs

In November 2019 we published a **joint document** with our UK counterparts which assessed how the UK Government and devolved administrations have progressed towards giving every child the opportunities and protections enshrined in the UNCRC since the last UN Committee on the Rights of the Child's review of UK's progress in 2016.

While there have been positive developments, evidence highlights serious deficiencies. The report sets out the Commissioners' priorities to ensure that children's rights are respected, and all children are given the protections and opportunities to which they are entitled.

Equal protection:

March 2020 saw the passage of the Children (Abolition of the Defence of Reasonable Punishment) (Wales) Act 2020. This corrects a legal loophole where parents and carers could claim that the physical punishment of a child was reasonable. The UN Committee on the Rights of the Child has repeatedly called on the UK to remove this defence and we are proud that this action has been taken in Wales to give children equal protection to adults from physical punishment. We contributed to the passage of the Bill with written and oral evidence, and by participating in a stakeholder advisory group for the Welsh Government. The office will continue to be represented on a number of working groups related to messaging and public awareness, and consideration of alternative disposal methods other than prosecuting parents during the two year period before the Act comes into force in March 2022.

Wales: a country where rights become reality

What have we done about it? Day-to-day work

Day-to-day work

We will continue to operate within a children's rights framework ourselves.

We will continue to press Government and others to deliver what they promise for children and young people, through our policy and public affairs work.

Outputs

The main purpose of 'The Right Way: A Children's Rights Approach in Wales' is to encourage public bodies and organisations in Wales to adopt a children's rights approach which, in turn, will help deliver real changes in children's everyday quality of life and equal chances to fulfil their potential. We have made a commitment to adhere to the framework's five principles ourselves. You can read more about the progress we've made on page 61.

Our report card on pages 69 onwards highlights the significant influencing work undertaken by our policy team of 5 advisers this year.

Learning, understanding and experiencing rights

What's the issue children and young people told us about?

There is a strong demand from children, parents and professionals for schools to be centres of excellence for wellbeing, inclusion and to equip Wales' children to make positive contribution to society as citizens. This means they are supported emotionally, learn and experience healthy relationships with others and they understand and respect the human rights of those from diverse backgrounds.

Our evidence review and consultation revealed that bullying continues to be a concern for children and young people

Learning, understanding and experiencing rights

What have we done about it? Project work

Project work

We will celebrate 30 years of the UNCRC in Wales, in 2019 and use this year to publicise children's rights.

Outputs

We teamed up with key partners including the Welsh Government to celebrate 30 years of the CRC in Wales. Celebrations culminated on 20 November 2019, Universal Children's Day, during which we launched 8 lesson plans and a new song for children in the Foundation Phase (ages 3-7), for our new scheme 'Bitw Bach'.

During the project:

- We worked with 11 schools to develop the resource (3 Welsh Language and 8 English Language)
- Visited 3 nurseries in Powys and Rhondda Cynon Taff to consult with younger children and trial the materials we produced
- Delivered training to 200 early years' professionals
- Consulted with 10 Foundation Phase teachers
- Received formal feedback from 7 schools and 1 nursery
- Trialed activities at the Urdd working with 100s of children across the week
- Worked with 278 children aged 2 - 7
- Held two launch events in north and south Wales for 128 children
- Visited Ty Hywel with 15 Foundation Phase pupils to share the new resources with Assembly Members including the Children, Young People and Education Committee

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Learning, understanding and experiencing rights

What have we done about it? Project work

Project work

We will celebrate 30 years of the UNCRC in Wales, in 2019 and use this year to publicise children's rights.

Outputs

- Worked with Ysgol Gynradd Creigiau and songwriters Sara Lewis and Dyfan Jones to create a children's rights song in Welsh and English. This song was performed by year 3 pupils from Ysgol Gynradd Creigiau for the Deputy Minister, Julie Morgan, on Universal Children's Day.

The lesson plans have been downloaded 202 times and the songs have been played over 2000 times.

Scouts and Guides badge

To mark this special year, we also decided to update and relaunch our Scouts Badge during the Cubs Fun Day, working with over 300 cubs on rights activities.

Since the launch of the badge 46 children and young people have completed the badge.

Learning, understanding and experiencing rights

What have we done about it? Project work

Project work

We will celebrate 30 years of the UNCRC in Wales, in 2019 and use this year to publicise children's rights.

Outputs

ENYA

This year we took part in ENYA (European Network of Young Advisors), an annual participation project which involves young people from all over Europe. We worked with sixteen pupils from Ysgol Gyfun Gwyr on the theme – 'Let's talk about children's rights in the digital environment'.

The project's purpose was for the group to meet over several months to discuss the theme, create a presentation and develop policy recommendations. The group also made a film about online self-image. Two ambassadors from the group were then elected to present their project and policy recommendations at the ENYA Forum, which was held in Brussels.

One member from each of the eighteen countries/regions who took part was then chosen to attend the ENOC (European Network of Ombudsman and Commissioners) Annual Conference in Belfast. Here, they presented ENYA's collective work and spoke with ombudspersons about the issues in greater detail. The policy recommendations developed by ENYA then fed into ENOC's annual statement on digital rights.

Learning, understanding and experiencing rights

What have we done about it?

Project work

Project work

We will explore rights in the early years by extending our ambassador scheme to cover early years' settings and providing information and resources for parents.

Outputs

You can read more about our 'Bitw Bach' work on page 24. The Bitw Bach project has been a year-long project pilot scheme during which we worked with 13 schools across Wales to shape new lesson plans and resources for Foundation Phase settings.

The new pack developed this year enables children from the foundation phase to explore the things they need to grow up happy, healthy and safe.

Learning, understanding and experiencing rights

What have we done about it?

Project work

Project work

Look in detail at the quality of participation of children and young people in decision-making, including in school settings.

Outputs

Working with a sub-team of the Commissioner's Young Person's Advisory Panel to develop a methodology, the Commissioner's team built on findings of The Right Way Education Survey 2018 to find out more about participation in schools between March 2019 – March 2020. This primary research involved:

- **The Right Way Education Survey 2019**
Completed by 7404 children and young people and 360 teachers across 98 different school settings
- **A survey of School Governors**
Completed by 135 Governors
- **A fact-finding survey for secondary school councils**
Completed by 24 secondary school councils
- **Face-to-face consultation workshops in schools**
With 109 young people in 8 schools, across 5 local authority areas of Wales
- Two debates with young people about the effectiveness of school councils (in north and south Wales), with representatives from 21 secondary schools
- Face-to-face consultation workshops in community groups, with 40 young people in 5 different community settings in 4 local authority areas of Wales

Learning, understanding and experiencing rights

What have we done about it?

Project work

Project work

Look in detail at the quality of participation of children and young people in decision-making, including in school settings.

Outputs

- Case study interviews, visits or reports about participation in 7 different settings, in 6 local authority areas
- Consultation and meetings with professionals including: Schools Effectiveness Division of Welsh Government; the All Wales Participation Workers Network; a discussion group with secondary teachers; each of the four consortia; the ADEW Governor Support Group and Estyn.

In response to findings, the Commissioner worked with young people to develop an online activism guide for children and young people, **Making A Difference: A Young Person's Guide to Taking Action.**

Publication of the full report and recommendations was scheduled for the last week of March 2020 but was postponed due to the emergency situation unfolding at that time.

Learning, understanding and experiencing rights

What have we done about it?

Day-to-day work

Day-to-day work

We will work to influence and scrutinise Government on the creation of the new curriculum to ensure through legislation that children learn about their human rights, learn in an environment that protect their rights, and are therefore equipped to protect and promote the rights of others in society.

We will continue to work with government to ensure children, wherever they're educated, have access to the very best education.

Outputs

The Commissioner has been represented on the Independent Advisory Group and the Strategic Stakeholder Group to the curriculum. In summer of 2019 the Commissioner submitted a full response to the draft curriculum documentation, and through repeated scrutiny ensured that young people had online and face-to-face opportunities to participate in this consultation. The curriculum documentation published in January of 2020 reflected several elements of the commissioner's key calls: rights are included in the Humanities and Health and Wellbeing AoLEs, and the introduction to the curriculum contains sections on the UNCRC, human rights education, and the participation of learners in curriculum design. My team supported the drafting of human rights education content. Fuller details of this work are available in the Report Card.

Drawing on a review of case-work received during the current Commissioner's term, the Commissioner submitted written and oral evidence to the Children, Young People and Education Committee's Inquiry into EOTAS provision. The office also contributed to a review of local authority EOTAS commissioning arrangements and shared evidence received through participatory and case work with the Re-imagine Schooling Expert Panel. In addition, the Commissioner's office contributed to a roundtable event on exclusion led by Samaritans Cymru.

Learning, understanding and experiencing rights

What have we done about it? Day-to-day work

Day-to-day work

We will continue recruiting to and supporting our Super Ambassadors, Student Ambassadors and Community Ambassadors.

Outputs

We run three free schemes which empower children and young people to become Ambassadors for the Commissioner in their school or community group. Ambassadors take a lead role in promoting children's rights and the role of the Commissioner. The schemes also enable thousands of children and young people to feed into the work of the office via Special Missions (a systematic way to consult with and be informed by a range of children and young people about issues linked to the thematic work of the office).

Super Ambassadors (Primary schools)

We significantly increased the number of our Super Ambassador schools from 500 to 606 schools this year. We doubled the number of our October training events holding six events across Wales, where we worked with 475 children and 219 teaching staff compared with 295 children and 143 teaching staff last year. 96% of schools who came to the events rated the day 8/10 or above.

"Gweld sut mae hawliau plant yn gallu "ffitio mewn"
gyda phob dim"

"Short, sharp activities - broken up with fun games that
we can all use to promote and share the rights at school. Succinct
info for teachers to guide well at school. Clear direction about the
mission."

Learning, understanding and experiencing rights

What have we done about it? Day-to-day work

Day-to-day work

We will continue recruiting to and supporting our Super Ambassadors, Student Ambassadors and Community Ambassadors.

Outputs

Student Ambassadors (Secondary schools)

This year we had 95 Student Ambassador schools signed up to our student Ambassador scheme. We welcomed schools from 14 different Local Authorities to our annual Student Ambassadors and teachers' conferences which took place in Llandudno and Cardiff. During our two conferences, we:

- launched the spring special mission along with our brand new resource **"Make a Difference: A young person's guide to taking action."**
- Rolled out a brand new lesson on the history of children's and young people's rights.

Learning, understanding and experiencing rights

What have we done about it? Day-to-day work

Day-to-day work

We will continue recruiting to and supporting our Super Ambassadors, Student Ambassadors and Community Ambassadors.

You can read about our Community Ambassador programme of work on page 43.

Outputs

We received positive feedback from both pupils and teachers who attended:

"The talks were very interesting and well presented. The young people enjoyed taking part" (Teacher, Cardiff event)

"I loved learning about the history aspect of Children's Rights" (Student, Cardiff event)

"Whole event was very engaging and interesting" (Student, Cardiff event)

"Gwahanu saesneg a cymraeg ac gwneud amrywiaeth o weithgareddau." [Separating English and Welsh and offering a range of activities] (Student, Llandudno event)

"Gweithdai difyr a digon o amser am drafodaeth a sgwrsio." [Interesting workshops and plenty of time for debate and discussion] (Student, Llandudno event)

"The debate because we got to hear other school opinions" (Student Llandudno event)

"We have been taught about children's rights and know we can include this information in student council matters" (Student Llandudno event)

Learning, understanding and experiencing rights

What have we done about it?

Day-to-day work

Day-to-day work

We will scrutinise those implementing the Additional Learning Needs and Education Tribunal (Wales) Act 2018 to pay particular attention to their new duty to pay due regard to children's rights.

Outputs

In September 2019 Government announced a delay to the implementation of the 2018 Act, in part due to a need to redraft the Code of Practice and Regulations that was subject to consultation earlier in the year. My office has continued to engage with Government and the transformational work in the regions to emphasise how the new Code can more fully embed children's rights across their educational experience, and to ensure that new curriculum planning is consistent with the human rights principles of the 2018 Act.

My office has also continued to engage with professionals, children, parent groups and settings to raise awareness and understanding of children's rights and how these inform the 2018 law. We presented on the due regard duty to the Strategic Subgroup for the Curriculum, the Pembrokeshire Parent Partnership and at a training event on children's rights for wellbeing leads in the regional consortia.

Protecting rights, wherever you are

What's the issue children and young people told us about?

The importance of keeping children safe from harm or abuse emerged as a high or top priority across most age groups in Beth Nawr, from 3 year olds through to professionals.

There was also widespread concern about groups of children that face unequal chances due to poverty, disability, mental health issues and family problems from Beth Nawr and face-to-face consultations with children and adults.

Our evidence review also revealed inequalities brought about by poverty as a major challenge for Wales, alongside the challenges of supporting children's mental health and those with disabilities.

Protecting rights, wherever you are

What have we done about it? Project work

Project work

We will investigate the experiences of children who face the most challenges to take up their rights through a series of thematic reviews.

Outputs

Following on from our report '**A Charter for Change: Protecting Welsh children from the impact of poverty**', we committed to producing practical resources this year. Below is a summary of our work:

Resources for Schools

Working with members of our youth advisory panel we reviewed and updated our two key resources for schools, Revolve and Check with Ceri, to make sure they were as accessible and useful as possible. Collectively these resources have been downloaded 421 times over the last year.

We have also co-developed two new free resources for schools. Top tips guide for setting up county wide school uniform recycling scheme was developed with Denbighshire Citizens Advice and Denbighshire County Council to provide schools and community organisations with advice about setting up a county-wide scheme. Pupils from Maesteg school led on creating a video about setting up a prom swap shop based on their experience to inspire pupils from other schools to do something similar.

Protecting rights, wherever you are

What have we done about it?

Project work

Project work

We will investigate the experiences of children who face the most challenges to take up their rights through a series of thematic reviews.

Outputs

Special Mission

In Autumn term 2019 we asked primary and secondary schools that were part of our Ambassador scheme to use our Revolve resource to work with pupils in their school to set up a reuse uniform shop; benefiting the environment and helping parents/carers save money. Before the start of the mission we ran a workshop for 475 pupil Ambassadors so that they could help lead this mission in their school.

Since then over 50 schools have confirmed that they have clear plans or have already implemented changes such as setting up uniform re-use schemes and changing activities that bear costs for pupils.

I have also been pleased to learn that schools in Flintshire are aiming to all use Check with Ceri as one of the three key ways to help tackle poverty, following an engagement at a county-wide conference with headteachers.

Governors Webinar

140 school Governors signed up to our first bilingual Governors' webinar which promoted the importance of learner voice and using our Check with Ceri resource to help them work with pupils to make changes that can help reduce the financial burden of school life on families and contribute to pupil wellbeing.

Protecting rights, wherever you are

What have we done about it?

Project work

Project work

Working with colleagues in Wales and internationally, we will work to promote children's digital rights in 2019-20.

Outputs

CCfW are working with 5Rights, an organisation that works to ensure that the digital world caters for children and young people. They're developing a child-friendly version of a consultation with children and young people that is feeding into work being undertaken by the UNCRC General Comment team on developing a general comment about digital rights. 571 children from 23 countries have participated in the consultation to date.

We also participated in the development of the ENOC statement on digital rights referred to above, after presenting on Digital Literacy in Wales as part of the conference.

Protecting rights, wherever you are

What have we done about it? Day-to-day work

Day-to-day work

We will continue to highlight the need to protect the rights of children who may be particularly vulnerable because they are marginalised or hidden from view.

Outputs

Our Policy team has attended working groups and responded to a range of consultations in this year, in relation to children cared for away from home, those educated in settings other than maintained schools, and children from minority groups. More detail on our policy work can be found in the Report Card section of this annual report.

In addition, our Investigation and Advice Service has dealt with 627 cases from every area of Wales; for more information on the work of the team see page 50 but these have included:

Home Education and Exam Centres

Issue – We were contacted by a parent of a child who was being home educated concerned that they could not find an examination centre for their child to sit their IGCSE exams. The parent had approached the local authority and a number of local schools without success. The local authority advised the parent their exam centre could not cater for students sitting IGCSE's and other schools the parent had approached had told them they would not consider the request as none of them were registered with the relevant exam body.

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Protecting rights, wherever you are

What have we done about it?

Day-to-day work

Day-to-day work

We will continue to highlight the need to protect the rights of children who may be particularly vulnerable because they are marginalised or hidden from view.

Outputs

Action – The Investigation and Advice Officer contacted an education officer within the local authority to discuss the issue and to explain that this would likely affect other children within the local area. The Officer agreed to look into the issue.

Outcome – The local authority identified that their local Pupil Referral Unit was an exam centre for this particular qualification and the parent was able to negotiate directly with the PRU re their child sitting exams at the centre. The parent would have to pay for an exam invigilator if their child had to sit exams on days other than those at which PRU pupils were sitting exams. This facility would be available to other parents who were Home Educating their children. The issues regarding exam centres for Home Educated pupils was shared with policy colleagues who were able to make this point in a consultation response to Welsh Government on home education.

Protecting rights, wherever you are

What have we done about it? Day-to-day work

Day-to-day work

We will continue to highlight the need to protect the rights of children who may be particularly vulnerable because they are marginalised or hidden from view.

Outputs

Access to Child and Adolescent Mental Health (CAMHS) and Neurodevelopmental services

Issue – We were contacted by a parent who was extremely frustrated about the lack of CAMHS support being offered to her child who had an eating disorder. The parent felt that there was no specialist provision for their child's condition and were concerned about the length of time it was taking to get a psychiatric appointment. The child had seen four different CAMHS councillors and a dietician who had recommended the child see a psychiatrist. The child was also on the waiting list for an assessment with the neurodevelopmental team (NDT), as it was thought they might possibly be autistic. All the time the eating disorder was escalating. The parent felt no-one was listening to them.

Action – The Investigation and Advice Officer contacted the local CAMHS service to share the parent's concerns and to ensure that their voice was heard.

Outcome – This led to a review of the case and the subsequent offer to see a psychiatrist within an acceptable timeframe. The review also led to the child's food plan being scrapped due to potential links of autism and food stressors. The parent later reported that this had a significant difference in their child's stress levels and their eating habits since then. The child was still having to wait 9 months for an NDT assessment. The child's experience was shared with the Commissioner and the policy team who were already aware of issues around waiting times for both CAMHS and NDT services.

Protecting rights, wherever you are

What have we done about it?

Day-to-day work

Day-to-day work

We will continue to highlight the need to protect the rights of children who may be particularly vulnerable because they are marginalised or hidden from view.

Outputs

Child with a Disability- Access to public toilets

Issue – A Head teacher from North Wales contacted the office following a review of a pupil with Special Educational Needs. The pupil has severe learning difficulties and autism, has lots of energy but limited communication skills. Outside of school his family and support staff support him on long walks as he is very energetic, and enjoys the release of energy. Unfortunately, many of the public toilets in the community are locked and although he has a RADAR key this system is often over-ridden especially over the winter months. The RADAR key facility is also closed in some toilets before specified lock up times. This was having a significant impact on his ability to be independent.

Action – The Investigation and Advice Officer contacted the child's parent for more information about the problem and then contacted the relevant local authority department and explained the problem to them. The local authority responded positively. A manager asked the person who is in charge of toilets to keep open the toilet until specified time, and the authority also provide an updated list of all local public conveniences.

Outcome – The young person was able to resume his leisure activity knowing that he would be able to access public toilets if needed. This would also benefit other disabled people in the local area. We contacted parent and head teacher with information and signposted to web link to additional community toilets.

Protecting rights, wherever you are

What have we done about it? Day-to-day work

Day-to-day work

We will continue to listen to children and young people who may be particularly vulnerable through our Community Ambassador scheme.

Outputs

Community Ambassadors – Community Ambassadors represent local community or special interest groups. Continued facilitation of the Community Ambassadors programme. At the start of the year we launched a new **resource pack** for Community Ambassadors.

A number of workshops have been delivered to new groups across Wales during the year, and we currently have 16 active Community Ambassador groups.

We held two regional events one in South Wales in September which was attended by six groups of young people representing a range of special interests including Young Carers, Youth Forum, Care experienced young people, Gypsy Travellers, Black and Minority Ethnic (BAME) and Rights Ambassadors.

The second in North Wales in January this year was attended by 5 groups including Youth Forum, Black and Minority Ethnic (BAME), Young Carers and Care experienced young people.

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Protecting rights, wherever you are

What have we done about it? Day-to-day work

Day-to-day work

We will continue to listen to children and young people who may be particularly vulnerable through our Community Ambassador scheme.

We will continue to chair the national Child Sexual Abuse and Exploitation Roundtable.

Outputs

As well as the views of Community Ambassador groups generally feeding into the work of the office, some groups have also worked with us on specific projects such as the “Right Way” project. Barnardo’s young carers in Merthyr have supported Natural Resources Wales to develop a charter for young people and have contributed their views to our school councils project.

We also recruited a group of prisoners from HMP Berwyn’s parenting group and delivered training to 12 men who went on to deliver children’s rights sessions to their children and worked with HMP Parc’s Super Squad – a group of prisoners’ children – identifying issues that affect them and looking at how their group could continue to talk about their children’s rights.

Information about this work is on page 87.

Protecting rights, wherever you are

What have we done about it? Day-to-day work

Day-to-day work

Our influencing work will ensure our recommendations relating to bullying, including cyberbullying, and child poverty from key publications are implemented in full.

Outputs

In 2016, over 2,000 children and young people shared their experiences of bullying through a Special Mission, the results of which we included in our report, **'Sam's Story'**. Included within that report were a series of recommendations for Welsh Government and others. In the intervening years we have consistently ensured the experiences shared with us were raised with Government through engagement with officials and Ministers, and with professionals through the publication of a suite of anti-bullying resources. In 2019, Government launched new anti-bullying guidance, **Rights, Respect and Equity**. This positively responded to my calls for statutory anti-bullying guidance informed by children and young people and addresses many of the recommendations from my Sam's story report, including setting out how bullying will be recorded and monitored, and how anti-bullying will be embedded into a whole school approach.

Being accountable to children in Wales

What's the issue children and young people told us about?

The law which established the office states the Commissioner should protect and promote children's rights and welfare in Wales. We believe that for the Commissioner to be a true children's champion, she must be held accountable by the country's children, for the decisions and actions which may affect their lives.

Being accountable to children in Wales

What have we done about it? Project work

Project work

We will ensure our office is as accessible as possible to staff and members of the public.

Outputs

Widgit license and training

Widgit symbols can help users of all ages and abilities and backgrounds who have difficulty with text or communication in a wide variety of settings.

We secured a license from Widgit which allows us to use their communication symbols. We have committed to producing accessible versions, using the symbols, of all our resources and reports.

Eight members of staff completed training from the company on creating accessible communication.

Additional Learning Needs (ALN) lesson plans

We worked with a teacher from Heronsbridge School in Bridgend to create 10 children's rights lessons for children and young people with ALN.

We also produced a **Widgit** symbols version of our Regional Partnership Boards report as well as providing accessible resources for the termly Special Missions that we run for our school and community Ambassador schemes.

Being accountable to children in Wales

What have we done about it? Project work

Project work

We will ensure our advisory panels, including our young people's panel, have meaningful impact on our work.

We will ensure the information we process is managed responsibly.

We will review the impact of our first three-year plan and publish the findings.

Outputs

You can read more about the work of our advisory panels this year on page 56 including how they have helped influence our work plan.

As part of our rolling programme of review, we have ensured all relevant internal policies and procedures have been updated to ensure compliance with all current legislation. We've also responded to all freedom of information requests on time.

You can read more about our three-year evaluation on page 11 and you can download a copy of the report itself [here](#).

Being accountable to children in Wales

What have we done about it?

Day-to-day work

Day-to-day work

We will work with Wales' new Youth Parliament to establish a mechanism for the Commissioner to be scrutinised annually by the democratically-elected body.

We will ensure our participation work is guided by Wales' National Participation Standards.

Outputs

This year, the Commissioner appeared in front of a Welsh Youth Parliament sub-committee on mental health, for members to scrutinise the work of our office in relation to child and adolescent mental health. The Commissioner also addressed all members of the Welsh Youth Parliament alongside the Minister for Education as part of their session on the new curriculum.

We've also been working with them on a key piece of engagement work, which aims to capture the views of children and young people during the pandemic.

Our participation strategy, updated this year, ensures we adhere to the National Participation Standards.

Being accountable to children in Wales

What have we done about it? Day-to-day work

Day-to-day work

We will report our work, including our financial and risk work, to our Audit and Risk Assurance Committee and our advisory panels on a quarterly basis.

We will work in a sustainable way, and aim to embed the principles of the Well-being of Future Generations (Wales) Act 2015 in our practice.

Outputs

On a quarterly basis we review the impact and effectiveness across the organisation via a balanced scorecard. This method enables us to look at how effective and efficient we are across 4 key areas:

- 1. Organisational processes**
- 2. Commissioner's people**
- 3. Children and young people**
- 4. Commissioner's financial sustainability and value for money.**

The results of which are shared with our Audit Committee every quarter. You can read more about the work of our Audit and Risk Assurance Committee in our Governance and Accounts statement on our website (under Publications) and our Advisory panels on page 58.

The Commissioner remains an active participant of the Future Generations Commissioner's advisory panel and we continue to share resources, including a Head of HR and an interim delegated Accounting Officer for a period this year.

This year we developed a new **Biodiversity Plan** to ensure we do our bit as an organisation to reduce our carbon footprint and ensure biodiversity.

You can read more about how we adhere to the principles of this Act in our Governance and Accounts statement on our website (under Publications).

How we've delivered on our other commitments?

Our Investigation and Advice service is free and confidential. It's there to advise and support children and young people or those who care or work for them if they feel that a child has been treated unfairly. 627 people contacted the service in 2019/20, often raising concerns about more than one issue.

What issues were we contacted about?

Education	424 (SEN: 102, Complaints: 90, Advice: 79, Placement: 26, Bullying: 21)
Social Services	410 (Complaints: 136, Advice: 64, Provision of Service: 61, Placement: 51)
Health	109 (Complaints: 31, Provision of Service: 27, CAMHS: 24, Advice: 14)
Legal	91 (Advice: 73)
Environment	83 (Advice: 28, Children's Rights: 13)
Local authority	36 (Complaints: 12, Provision of Services: 6)
Other	
Housing	35 (Placement / accommodation: 15, Advice: 7, Complaints: 7)
Police	16 (Complaints: 8, Advice: 6)
CAFCASS	12
Asylum	9

Who made contact with us?

Parent – 348
Member of the public – 25
Extended Family member – 60
Child or young person - 18
Elected member – 8
Other professional – 32
Foster Carer – 27
Advocacy service – 13

How we've delivered on our other commitments?

Outcomes included:

Social Emotional and Behavioural Difficulties (SEBD) – Example of an experience that led to Behaviour and Inclusion project

Issue – Parent called as the local authority has placed their child with Additional Learning Needs (ALN) in a new provision that parent believed couldn't keep their child safe. As a result communication had broken down between parents and school to the point the parent was considering withdrawing child from placement

Action – The Investigation and Advice Officer raised the safeguarding concerns with both the local authority and the school, and made suggestions about how to improve communication between the school and the parent to get communication back on track to enable school to be a positive experience for the child and parent.

Outcome – Head teacher and the parent met, communication protocols were put in place and the child remained in school. This case was one of a number of different cases that led to the office undertaking a project about the experiences of children in the Foundation phase in school who had social emotional and behavioural difficulties.

How we've delivered on our other commitments?

Child with Disability – Provision of support to assist with education

Issue – Parent called as their child who has severe arthritis was in need of a scribe at school to assist them to undertake their school work. Medical reports supported his request. The parent said the school were refusing to provide a scribe stating they did not have the ability to do so. However, the parent alleged that a scribe was provided for the child prior to an Estyn inspection but was withdrawn once the inspection was over.

Action – The Investigation and Advice Officer discussed the situation with the local authority inclusion officer and the Additional learning Needs co-ordinator at the school. Whilst the situation was a little more complicated than had been explained it did appear that appropriate assessments and reports had not been completed. The Investigation and Advice mentioned that the school may be in breach of the Equalities Act 2010 if such assessments and reports were not provided.

Outcome – Assessments and reports were completed with the school eventually employing a full time scribe, which enabled the young person to increase the number of subjects they were studying.

Feedback from cases

"I wanted to express our gratitude to you for all you help and time in helping us find out where our daughter was on the waiting list"

"Great service and got things done quickly. Thank you very much"

"Thank-you for the suggestions for possible ways to consider. They might well prove fruitful. Thank you too for the follow up email summarising our conversation. I found that most helpful for future reference and for passing on to my colleagues"

"Quick confident reply to my query. Diolch"

"Thank you for your email and all the information. I feel much more focused on what we need to do next"

"I am grateful for your advice on the matter. To date there has been a positive response as in they have granted PA hours for the summer and October. I am making a financial contribution but still a good result"

"thank you for your time... I appreciate your feedback and genuine reply; you are the only person who has."

How we've delivered on our other commitments?

Case example

The following case represents the type of concern that can be brought to our attention via the Investigation and Advice service which highlight the need to address more systemic and policy related issues, in this case to ensure the safeguarding of children and young people in a particular setting. It highlights how our Investigation and Advice and policy teams worked collaboratively to support individuals but also to drive systemic change across Wales.

In September 2019 my office was contacted by a pupil at an independent school in North Wales in relation to safeguarding concerns about the head teacher of the school and their belief that the school and other authorities had failed to respond appropriately to the concerns that had been raised. The young person had been made aware of children's rights and the work of our office during a routine visit the Commissioner had made to a group of young people in north Wales.

The contact with the office from the young person began an intensive period of work by the Commissioner and our Investigation and Advice and Policy teams to ensure that children and young people were effectively safeguarded and protected from the inappropriate behaviour of the head teacher.

It also raised a number of policy and regulatory issues regarding the operating framework for Independent Schools which we have raised and continue to pursue with Welsh Government and others.

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How we've delivered on our other commitments?

We determined that our work in relation to this case was threefold.

First, the office would continue to directly support the young person involved in this case. The Investigation and Advice officer established a supportive relationship with the young person and would continue to speak with them, and where relevant with other professionals, to ensure they had the advice, support, and information that they needed. We also offered this support to any other individuals that contacted our service.

Secondly, it was important that we did not interfere with an ongoing social services investigation that was taking place, other than to ensure the investigation was being appropriately taken forward in a timely manner. We continued to liaise with the local authority and others to ensure that this was the case and to ensure the young person involved was given appropriate information throughout.

Thirdly, we sought to engage relevant agencies in discussion around the legislative and policy weaknesses that this case highlighted. To this end, we initiated discussions with Estyn, Care Inspectorate Wales, the Education Workforce Council, the local authority and Welsh Government with a view to working together to understand the full implications of the changes that would be necessary to ensure that children and young people at independent schools would be appropriately safeguarded and kept safe.

The Commissioner was personally involved in this work reviewing documentation and reports, initiating contact with senior officials in relevant agencies including the local authority social services, Care Inspectorate Wales, ESTYN, the National Independent Safeguarding Board for Wales, the Education Workforce Council, Welsh Government Officials and the Education Minister, Kirsty Williams.

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How we've delivered on our other commitments?

One of the key policy issues that we have subsequently actively championed is for teachers in Independent Schools in Wales to register with the professional regulator in Wales: the Education Workforce Council (EWC). Currently they are not required to do so unlike their counterparts in the maintained school sector. They therefore fall outside the ability of the regulator to conduct fitness to practice hearings and to impose disciplinary orders or restrictions on their employment. This potentially leads to an unacceptable failure to effectively safeguard children and young people.

The Minister for Education responded positively to this call, asking her officials to begin work on the regulatory change that would be required to ensure that all teachers at independent schools register with the EWC, alongside some additional changes to the regulations for Independent schools in Wales.

The Commissioner was also asked to provide a witness statement to the Independent Inquiry into Child Sexual Abuse (IICSA) specifically in relation to this school and may be required to give evidence to the inquiry at a later date. This forms part of a wider investigation they are undertaking into independent schools to which the Commissioner has also submitted a further witness statement.

Work continues in order to influence the necessary changes that are required to improve the robustness of the safeguarding environment of independent schools. However, in relation to the individual school concerned, the head teacher was dismissed in early 2019 and other changes have been made at the school which are contributing to a much safer environment for children and young people. The team continues to liaise with the school through its Council of Management and replacement head teacher, and will be offering children's rights training to all staff, having already provided a wealth of materials, resources and advice to support them.



Our advisory panels
have continued to have
a positive impact on
our work. Here are
their thoughts.



The views of our advisory panels

A word from the chair of the advisory panel, Margaret Provis

Role

To recap here's a summary of how the non-statutory advisory panel advise the Commissioner and her team:

- 1. Strategic direction: we provide an external perspective on the planning and delivery of the Commissioner's annual work plans.**
- 2. Projects: we work with the team as advisors on key pieces of work.**
- 3. Specialist advisors: we share our knowledge, experience and expertise with the Commissioner and her staff team on various aspects of their work.**

New members

We welcomed new members to the panel this year following a public recruitment campaign that attracted high numbers of applicants from a range of interests and backgrounds. Each one of our new members bring a wealth of knowledge and experience and a desire to be effective children's rights champions and critical friend to the Commissioner.

An unprecedented year

This year has been like no other and in its twenty-year history, you could argue that there has never been a greater need for the Commissioner to be an effective, independent champion for children in Wales. Back in March, within days of lockdown being announced, the team deployed plans in place for such eventualities and switched to secure remote working arrangements, kept the advice line running and launched an information hub for children and their families. Within eight weeks, the Commissioner led on a survey of 3 – 18 year olds, completed by nearly 24000. This level of engagement does not come instantly or by accident. It is the result of the deeply embedded

commitment to real and ongoing dialogue, in all forms, with children and young people that characterises the work of the Commissioner and her team. This work has been pivotal in providing a credible evidence base for policy and practice decisions for all partners in Wales.

The Commissioner and her team have been able to provide advice and challenge to all partners, engaging with Welsh Government at all levels often on a daily basis. They have continued to deliver on work plans and sick rates of staff are at their lowest.

During these unprecedented times the Commissioner and her team have led by example in being agile, responsive and creative to enable them to champion and protect the rights and welfare of all children in Wales. At a time when the future can seem uncertain and dreams and ambitions precarious, the Commissioner has reached out and spoken up with wisdom and authority. She has provided a pathway to follow which puts children and young people's rights centre stage, and allows their voices to be heard with clarity.

As an advisory panel, we are acutely aware of the challenges children and young people, families and organisations have faced over these months. We know that solutions have had to be found to challenges that we couldn't imagine a year ago. The Commissioner's response to all of this has been creative and flexible enabling her and her team to quickly deploy new ways of working and remain effective and efficient, responding quickly to the new reality without losing sight of core functions and work plans. This takes concentrated effort as well as careful planning. We have observed this with admiration and great respect. We are convinced now more than ever of the value and importance of our Children's Commissioner and her dedicated and passionate team.

We will press on in our role to support and challenge the effective delivery of the Commissioner's ambitions and legislative remit.

The views of our advisory panels

M

Just wanted to say a big thank you for helping us during Mali's time on the panel. She has hugely enjoyed it and you've been great in helping us.

Z

I wanted to thank you for giving me the opportunity to be involved - it's been absolutely amazing to contribute to some of the work done over these past two years and I think there have been some real achievements in that time. Truly, it's been an honour.

E

Roeddwn i eisiau dweud diolch yn fawr iawn am y cyfle i fod yn rhan o'r panel dros y ddwy flynedd dwythaf. Rwyf wedi wir mwynhau y profiad ac yn ddiolchgar iawn i'r holl tim yn y swyddfa am fod mor groesawgar, cyfeillgar ac 'approachable' o'r diwrnod cyntaf un! Dwi wedi dysgu llawer o'r profiad a byddaf yn methu cael bod yn rhan o'r cyfarfodydd. Gobeithio bydd disgyblion Ysgol Dyffryn Ogwen yn dilyn fy llwybr i wrth barhau i weithio gyda chi yn y dyfodol – dwi'n credu bod y cyfle i fod yn rhan o'r panel yn werthfawr iawn i blant ifanc a bysw'n i'n annog unrhyw un i gymryd rhan.

J

I would like to say a BIG THANK YOU to the Children's Commissioner for Wales's office for the lovely water bottle. I was happy to receive it and my family appreciates it too.

Thank you for giving me this wonderful opportunity to serve in the Young People's Advisory Panel. I have learnt a lot in the process.

Thank you very much.

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: A Children's Rights Approach in Wales'. It is a principled and practical framework for working with children, grounded in the UN Convention on the Rights of the Child (UNCRC). Its main purpose is to encourage public bodies and organisations in Wales to adopt a children's rights approach which, in turn, will help deliver real changes in children's everyday quality of life and equal chances to fulfil their potential. Included in the framework are five principles:

1

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

2

Equality and non-discrimination: is about ensuring that every child has an equal opportunity to make the most of their lives and talents, and that no child has to endure poor life chances due to discrimination.

3

Empowering children: means enhancing children's capabilities as individuals so that they are better able to take advantage of rights, and to engage with, influence and hold accountable those individuals and institutions that affect their lives.

4

Participation: means listening to children and taking their views meaningfully into account.

5

Accountability: authorities should be accountable to children for decisions and actions which affect their lives.

Our 'right way' progress

In practice this means:

1

Embedding children's rights: the UNCRC underpins all our work and we continue to influence other public bodies in Wales to adopt a similar approach. Our policy and influencing work ensures that laws, policies and practice across all levels of Government in Wales protect children's rights.

2

Equality and non-discrimination: Our Investigations and Advice service plays a critical role in delivering this principle by helping individual children and their families who feel they've got nowhere else to go with their issues. Through key projects – all of which are expected to be planned with a full equalities impact assessment – we strive to tackle equality and discrimination issues head-on to ensure every child in Wales has an equal chance to be the best that they can be.

3

Empowering children: Our communications work is focused on increasing 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.

4

Participation: Every member of our staff team has a responsibility to engage with children and young people in all four corners of Wales. We aim to make sure all our work with children and young people is inclusive and accessible. Children's views and opinions inform all our projects and we've listened to over 10000 children and young people's views to us to help shape this three-year plan.

5

Accountability: Investing in a children's rights approach enables us to have a real focus on the particular needs of children and ensures we create a platform where children and young people can hold us to account on what we promised to deliver. Our advisory panels of young people provide strategic support to the Commissioner and the team and plans are afoot to ensure the Commissioner becomes accountable to the democratically elected Senedd Ieuenctid (Youth Parliament) for Wales.

The Right Way

a. Other case examples

Below are examples of the work going on in public services across Wales in implementing The Right Way:

Swansea Bay University Health Board were the first Health Board to publish a children's rights charter. They are now working to create a pictorial version of the Charter for children and young people with additional needs.

Swansea Bay's Youth Board, BAYouth, have been involved in various work across the responsibilities of the Health Board, including reporting on paediatric services at Morriston Hospital, sitting on interview panels and having an equal say in the appointment of new members of staff, calling for and leading to the setup of a helpline for Child and Adolescent Mental Health Services, and working on a paediatrics care poster.

Cardiff & Vale University Health Board established their Health Youth Board towards the end of 2018. We were pleased to see that the Youth Board have influenced the work of the Health Board in several ways, including the creation of a charter for display in hospital settings, reviewing CAMHS services, interviewing staff, giving training to staff on children's rights and working to co-produce policies, such as the Sexual Assault Referral Centre's checklist for young people.

The board also held an event in 2020 which the Commissioner attended where the young people involved in the Health Youth Board presented their work to the Chair and Chief Executive and other senior members of the Board. We welcomed that these senior executives gave up several hours of their time to listen to, engage with and answers questions from the Youth Board.

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The Right Way

Cwm Taf Morgannwg University Health Board held a workshop in 2020 with children and young people from across the Health Board area, which the Chair of the Health Board attended. The session featured presentations from other Health Boards which was really encouraging to see, and led to the Board offering to work on a Charter with the young people, and with young people signing up to meet as a group to continue the conversation.

Hywel Dda University Health Board have established a 'Voice of Children and Young People' steering group to work which meets regularly to ensure children and young people's voices influence the work of the Board. The Board is working on a young person's charter, and has also commissioned a piece of work with the Police and Crime Commissioner in their area to gather the views of over 1,000 young people on health services within their local area.

Betsi Cadwaladr University Health Board have developed a 'High 5 Low 5' feedback tool so that children and young people can have their voices heard about hospital services, and what they think can be done to improve their experience on the unit.

The full Board also met with the Commissioner in 2020 to discuss how they can take forward a children's rights approach.

Aneurin Bevan University Health Board became the first Health Board to sign up to the Children and Young People's National Participation Standards Charter in 2019, and more recently obtained the National Children's Participation Kitemark, awarded by the First Minister. Aneurin Bevan has established a Children's Rights and Participation Forum, and have organised for staff to receive children's rights training.

Powys Teaching Health Board held joint workshops with the local authority, which included the Regional Partnership Board's children and young people's sub-group, Start Well, and the Powys Youth Forum.

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The Right Way and our Right Way

These workshops resulted in a 'Children and Young People's Pledge'. The young people themselves decided that they preferred the word pledge, rather than charter. Making a pledge in this way is encouraging as children and young people are able to hold their health board to account against these pledges.

Public Health Wales has consulted with children and young people in Wales to co-produce Young Person's Annual Quality Statements (for both younger and older children) alongside their Annual Reports. They have held Public Health Youth Summits, feedback from which has led to a Young Ambassadors programme. This programme includes offering 3 four-week internship opportunities at Public Health Wales.

The Welsh Ambulance Services Trust undertook an engagement exercise asking children and young people how they felt the Trust could improve its interactions with children and young people. They have committed to a series of promises (co-produced with children) which are aimed at being more responsive to children and young people's needs, and which includes using language more appropriate to age and understanding.

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The Right Way and our Right Way

Work has continued to support other key public services in Wales adopt 'The Right Way'. Here's a flavour of the work:

- **Work with South Wales Police** – We presented the “Right Way” to senior police officers, delivered training on the “Right Way” to 30 police staff from different forces, and worked with the force and pupils from Pentrehafod School and Hillside Secure children's Home to develop a children's charter.
- **Hillside Secure Children's Home** – we ran a number of children's rights workshops for staff (Education and Operational) working in Hillside Secure Children's Home.
- **Education Consortia** - We ran train the trainer events in the 'Right Way' to EAS education consortia leads. Developed and piloted a teacher training module with over 30 teachers and cascaded this to all consortia health and wellbeing leads.
- **Finalised and launched the 'Right Way' matrix** through a webinar for professionals. The resource is available [here](#) for all public bodies in Wales to use.
- **Continued work with Wrexham local authority** to support their journey on The Right Way.
- **Supported Natural Resources Wales** to work with two groups – school and community – to develop a charter.

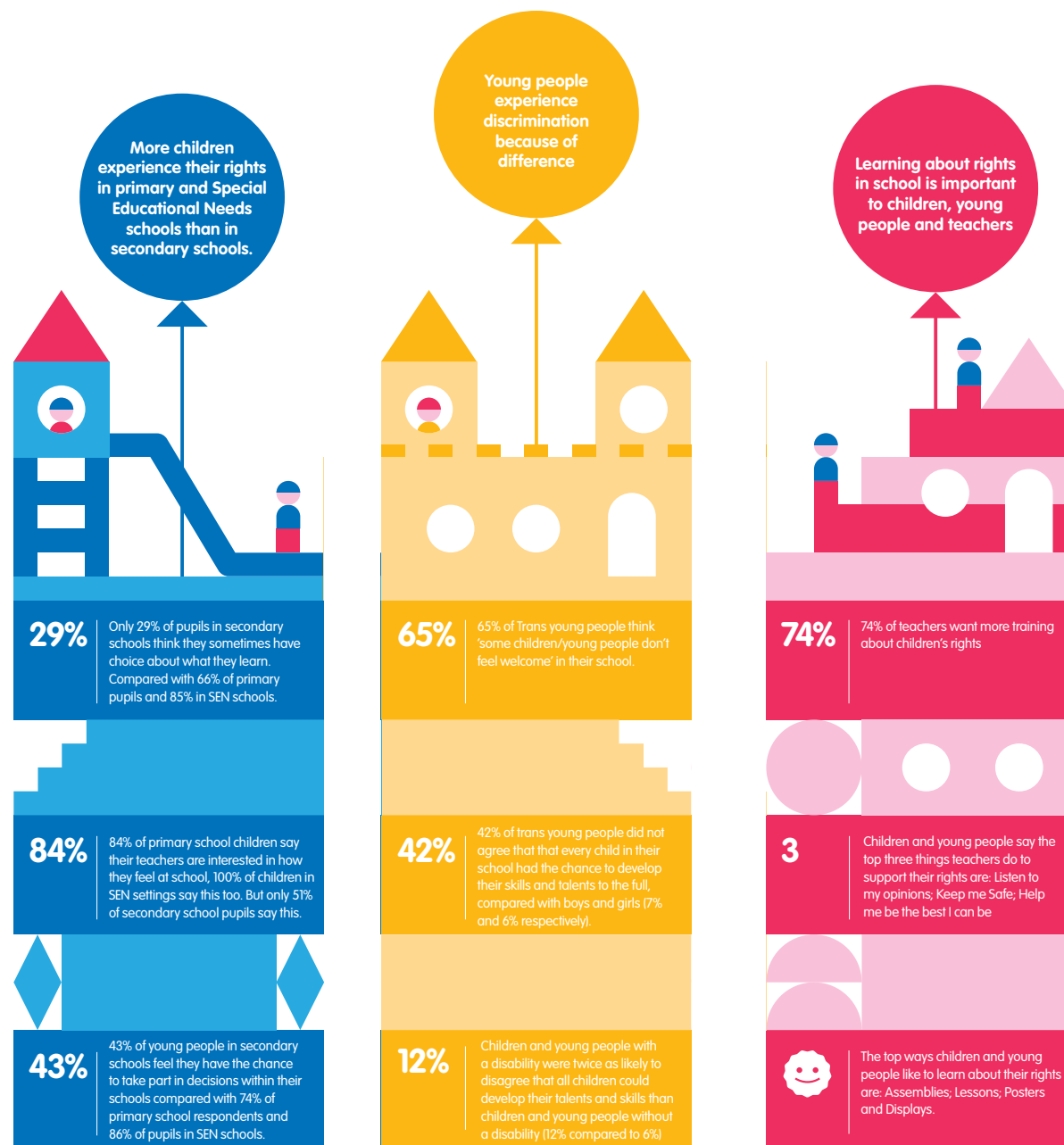
The Right Way Education Survey 2019

Who did the survey?

There were **7764** survey respondents altogether.

360 teachers & **7404** pupils.

Responses were received from **98** different schools. Of these, **77%** were primary schools, **18%** were Secondary schools, **3%** were SEN settings, and **2%** were 3-16 or 3-18 settings.



My approach ...has always been to respond to the Welsh Government as a critical friend – to challenge robustly where necessary but to welcome and acknowledge positive developments.



Our Report Card

As noted in the foreword to this Report, the 2016-2021 Senedd Term has been clouded by uncertainties and this has had a detrimental impact on the progress of a number of policies that would directly affect children and their families.

There have been some successes however and this section of the Report sets out a brief summary of the progress that has been made on a range of issues across the Government's areas of responsibility. This section notes the areas of work that have not yet progressed as I would have expected, and the new opportunities that a new Senedd Term can potentially offer. There will also be lessons to learn from the pandemic, including innovations from this period that I would wish to see continued.

The United Kingdom will be examined by the UN Committee on the Rights of the Child in 2022, following on from the last examination which concluded in July 2016, so this will reflect on Wales' progress from this Senedd Term. I will be issuing a report with the other UK Children's Commissioners in November 2020 which sets out the priority areas to be addressed.

Family Environment and Alternative Care

RESIDENTIAL CARE FOR CHILDREN WITH THE MOST COMPLEX NEEDS

The small number of Welsh children and young people with complex mental health and social care needs who require support in a residential setting too often do not receive the service they need. There is only one low secure mental health facility for children and young people in the whole of Wales, so children are all too often either placed in unsuitable accommodation within Wales, or placed in low secure residential settings hundreds of miles from home. Where children and young people do receive residential care in either low secure mental health or inpatient settings, or in social care placements, the care provided often does not cater for their needs including emotional and behavioural needs rather than simply a diagnosed mental health need.

How we've influenced

In the summer of 2019, the Commissioner organised a meeting to bring together senior officials from Welsh Government and senior representatives of health, social care, youth justice services to discuss how to progress the need for this new accommodation. This followed a previous meeting in October 2018 which unfortunately had not led to any significant progress on this issue.

As part of visits to all Regional Partnership Boards in Wales in 2019/20 we asked each Board what plans they had to tackle this issue.

We are pleased that the Welsh Government commissioned a review of the current provision for the small number of children with complex needs who require residential provision in Wales this year. We look forward to the conclusions of this review, and expect rapid action thereafter to improve the current insufficient provision.

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Family Environment and Alternative Care

What needs to happen next?

Following the review of safe accommodation for children and young people with complex needs there should be urgent action by Welsh Government to establish new multi-agency commissioned and resourced residential provision within Wales, which meets the needs of children and young people with complex needs.

Family Environment and Alternative Care

ADVOCACY – IMPLEMENTATION OF THE NATIONAL APPROACH TO STATUTORY ADVOCACY

Advocacy can be an essential support for children and young people and can be a means of ensuring children's wishes and feelings are heard in the decisions impacting their lives. Ensuring eligible children have access to advocacy has been a significant focus for all three Children's Commissioners during their terms of office.

Following years of working groups and an inquiry by the Senedd's Children, Young People and Education Committee, the Welsh Government introduced the "Active Offer" of advocacy, as an agreed National Approach to Statutory Advocacy, which included measures to promote the offer and to ensure consistency in the procurement and commissioning of advocacy and to measure its outcomes. The Active Offer is now live in all areas of Wales. The National Standards and Outcomes Framework sets out what young people can expect from their independent advocacy service, along with a statutory Code of Practice that sets out young people's entitlements to advocacy.

My office has been a member of the Welsh Government Task and Finish Group for Children's Statutory Advocacy and a member of the Advocacy Providers Group, who have monitored the roll-out of the Active Offer.

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Family Environment and Alternative Care

We are also aware that access to advocacy by children in residential homes is not always consistent and some children face barriers when accessing this important safeguard. This has been highlighted by advocacy providers TGP Cymru and Care Inspectorate Wales' Thematic review of Children's homes, and my team has worked to raise awareness of this via the Welsh Government Task and Finish Group on Residential Care. My Investigation and Advice team also continue to monitor access to advocacy and support children to access this where it has not been proactively offered. My team has also undertaken work to promote the Active Offer with professionals, with my Head of Policy speaking at an Independent Reviewing Officers Conference.

What needs to happen next?

My team will continue to monitor children's access to advocacy services through our Policy work and Investigation and Advice team cases.

Family Environment and Alternative Care

REMOVING THE ELEMENT OF PROFIT FROM CHILDREN'S CARE SERVICES

In 2017/18 and 2018/19, I made recommendations to the Welsh Government that concrete steps should be taken to reducing and ultimately ending profit making in children's care services. This recommendation was caveated, with the need to ensure this was not to the detriment of children and young people who were doing well in placements, regardless of whether they were in the private, public or social enterprise sector. These calls have been informed by the voices of children and young people, many of whom are very aware of the costs associated with their care.

There is a broad demography of care providers in Wales; many are very small providers who have set up to provide unique therapeutic care for vulnerable children operating with very small/no profit, and a small number of new third sector homes are opening in Wales, such as the Action for Children homes in North Wales. However, I have also been made aware that there are large corporate acquisitions taking place of smaller providers, particularly in the independent fostering sector. Children are too often placed far away from their families and home local authorities. The existence of a market-element in provision exacerbates this, as private care provision often clusters in rural areas and those areas with cheaper housing.

I fully recognise that it is not necessarily cheaper for the public purse to provide care for children in the public or third sector. However, my call to end profit in children's social care relates to the principles behind offering care, removing any incentive of accruing profits from vulnerable children's circumstances and ensures that every penny is spent on provision rather than being diverted to often distant shareholders. This recommendation is a longer term aspiration but requires steps to be taken now to move towards this goal in Wales.

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Family Environment and Alternative Care

The First Minister made a commitment in his leadership Manifesto in 2018 to removing the element of profit in care services. The Senedd's Public Accounts Committee inquiry on Care-experienced Children and Young People also explored this issue. I and a group of children and young people gave evidence on this issue. I am aware that the Welsh Government commissioned research to inform how Wales could rebalance the provision of care in the sector, which was completed in 2020.

To date however, I am not confident that the Welsh Government has shown significant leadership on this issue, or consulted with children and young people on their views. Whilst we have seen some Local Authorities bringing elements of their provision in house, this is taking place individually in the absence of a national directive.

What needs to happen next?

I will be asking all political parties to make a commitment to removing profit from children's social care services in their manifestos for the May 2021 Senedd elections.

Family Environment and Alternative Care

LEAVING CARE

In 2017, I published “Hidden Ambitions” and this report was informed by young people’s experiences of leaving care. They highlighted the common challenges of being moved out of residential homes as soon as they turned 18, a lack of useful financial support information available and difficulty accessing funds, and for many support was ending at 21, all of which presented significant barriers for them in accessing opportunities. Very few children would be expected to start their journey to living independently from the age of 16 or 17, or expected to fully support themselves financially, but this is often a common experience for children and young people who have been in care, and it can be very challenging for many to navigate without consistent support.

The report made recommendations to Welsh Government, social services, housing departments and education services to work in a more joined up way for children, to improve planning for leaving care. It also called for additional support, such as exemptions from council tax, extended support until the age of 25 through Personal Advisers and the need for financial and employment support.

As a direct result of Hidden Ambitions, the Welsh Government implemented the St David’s Day Fund, initially a £1 million a year care leaver’s bursary fund which can be accessed by young people to purchase things that can promote their successful transition out of care, and this fund has since been increased to include support for youth homelessness. I have heard many positive examples of this fund being used, from buying driving lessons to washing machines, passports to tools.

Care leavers are also now exempt from paying council tax up until the age of 25, which is an important saving for care leavers and a clear message about the need to continue to support these young people beyond the age of 18.

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Family Environment and Alternative Care

What hasn't moved?

The Welsh Government provided £625k funding for traineeship schemes for Care Leavers, which helped many local authorities across Wales put in place schemes to help care leavers. However, in work with Local Authorities to follow up my Hidden Ambitions report in January 2020, I was concerned to hear that some schemes had not continued, emphasising a need for a renewed focus and additional resources to be given to these schemes to support young people.

I have also been pleased that Welsh Government provided local authorities with funding to extend Personal Adviser services, so young people can access this support up until the age of 25. Whilst I am aware that the Welsh Government reminded local authorities to extend this, the lack of statutory footing for an extended PA service means that there is no enduring legal duty on Local Authorities to provide this service. I am concerned that this important means of support is not fully secured beyond this Senedd Term, and I continue to urge Government to amend regulations to ensure this provision becomes a statutory entitlement.

I continue to be concerned that young people leaving care do not always have access to safe and secure housing. I remain concerned about the overrepresentation of care leavers in our homelessness population, and that some young people are placed in inappropriate accommodation, such as hostels, B&B and shared temporary accommodation, which does not provide a secure base from which they can begin their transitions to adulthood.

Some young people will remain in a "When I'm Ready" placement, which means they can stay living with foster carers up to the age of 25 in some circumstances, but this is still not available for children leaving residential care.

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Family Environment and Alternative Care

In 2019, the Welsh Government took steps to explore the housing options available to young people leaving care, with the establishment of the Joint Social Services and Housing Group for Care Leavers, which one of my Policy Officers attends. The intention of the group was to map the provision of accommodation and support for young people, consult with young people on what they support they would like to promote successful transitions to independence after care, and to identify gaps and barriers that were currently impacting young people's success. The group was then to develop a set of standards that could be expected by young people leaving care, which would provide flexible support and ensure that no young person is disadvantaged by the type of placement they were in before leaving care.

This work has currently paused; however, I understand that there is a willingness to reconvene this important work. I have remained concerned that the COVID-19 crisis will have an adverse impact on care leavers, who are often among our most disadvantaged in society, facing poverty, social isolation and the long-term impact of early trauma they may have faced.

What needs to happen next?

Welsh Government must place extended access to Personal Advisers on a statutory footing. Whilst the Welsh Government provided local authorities with funding to ensure all care leavers up to the age of 25 can continue to access a personal adviser, we know there are variations in how this is extended and delivered. Placing this entitlement to the age of 25 on a statutory footing would protect this vital support service going forward.

The Welsh Government should explore how semi-independent or supported living opportunities can be developed for care leavers who do not want to, or cannot access, "When I'm Ready" placements. This would ensure young people, regardless of their type of placement, could access ongoing support beyond the age of 18.

Family Environment and Alternative Care

ADDITIONAL SUPPORT FOR CARE EXPERIENCED CHILDREN

I have been pleased by the Welsh Government's intention to undertake an overdue reform of Corporate Parenting in Wales. My Office has been involved in this work and have been supportive of the efforts of Welsh Government to consult with young people and professionals, in exploring how all services, such as health, education, social services and other community organisations, can promote positive outcomes and well-being for care experienced young people.

The consultation to amend current Corporate Parenting guidance was due to take place in Summer 2020, and I am aware that this work has been paused due to the Coronavirus pandemic. However, I would urge that the momentum on this issue continues, to ensure children and young people can see the reforms that they have been involved in this far, and the innovative solutions put forward by young people on how services can be improved are not lost.

Throughout my time as Commissioner, I have also been concerned by the high levels of unnecessary criminalisation that are prevalent amongst children in care. This came to light when undertaking work with children during "The Right Care" report, which explored the experiences of children and young people living in residential homes. This work was published in 2016, and all four recommendations were accepted by the Welsh Government, including the need for work to prevent the unnecessary criminalisation of children in care.

In response to this work, the Welsh Government established the Task and Finish Group for Residential Care, which sought to respond with policy changes to the recommendations made in the Right Care Report. However, despite commissioning a number of helpful research reports into the provision of residential care in Wales, I am not confident we have seen a reduction in the level of children being exposed to criminalisation. My office has more recently also been represented on the NYAS working group to reduce the levels of criminalisation of children in care, and I have sought to raise my concerns with Police colleagues in Wales via the All-Wales Policing Forum.

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Family Environment and Alternative Care

What needs to happen next?

Welsh Government must resume its positive work on reforming corporate parenting for children in care. This goes beyond social services roles, to the role of education, health services, housing, police and community organisations, to ensure children in care can access opportunities and are not disadvantaged because they have been in care.

- Welsh Government must reform “corporate parenting” so it is the responsibility of all public organisations in Wales to ensure the best for children who can no longer live with their families.
- In the longer term, full and direct incorporation of the UNCRC could support this work to ensure that those public organisations have a duty to act compatibly with children’s rights as well as a responsibility to ensure they play their respective roles in support children.
- Welsh Government should develop an All-Wales Protocol that commits to preventing the unnecessary criminalisation of children in care, to complement ongoing work by local authorities, police and others to embed a rights-based and trauma-led approach their work.

Family Environment and Alternative Care

ADOPTION SUPPORT/ SIBLING CONTACT

In 2015/16, I made recommendations to Welsh Government to improve the provision of adoption support for families in Wales. This included the need to provide extra resources if required. This was accepted by the Welsh Government and since then, we have seen positive steps by the Welsh Government in partnership with other agencies, to improve the level of adoption support for families in Wales, including investment. In 2016/17, I also made recommendations to ensure that children's rights to contact with their siblings are fully considered during adoption care planning.

What has improved?

The creation of the National Adoption Service and the establishment of a Governance Board provided momentum to ensuring that adoption support is developed in Wales. In 2019, adoption support in Wales received a £2.3 million investment from the Welsh Government, which has enabled a number of therapeutic support services to be enhanced, for both children and their adoptive families, which are delivered by the regional adoption services and Adoption UK. This has resulted in the creation of Therapeutic Education Support Services (TESSA) and I am aware that Adoption UK have been able to develop a number of regional groups for children and young people to access.

We have also seen the creation of Adoption UK's "Adoption Barometer", which compares the provision of support and experiences of adopters across the four nations, which has provided valuable insights on how adoptive families access vital support services, contact arrangements, and other public services, like education and health.

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Family Environment and Alternative Care

What hasn't moved?

On sibling contact, we have seen steps made to explore how sibling contact can be better regarded during care planning. For example, the Sibling Alliance has been established, which includes representatives from Children in Wales, the adoption sector and organisations representing looked after children. The National Adoption Service has developed a child facing guide for children, setting out their rights and entitlements in regards to keeping in contact with their siblings.

Whilst positive steps have been taken in this regard, I remain concerned that children may not have seen a significant shift in practice on this issue. It is important that Welsh Government continue to push forward on this recommendation, and promote children's rights to contact with those involved in the care planning, for example, with Wales' Heads of Children's Services and the Family Justice Network. I am also aware that support for adopted children's emotional wellbeing and mental health is not always easy to access. I have been made aware that adopted children may be referred to services, for example CAMHS, and are told that this is not the right service for them. Some adopted children, like many other children in Wales who require emotional, behavioural and well-being support, would benefit from a "No Wrong Door" approach to services, which would ensure children received the most appropriate service upon referral. This model has been advocated for in my recent report on Regional Partnership Boards in Wales.

What needs to happen next?

I will continue to monitor the progress that Welsh Government and the National Adoption Service make on sibling contact in adoption care planning, and work to promote the need to consider this important children's rights with those making decisions for children.

Family Environment and Alternative Care

YOUNG CARERS

Young carers provide a huge amount of support to vulnerable people in Wales. Through my engagement with young carers groups as part of my community ambassadors scheme, I have become increasingly aware of the challenges that young people with caring responsibilities face, such as juggling caring responsibilities with their school work and social life.

Many young carers shoulder the responsibility of around the clock caring responsibilities alongside their school work, and in some instances may be the only person in a household able to do tasks like shopping and prescription collections. Young carers are not always recognised for their roles, and can experience barriers when seeking to access shops and services.

My Office has welcomed the Welsh Government's establishment of the Ministerial Advisory Group for Carers, of which a representative of my office attends. Through this forum we have been able to identify what support is available for young carers during this time, and have advocated for school places to be accessed by young carers.

The concerns arising from Coronavirus demonstrate the challenges we face in Wales in identifying young carers.

What needs to happen next?

The roll-out of the Young Carers card should be continued with the support of Welsh Government.

Family Environment and Alternative Care

YOUTH JUSTICE

The number of children involved in the youth justice system has reduced significantly in the last ten years, from approximately 5,000 First Time Entrants to the System in 2009 to approximately 550 in 2019. This has been largely the result of a significant shift in focus to a more preventative and diversionary approach to youth justice, which has diverted many children away from formal criminal justice procedures. Wales has also seen a significant reduction in the number of children receiving custodial sentences. Despite this, the delivery of youth offending services in Wales have been mixed in their effectiveness, with recent inspection reports of YOS's in Wales ranging from good to inadequate.

Of the children who receive interventions from youth offending services and those placed in custody, certain children continue to be overrepresented, including BAME children, children in care, and those with complex needs, such as additional learning needs, developmental needs or experiences of trauma. For those who are placed in custody, my office continues to hear of cases where young people do not have the support in place for their release from custody, particularly in regards to community support, such as access to mental health services and identifying appropriate placements or housing arrangements, which can hinder chances of successful outcomes after sentencing.

Wales has shown progressive leadership in its commitment to recognising children's rights in regards to the delivery of youth justice, particularly with the publication of the Youth Justice Blueprint for Wales, which sets out an ambitious programme of reform for the delivery of youth justice in Wales. The Blueprint places an emphasis on prevention, children's rights, and understanding the impact of trauma on children's positive outcomes in regards to youth justice. However, I am concerned that progress has been slow in implementing the ambitions of this Blueprint since publication.

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Family Environment and Alternative Care

My Office and I are also pleased to have worked closely with South Wales Police and Wales' secure settings, Parc YOI and Hillside Secure Children's Home to commit to a children's rights approach. I remain concerned that levels of criminalisation remain considerably higher for care experienced young people, and have made recommendations to Welsh Government to explore this issue in more depth. My office is represented on a working group being led by NYAS Cymru to explore the potential development of an all-Wales protocol to reduce the unnecessary criminalisation of care experienced young people, as is currently in place in England.

Whilst small in number, I have been concerned about children who have been detained in police custody due to a lack of appropriate Remand/PACE accommodation and my Office was represented on a Welsh Government Group to explore this issue. Despite some action to explore this, there is still a lack of appropriate provision for children in Wales.

I also provided evidence to the Commission on Justice for Wales. Within my evidence I advocated for the further exploration of the devolution of youth justice, which could in turn could support a movement towards increasing the age of criminal responsibility from the current very low level of 10 years of age.

What needs to happen next?

Welsh Government and Youth Justice Partners should make urgent progress in this Senedd Term towards the ambitions and actions set out within the Youth Justice Blueprint to ensure Wales can reform its delivery of youth justice services to better meet the needs of vulnerable children in Wales.

Protection from Exploitation and Violence

PROTECTION OF CHILDREN FROM PHYSICAL PUNISHMENT

Throughout my time as Children's Commissioner I have championed the removal of the defence of 'reasonable punishment' from law, to give children in Wales the same protection from physical punishment as adults. Although the use of physical punishment by younger or new parents has been declining year on year in Wales, nevertheless this legal anomaly remained in place. I have been concerned about the messaging that this sends to children about their rights to be kept safe from harm, and this law has remained unchanged in Wales despite the UN Committee on the Rights of the Child recommending on several occasions that this defence should not remain in force in the UK, through its series of Concluding Observations from the examinations of the UK state party.

I have submitted evidence to a number of consultations and gathered the views of children as part of this work this year. My office has also been represented on working groups and at meetings in order to discuss the public messaging and awareness raising from this change.

In 2019 the Children (Abolition of the Defence of Reasonable Punishment) (Wales) Bill was introduced to the Senedd. I gave written and oral evidence as part of the stage 1 scrutiny and submitted briefings paper to all Members of the Senedd in order to inform the remaining scrutiny stages.

I was delighted to see the Bill become an Act by achieving Royal Assent in 2020, and the provisions of the Act will come into force in March 2022, in the last month of my term as Children's Commissioner.

What needs to happen next?

My office will continue to participate in the stakeholder groups around public messaging and parenting support over the coming years, as part of the commitments made during the passage of the Act.

Protection from Exploitation and Violence

CHILD SEXUAL EXPLOITATION (CSE)

I continue to convene and chair a national roundtable on child sexual abuse and exploitation. This roundtable, attended by the four police forces, health and local authority representatives, the third sector and the Welsh Government enables the sharing of intelligence on patterns and concerns, the dissemination of innovative practice and a means to scrutinise the progress of government and public services on their delivery in this complex area of work.

The round table has, for example, led to the identification of concerns and action about Sexual Assault Referral Centres, sharing of vital information about county lines exploitation and enabled representatives to advise government officials on the need for new guidance or funding. In response to one of my previous annual report recommendations, Welsh Government has led a pilot data gathering exercise to standardise the information that is being collected by local authorities, however this has not yet resulted in steps being taken to secure a consistent national data picture. The review of Child Sexual Exploitation statutory guidance provides opportunities to address this recommendation in full and I responded to the consultation on this guidance to this effect. I have also continued to raise this matter at my CSE/A roundtable.

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Protection from Exploitation and Violence

It was suggested that the new arrangements under the Measuring Social Services performance: code of practice could potentially address this matter, a proposal to which I also provided a written response. The final code of practice has now been published and local authorities will now be required to report how many strategy meetings have been held following a child being identified as at risk of child sexual exploitation. This is likely to assist with indicating a degree of prevalence here in Wales and is an improvement compared to existing arrangements. However I will now be looking for assurances from Welsh Government that they can either evidence that it has a sufficient national picture to inform planning (through data collection and/or other sources) or has a clear plan of how it will address gaps in consistent national data collection accompanied with a timeline.

What needs to happen next?

Welsh Government need to resume work on the CSE statutory guidance at the earliest opportunity to ensure a national picture is available and used to inform planning and decision making within this Senedd term.

Education, Citizenship and Cultural Activities

Independent investigations into allegations against teaching staff

SERVOCA was the Independent Investigation Service commissioned by Welsh Government to undertake investigations into allegations of child abuse against teaching staff. The SERVOCA contract was terminated in 2018. My office has been in dialogue with Welsh Government about the implications of this decision for children and young people.

A number of our initial concerns have been addressed including the publication of the **Disciplinary and Dismissal procedures for school staff: revised guidance for governing bodies in February 2020**. However, we don't know what arrangements local authorities have put in place and despite having requested this information from Welsh Government have yet to receive this information. As the SERVOCA service emanated from the **Clywch Inquiry** it is absolutely appropriate that the Children's Commissioner is clear about what is replacing it.

We also remain unclear about the Governance arrangements in respect of schools and their governing bodies following the procedures outlined in the aforementioned guidance. While it is clear from the current guidance whose responsibility it is to commission an independent investigation and in what circumstances such an investigation should be commissioned, it is unclear from current guidance who checks if schools are appropriately following guidance and undertaking appropriate independent investigations. It is also unclear who an individual could make a complaint to should there be concerns about due process not being followed.

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Education, Citizenship and Cultural Activities

We have been informed by the Welsh Government that they wrote to all local authorities in June 2019 and again in December 2019, seeking assurances that schools understand and are able to fulfil their obligations in appointing independent investigators. We were told that the responses were 'largely positive' but we have not had sight of these despite requesting this. We were told that information would be shared with us in early 2020, which would inform the Government's next steps. We have not had sight of any of this correspondence nor have we been informed as to any steps being taken.

In order for our Investigation and Advice team to be able to advise schools, governing bodies and families about the arrangements in their area for such investigations, we need to see this information. We also wish to seek reassurance that arrangements exist in all local authority areas and if not, would expect the Welsh Government to take such steps as necessary to ensure this.

What needs to happen next?

- Welsh Government should provide CCfW with the details that they have obtained through the series of correspondence noted above of each local authority's arrangements for independent investigations into allegations of child abuse against teaching staff.
- Welsh Government should clarify the governance arrangements for ensuring schools and governing bodies follow the 2020 Disciplinary and Dismissal procedures for school staff: revised guidance for governing bodies and if necessary take steps to ensure that there is clarity provided to those bodies on the arrangements in every local authority area.

Education, Citizenship and Cultural Activities

Tackling and preventing bullying

Previous annual reports have made recommendations around tackling bullying in schools, as children and young people brought this to me as one of their biggest worries through my Beth Nesa survey back in 2015.

This year I am pleased to say that Welsh Government responded to my calls to ensure new statutory duties to prevent and tackle bullying with the launch of anti-bullying guidance for schools in October 2019. Rights, Respect and Equity is statutory guidance for Governing Bodies and Local Authorities and requires schools to develop robust anti-bullying policies informed by children and young people, and which set out how bullying will be recorded and monitored, and how anti-bullying will be embedded into the curriculum. The guidance advocates a whole school approach to anti-bullying informed by children's rights and in which participation is a central element: it is also clearly informed by perspectives of children and young people throughout, in particular drawing on my Sam's Story report.

Education, Citizenship and Cultural Activities

Curriculum for Wales

Welsh Government guidance to support delivery of the new curriculum has been made available to schools and the introduction of this makes clear that all children should receive a human rights education in which they learn about, through and for their rights. There is an expectation that children and young people will be involved in curriculum design and specific learning to develop an understanding of human rights is apparent in the Humanities and the Health and Wellbeing Areas of Learning and Experience. I welcome this progress warmly.

I am also hugely heartened by Welsh Government's proposals to legislate for Health and Wellbeing as one of the six Areas of Learning and Experience throughout the curriculum, and also their proposal to include developmentally appropriate Relationships and Sexuality Education (RSE) as a statutory entitlement for all children and young people aged 3 -16, thereby ending the right of parents to withdraw children from this education. Ensuring that this learning is compulsory is an essential step to begin a much-needed process so that all children and young people have opportunities to develop their understanding of relationships and sexuality. This proposal is overwhelmingly positive in safeguarding the rights and welfare of children and young people in Wales.

However, Welsh Government has rejected my call for a due regard duty to the UNCRC on the Curriculum and Assessment Bill in their response to my 2018-19 annual report. In this rejection, Government made the erroneous assertion that such a duty is unnecessary because of the Rights of Children and Young Persons (Wales) Measure 2011. The claim does not hold: the new curriculum proposes a subsidiarity model in which decision-making about curriculum design and assessment processes will take place at a school level. The Measure does not ensure that individual school settings take account of children's rights in their curriculum and assessment planning now, and it certainly will not do so in the future when settings have increased autonomy.

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Education, Citizenship and Cultural Activities

Largely due to the commitment of individual professionals, some schools in Wales have led excellent work embedding the human rights of children into decision-making. But this is certainly not the experience of every child. This is shown by instances that include off-rolling, isolation of children, discrimination, and a lack of participation opportunities.

Children's human rights should not be left to chance in this way. Although the UNCRC and a children's rights approach was included in draft curriculum guidance, this will be subject to change and without legislation that includes children's rights there is nothing that guarantees that children and young people's experience of the new curriculum will be informed by their human rights.

Government claim that, "Children's rights are at the forefront of our ambitions for the new Curriculum for Wales". If this is true, I see no reason why Government are not taking the opportunity to include this in law and I will continue to push for this important safeguard for children's human rights.

What needs to happen next?

I will submit evidence to the stage 1 inquiry on the Curriculum and Assessment Bill, arguing for the introduction of a due regard duty to the UNCRC within this Bill.

I will also include in my evidence the need for the protection of a whole school approach to emotional health and well-being, not as a topic to be taught but as an approach to the ethos and support environment of every school in Wales.

Education, Citizenship and Cultural Activities

Elective home education

I have made recommendations in my last four annual reports about home education, emphasising the need for statutory change to protect children's rights, 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 children receives a suitable education and their other human rights including health, care and safety.**
- **This cannot be achieved without the third aim, that every children should have the opportunity to be seen and their views, including their views about their education, and experiences listened to.**

As stated by my office in correspondence, meetings and committee evidence throughout my term as Commissioner, this policy change has been long overdue, as the Welsh Government's response to the death of Dylan Seabridge and subsequent Child Practice Review is inadequate and incomplete without the introduction of new measures with statutory force. This is a view reflected by the National Independent Safeguarding Board's commissioned report in 2017, which recommended a register of all home educated children as well as for children to be seen at least on an annual basis.

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Education, Citizenship and Cultural Activities

The Welsh Government response to my annual report for 2017-18 was published on 30th November 2018, accepting these three tests for this policy, and in 2019 they brought forward draft Statutory Guidance and a Home Educators Handbook. Draft Regulations for new local authority databases to identify where children are educated were published for public consultation in January 2020. Statutory change was intended for implementation in 2020. I responded comprehensively to both consultations, welcoming the steps taken to strengthen the ability of local authorities to ensure children are receiving their human rights, including their rights to education, participation and safety. I also highlighted potential loopholes that should be strengthened further through the re-drafting process and through evaluation.

What needs to happen next?

As announced in September 2020 I am using my statutory powers to review the Government's functions regarding this area of policy-making. A statutory report will follow.

Education, Citizenship and Cultural Activities

Additional Learning Needs Legislation

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 passed with a duty upon all relevant bodies under the Act to pay due regard to the UNCRC and UNCRPD on the face of the Bill. The Act covers children and young people between 0-25 and introduced statutory duties on local health boards. The Educational Tribunal will now have powers over health bodies under the Act, including the ability to request evidence and reports for appeals.

The draft Code of Practice and Regulations was subject to consultation in spring 2019 and it was apparent that further steps were needed to develop this draft Code, to make it more usable and robust, and to ensure it more fully embeds children's rights across their educational experience. In autumn 2019 Welsh Government announced a delay to the implementation of the Act, and the budget for 2020-21 gave a financial boost to the current SEN system. This investment is essential so that children and young people can be supported immediately and it will also help to increase capacity across Wales before the new law is implemented.

What needs to happen next?

The delayed and re-drafted ALN code of practice must be laid before the Senedd in order to take forward the implementation of the 2018 Act. It is also essential that additional investment in the ALN sector is not a one-off, and this must be continued as the new system develops to ensure its success.

Education, Citizenship and Cultural Activities

Independent Schools

Gaps in the regulatory framework around Independent Schools require urgent amendment in order to better safeguard children in independent settings. My team and I regularly discussed this with Welsh Government officials over the 2019-20 year, and in March 2020 Government were commencing work on changes to the regulatory framework, with a planned stakeholder event for the independent sector supported by my office.

Regulations need to be amended to include a requirement that all teaching staff and all school leaders (including those in non-teaching roles) register with the Education Workforce Council (EWC). Commitment was previously given to review whether independent school staff should be included in EWC registration by the then Education Minister Huw Lewis, in January 2014 during stage 2 amendments to the Education (Wales) Act 2014, and this was reiterated in a written statement of March 2016. It is notable that there was a strength of feeling about this in the consultation responses to the Bill, picking up on a loophole which did not require independent school staff to register, and which carries a safeguarding risk.

Casework received by my office during this year reiterates the importance of closing this loophole to better protect children. This change should be part of a long awaited revision of the wider regulations around the EWC which currently expose children to greater risk than they should. These revisions should enable the EWC to implement Interim Suspension Orders (as consulted on in 2018) and should also consider registration of the student workforce, and non-qualified youth workers.

What needs to happen next?

Welsh Government should amend the regulatory framework around independent schools and the Education Workforce Council to include a requirement that all teaching staff and all school leaders in independent settings register with the Education Workforce Council (EWC).

Adequate Standard of Living

POVERTY

Poverty is one of the most significant human rights issues affecting children here in Wales. It is worrying that children continue to be the age group most likely to be living in **relative income poverty**.

Last year's annual report recommendation called for the publication of a delivery plan setting out in detail how departments across Welsh Government will take practical steps to mitigate and tackle the impact of child poverty and take account of the recommendations of my **A Charter for Change: Protecting Welsh Children from the Impact of Poverty**.

The costs associated with school was the issue most significantly raised by children, young, parents/carers and professionals who contributed to that report. Examples included children not being able to afford sufficient food and drink during the school day, school uniform costs and access to sanitary products. Conversations with adults also highlighted food insecurity during the summer holidays and the value of joined up working and policy.

The key focus of my work since the report published has been as follows:

- To drive commitment and action from Welsh Government to take forward short and medium term actions, including those outlined in my report, which deliver tangible changes for children and young people;
- To champion the importance of children's rights in the wider poverty agenda and highlight children's views. This is particularly relevant as discussions around poverty can often be orientated towards adults.
- To actively encourage and support schools to work with children to make a practical change in their school by setting up reuse uniform recycling schemes; benefiting the environment and helping parents/carers to save money.

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Adequate Standard of Living

The end of this period has coincided with the onset of the Coronavirus pandemic, which will undoubtedly have had an impact on all children. However based on our existing knowledge of the inequalities children in poverty face they will be particularly vulnerable at this time. We may also sadly see more children and families pushed into poverty as a result of job losses and reduced working hours.

How we've influenced

I have engaged with the Minister for Housing and Local Government on this policy area throughout this period as the Minister responsible for the coordination of measures to mitigate child poverty. In October 2019 I also had a joint discussion with her and the First Minister about the report recommendations and child poverty budgeting.

I also attended a discursive Welsh Government cabinet discussion regarding this issue in November 2019. This is the first time I have been invited to participate in such a meeting.

Alongside this activity my office has continued to engage with Welsh Government officials and provided a written response in January 2020 to the Welsh Government's call for evidence in respect of their child poverty review. The Government's **Child Poverty Progress report**, published in December 2019, identified this as a key piece of work in terms of informing Government's next steps.

During this period I have also engaged with the Equality, Local Government and Communities Committee in respect of their Inquiry into Benefits in Wales (April 2019) and provided oral evidence to the Climate Change, Environment and Rural Affairs Committee's inquiry into Fuel Poverty in January 2020.

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Adequate Standard of Living

In parallel to this work I have written to local authorities encouraging them to consider the findings of the Charter for Change report and the recommendations directed at them. One positive example resulting from this is that Flintshire have made one of their three aims for tackling poverty this year for all schools to use my 'Check with Ceri' resource.

During the course of this year I have welcomed several changes that reflect calls in my report. This includes the expansion of PDG access scheme, the introduction of free sanitary products in schools and further education institutions and the holiday hunger playworks pilot. The 2019/2020 Government budget also refers to rolling out a free school breakfast scheme in September 2020 for pupils in secondary school who are in year 7 and eligible for free school meals.

However, the absence of a cross government child poverty delivery plan is disappointing and continues to make it challenging for me to understand and scrutinise Welsh Government's progress in tackling child poverty in relation to other calls I have made, such as auto enrolment for Free school meals and extending the eligibility to that benefit.

The Government's response to child poverty will need to take into account the impact of the Coronavirus pandemic however some of the challenges facing children and families will not necessarily be new but they will have been exacerbated. I believe it is now more important than ever that Welsh Government have a cross government structure and plan with actions to tackle child poverty in the short to medium term.

What needs to happen next?

Welsh Government should publish the findings from their concluded Child Poverty Review, and set out how the findings will be turned into concrete actions that result in tangible improvements to children's lives.

Adequate Standard of Living

MENTAL HEALTH AND WELLBEING

The mental health and wellbeing of children and young people has been a key priority for the Commissioner throughout her tenure. Children and young people consistently tell us it is a priority for them too. The results of our Beth Nawr consultation with over 10,000 children and young people and parents, carers and professionals showed that emotional health and wellbeing, anxiety around tests / exams and bullying were key concerns.

The global pandemic has put into sharp focus the mental health and wellbeing of children and young people in Wales.

Access to mental health support for children and young people is a regular issue raised with my Investigation and Advice team officers. Children and young people, parents, carers and professionals consistently tell us that too often when children and young people reach out for help, they are told the support they need isn't available for them. For those young people who require residential care because of mental health, behavioural or emotional needs, we are concerned that the provision they need just isn't available to them, or may not meet their needs.

I have been pushing for a 'no wrong door' approach to mental health, which means that if a child or young person asks for help they are not told they have come to the wrong place and sent away without the support they need. We need to build a support mechanism that response to the needs of the child, not asking children to fit into existing services.

I was pleased that the Welsh Government extended the Together for Children and Young People mental health improvement programme. Recent work from this Programme is encouraging, and I look forward to working with the Programme on its three work streams: 'early help and enhanced support', 'developing the early help and enhanced support framework and adopting at Regional Partnership Board level', and a 'whole system approach for children and young people with neurodevelopmental conditions'.

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Adequate Standard of Living

While the T4CYP programme has shown promise recently, there is much more work that needs to be done.

The Welsh Government established a Joint Ministerial Task and Finish Group on a Whole School Approach to Mental Health and Wellbeing in 2018 and have produced a draft framework for schools and local authorities to implement a whole school approach. We were pleased to see this draft document and believe it has improved with the consultation that has been held with stakeholders.

What needs to happen next?

Welsh Government must implement the whole school approach to wellbeing framework across schools and communities in Wales during the 2020-21 school year and this framework should have statutory status.

Welsh Government must ensure that the Together for Children and Young People Programme is properly funded into 2021-22.

Adequate Standard of Living

TRANSITIONS TO ADULT SERVICES IN HEALTH SETTINGS

Throughout my term as Commissioner, I have heard from children and young people and their families as they approach their 18th birthdays and move from children's to adult health services, and too often they tell me that they have not been supported properly in making this transition. I have also heard from young people who access health services at the age of 16 or 17 for the first time, and for whom health services are unsure whether paediatric or adult services should take them on.

How we've influenced

This year I have organised meetings between the Royal Colleges, the Health Boards, third sector representatives and Welsh Government to discuss the issues surrounding transition to adult services. I was pleased that this led to the establishment of a Project Board in 2019 and subsequently to the publication of draft guidance for consultation. I was also particularly pleased to see that children's rights are referred to regularly throughout the document, and guide the principles within it.

I have concerns over how this guidance will be implemented, as it isn't clear from the draft guidance how this will happen. This leads to a risk that it will not change the experience for children and young people and young adults who we know are not currently getting the sensitively managed, multi-agency approach they need to help them get through moving from children's to adult services in as smooth a way as possible. It also remains to be seen whether the guidance will lead to improved relationships between children's and adult services, where both are jointly responsible for the care of that young person; and whether the guidance will lead to responsibility being assigned to an individual / individuals to ensure young people's care doesn't 'stall'.

Adequate Standard of Living

What needs to happen next?

Welsh Government should ensure that the new guidance on health transitions is published before the end of this Senedd term. This guidance must include clearer instructions on how Health Boards are to implement it, so that it doesn't become 'everyone and no one's job'. Welsh Government should ensure the new guidance is clearly communicated to health boards to ensure leadership on this within each Board. The next government should regularly review Boards' progress on this agenda.

Welsh Government must also consider the findings of the review of evidence on all-age mental health services, and establish how these findings can assist an approach to transitions to adult services across health.

Adequate Standard of Living

HEALTH RELATED ADVOCACY

While children and young people have a statutory right in Wales to access an independent professional advocate if they meet certain criteria in relation to their social care or mental health, children and young people do not have the same right to advocacy in relation to accessing general healthcare.

Where advocacy services for children and young people are available in health settings, I am concerned that these are not well advertised, and that few children and young people who could benefit from advocacy are given the chance to access it. I am also aware that not all health boards provide such an openly available support offer to under 18s.

How we've influenced

In response to my meetings with the Minister and correspondence on this issue, in 2019, the Welsh Government established a group which combined representatives of Health Boards, advocacy providers, and third sector representatives to plan a way forward for health-related advocacy. The group took on ownership of the principles that were agreed by attendees at my annual Child Health Seminar in summer 2019 but I am disappointed that this work hasn't yet led to Welsh Government issuing new guidance. There is a strong consensus amongst members of this group on these core principles of advocacy in children's healthcare, but the guidance needs to be comprised of more than just principles if it is to result in positive changes and access for all children who need this support right across Wales.

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Adequate Standard of Living

The contractual documentation for regional advocacy for children's social care allow for an added health element to be commissioned so the groundwork is already laid for health advocacy to be commissioned. But it will require consistent funding and support from the health boards in each area to ensure that this provision is properly funded, supported and implemented.

What needs to happen next?

Welsh Government should draft and consult upon guidance which clearly states the government's expectation that all Health Boards offer an independent advocacy service for children and young people who need it. The guidance should have statutory status.

Adequate Standard of Living

THE EFFECTIVENESS OF REGIONAL PARTNERSHIP BOARDS IN INTEGRATING HEALTH AND SOCIAL CARE FOR CHILDREN WITH COMPLEX NEEDS

Regional Partnership Boards are bodies which have been set up to pull together health and social care services, to make sure they are working together to meet the needs of citizens in the area.

How we've influenced

Over the course of 2019/20, I visited all seven Regional Partnership Boards in Wales to ask them what they are already doing or what plans they have for making sure health and social care services work together better to improve the experience of children with complex needs. They are required by statutory guidance to make specific provision for children with complex needs, but casework brought to my office suggested that this definition was being interpreted very rigidly to extend only to children with complex disabilities and multiple, diagnosed health conditions.

Following these visits, my team compiled a report on the effectiveness of regional partnerships in integrating health and social care for children with complex needs called **'No Wrong Door – bringing services together to meet children's needs'**. This report made recommendations to Welsh Government and to RPBs themselves to improve their focus on children and young people's issues, the ability of services to work together on this agenda, and their involvement of children and young people and the adults who care for them.

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Adequate Standard of Living

We know that, since they were established, Regional Partnership Boards have not focused enough on the needs of children and young people, or committed resources in the same way as they have for the adult population.

The Welsh Government provided various funding streams to encourage the work of RPBs to include children and young people, and it is encouraging to see that this has led to improvements in some regions. The Welsh Government has also recently updated guidance for RPBs which further encourages the participation of children and young people in the work of the Boards, the pooling of resources between services, and work on improving the experience of children and young people moving from children's to adults' services in social care.

What needs to happen next?

Welsh Government and all Regional Partnership Boards in Wales should consider and respond to the recommendations of the Commissioner's 'No Wrong Door' report. Welsh Government should direct and support RPBs to take forward a strategy to better work with and for children and young people.

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 Deputy Minister for Health and Social Services.

Summary of recommendations

Family Environment and Alternative Care

1. Following the review of safe accommodation for children and young people with complex needs there should be urgent action by Welsh Government to establish new multi-agency commissioned and resourced residential provision within Wales, which meets the needs of children and young people with complex needs.
2. Welsh Government must place extended access to Personal Advisers on a statutory footing. Whilst the Welsh Government provided local authorities with funding to ensure all care leavers up to the age of 25 can continue to access a personal adviser, we know there are variations in how this is extended and delivered. Placing this entitlement to the age of 25 on a statutory footing would protect this vital support service going forward.
3. The Welsh Government should explore how semi-independent or supported living opportunities can be developed for care leavers who do not want to, or cannot access, "When I'm Ready" placements. This would ensure young people, regardless of their type of placement, could access ongoing support beyond the age of 18.
4. Welsh Government must reform "corporate parenting" so it is the responsibility of all public organisations in Wales to ensure the best for children who can no longer live with their families.
5. Welsh Government should develop an All-Wales Protocol that commits to preventing the unnecessary criminalisation of children in care, to complement ongoing work by local authorities, police and others to embed a rights-based and trauma-led approach their work.
6. Welsh Government and Youth Justice Partners should make urgent progress in this Senedd Term towards the ambitions and actions set out within the Youth Justice Blueprint to ensure Wales can reform its delivery of youth justice services to better meet the needs of vulnerable children in Wales.

Summary of recommendations

Protection from Exploitation and Violence

7. Welsh Government need to resume work on the CSE statutory guidance at the earliest opportunity within this Senedd term to ensure a national picture is available and used to inform planning and decision making.

Education, Citizenship and Cultural Activities

8. Welsh Government should provide CCfW with the details that they have obtained through the series of correspondence noted above of each local authority's arrangements for independent investigations into allegations of child abuse against teaching staff.
9. Welsh Government should clarify the governance arrangements for ensuring schools and governing bodies follow the 2020 Disciplinary and Dismissal procedures for school staff: revised guidance for governing bodies and if necessary take steps to ensure that there is clarity provided to those bodies on the arrangements in every local authority area.
10. The delayed and re-drafted ALN code of practice must be laid before the Senedd in order to take forward the implementation of the 2018 Act. It is also essential that additional investment in the ALN sector is not a one-off, and this must be continued as the new system develops to ensure its success.
11. Welsh Government should amend the regulatory framework around independent schools and the Education Workforce Council to include a requirement that all teaching staff and all school leaders in independent settings register with the Education Workforce Council (EWC).

Summary of recommendations

Adequate Standard of Living

12. Welsh Government should publish the findings from their concluded Child Poverty Review, and set out how the findings will be turned into concrete actions that result in tangible improvements to children's lives.
13. Welsh Government must implement the whole school approach to wellbeing framework across schools and communities in Wales during the 2020-21 school year and this framework should have statutory status.
14. Welsh Government must ensure that the Together for Children and Young People Programme is properly funded into 2021-22.
15. Welsh Government should ensure that the new guidance on health transitions is published before the end of this Senedd term. This guidance must include clearer instructions on how Health Boards are to implement it, so that it doesn't become 'everyone and no one's job'. Welsh Government should ensure the new guidance is clearly communicated to health boards to ensure leadership on this within each Board. The next government should regularly review Boards' progress on this agenda.
16. Welsh Government must also consider the findings of the review of evidence on all-age mental health services, and establish how these findings can assist an approach to transitions to adult services across health.
17. Welsh Government should draft and consult upon guidance which clearly states the government's expectation that all Health Boards offer an independent advocacy service for children and young people who need it. The guidance should have statutory status.
18. Welsh Government and all Regional Partnership Boards in Wales should consider and respond to the recommendations of the Commissioner's 'No Wrong Door' report. Welsh Government should direct and support RPBs to take forward a strategy to better work with and for children and young people.

Beyond 2021

I have published my calls for all political parties to consider for their 2021 election manifesto calls. You can find that document [here](#)

2021 will be the first year that 16 and 17 year olds have the ability to vote in Senedd elections. This is an exciting milestone and I've published my manifesto calls as a children's version, as I'm encouraging all parties to produce their manifestos in an accessible format. This will be of benefit to children and young people, to engage them in the system from a younger age, but also to those who may not have much understanding of the devolution settlement and the areas of responsibility for Welsh Government.

Widening access to the process should be promoted and this can start earlier than those who have acquired the vote by attaining the age of 16. In the light of this I will also be working in 2020-21 to supplement the work of the Welsh Government and Senedd Commission, to engage children from age 11+ with the political and voting system in Wales and involve them in a parallel election process.

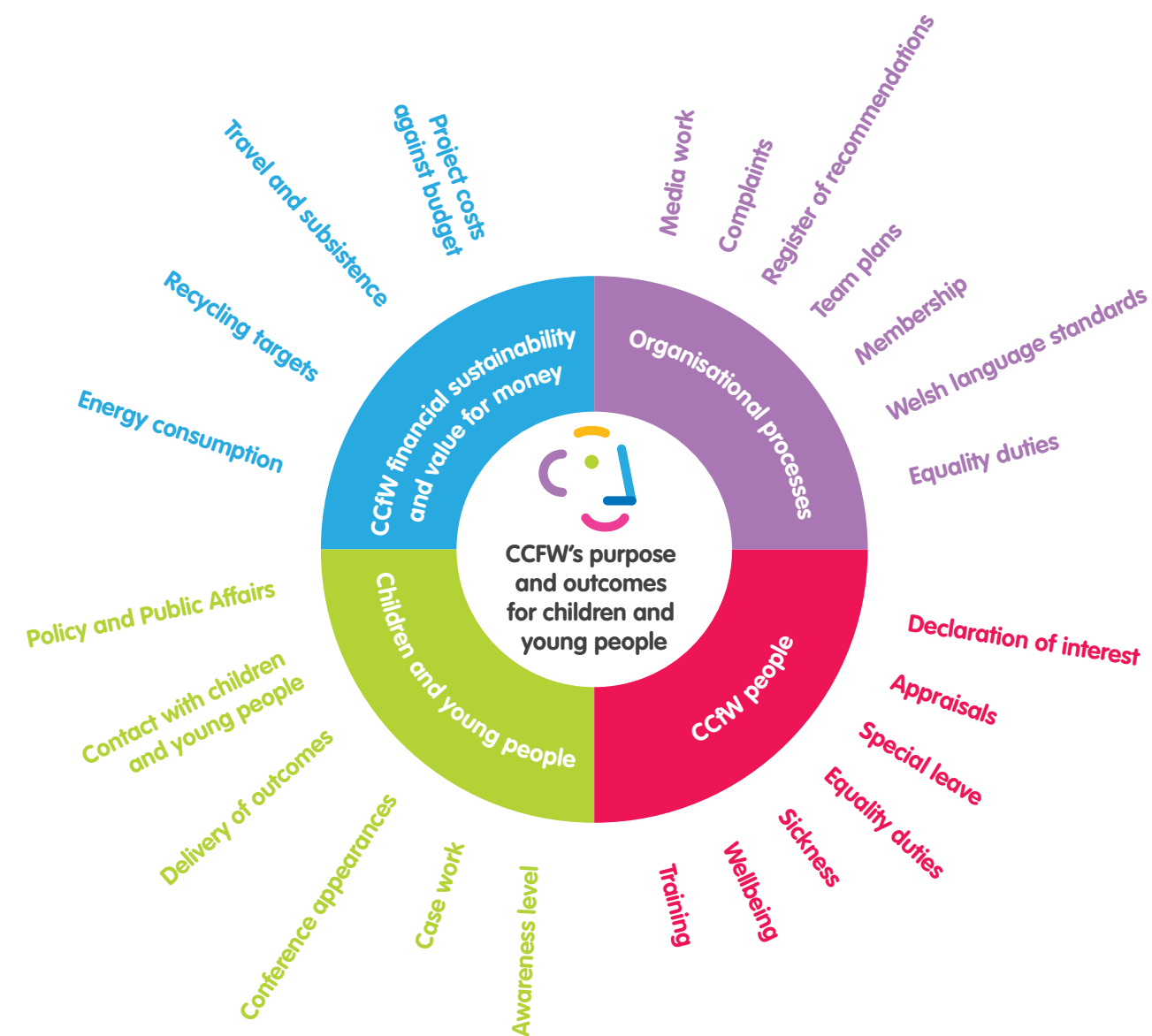
Organisational Processes



Organisational Processes

As a public office in receipt of public funds, the Commissioner is committed to implementing rigorous and transparent accountability and decision-making systems. Our evaluation framework is designed to provide an overview of the delivery of our core work and the internal processes within the organisation. It focuses on four elements: the Commissioner's people, the Commissioner's organisational processes, the Commissioner's financial sustainability and value for money and children and young people of Wales. You'll be able to read about two of the four elements – our work with children and young people and financial sustainability – elsewhere within the report, and below we've included highlights in relation to the Commissioner's people and organisational processes. Our Governance Statement available on our website under 'Publications' also touches on elements of this evaluation cycle.

Organisational Processes



Commissioner's people

Training

Representatives from all genders, most grades and contract type accessed learning and development opportunities this year. In addition to individual learning applications, our whole team development programme means that part time workers, temporary workers and workers with protected characteristics have equal access to learning and development opportunities.

Sickness

The cumulative percentage for 2019|20 is 4.1% (2018/19 figure: 5.45%).

Workforce profile and equal pay profile for the financial year 1 April 2019 – 31 March 2020

This section of our report outlines our workforce diversity statistics.

We routinely encourage our Team members to make diversity declarations in relation to all of the protected characteristics covered by the Equality Act, because these statistics help us to identify positive actions to continually improve the inclusive nature of our workplace.

While we encourage our Team members to provide equality monitoring data, supplying it is voluntary, and individuals can choose what they wish to declare. On average between 1 and 5 people choose the 'prefer not to disclose' option for each equality characteristic.

We are a small Team employing on average 26 people in full and part time roles. Whilst we recognise the importance of sharing our diversity statistics there are limitations on the level of detail we can share in order to respect the data protection rights of our colleagues.

Commissioner's people

1. Overall workforce diversity

On the 31st March 2020 there were 26 people employed by the organisation. During 2019/20, 6 people left the Team and there were 7 new appointments, a mixture of permanent and temporary staff.

Overall, there was no significant change to the Teams diversity during 2019/20. The main change is a slightly younger workforce and we are slightly more representative of Black, Asian and ethnic minority communities in Wales in this period (although still under-represented).

In summary on 31st March 2020:

- **81% of our workforce was female; this is the same as last year and represents a general decline in our gender balance since we started reporting these statistics in 2015. In comparison 51% of the Welsh population is female.**
- **65% of our colleagues work full time hours, 30% work part time hours. Only 12.5% of part time workers are male.**
- **11% of our workforce on 31st March was engaged on a temporary or short term basis.**
- **45% of our colleagues in this period are aged under 35, this is slightly higher than last year where 38% of our workforce was under 35 years of age. Only 20% of this age group works part time.**
- **12 % of our colleagues are aged over 55, broadly the same as last year; we do not currently employ anyone over age 65.**

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Commissioner's people

- No one in the Team has disclosed transgender, bi gender or gender fluid identities in this period.
- 7% of our workforce describe themselves as living with a disability; compared to 22.5% of the Welsh workforce.
- 4% per cent of our workforce is from an ethnic minority group; compared to 5.9% of the Welsh population.
- 33% per cent of our workforce declared their commitment to a specific religion or belief.
- No one in the Team disclosed a lesbian, gay or bi sexual orientation, whilst 73% of voluntary respondents stated they are heterosexual.
- During 2019/2020 no one was pregnant or on maternity, paternity or adoption leave.
- Representatives from all genders, most grades and contract type accessed learning and development opportunities this year. In addition to individual learning applications, our whole team development programme means that part time workers, temporary workers and workers with protected characteristics have equal access to learning and development opportunities.

Commissioner's people

2. Gender and Pay differentials

The Job Evaluation and Grading System that underpins the pay system in CCfW 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 salaries for posts relate to specific job requirements and contributes to our commitment to eradicate bias in the recruitment process.

Of the 21 female staff in post on 31 March 2020, 4 female staff members, or 14% of the female workforce, are employed in the three highest pay bands, this is compared to 2 male staff members, or 40% of the male workforce.

Although the smaller number of male employees occupy a disproportionate number of senior roles in the workforce as a whole, the gender balance of the Management Team is weighted toward female members of staff with 4 female members and 2 male members.

Female staff continue to be the larger part of our workforce, however, the average salary for a female worker on 31 March 2020 was £32,662 and the average salary for a male worker was £39,158. There is a difference of £6,496 this year.

Only female staff members occupy the lowest pay band in CCfW, this in addition to the reduction in male staff members last year from 8 to 5 people, the recruitment of female graduate interns on the lowest pay grade and part time workers being predominantly female, all contributes to the average salary differential.

Of the 21 females employed on 31st March 2020, one third of the workers occupy part time roles (33% of the female workforce or 7 people) compared to just one male employee (20% of the male workforce).

Commissioner's people

3. What do we do to maintain a diverse workforce and promote an inclusive organisation?

We believe that employing and retaining a diverse workforce has real business benefits.

We employ people from all age ranges apart from the over 65s but remain committed to enabling employees to continue working beyond the age of 65. Depending on the pension scheme concerned, some staff are entitled to their full pension benefits at age 60, and that may affect our age profile. However, as members of the Civil Service Pension scheme we support a range of excellent options when staff reach pension age, including partial retirement and early retirement.

We currently employ more women than men and few people living with a disability or from Black, Asian and Minority Ethnic groups. Being aware of this statistic means that we will continue with our policy of external recruitment for all permanent posts and use positive action to attract applicants from under-represented groups, for example targeting of job adverts within specific media, using carefully worded advertisements to attract people from different genders, and increasing the use of our social media channels, using accessible formats like video clips to advertise vacancies and encouraging video applications. Our internships are paid at a level above the Living Wage to ensure that they remain accessible to all.

We will continue to ensure we have diverse interview panels with fair gender representation, and the involvement of children and young people from our diverse advisory panel. We have recently expanded the involvement of people from junior roles in the Team in our selection processes. This not only improves the fairness of our processes but invests in the development of junior Team members, potentially encouraging more female workers to seek promotion and advance their careers.

We also use recruitment tests as part of our recruitment processes to minimise bias and ensure we are appointing on merit.

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Commissioner's people

We will continue to ensure that all staff, including temporary workers, have regular meetings with their Line Manager where they can discuss the development of a tailored personal development plan aligned to their work area or work objectives. These regular meetings also include wellbeing 'check ins' as a standing item.

We will continue to provide all our colleagues with access to flexible working arrangements. This currently includes homeworking, part time hours, and compressed hours. We are looking to develop other flexible patterns and respond individually to people as their needs change.

We offer flexible employment policies to support and provide enhanced pay and leave for adoption, maternity and paternity leave situations.

Our Processes

Our work on implementing the Welsh Language Standards

Welsh Language Act

The following information provides details about how the Children's Commissioner for Wales has complied with section 44 of the Welsh Language (Wales Measure) 2011 requiring her to adhere to a set of Welsh Language standards imposed on our office by the Welsh Language Commissioner 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 has put in place structural measures to ensure that 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. Learning opportunities have been provided for staff according to their level of skills. Staff have been able to access both internal and external support to develop their Welsh.
- Attended Welsh Language Commissioner workshop on Policy decisions and internal operations.

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

(Standard 145) – As at 31 March 2020 there were 26 members of staff employed at the Commissioner's office. Of the 26 people employed during that period:

10 describe themselves as proficient in Welsh.

4 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.

9 describe themselves as unable to speak Welsh/entry level Welsh.

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Our Processes

Number of employees who attended training courses we offered in Welsh during the year (Standard 146) –

In order to help staff improve their Welsh Language skills we commissioned tailored Welsh Language training courses during this period, and supported others financially to learn Welsh outside of work.

Two members of the team attended advanced level week-long residential courses for use of Welsh in the Workplace and this has had a significant impact on their use of Welsh socially and through external engagement. The organisation supported these courses by allowing time off from work in order to attend and engage fully.

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

- **Welsh Language Skills were essential** – One permanent Communications Assistant, one temporary Administrative Officer, one Permanent Investigation and Advice Officer and one permanent Participation Officer.
- **Welsh Language skills needed to be learnt when appointed to the post** – Nil
- **Welsh Language skills were desirable** – Two graduate intern officer posts.
- **Welsh Language skills were not necessary** – Two graduate intern officer posts.

Number of complaints received during the year in relation to compliance with the operational standards with which we were under a duty to comply – 1, successfully resolved at stage 1 of our complaints process. An internal procedure was updated as a result of the complaint.

Our work on implementing the Equality Duty

This year saw us complete our 2016-2020 strategic equality plan and agree a new strategic plan for 2020-2024, which can be found here. The 2020- 2024 plan was influenced by the views of over 10,000 children and young people aged 3-18, 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 helped to shape the setting of our new equality objectives. Progress against these objectives are reviewed quarterly by the Commissioner's management team.

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

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