

# Our Plan for all Children and Young People 2019-22: Evaluation.

April 2022.



# Contents

<b>3</b>	<b>Foreword from Professor Sally Holland, Children’s Commissioner for Wales</b>
<b>5</b>	<b>A Note on the Evaluation</b>
<b>7</b>	<b>Behind the Plan</b>
<b>10</b>	<b>Wales – A country where rights become a reality</b>
<b>19</b>	<b>Learning, understanding and experiencing your rights</b>
<b>26</b>	<b>Protecting your rights wherever you are</b>
<b>36</b>	<b>Being accountable to children in Wales</b>

# Foreword from Professor Sally Holland, Children's Commissioner for Wales

This is our evaluation of our [Plan for all Children and Young People, 2019-22](#). In this plan we set out clear ambitions which would direct the work of the team to help secure changes for children and young people living in Wales. These ambitions were formed having listened to thousands of children through our Ambassadors and Beth Naws surveys, an evidence review of national information on children and young people and meetings with a host of services and organisations that support children. These were key in helping us prioritise our work and setting strategic goals.



My Team and I measure the work we do and report our outputs each year in our Annual Report and Accounts. This evaluation however, is more than just a reflection on the work we have done as an organisation, but an opportunity to measure the outcomes that have been achieved by working towards the goals we set out three years ago.

We haven't been able to achieve all of the plan's ambitions in full, but believe that we can demonstrate steady progress against them all, with new rights and entitlements for children being secured, along with shifts in policy direction and funding.

Highlights for me have been the removal of the Defence of Reasonable Punishment, so children have equal protection in law to adults from physical harm and the changes to Wales's curriculum which means all children will learn about their rights and all staff will be trained to support their rights. In health and social care we've helped achieve the exemption of care leavers from Council Tax and by bringing concerns from our casework service, funding for 'safe' accommodation for children with complex mental health and social care needs. Having a 'No

Wrong Door' to support is now an aim for children's services for children with complex needs throughout Wales, although it must be said that there's some way to go before it is every child's experience.

We and partners have also achieved significant changes in civic rights for young people, with the development of Wales' Youth Parliament and lowering the voting age to 16. In 2021, 16 and 17 year olds across Wales could vote in the Senedd Elections for the very first time!

When we published this Plan in 2019, we could not have imagined the challenges we would need to face from March 2020 onwards. Like everyone else, our team has had to adapt and respond to the Coronavirus Pandemic over the last two years. All of this work has been delivered against the backdrop of one of the most challenging times, with the team delivering this ambitious work plan alongside ensuring children's rights have been protected in Coronavirus laws and regulations.

This has been a hugely challenging time but I'm proud of how we've been able to gather data on children's experiences and through this influence decision making - not just in relation to Coronavirus but on significant issues such as exams and reforming how children learn about sex and relationships. My Young People's Advisory Panel have been key in all of this and have scrutinised and influenced decisions throughout this time to ensure that children's voices and experiences have been heard loudly!

Sadly there is still much for my successor to do but she'll have my experienced, knowledgeable and passionate team to support her all the way.

Sally

# In the last three years, the team has...

**20,000**

Directly engaged with over 20,00 children and young people.



**51,000**

Heard from over 51,000 children via surveys



**1,000**

Delivered training on children's rights to over 1,000 professionals



**86**

86 Welsh Government, UK Government and Senedd Committee consultations responded to

**1,500**

Secured over 1,500 pieces of broadcast and print coverage

**1,894**

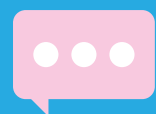
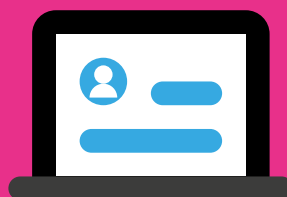
1,894 individual cases handled by our Investigations and Advice team

**148**

Took part in 148 working groups every year, on average

**553**

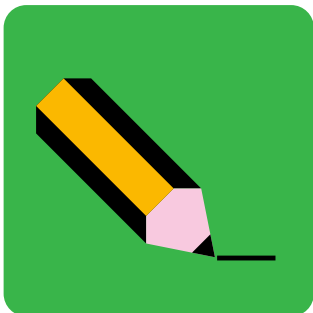
On average, secured sign-up from 553 primary and secondary schools annually for our ambassador schemes



# A note on the Evaluation

In 2019, we published a [plan](#) for all children and young people in Wales. This outlined what we would be working on to improve the life chances of children in Wales for the next three years.

Before we published the plan, Sally and her team held a Wales-wide consultation with children and adults. This was undertaken in three phases between April 2018 and November 2018, including a [nationwide survey of schools](#), our [Beth Nwr?/What Now?](#) survey and workshops and meetings with children and adults. An [evidence review](#) of other data sources was also conducted.



This helped inform our plan forward, as children and young people and those supporting them told us what concerned them and what improvements they would like to see. Based on this, we set out that the following aspirations and have been working to see improvements so that:

- services work together to give children and young people [the mental health support](#) they need, where and they need it
- public organisations from every sector [prioritise children's rights](#) when designing and delivering services for children and young people
- all children [learn about their rights in schools](#), and children experience their rights in all education settings, including the home
- the government takes clear steps [to reduce child poverty and its impact](#)
- children have [the same protection from physical punishment as adults](#)

“I think Sally and her team’s work and effort towards making sure young people across Wales are satisfied with the things they are receiving has been conducted expertly over the course of the time I have witnessed on the panel. With the ‘Coronavirus and Me’ survey... I think that we received an accurate picture of young people’s feelings across Wales as we found out many key things that would help us in our attempts to make children in Wales feel happy and safe, such as the impact on mental health that the Coronavirus has had on many young people across Wales, as many missed their friends and felt quite alone during the start of lockdown. I feel, however, not that we are all back on the road to normality, children across Wales are starting to feel more satisfied, thanks to the team’s brilliant work over the past few turbulent years. Sally’s meetings with powerful Welsh ministers were also very good, as it gets the views of young people across very well and that is crucial as the ministers do need to realise and understand what it is we, as young people, want and need...”

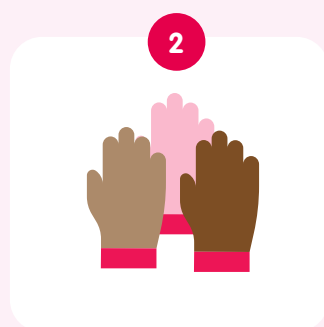
Going forward, I think that, to improve, the team just needs to keep doing what they are doing in order to fully create happiness amongst all children and young people in Wales. Make sure to give students who now feel pressure with exams due to lack of time in school more time to catch up, study and learn.”

— Comments from a member of our youth advisory panel.

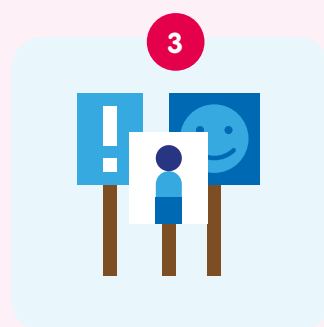
This evaluation reflects on how the office has worked to achieve what we set out in our three year plan. This is set out under four broad themes;



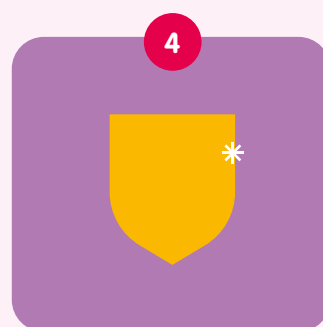
Wales – a country where rights become a reality



Learning, understanding and experiencing rights



Protecting your rights where ever you are



Being accountable to children in Wales

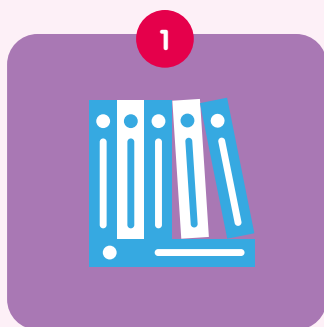
In order to measure our progress against these ambitions, the evaluation has looked at the changes that have been secured for young people. This includes changes in laws and entitlements, changes in policies or commitments from Government, resources and information that has been developed, events and partnerships that have been established and metrics on the reach of our work.

# Behind the plan

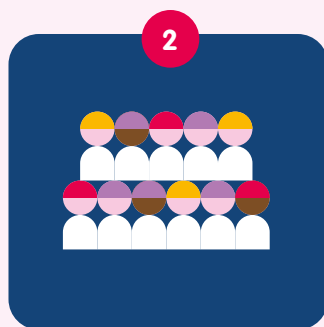
The pandemic has dominated two years of our three-year plan. It's led us to focus on building the resilience of our team and the systems around us to make sure we were well-equipped to challenge, to support Wales' response to the pandemic as well as delivering on all our original commitments and core work.

We are a small-staff team with a Wales-wide remit. As a team of 23, we want to make sure we're maximising every public pound we receive to deliver real change. On a monthly basis, my management team reviews the impact and effectiveness across the organisation via a balanced scorecard.

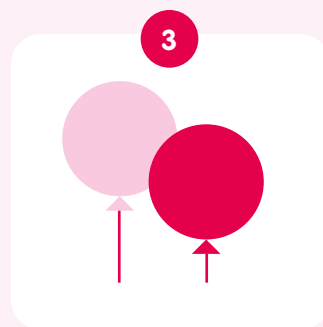
This method enables us to look at how effective and efficient we are across 4 key areas:



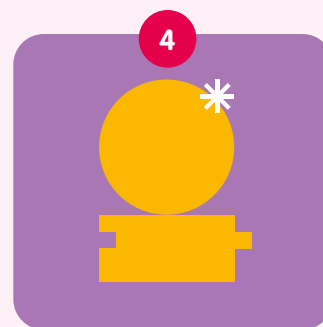
Organisational Processes



Commissioner's People



Children and Young People



Commissioner's Financial Sustainability and Value for Money

Here are some highlights from the last three years from those four quadrants of work:



### Organisational Processes

- [My Welsh Promise](#) hailed by the Welsh Language Commissioner as good practice began life as an idea from our Wellbeing Warrior group. It was a response to the impact of remote working in 2020 on incidental opportunities for bilingual staff and Welsh learners to use their language skills in the workplace.
- Invested in our IT infrastructure and cyber security measures to ensure staff can work safely remotely.
- Established an equalities project group as a response to the Black Lives Matter movement and in an attempt to take steps forward to diversify our organisation and reach. An action plan is in train and a public commitment on this work has been published.
- Published our [Biodiversity Plan](#).



### Commissioner's People

- Became a Disability Confident Committed Employer.
- Seen a three-year reduction in short-term staff absences, despite experiencing a global pandemic during the period.
- [Wellbeing Warriors](#); staff members from across the organisation who have a keen interest in workplace wellbeing and who genuinely care for their colleagues. They've worked on a number of initiatives during the pandemic and have advised on the creation of a suite of new internal staff policies including: a new Homeworking Policy and Procedure and a new Supporting People at Work Who Are Experiencing Domestic Abuse Policy.



### Children and Young People

- Handled over 1,894 cases via our independent Investigation and Advice Service.
- Engaged directly with over 20,000 children and young people from across Wales in a variety of settings.
- Received 51,000 responses to our surveys from children and young people.
- Trained over 1,000 people about children's human rights.



### Commissioner's Financial Sustainability and Value for Money

- Continued to be a Living Wage employer.
- Decreased office footprint by 63%.
- Systematically reduced the high level of financial reserves .
- Travel and subsistence costs have more than halved since 2015 (with savings pre-dating the Covid19 pandemic restrictions).
- Delivered all our project work and all additional work completed in response to the pandemic over the last three years for £315,000 = approximately £0.34 per child in Wales.



## Spotlight: Staff survey

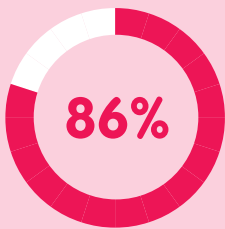
Every three years we invite all members of staff to take part in a staff survey. It touches on all aspects of work life at the Commissioner's office including: workload and resources, line management, organisational objectives and purpose, inclusion and fair treatment, leadership, about staff, team colleagues, colleagues within wider team, pay and benefits, safety and dignity at work, learning and development and internal communications. We had an 81% response rate to our latest survey, which ran in December 2021, compared with a response rate of 82% in 2018.

### Highlights included:

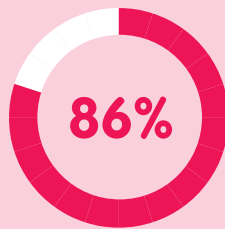
4 sections – leadership, work-life balance, communication and organisational objectives – showed an improvement on previous survey.

6 sections – line management, immediate colleagues, inclusion and fair treatment, staff, pay and benefits and safety and dignity – have all remained stable with previous survey.

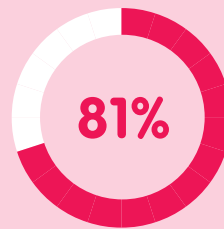
For the first time and in response to major changes in the way we work due to a new office location and the impact of the Covid19 pandemic, a dedicated section on how the organisation responded to change was included. Here are some highlights



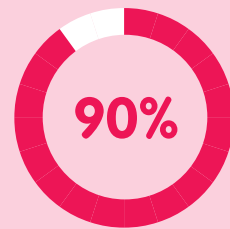
of respondents agree that the move to Llewellyn House was well managed by the organisation for the future of our team



of respondents agree that the response to the pandemic including working from home was well managed



of respondents felt appropriately supported by CCfW during the pandemic



of respondents felt optimistic for the future of our team

# Wales – a country where rights become a reality



In 2019, we set out the following ambitions, for Wales to become;

1

a country where services work together to give children and young people a one-stop, 'no wrong door' support for mental health and wellbeing.

2

a country where public organisations from every sector, including health, local authorities, police, sport, arts and leisure are prioritising children's rights when designing and delivering services for children and young people.

3

a country that is proud to enshrine children's human rights in its laws and policies.



## This is how we have worked to achieve it.



## Wales: a country where services work together to give children and young people a one-stop, 'no wrong door' support for mental health and wellbeing.

- In 2020, after visiting Wales' Regional Partnership Boards, we published our [No Wrong Door Report](#), which called for better integrated health and social services to support children with complex needs.
- We then used our [Annual Report in 2019/20](#) to call for urgent action by WG to develop accommodation for children with complex needs.
- We continued to lobby for progress when meeting Senedd Members, Welsh Government Ministers and their Officials, health and social services colleagues as part of our core work.
- In 2021, Welsh Government [announced](#) £2,800,000 for regional residential services for children with complex needs.
- We worked alongside Welsh Government and T4CYP to develop their [NEST/NYTH Framework](#) for RPBs – this is a whole-systems approach to health and wellbeing which includes our No Wrong Door Approach.
- In 2021, we revisited all RPBs to assess their progress on their No Wrong Door Approach and published this [follow up report](#). We held two sessions with young people to inform this work.
- In 2021, the [Plaid-Labour Agreement](#) set out plans to develop sanctuaries for all Young People in Mental Health Crisis – as called for by us when we launched our [Annual Report in 2020/21](#).

**Our Investigation and Advice Team has been involved in a number of cases where services have not worked in the best interests of children, with waiting lists and processes being difficult to navigate. Cases that we've advised on or intervened in raise issues such as young people being passed from one service to another and back again, young people being referred to multiple services and being told by them all that they didn't meet the criteria and young people waiting a long time for a service despite having acute problems. These cases have underpinned our work in this area and have evidenced the need for change.**



## As a result of this work:

- Every RPB has a sub-group to plan for children.
- Each RPB has a plan for a No Wrong Door Approach.
- Every region is under a duty to involve children and young people with participation.
- There are better plans to support children and young people in mental health crisis and advanced plans for residential accommodation for children with complex needs, but these are yet to be fully implemented.
- There is still a long way to go to implement these important plans and changes. Whilst plans might be in place, accommodation options have not yet been fully developed. Children may still be placed far away from home when they need specialist support and services are not consistently there to prevent crisis.



## Wales: a country where public organisations from every sector, including health, local authorities, police, sport, arts and leisure are prioritising children's rights when designing and delivering services for children and young people.

- [Our Plan for 2019-22](#) set out that we would work with public bodies including health boards and trusts, local authorities and the police to ensure they use children's rights to guide their work with children, using our Children's rights approach framework, [The Right Way](#).

### In order to achieve this we have...

- Worked with major public bodies to help them implement a children's rights approach. This includes;
  - Natural Resources Wales
  - All Welsh Police Forces
  - All Health Boards
  - Local Authorities
  - Youth Custody Settings
  - Youth Offending Services
  - Wales' Violence Prevention Unit
  - Wales' Youth Offending Teams
  - Transport for Wales
  - Wales Sports Association
- We hosted a range of sector specific seminars, to help organisations share learning on a children's rights approach. We now hold an annual Health and Children's Rights Seminar and a Children's Rights in Youth Justice and Policing Seminar.
- We created a [Rights Hub](#) on our website to help organisations learn from each other and share resources.
- Emerging policy issues are discussed at the Seminars. In 2021, we used the Youth Justice Seminar to raise awareness of the need for a Children's Rights Approach to Policing and a National Protocol to Reduce the Unnecessary Criminalisation of Children in Care, with colleagues at NYAS and 4C's. We have been calling for their development in our [Annual Reports](#).
- Since holding these annual seminars many health boards and trusts have set up mechanisms for listening and being accountable to children and young people, have co-produced Children's Charters with children and young people and have coproduced resources with children and young people such as websites to support mental health and wellbeing and child facing annual reporting.
- We also promote the principles of participation, empowerment and accountability, as young people ask Health, Police, Government and public organisations questions about the delivery of the services they use during the Seminars.

**“Why can there not be a [YOI] site in Wales where all Welsh speaking young people are placed?”**

**“Children should be transported in police cars not in a cage in the back of a van – can this change?”**

**Questions from young people at our Youth Justice and Policing Seminar.**

Both the annual health seminar and children’s rights in youth justice and policing seminar provide space for services to share best practice and discuss issues of concern. We share these [examples on our rights hub](#).

**“[I] think this is a really great forum to share ideas, good practice, contacts. Sometimes the challenge is finding the right people to talk to with... Very enjoyable & inspirational today. Definitely helped me refocus!”**

– Participant from Children’s Rights in Health Seminar.



**The Protocol to Reduce the Unnecessary Criminalisation of Children in Care was [published](#) in March 2022 and will require those services supporting children looked after to have in place robust arrangements to avoid and reduce unnecessary criminalisation.**

- We have continued to develop [resources](#) to help other organisations learn about children’s rights. In 2019, we marked the UNCRC’s 30th anniversary by updating our Rights Badge for Scouts and Guides and launching new children’s rights resources for the Foundation Phase.
- In 2021, we published [The Right Way Social Care](#), co-produced with children and young people, professionals and Social Care Wales. The guide is designed to support those working in Social Care to embed rights in to their services and everyday practice. Nearly 300 people from across Wales’ social care sector attended the virtual launch!
- We have also influenced Welsh Government to further embed children’s rights. We delivered training to Officials and [Welsh Government’s Children’s Rights Scheme](#) is now based on The Right Way’s five principles. It also includes guidance for [Government Staff on rights](#).
- The Right Way has been promoted internationally. The European Network of Ombudspersons for Children’s [Position Statement](#) uses the principles to set out recommendations for national and international responses to future public emergencies. Alongside this was a detailed [synthesis report](#) which references our five principles of a Children’s Rights Approach.
- With the help of a Cardiff University PHD student, we have evaluated [The Right Way](#). Through a series of workshops with public organisations who are using The Right Way Framework, the evaluation has put forward a number of important recommendations to help us and Government further embed the Right Way in to Wales’ public services to further help rights become a reality for children in Wales.



## We have continued to train organisations in children's rights as part of our core work. Some highlights include:

- In 2019, we delivered children's rights training to fathers at HMP Berwyn. We worked with the education staff in the South East Wales Education Achievement Service EAS in 2019 to develop pilot resources. We delivered training on children's rights and the principles of a children's rights approach to the whole staff body at Qualification Wales as part of the Qualifications Wales Employee Day.
- In 2020, we worked with Welsh Ambulance Trust to design a 999 script for callers under 18.
- In 2020, we delivered children's rights 'train the trainer' sessions with all Welsh Education Consortia leads.
- In 2021, we delivered rights training for newly qualified education staff in the GwE Consortium in North Wales.
- In 2021, we provided training for ESTYN inspectors to keep rights as the focus when investigating sexual harassment in schools.
- In 2021, we held rights sessions at the Urdd, Play Day Events, in Cowny, Merthyr and RCT and influenced the Quality Assurance Framework for Play.
- We have been working with National Police Leads to advise on a National Approach to Children's Rights Policing and have worked with Police Forces in Dyfed Powys and South Wales to develop children's rights charters.
- In 2022, we delivered rights training to the All-Wales Youth Offending Service Managers and leaders of several of Wales's national sports associations.
- We worked with St Johns Ambulance to create children's rights activity packs for their Badger and Cadets groups to support children and young people to continue to learn about their children's rights.

### Spotlight: Project Vote

In 2020-21, we ran a unique parallel election to coincide with Senedd Cymru's May 2021 election and secured almost 10,000 votes from across Wales – meaning more than 1 in 20 young people in Wales aged 11-15 took part.

Our package of support for schools included:

- Bilingual, interactive, and accessible ready-to-deliver lessons and materials for learning about the Senedd and elections.
- Free webinars for young people including a 'Dying to Vote' session on the history of voting with Professor Laura McAllister.

**"The students are much more interested in politics and are questioning the idea that you should simply vote for who your parents vote for. This has been incredibly powerful in giving them social responsibility and seeing the value of voting."**

**"A refreshing insight to politics for my 14/15 year olds. They were able to feel important and heard."**

The huge support from schools across Wales with this project has helped many young people learn about and develop their citizen rights and to be heard and listened to by Wales' political parties.

## Spotlight: Coronavirus and Me

Responding to, adapting to and protecting the rights of children across Wales in a global pandemic, was not something we had imagined would happen when we developed our plans in 2019. We chose to maintain our current work plan but adapted to ensure;

1. Children and young people were being kept safe and listened to;
2. Children and families had clear and reliable information;
3. Helped government and other services hear about and respond to children.

### From March 2020 we;

- Developed our [Coronavirus Information Hub](#) to help share updates, new regulations and guidance;
- Hosted two Coronavirus and Me surveys for 3-18 year olds in [May 2020](#) and [January 2021](#), publishing in-depth reports on the experiences of teenagers, children with disabilities and children from ethnically diverse backgrounds;
- Surveyed school and college Heads about the digital needs of their students;
- We supported young people to question the Education Minister;
- Continued to support children and families with our Investigations and Advice Service;
- We lobbied for important duties to be upheld for children and for rights to be considered when developing guidance;
- Published reports in [September 2020](#) and [September 2021](#) about what we had done during these periods to protect children's rights.

Our work helped to highlight the vast mix of experiences of children and young people during the pandemic. Young people have faced significant uncertainty in education and learning and have experienced loneliness and worries. Many have felt frustrated about the impacts the pandemic has had and may continue to on their lives and opportunities. Through giving children and young people a robust platform and many opportunities to share their views and experiences, children have helped shape how Government and public services respond to the pandemic and have helped give an important steer on how Wales can support young people as we recover.

We are pleased that the National Museum of Wales will now archive the views captured by the Coronavirus and Me surveys, so future generations can hear the voices of children and young people during this time.

## Spotlight: Haf o Hwyl

Following the rich information young people had shared with us about how the Coronavirus pandemic had impacted their lives, we teamed up with the Urdd and Sports Wales to raise the need for Welsh Government to invest in free and accessible opportunities for play, sport, arts and other outdoor activities for all children in Wales.

We secured £5m of funding from Welsh Government to ensure that all young people of all ages in Wales had access to high quality free provision throughout the summer.

Following an [independent evaluation](#) of this scheme;

– 67,500 children were reached by the programme;

– 99% of children said they had had fun!

– Communities welcomed the funding and developed relationships with new children and families.

The evaluation noted the need to expand provision for older groups of young people, those with ALN and disabilities and to enhance the offer of Welsh language provision.

With activities being ‘almost universally positively received’, there is a high expectation that this programme will be repeated in following years. We were pleased to see that further funding was made available for Winter of Well-being activities in winter 2021/2 and a further [£7million was announced for summer 2022 by Welsh Government](#). As we continue to face uncertainty as a result of the pandemic, it is important public services recognise the value of enrichment schemes for young people as we recover and continue with this important investment.



**Through our core work we pushed for public organisations to think about children’s rights when designing and delivering services. As a result of this we have seen significant promises being made to children, such as;**

- Ahead of the 2021 Election we published [our Manifesto for Wales’ children and young people](#). We asked all political parties to make a commitment to removing profit from children’s social care services in their manifestos. Following the election of the Welsh Labour Government, they set out in their Programme for Government that they will commit to removing the element of profit from children’s care services. We continue to make a strong case for children’s rights at the Welsh Government Delivery groups to ensure children’s rights are at the heart of delivery this policy ambition.
- We continue to work closely with Welsh Government and other organisations to develop a Corporate Parenting Charter for Wales’ Looked After Children. We continue to push for this charter to be rights based, setting out clear entitlements for children in care and care leavers in regards to the support and service they expect to receive. We are also pleased that the Ministerial Advisory Group for Unpaid Carers, is working to develop a Carer’s Charter, which will be relevant for adults and children with caring responsibilities.
- We continue to monitor and scrutinise Welsh Government’s Children’s Rights Impact Assessments and provide constructive criticism on these to ensure decisions take full consideration of children’s rights.





## Wales: a country that is proud to enshrine children's human rights in its laws and policies:

We have worked with Government on opportunities to extend children's rights in law, including discussion of further incorporation of the UNCRC into Welsh domestic law. This has included...

### In 2019...

The Office has participated in the Welsh Government's 'Strengthening and Advancing Equality and Human Rights Steering Group'. We gave evidence to [CYPE Committee Inquiry on Children's Rights](#) 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.

### In 2020...

We continued to monitor the quality and effectiveness of CRIAs and have encouraged public services to adopt this approach with The Right Way.

### In 2021...

We secured a rights duty in the Curriculum and Assessment (Wales) Act 2021. This law creates a new duty meaning that all school staff involved in teaching the curriculum need to develop knowledge and understanding about the UNCRC and UNCRPD.

Human rights education is also a cross-cutting theme of the new curriculum, and integrated into the descriptions of learning in the Areas of Learning and Experience. Our team provided substantial input into the drafting of these documents. This means all children and young people will learn about their rights. To support the implementation of new duties in the Curriculum, we updated our [Right Way to Education](#) guidance in March 2022.

We have met with the Welsh Attorney General and other Ministers to discuss full incorporation of the UNCRC, and anomalies in the Children's Commissioner's legal powers and remit. We have requested that the legislation is reviewed and updated to protect all children's rights. We have engaged in meetings and written correspondence with the Welsh Government Minister for Social Justice to discuss how the principle of full incorporation of the UNCRC can be taken forward.

We have worked to support the implementation of the children's rights duty in the ALN Act.



## We reported on Wales' progress and commitment to children's rights:

- 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...
- The report raised some of the key issues for young people;
  - The need to raise awareness of children's rights
  - Governments need to take action on the climate crisis
  - Government's need to do more to protect children from violence and discrimination
- The Committee have now published their list of issues and we are pleased to see many of the issues we raised appear in the reports. The UK and devolved governments are due to formally respond to the recommendation by June 2022.

# Learning, understanding and experiencing your rights.

# 2

In 2019, we set out that we wanted to ensure children and young people across Wales have an inclusive, rights based education. We set out the following ambitions, for Wales to become;

1

a country where all children learn about their rights in school.

2

a country where children not only learn about their mental health and wellbeing, but are supported by all those around them in school to grow up happily and healthily.

3

a country whose government has taken new steps to reduce child poverty and its impact.



## This is how we have worked to achieve it.



## Wales: a country where all children learn about their rights in schools.

- **EOTAS Provision: promoting and protecting rights.**

Through trends identified in our Investigation and Advice Service, we were concerned about the consistency in quality of EOTAS provision. Whilst there were good examples of practice, settings in our cases were falling short of what was to be provided. In 2019, we [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.

- In 2019, we worked closely with schools, partners and Welsh Government to celebrate 30 years of the Children's Rights Convention, on 20 November 2019.

- CCFW's Participation Team have produced monthly resources and activities to help schools promote UNCRC rights, with the [Right of the Month](#).

- We continued with our Ambassadors Scheme to help children learn about their rights.

As part of this we;

- Extended the scheme to [early years settings](#), with our Bitw Bach project for the Foundation Phase, and delivered training to Mudiad Meithrin to help early years practitioners learn about rights
- Developed information and resources for parents on rights.
- In 2022 resources will be jointly launched with Mudiad Meithrin, for those working with under 4s. These resources were created as a direct response to queries from professionals in the sector wanting to enhance their children's rights engagement with the young age cohort.

- We continued to run Ambassador events, with a mix of in-person and online events. Since 2020, we have engaged with 104 schools and 786 children and young people. We also hosted work shops at Merthyr Tydfil's Wellbeing Week.

- **AMPLIFY: Review of School Councils**

We wanted to look in detail at the quality of participation of children in decision making in school settings. Working with members of our advisory panel, we developed surveys for schools and governors and received 7764 [survey responses](#) from 98 schools. The Commissioner also 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](#).

We then published [our report](#) with the support of our Young People's Advisory Panel on the effectiveness of school councils, along with a host of resources for schools to help children and young people achieve their rights to have a say in the decisions that affect them and to have a chance to share their views and be listened to.

- **We have worked to improve children’s awareness of digital rights;**

In 2019, we worked with 5 Rights Foundation to [produce a child friendly version of the General Comment 25](#) (children’s rights in the digital environment). They also translated the materials into Cymraeg as a result and produced an accessible video too!

We took part in the European Network of Young Advisors (ENYA) – an annual participation project which involves children from all over Europe. In 2019, we worked with 16 pupils from Ysgol Gyfun Gwyr to create a presentation and policy recommendations. They helped us make a film about self-image and two young people presented their work at the ENYA Forum in Brussels and presented at the ENOC Conference in Belfast. This work then fed in to ENOC’s [annual statement on digital rights](#).

In 2021 we linked up with members of our young people’s advisory panel, to give advice on [how nations should respond to and prepare for future pandemic events](#). The group has also presented their findings and recommendations to the First Minister so Wales can directly consider their ideas in their pandemic recovery planning.



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## **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.**

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- **Project: Building Blocks**

Through trends identified via our Investigation and Advice Service, we undertook an investigation of exclusion in Foundation Phase education (ages 3-7) across Wales. The work included an analysis of 21 cases, a survey of every local authority in Wales, focus groups with education professionals and participatory work.

‘Building Blocks: Inclusion in the Foundation Phase’ sets out the findings of this research and revealed 768 reported incidences of exclusion relating to Foundation Phase children in 2018-9. The true figure is likely to be higher as data was not made available by all local authorities. Investigations also revealed that on average nine Foundation Phase children per authority had been excluded more than once, with one child having been excluded 18 times in a one year period.

Since the publication of this work, we have been working to raise awareness of the impact of exclusion on children and to promote the resources developed as part of this project. We used our [Annual Report 2020/21](#) to call on Welsh Government to set a clear policy on preventing exclusions.

- **Embedding the Additional Learning Needs Act**

Since 2019, we have been working to support Welsh Government to embed the Additional Learning Needs Act and Code of Practice, to emphasise how the new Code can embed children’s rights across children’s whole educational experience, as well as linking to the new curriculum. We’ve 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;**

In 2020, we pushed for tighter regulation so all teachers must register with the Education Workforce Council (EWC). More details can be found in the 'protecting rights wherever you are' section on page 30.

## **Spotlight: Curriculum Bill**

Ensuring children learn about their rights in the Curriculum has been a significant focus of our work. Since 2019, The Commissioner has been represented on the Independent Advisory Group and the Strategic Stakeholder Group for the new 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. The team supported the drafting of human rights education content. We also used our Annual Reports to call for the duty to be placed in the Bill and subsequently for high quality rights training to help embed the duty.

The Curriculum and Assessment (Wales) Bill was agreed by the Senedd on 9th March 2021. The Act passed with the inclusion of a 'Duty to promote knowledge and understanding of UN Conventions on the rights of children and persons with disabilities'. This duty means that knowledge and understanding of the two conventions must be promoted among all who provide teaching and learning in respect of the new curriculum. Government has committed to working closely with the CCFW office to develop a support package of professional learning and guidance to enable this duty.

We continue to support and complement Welsh Government's work on the implementation of this important duty, which will ensure children in Wales learn about their rights in schools.



## Wales: a country where children not only learn about their mental health and wellbeing, but are supported by all those around them in school to grow up happily and healthily.

- Building on years of consultation work with children and young people, we ensured that [new national guidance to prevent bullying](#) was rights-based, informed by children and young people, and included duties to analyse equalities data. We also successfully pushed for this guidance to be made statutory, so that it can have an impact on all children in Wales.
- Since 2019, the Office has been [calling for the implementation of a Whole School Approach to Mental Health and Well-being](#). Following this call, we saw the establishment of a Welsh Government Task and Finish Group and significant funding to help delivery this important policy change.
- [Statutory guidance](#) has now been produced for schools to support them to make an action plan to both improve the school environment in terms of mental health and wellbeing support, and improving schools' links with wider services as part of a whole-system support mechanism.
- We have helped embed this new approach by offering practical support, such as teaming up with Gwent Psychology Team to provide training on child development and rights. Wales' Carers Strategy also links with the Whole School Approach plans, to better support young carers.
- We also encouraged children and young people to develop these plans. We set a Special Mission for our Ambassador schools so children could investigate how their school supports their wellbeing and how children could be made aware of this support.
- We used our [Annual Report in 2020/21](#) to call for resources and support to ensure the ambition of the Whole-School Approach is achieved. It is fantastic that we have such a strong framework in Wales now, but it is yet to be fully embedded. It is important that resources and support are continued to be provided to schools to help realise this important ambition.

- **'Here I am' project**

Created in the wake of our previous work on bullying, and the Black Lives Matters protests in 2020, the aim of the resource was to tackle stereotypes and celebrate the diversity of Wales. Our young people's panel supported us to develop resources on diversity and inclusion, including a lesson plan and videos of groups of young people with different characteristics discussing the stereotypes they face. The resource was used as part of our autumn Special Mission for our Ambassadors schools and Community Ambassador schemes.

This resource was widely used in schools and community groups in autumn 2020 and is still [available on our website](#).

## Spotlight: RSE Guidance

In 2021, the Senedd passed the Curriculum and Assessment (Wales) Act 2021, which included compulsory Relationships and Sexuality Education. This law is one element that will help ensure a much-needed process in Wales to make sure all children and young people receive high quality opportunities to develop their understanding of relationships and sexuality. This will help empower children and young people with the understanding and skills they need to make safe, informed choices.

The Commissioner has scrutinised and advised Government on the development of RSE during the planning for, and the passage of, the Curriculum and Assessment Act. You can find out more about this in the [written evidence submitted](#) to the Children, Young People and Education Committee in their Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill. The Commissioner's office has also scrutinised and advised Government on the development of the statutory RSE Code and Guidance, and supported her Advisory Panel of Young People to participate through submitting their own response to the [2021 consultation on the draft RSE Code and Guidance](#). You can read their full response to this consultation [in this PDF](#).

It is hugely important that this guidance links to the whole-school approach to mental health and well-being. Schools should embody the principles and behaviour of inclusive, rights based RSE education. Following the launch of the 'Everyone's Invited' website and a recent [report from ESTYN](#) on the extent of sexual harassment in schools, it is clear that we need to improve the school and community response to children and young people who experience and perpetrate sexual harassment. An important discussion has started but we still have a way to go before children are consistently supported and accessing high quality RSE education. You can read more about the work we have been doing in regards to preventing child sexual assault and exploitation on page 36.



## Wales: a country whose government has taken new steps to reduce child poverty and its impact.

- Since 2019, we have used our Annual Reports to call for action to be taken to end the current two-child limit on benefits. This is a discriminatory policy decision from the UK Government which impacts on children's rights to an adequate standard of living.

We [wrote with fellow Commissioners](#) to Therese Coffey MP calling for an end to this limit. Yet little has been done to remove the limit by successive UK Government Ministers and they have not been willing to meet to discuss our concerns.

- We produced a series of [practical resources](#) to help schools support children and families from the impact of poverty. This followed on from our 'Charter for Change; Protecting children from the impact of poverty' report. We also hosted a seminar with 140 school Governors from across Wales on our anti-poverty resources, and sessions with local Councillors in two local authorities. Local Authorities proactively shared with us their ideas and initiatives, in correspondence and via social media.

In one local authority they've introduced a 'leftover' meal scheme in secondary schools, where leftover food can be collected at the end of the day. This local authority had also done their own campaign in relation to take up of free school meal provision, resulting in more than a 10% increase. Another has strongly focused on period poverty, working in conjunction with their Youth Council. One local authority is exploring ways to allow for 'carry over' of any unused allowance on a meal card from previous days. At least two local authorities have made our [Charter for Change a priority for their schools](#).



- **Special Mission for schools;**

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.

- **In our day to day work, we have sought to highlight practical changes which if implemented, could make a big difference to lives of those who face the impacts of poverty. This has included...**

....In January 2021, CCFW and Commissioners from across the UK collectively wrote to the UK Secretary of State for Work and Pensions calling for proposals to bring forward scheduled changes to the Shared Accommodation Rate for 2023, to be introduced immediately. From June 2021, Care Leavers in England and Wales are no longer be subject to the Shared Accommodation Rate, reducing their likelihood of needing to move at 21 from independent living to shared accommodation.

....WG have been working on Income Maximisation and the take up of benefits across Wales. We've actively participated in this work and have pushed for WG and WLGA to continue working on auto enrolment for families to access all of the benefits and grants that they are entitled to. The Government published a report on their progress ahead of the 2021 election but has recommenced the work since then and we have been pleased to see active campaigns to increase take up of specific benefits in the meantime, ahead of broader auto enrolment being achieved.

... Throughout the pandemic we have continued to raise with Welsh Government the need for sensitive decision making. The Pandemic response in Wales has been poverty-sensitive with the highest levels of Free School Meal direct payments in the UK and an early decision to continue payments over the holidays.

....We have continued to lobby for a review and expansion of Free School Meals and the Welsh Government's Child Care Offer children, to ensure children are not disadvantaged because of their parent's employment status.

In 2021, we were pleased to see the Plaid/Labour Agreement commit to implementing these expansions.

# Protecting your rights, wherever you are



**In 2019, we set out that we wanted to use the role of the Commissioner and Office to protect the rights of children. We set out the following ambitions, for Wales to become;**

**1**

**a country which will give children the same protection from physical punishment as adults.**

**2**

**a country which respects children's rights in all education settings, including those who are educated at home.**

**3**

**a country with sufficient safe accommodation for our children with the most complex mental health and behavioural needs who need to live away from home.**

**We also made a commitment to highlight the need to protect the rights of children who may be particularly vulnerable because they are marginalised or hidden from view. This includes those 'under the radar' of universal services, children in out-of-home care, including mental health care and residential schools, refugees and homeless children.**



## This is how we have worked to achieve it.



### Wales: a country which will give children the same protection from physical punishment as adults.

- Upon starting her role as the Children's Commissioner for Wales, in 2015 Sally called for the defence of reasonable punishment to be removed and for children to have the same protection in the law as adults. She and her team worked systematically to influence thinking on this matter with the government and other stakeholders until the legislation was passed in 2020.
- In 2020, children in Wales were finally given equal protection in the law from physical punishment with the passing of the Children (Abolition of the Defence of Reasonable Punishment) (Wales) Act 2020.
- Since the passing of the Bill, we have continued to support public services with the embedding of this legal change prior to it coming in to force in March 2022. This has included...

.... Working with WG on their messaging and public awareness;

.... Contributing to groups who consider alternative disposal methods to prosecution.

.... The Commissioner took part in educational [films](#) available for parents and carers on parenting without using physical punishment and the rationale behind the law change.



### Wales: a country which respects children's rights in all education settings, including those who are educated at home.

#### • Independent Schools

Following a significant case received by our office relating to an Independent School in North Wales, we have been concerned about the lack of protections and regulations in this sector to safeguard children. Alongside seeking to influence regulatory change, our Office delivered children's rights training to the Independent Schools Board and supported the school to make other changes to provide a safer environment for children.

#### • Independent Investigations into allegation against teaching staff

Our office became aware of a concerning case, whereby pupils at a school were receiving inappropriate messages from a teacher. We identified that Wales lacked an independent investigation service to investigate allegations.

The arrangements for independent investigations needed to be clarified by Welsh Government to be sure that robust arrangements were in place. Since our intervention, all Local Authorities have confirmed that they have services in place that they can and will access should they need to if an allegation arises in respect of a member of school staff. You can read more about our work regarding Independent Schools in our [Review](#).

### • Teacher and School Staff Registration

We have also acted to encourage Welsh Government to make regulatory changes to Independent Schools. Through casework received by the Office, we highlighted an urgent need to close a loophole in regulations that meant independent school staff did not need to register with the Education Workforce Council (EWC), posing a safeguarding risk to some children.

We used our Annual Report 2019-20 to call on Welsh Government to 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 schools must register with EWC. This recommendation has been accepted by Welsh Government and work is underway to bring in this change. In 2021 the EWC powers were extended to ensure that they could impose Interim Suspension Orders to provide an additional safeguard for young people. We advocated for this change in our response to consultations.

### • Children educated at home

We called for examination arrangements for summer 2021 to ensure that 'private candidates', which include home educated young people, didn't miss out on the chance to get qualifications, despite exams being cancelled. This was enabled, with centres across Wales being made available for young people to be awarded Centre Determined Grades. During the pandemic we also influenced the Government to issue specific advice to home education community groups, when this had not been readily forthcoming alongside changes to wider community guidance on use of facilities and meeting groups. During the pandemic we influenced the government to provide specific advice for home education groups.

## Spotlight: Elective Home Education

A key focus of our Three Year Plan has been for the Government to change the law for children who are educated at home to ensure they have stronger protections of their rights. Children's rights are universal, and it is important that wherever children are learning, their rights should be promoted.

**We set out three tests for Welsh Government's proposed policy change to meet, which would help ensure children were seen, listened to and educated. These were;**

- All children in Wales can be accounted for and that none are invisible;
- Every child receives a suitable education and their other human rights, including health, care and safety;
- Every child is seen and their views and experiences are listened to. This is essential for the first two tests to be met.

In 2019, we began to see long awaited progress in this area, with the publication of draft statutory guidance for consultation and draft regulations to establish local authority databases to ensure all local authorities knew where children are educated. However, in summer 2020, Welsh Government announced that the new guidance and regulations would not be taken forward due to the coronavirus pandemic, resulting in now changes in protections for home educated children.

This is one of the reasons we undertook the first Independent Review of Welsh Government. This Review found that Government's 2019/20 proposals for secondary legislation (regulations and statutory guidance) would not be able to achieve their stated policy aim, which was to meet the Commissioner's three tests in full.

The lack of statutory change in this area continues to be a concern. With a growing number of families electing to educate their children at home for an array of reasons, it is essential that Wales has a robust legislative framework in place to ensure children do not 'drop off' the radar of universal services and are unseen.

## Spotlight: Independent Review of Welsh Government

In 2020, the Office decided to use the Commissioner's statutory powers to look at what the Welsh Government had done to protect and support the rights of children who are educated at home and those who are educated in an independent school. This was the first time the Office had used these powers.

This review emanated from concerns that the laws and protections for children being educated in these settings could be stronger.

The [Review](#) found that the Government had not complied with their legal duties under the Rights of Children and Young Persons (Wales) Measure 2011, to protect and uphold children's rights in their work. They had undertaken a lot of activity but ultimately no changes had been brought forward to safeguard children in these settings and ensure they have access to all of their rights.

A series of recommendations were made including: legislative change for both policy areas, consideration of how the Government works across departments to uphold children's rights, how they take forward policy consultations, how lessons from Child Practice Reviews are acted upon and how the Commissioner's own powers require adjustment in order to fully support the exercise of their role as independent champion for children in all settings across Wales.

The Government has accepted the majority of the recommendations in their [formal response](#) to the review in March 2021. Whilst some of the recommendations could not be fully accepted at that time without making commitments on behalf of the new Government, the continuation of a Labour government in Wales allows for work already commenced to be carried forward at pace.

We were also pleased to see the reinstatement of a group of senior officials within Government to discuss cross cutting issues and ensure that things do not fall in between departments or portfolios.

We will continue to push for swift changes in both of these policy areas with the new Government, and this includes ongoing discussion of the recommendations that were not accepted.



## **Wales: a country with sufficient safe accommodation for our children with the most complex mental health and behavioural needs who need to live away from home.**

- **Since 2019, we have used our Annual Reports to raise awareness of the lack of suitable accommodation available in Wales to support children with complex needs.**

Too often, children were being placed far away from their communities, placed in unsuitable accommodation or went without important therapeutic support. In 2021, there was only one low-secure mental health setting in Wales.

Following sustained pressure through case studies from the Commissioner the Welsh Government have made £2 million of funding available for Regional Partnership Boards specifically to develop new safe accommodation for children with complex needs.

Most RPBs have responded with plans for new safe accommodation, and most of these have input from both health and social care, including therapeutic support. Some also include third sector involvement. At the time of writing, though, none of the provisions have yet opened. In North Wales, as an example, there are plans for four new short term assessment beds, designed to provide a safe therapeutic space while a return to community services or a longer term placement is organised. There will also be two new intensive support beds to work with children with complex needs on the edge of care.

- **Unregulated Care:**

We have also raised concerns about the number of children and young people being placed in unregulated accommodation, such as hostels and B&B's, due to a lack of suitable placement options. We made a formal recommendation to Welsh Government in our Annual Report in 2020/21 to analyse and collect data on the use of unregulated accommodation.

Whilst Welsh Government have committed to exploring alternative options for young people in care, Wales is yet to identify a solution to this growing area of concern. It is important Welsh Government and Local Authorities identify the scale of this issue and explore how the RISC (Wales) Act could be amended to provide young people with further protections.



## **Protecting the rights of children who may be particularly vulnerable because they are marginalised or hidden from view. This includes those ‘under the radar’ of universal services, children in out-of-home care, including mental health care and residential schools, refugees and homeless children.**

- **We have made it a priority to ensure we are listening to and hearing the experiences of children and young people in a range of circumstances.**

Visiting children in secure settings, such as Mental Health inpatient wards, secure children’s homes and Youth Offending Institutes has been a priority for Sally and the team.

Meeting children and those supporting them in these settings has helped us pick up important issues, for example;

- Securing investment from WG to improve the outdoor facilities at Hillside Secure Children’s Home;
- Lobbying HMPPS for improvements in shower facilities at Parc YOI;
- Intervening so that less restrictive Covid isolation rules can be established in mental health inpatient settings;
- Ensuring children’s voices are heard by staff by lobbying for the return of regular staff-patient forums and access to advocacy in mental health inpatient settings.

We have also visited these settings regularly to help children and staff better understand children’s rights. Both Parc YOI and Hillside SCH have embedded a Children’s Rights Approach in to their service.

- **Support for Young Carers**

The Office has been represented at the Welsh Government’s Ministerial Advisory group for Carers. Through this, CCFW and other children’s organisations have encouraged Welsh Government to ensure that children and young people are consulted with in the development of the Carer’s Charter. We have also pushed to ensure that the Carer’s strategy links to important developments in children’s policy, such as the Whole School Approach to Mental Health, to ensure young carers are being considered as a key group of young people who will benefit from this development.

- **Supporting d/Deaf children:**

Over several years the D/deaf community has shared with us their frustrations that the needs of the community are not being addressed. We decided to host a roundtable with professionals and children and young people from the d/Deaf community in February where attendees were asked to share their experiences and opinions on progress, continuing barriers and gaps in provision.

We used information we had received during the meeting to help inform our consultation responses to two Welsh Government consultations: “Curriculum for Wales guidance: British sign language” and “Qualified for the future – have your say”. Finally, we discussed with the Education Workforce Council (EWC) the concerns that had been raised with us about the standard and quality of BSL for specialist education professionals.

- **We have been pleased that our visits to a variety of settings where vulnerable children are living has raised awareness of the support we can offer.**

### **The following cases came to the attention of our I&A Service...**

A young person called the Commissioner's case service asking for help as they were stuck on a psychiatric ward even though they should have been discharged. Social Services had agreed to find a placement for the young person, however there appeared to be no urgency. My officer contacted the relevant statutory bodies and identified that there was a breakdown in communication. Regular meetings were arranged which kept this case as a priority. The young person was given appropriate accommodation. What this case highlighted was the need for a common language to be used between health and social services.

#### **• Protecting rights of adopted children**

While reading Welsh Government Childcare Offer to provide appropriate advice to a parent my officer highlighted that there appeared to be a discrimination towards adoptive parents in that they could not access this offer. This was raised with Welsh Government and the revised childcare offer now provides for adoptive parents

#### **• Supporting Refugee and Asylum Seeking Children**

In 2020 we provided a witness statement in a legal case regarding the Syrian refugee resettlement scheme and Wales' offer to be a Nation of Sanctuary. Welsh local authorities' offers to accept placements had not been processed effectively by the UK Government.

We also intervened in 2019 to support a local authority in Wales to secure asylum claim interviews for young people to take place within Wales. Prior to this, they were having to travel at short notice to Croydon or Solihull which was a daunting and difficult prospect for these young people.

We've filed a response to the Nationality and Borders Bill consultation together with our counterparts in Scotland and Northern Ireland, and [evidence on the legislative consent memorandum](#) for the Senedd. We've written an [open letter to the Prime Minister](#) with those colleagues, urging greater support for Ukrainian refugees.

#### **• Gypsy, Traveller and Roma children**

We've listened to children from Gypsy, Traveller and Roma communities through online forums with the support of the charity Travelling Ahead. Following up from information from these forums in 2021-22 The Commissioner and her team has:

– Listened to primary school-aged children from Roma families in south Wales and successfully sought action from local authorities to secure their rights to safety and education;

– Listened to children from Traveller families in north Wales and relayed their views to a local consultation on traveller sites.

We have written to a range of stakeholders in response to the diverse issues raised by Gypsy, Roma and Traveller children. This has initiated plans to make a video for Roma families on accessing translation facilities in healthcare, a multi-agency meeting to discuss the concerns raised and raised concerns with Welsh Government Ministers. We will continue to follow up this work in 2022.



## Spotlight: Access to Advocacy

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Consistent access to independent advocacy is an important safeguard for children.

In 2017, the Office of the Children's Commissioner for Wales and many children's rights organisations successfully lobbied for the National Approach to Statutory Advocacy to be implemented, which means that all children in care or undergoing child protection enquiries have a right to be offered support from an independent advocate. Since this legal entitlement, many children have been supported to raise issues that are important to them, take part in their statutory reviews and meetings and had their voice heard in decisions that affect their lives.

However, despite this important change for care-experienced young people, many children and young people continue to go without the support of an advocate, such as children who are receiving support from health services. Services and systems can be difficult to navigate and children at present cannot routinely access support to have their voices heard.

Our Office has consistently called on Welsh Government to publish guidance for Health Boards which would ensure every child in Wales has access to independent health advocacy should they need it. Welsh Government did initially establish a working group to explore implementing this recommendation, however, since the Coronavirus Pandemic, Welsh Government appear to have paused this important development and no progress has been made.

We have also been concerned about the availability of advocacy in children's residential homes. Research from TGP Cymru and casework received by our Office has highlighted the importance in ensuring all children can access this important entitlement. We have been supportive of calls to strengthen advocacy provision through regulatory change.

## Spotlight: CSA/E Roundtable

The Office has chaired a Round Table on Preventing Child Sexual Abuse and Exploitation for many years. This Round Table has been an important group in bringing organisations together to discuss the multi-agency response required to protect children, share information on developments in service and to share concerns or findings in trends. The Round Table is well attended, by Welsh Government, Social Services and Safeguarding Leads, Police, Sexual Assault Services and other public and third sector organisations who are experts in this field.

The issues organisations have brought to the Round Table have helped influence changes in law, policies and services to ensure children have stronger safeguards in place and can receive timely support should they need it, for example;

- The Round Table was able to support the NSPCC's Close the Loophole Campaign to end the anomalous position where an adult in a position of trust could be in an open relationship with a 16 or 17 year old;
- We have submitted written submissions to the Independent Inquiry Into Child Sexual Abuse (IICSA);
- Helped secure funding and shape the improvement in Sexual Assault Referral Centres across Wales to be more child centred and to provide a therapeutic environment;
- Helped identify gaps in support for families who experience CSA and police investigations;
- Ensured multi-agencies have remained abreast of developments in guidance, evidence and resources, helping to contribute to a shared understanding on terminology and ambitions for preventing CSA/E.

**“The roundtable has allowed for valuable exchanges with colleagues from across organisations about key challenges and gaps in the implementation of the [Welsh Government CSA] Action Plan. I have really valued the opportunity to closely monitor the key challenges posed by the Action Plan. I feel a helpful role for the roundtable would be to gather information about the gaps which still remain to be addressed as the Action Plan nears its end, so we don't lose the momentum about this crucial policy issue and can deliver lasting change for children and young people on the ground.”**

Head of Policy, NSPCC Wales.

## Support for children in and leaving care:

The Office has consistently called for improvements in support for children and young people in care. In 2016 we published [The Right Care](#), a thematic report on children's rights in care homes. Whilst many young people were receiving good care, more needed to be done to promote and protect children's rights, such as accessing education and seeing family, with children being at higher risks of going missing and having cautions and charges from the police. In 2017, we worked with care leavers to publish our [Hidden Ambitions](#) report, which set out what care leavers wanted to support them to make successful transitions to adulthood.

Throughout this work plan, the team have been working to follow up the recommendations made in both of these reports and following annual report recommendations with Welsh Government and public services.

### **During this time, we have seen some positive changes for young people in care;**

- In March 2017, Welsh Government created the St David's Day fund ;
- The development of a Residential Care Task and Finish Group;
- A Protocol to Reduce the Unnecessary Criminalisation of Care Experienced Young People has been published.

### **We have also received commitments from Welsh Government to**

- Phase out profit from children's care services;
- Develop a Corporate Parenting Charter, supported by statutory changes to expand the duties on public bodies;
- Ensure Personal Advisor support up to the age of 25 is secured in legislation in 2022/23;
- Collect data to understand the scale and trends in unregulated accommodation, with a commitment to review regulations with a view to strengthening the protections for children and young people;
- Develop national standards to address concerns of quality, sufficiency and suitability for semi-independent accommodation.

Whilst it has been hugely positive to see such a bold commitment by Welsh Government to 'radically' reform care services for children and young people, the speed at delivery to secure entitlements for this group of young people has at times been frustrating. Changes have been incremental and whilst we have had commitments to deliver change, we are yet to see the shifts in practice and support that are required to further improve the life chances of care experienced young people.

With plans to develop No Wrong Door Approaches across our health services and plans to enhance Wales' whole-school approach to mental health, we are pleased that care experienced young people will also benefit from this new approach to accessing support. Too often have we been aware that geographical locations and routes of referral for support has limited access.

Going forward, it is essential that all public services play an active role in supporting care experienced young people and actively address any barriers that may exist within their own services so that care experienced young people have equal opportunities to make the most of their abilities and can reach their full potential.

# Being accountable to children in Wales

# 4

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. In 2019, we set out the following ambitions to;

1

have our Office epitomise a Children's Rights Approach.

2

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

3

ensure our advisory panels, including our young people's panel, are having meaningful impact on our work.

4

ensure the information we process is managed responsibly.

5

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

**We also set out our ambitions to become more accountable in our day to day work as a public organisation by setting out plans to;**

**1**

**Work with Wales' new Youth Parliament to establish a mechanism for the Commissioner to be scrutinised annually by the democratically-elected body;**

**2**

**Ensure our participation work is guided by Wales' National Participation Standards;**

**3**

**Report our work, including our financial and risk work, to our Audit and Risk Assurance Committee and our advisory panels on a quarterly basis;**

**4**

**Work in a sustainable way, and aim to embed the principles of the Well-being of Future Generations (Wales) Act 2015 in our practice;**

**5**

**We will ensure we deliver value for money and commit to providing transparent estimates of our financial needs to the Welsh Government and ensure we have sound internal controls.**



## This is how we have worked to achieve it.



### Epitomising a Children's Rights Approach.

As well as working with a broad range of public organisations to help develop their children's rights approach, we too have been working to strengthen how we uphold the principles of a Children's Rights Approach...

#### • **Embedding**

1. 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. Our Strategic Planning Policy and Strategic Plan are built on children's rights.
3. All job descriptions have explicit reference to children's rights.
4. A dedicated participation team exists to promote and implement projects that explicitly aim to listen to children and young people.

#### • **Equality and Non Discrimination**

- We worked in partnership with YMCA to develop and adapt our resources to be more accessible to children with learning needs;
- We secured a Widgit License and training, which allows us to use their communication symbols;
- We have committed to produce accessible versions of all our reports and resources;
- We have worked in partnership with organisations such as Race Council Cymru, EYST, and Disability Wales to support and review publications.

#### • **Empowerment**

- We have developed work placement opportunities with partnership organisations;
- Our communications work is focused on increasing awareness of children's rights and the role of the Commissioner, so that children themselves can have access to information which enables them to understand and exercise their rights.
- Our young people's advisory panel holds the Commissioner and the office to account on the delivery of our work plans.
- We have created a suite of tailored materials to promote and encourage public bodies across Wales to take a children's rights approach and hosted training sessions with hundreds.

#### • **Participation**

Every member of the staff team has responsibility to engage with children and young people in all four corners of Wales. You can read more about the significant engagement work elsewhere within this report.

#### • **Accountability**

We have worked with a PhD student from Cardiff University to evaluate the impact of The Right Way, including our work internally on embracing the principles of a children's rights approach.

Progress made against our strategic plan is published in our Annual Report as is an assessment of how we're performing against the principles of The Right Way.

## Coronavirus and Us

Just two weeks in to our new work plan year, and our office was closed like offices, schools and colleges right across the country, due to the Coronavirus global pandemic. Our work plan for the year, like every year, had been influenced and informed by the views of children and young people and those who care for or about them. We chose to maintain our original planned set of projects as well as adapt to respond to the pandemic.

In September 2020 we published the [Coronavirus and Us report](#) which gave our assessment of the Government's work to uphold children's rights at that point and outlined our work during the first five months of the crisis. In September 2021 we published [Coronavirus and Us: 2nd edition September 2020-September 2021](#).

**These reports set out our guiding principles for responding to the pandemic;**

1

To make sure children, young people and their families have clear and reliable information and advice;

2

To Check that children who might need more support than others are safe and getting what they need;

3

To make sure that children and young people are listened to;

4

Help government and other services hear about and respond to children and young people's experiences and views.

## Our Young People's Advisory Panel

The young people's advisory panel has continued to develop and flourish, this year expanding to 47 members following recruitment and training of 25 new members earlier this year.

The panel has also successfully moved from three day-long face-to-face meetings per annum to monthly online meetings, providing us with a rich source of views and opinions about current events affecting young people in Wales  
The panel have helped with;

- Media Interviews;
- Produced consultations, including their own response to welsh Government's consultation on RSE Education;
- Helped facilitate events, such as chairing the Children's Rights in Youth Justice Seminar;
- Met with Welsh Government Ministers to discuss climate change concerns, Coronavirus measures and exams;
- Designing and delivering our biggest ever survey, [Coronavirus and Me](#).

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

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- All our participation work is underpinned by the National Participation Standards for Wales.
- We became a Disability Confident Committed Employer.
- We established an equalities project group as a response to the Black Lives Matter movement and in an attempt to take steps forward to diversify our organisation and reach. An action plan is in train and a public commitment on this work has been published.

- **Office Move**

The most significant step towards making our office accessible was the decision during this period to move our headquarters. Our new accommodation in Port Talbot enables us to be in a prime position to be able to establish ourselves as a real public sector hub in the heart of Port Talbot. We're in a sustainable building, accessible to all via solid public transport infrastructure and is a suitable, modern space for staff. The move has also resulted, on average, a saving of £20,000 per year on rates and rental cost.

- **Wellbeing Group**

In 2019, we made steps as an organisation towards being a Time to Change Wales organisation. As part of this, we established a group of Well-being Warriors – volunteers from across the organisation who come together to discuss workplace wellbeing and circulate ideas and initiatives to support the team. You can read more about the Well-being Warriors [here](#).

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## Improving our accountability.

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- **Handling Information**

- All staff attended training sessions with the ICO;
- We are members of the data protection officers' network and we're working towards Cyber Essentials Plus accreditation to ensure the systems we have in place to protect our data are as robust as possible.
- We had one data breach in 2020-21 and another in 2021-22, both were reported to the ICO and required no further action. We reported on both in our annual reports.
- You can read more about how we report on value for money on page 9 in 'Behind the Plan'
- In our annual reports we provide comprehensive updates on how we meet the public sector equality duties and the Welsh Language Standards, all of which you can read [here](#).
- We continued to meet quarterly with our Audit and Risk Assurance Committee, and successfully recruited new additional non-executive members. Meetings with our adult advisory panel continued and we increased frequency of meetings with our young people's panel during the pandemic.
- In 2019-20, we published our evaluation our first of Three Year Plan 2016-19. You can read the [report here](#).



## Embedding the Well-being of Future Generations (Wales) Act 2015

• As member of the Future Generation Commissioner's Advisory Panel and as a public body in Wales, the Commissioner is committed to the principles as outlined in the Wellbeing of Future Generations (Wales) Act 2015, which are:

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

The Commissioner is also committed to minimising her organisation's impact on the environment as set out in our [Biodiversity Strategy](#).

**We also seek feedback from staff during our staff survey on how we work as a team towards the seven goals of the Wellbeing of Future Generations Act. In the latest staff survey (December 2021):**

**95%**



of respondents agree or strongly agree that we ensure that children's voices are at the heart of everything we do

**95%**



of respondents agreed that we listen to different groups of children and the adults that support them and that we work on the things that matter to them

**90%**



of respondents agree or strongly agree that we balance working effectively in partnership with others to deliver our goals whilst protecting our independence

**81%**



of respondents agree or strongly agree that our work is focussed on enabling every child to fulfil their potential

**71 %**



of respondents agree or strongly agree that we demonstrate continuous improvement in our work from regular reflection and critical review

**90%**



of respondents agree or strongly agree that we balance working effectively in partnership with others to deliver our goals whilst protecting our independence

**90%**



of respondents agree or strongly agree that we pro- actively use and develop our Welsh Language skills in the workplace

**You can find more information about  
the Commissioner's work here:  
[www.childcomwales.org.uk](http://www.childcomwales.org.uk)**

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