

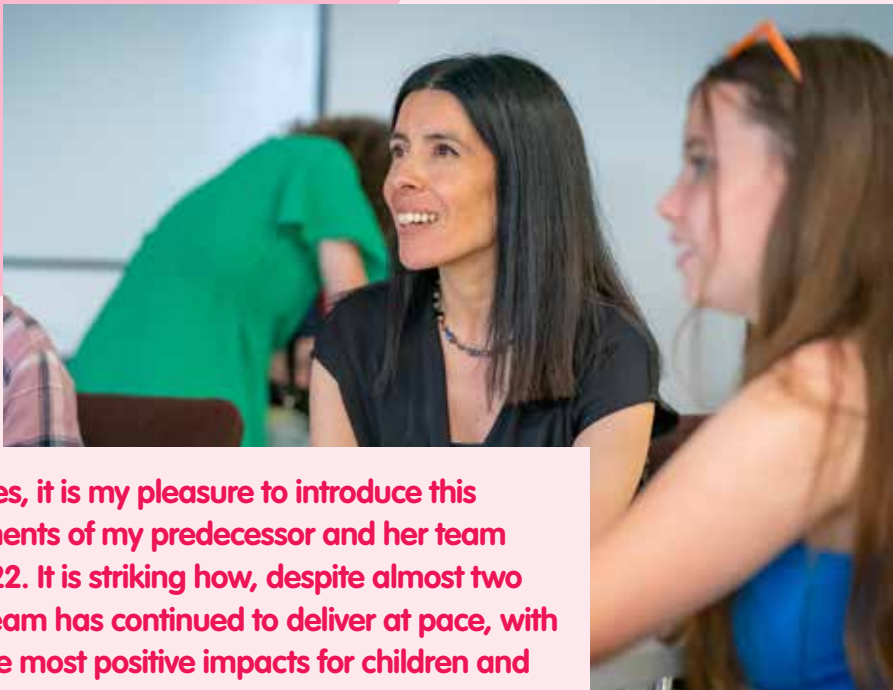
Annual Report 2021/22



**Comisiynydd
Plant Cymru**

Children's
Commissioner
for Wales

A message from the Children's Commissioner for Wales, Rocio Cifuentes ^{MBE}



As the new Children's Commissioner for Wales, it is my pleasure to introduce this report outlining the hard work and achievements of my predecessor and her team during the period 1 April 2021 – 31 March 2022. It is striking how, despite almost two years of pandemic-related challenges, the team has continued to deliver at pace, with enthusiasm and determination to achieve the most positive impacts for children and young people in Wales.

This year saw the team publish a second edition of the '[Coronavirus and Us](#)' report. Within that report, they highlight the significant contribution they made to Wales' response to the global pandemic during the period September 2020 to September 2021. The list is vast and illustrates why having an independent champion for children is critical here in Wales.

Whilst undertaking a significant amount of additional work, the team also delivered on all their commitments, including: planning for a new commissioner, reviewing the impact of the three year plan, running a parallel election during the local elections, updating progress on Wales' 'No Wrong Door' approach to mental health, evaluating and continuing to support organisations to deliver 'The Right Way' and producing another Right Way resource on Additional Learning Needs. You'll be able to read about all these pieces of work and more within this report. The year also saw the team successfully manage the relocation of our office premises, from Llansamlet in Swansea, to Port Talbot, a move driven by our organisational goals to improve the sustainability and accessibility of our offices. Our new offices are closer to

public transport links, and are significantly smaller, recognizing the move towards greater hybrid and flexible working, which we have also embraced.

As I look ahead to the coming year, I can only hope to continue with the same success and strong team support which characterised my predecessor's term. We may be emerging from the Covid pandemic, but we are almost certainly entering another crisis - the Cost of Living Crisis, which is creating huge pressures on families and children who were already struggling. We cannot afford for the inequality gap to continue to widen, if Covid shone a light on pre-existing inequalities, we cannot look away now, as more children than ever fall below the poverty line, and tell us they are worried about their own futures.

Equalities within our organisation will also be another focus, building on the work initiated by the office following the revived Black Lives Matter movement in 2020. I also hope to reach and engage with more children and young people across Wales, inviting them to contribute their own views and priorities to inform my own three-year work plan – Ambitions for Wales.

And I'll be continuing on my own Welsh learning journey – dwi newydd ddechrau dysgu Cymraeg, a dwi'n meddwl bod yn Cymraeg yn bwysig iawn...Dwi'n edrych ymlaen! All staff here write their own Welsh promises; [here](#) are mine.

I'd like my final word to be a word of gratitude to my predecessor, Professor Sally Holland. I know she'd want me to thank the dedication and unwavering commitment of her team, whom I'm lucky to inherit, and to the thousands of children and young people who entrusted her with their experiences and ideas. Diolch yn fawr iawn, Sally.

People tell me that these next seven years in post will fly by. I cannot wait to get started and cannot wait to play my part in building on the twenty-year plus legacy of this independent institution.

A message from our young people's advisory panel



Our young people's advisory panel continued to meet throughout 2021/22 with the newly established monthly on-line meetings with the Commissioner providing a rich source of feedback to the Commissioner about children and young people's views about both her work plan and current issues. Young people have also contributed their views to Welsh Government consultations on the RSE curriculum, the 20mph speed limit proposals, the Race Action Plan and the LGBTQ +action plan. Further recruitment to the panel has increased the numbers of young people on the panel to 42.

Young people from the advisory panel have been able to participate in additional opportunities with the office including representing Wales at the European Network of Young Advisors (ENYA) conference. Young people have been able to feedback the outcomes of this conference directly to the First Ministers and Welsh Government officials, have met with and questioned the Education Minister about Education issues and have been active participants in Children's Commissioner for Wales' staff interviews.

We evaluate experiences when our young members leave; here's what one had to say when their term ended this year:

"Hello! I just wanted to say a massive thank you for giving me the opportunity to be a part of your youth panel - I enjoyed it so much and really feel like it improved my confidence. Thank you for encouraging me to apply for the role of Chairperson too! I don't think that I would have had the confidence to do so without your encouragement beforehand, and I really loved it and learnt so much!

I really felt as though my voice mattered and that everybody in your team wanted to hear what the panel had to say, and that our words truly had an impact on your work - I can't thank you all enough for listening to us. It made a difficult year easier, as we all knew that we had a way to make a difference and that you would fight our corner.

Please pass my thank you on to the rest of the team too! They all made the experience so great!"

What we do

A set of laws sets out what the Children's Commissioner for Wales should do to protect and promote children's rights. We've summarised those laws into five areas of work. Put simply, here's what the Commissioner does:



Supports

children and young people to find out about their rights under the United Nations Convention on the Rights of the Child (UNCRC)



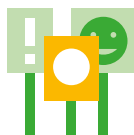
Listens

to children and young people to find out what's important to them



Advises

children, young people and those who care for them if they think they've been treated unfairly



Influences

government and other organisations who say they're going to make a difference to children's lives, making sure they keep their promises to children and young people



Speaks up

for children and young people in Wales on important issues

We're allowed to work with every child in Wales who is:

Up to the age of 18

Up to the age of 21 if they've been in care, or 25 if they've been in care and are still in education

This is a report about how we do this.

The Right Way

Policies and legislation on children in Wales are underpinned by the UN Convention on the Rights of the Child (UNCRC). There are specific laws that place duties on public authorities to make children's rights a reality.

To support public bodies with these duties, we published **'The Right Way: a Children's Rights Approach in Wales'** in 2017. It's a practical guide to help them place children's rights at the heart of all planning decisions and service delivery.

This year, we decided to evaluate the impact of our Right Way (TRW) work with 30 organisations via a survey and 22 via focus groups.

Here's a summary of what people said about The Right Way in our evaluation, [Ambition to Action](#):

"It's [TRW] broad enough, but tangible enough to translate our ambition of doing what is good and right for children into action".

"TRW offers an opportunity for consistency; to apply a unified and consistent approach across my organisation, and across my counterpart organisations in Wales"

"TRW has helped us to put in place structures to transform our value of listening to children and young people into action. We held focus groups with [4 national teams] and the children and young people involved in them, discovering the range of judicial approaches in our area alone were vast. By listening to children, young people, and staff, we were able to transform our services to meet the needs of those who used them. TRW changed the lens – children were not perpetrators who deserved punitive measures, but people who needed restorative support. This has led to the changing of policies that are deemed to be punitive."

"Official guidance and documents from the Officer of the Children's Commissioner have been useful in gaining buy-in from our senior decision makers. Navigating all of the pressures of and demands of service provision requires a little more direct encouragement and Sally brings that. People see her name and they pay attention. It's not my voice anymore but a strategy and resources and a Commissioner. We welcome that."

From the survey and focus groups, it seems The Right Way:

- Provides a consistent and common approach to children's rights
- Allows opportunities to collaborate, which was celebrated
- Provides practical support to understand and implement The Right Way
- Enables senior buy-in because of the Commissioner 'badge'

New additions to the Right Way portal of resources this year included:

- updating a [Children's Rights Approach to Education in Wales](#);
- training modules for health and social care professionals;
- lecture resources for youth workers.

We also supported individual organisations to implement a children's rights approach including Hywel Dda University Health Board, police forces, youth justice sector and Sport Wales.





How we **support** children and young people to find out about their rights under the United Nations Convention on the Rights of the Child (UNCRC)

This work is led by our experienced participation staff, whose work is underpinned by the National Participation Standards for Wales.



Here are some highlights of the team's work this year:

Early Years' Work

Our ground-breaking work saw us work with a range of early years professionals to explore what a children's rights approach could look like in early years settings.

Launched at the Mudiad Meithrin conference, our [activity pack](#) and training resource supports the youngest children to enjoy learning about their rights and what they need to grow up to be happy, healthy and safe.

ENYA –Impact of COVID conference 2021 / Climate change conference 2022

We worked with some young people from our advisory panel to prepare for and participate in two international conferences run by the European Network of Young Advisors (ENYA) and the European network of Ombudsmen (ENOC). The conferences addressed issues that had been identified by children and young people throughout Europe as being important to them.

Two young people from our advisory panel presented recommendations to the 2021 ENYA conference "Let's talk young, let's talk about the impact of COVID 19 on children's rights" and one of the young advisors went on to

present at the corresponding ENOC conference in September 2021. Other young advisors from the project team were also able to present their work to the First Minister and Welsh Government officials.

"Just a big thank you to Rhian and Sophie for running the project as it was an amazing experience where I learned so much about others' experience throughout the pandemic and it made me feel very listened to and like the world would evolve for the better because of this pandemic!"

(Quote from a participant of the project)

EYST Active inclusion fund placements

In partnership with the Ethnic Youth Support team (EYST), we welcomed two young people on a 16-week work experience placement this year. With a mix of remote working and office-based work, the two new additions travelled across Wales to work with children and young people and were supported to develop critical skills to gain access to employment.

Here's a [blog](#) by one of our placements, Fatjona, which describes her time with us and the experiences, roles and responsibilities she took on.

Bridgend Inclusive Youth club

Members of the team have continued attending regular meetings of the Bridgend Inclusive Youth Club, and have worked with the young people in the club to develop resources and materials that are relevant to their needs and the needs of children and young people with learning disabilities. We've seen this as a critical way to ensure we enhance the way we work with children and young people to ensure we're as accessible as possible with our content and materials.

Training for Professionals

We're a small staff team, and so we're reliant on working with others to protect and promote children's rights. This year we've trained professionals from a variety of organisations who work with and for children and young people, including:

- Providing training for HMI Estyn on how to discuss sensitive subjects with young people in group settings;
- Disseminating information and learning on participation work with under 7s to the UK National Participation Officers network;
- Supported Welsh Ambulance Service with their work on developing their response to children and young people making 999 calls, including the language call takers use) to make sure children and young people understood what they're being told;
- Training on participation with children under 5 with ALN for psychologists working with children in Cardiff;
- Advising organisations about setting up an advisory panel with children and young people including Sustrans, Qualifications Wales and the Tasmanian Children's Commissioner; and
- Training on children's rights for members and staff of Senedd Cymru's Children, Young people and Education Committee.

Haf o Hwyl // Summer of Fun

We joined forces with the Urdd and Sport Wales to call for every child and young person in Wales to be offered free and accessible opportunities for play, sport, arts and other outdoor activities over the summer months.

In response, the Welsh Government invested £5million for summer 2021, additional funds for a similar winter scheme – Winter of Wellbeing – and committed to running Haf o Hwyl/Summer of Fun in 2022.

Project Vote

Following the huge success of Wales' first-ever parallel Senedd election, we supported parallel elections in secondary schools in Wales to coincide with 2022 local elections. For this historic election, where we saw 16 year olds vote for the first time in council elections, we wanted to help younger children to understand voting.

To support schools to take part, we created four lessons, home learning packs, accessible lesson plans and key stage 2 lesson plans. It led to over 3000 votes cast in 19 council areas. Our evaluation highlighted that 58% of young people who took part said they were now more likely to vote in local elections when they're old enough.



How we **listen** to children and young people to find out what's important to them

We listen to children and young people in meetings, school visits and workshops. We also listen to them through our ambassador programme – a scheme established over 20 years ago by the first Children’s Commissioner for Wales.

Community Ambassadors

Our Community Ambassador programme has continued this year despite the restrictions and challenges of lockdown. Community Ambassadors are children and young people who have volunteered as a member of their local community group or special interest group. This year, we have worked with:

- Mixtup, from Swansea
- Vale Rights Ambassadors from the Vale on Glamorgan
- Carmarthen Youth Forum Ambassadors
- Swansea Bay Health Board
- TGP – Gypsy Roma Travellers, from across Wales
- Caerphilly Youth Forum
- HOPE from Neath Port Talbot
- Young Carers from Merthyr Tydfil
- Pitchin in the Kitchen, Swansea
- Llamas, Neath Port Talbot
- Meeting young mums with NYAS, south Wales
- Meeting weekly with YMCA Bridgend ALN Youth Club
- Online event with WCD (Wrexham, Conwy, Denbighshire) Young Carers in North Wales

These groups have provided great support to key pieces of work this year, including our Coronavirus and Me surveys, wellbeing work, Haf o Hwyl and special missions. Community Ambassadors have been a great support feeding in to many of our projects this year. We have continued to be in contact with groups and engage them in the Coronavirus and me work and our special missions: Spring Rights Journey; Wellbeing work (post Covid) and Haf o Hwyl.

Ambassador Schools Programme

The Ambassadors school programme has continued to expand during 2021 /22 with 447 primary schools signing up to the programme in 2021/22 compared with 336 the previous year and 54 secondary schools signing up compared with 44 the previous year . This represents 35% of maintained primary schools, 26% of maintained secondary school, 35% of maintained special schools and 14% of maintained Pupil Referral Units. Schools have been actively participating in the termly special missions on topics including a whole school approach to wellbeing and schools’ rights journey during Professor Sally Holland’s term as commissioner. Three hundred and seventy young ambassadors also joined our online training conference in autumn 2021.

AMPLIFY!

In Wales, every secondary school must have a school council. We spoke with almost 7000 pupils about whether they were getting all of their rights. One of the things we learned is that children in primary schools and special schools felt more able to have their say in school than young people in secondary schools. We worked with our advisory panel to find out what could make more young people feel like they were having their say in secondary school. This year, we published [‘Amplify!’](#), a report and resources on how to maximise young people’s voices through secondary school councils.



How we **advise** children, young people and those who care for them if they think they've been treated unfairly

Our Investigations and Advice service is free and confidential. It's there to advise and support children and young people or those who care for them if they feel that a child has been treated unfairly.

This year the team worked on 604 individual cases, with the majority of those related to Cardiff local authority (89 cases), Bridgend (55 cases) and Swansea (46 cases).

Wherever possible, we try to use the evidence we gather through this service to influence positive change for more children and young people in Wales identifying wider issues and learning opportunities for professionals and government, both within the local area concerned and further afield across Wales. Our section on how we've influenced this year includes more details.

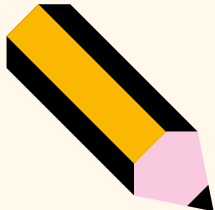


604

**This year the
team worked on 604
individual cases**

The main issues recorded this year were:

298



Education

(Complaints 76, Advice 54, Provision 26, Exclusions 17, Transport 16)

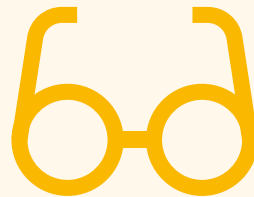
231



Social Services

(Complaints 97, Advice 30, Provision of Services 28, Safeguarding and Child protection 28, Placement 20)

26



Legal

112



Education SEN /ALN

(Placement 32, Assessment 26, Provision 24, Statement / IDP 21)

93



Health

(Complaints 22, Neurodevelopment team 19, CAMHS 15, Provision 12)

17



Housing

9



CAFCASS

46



Family Justice

1



Immigration and Asylum

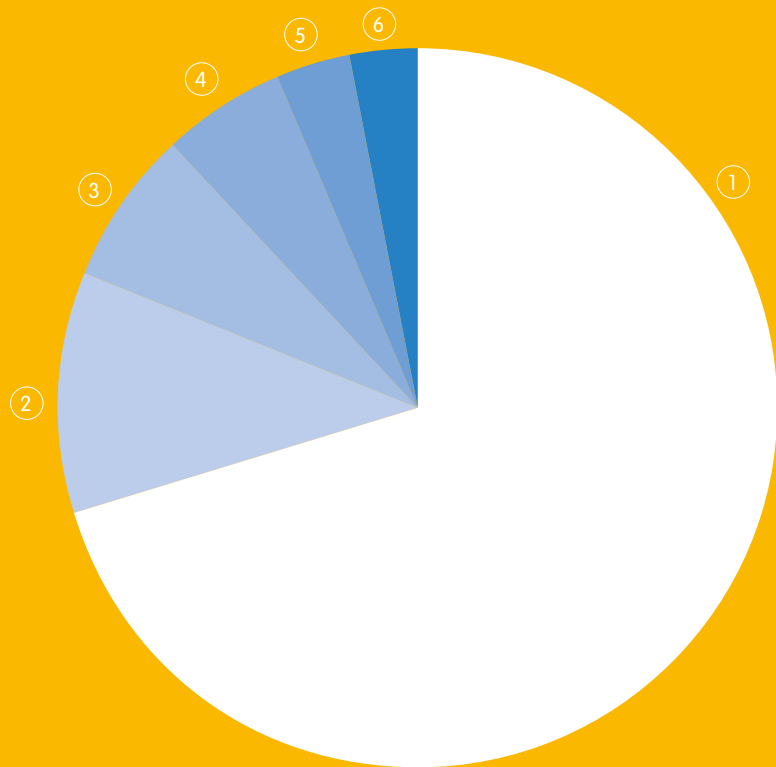
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Welfare benefits

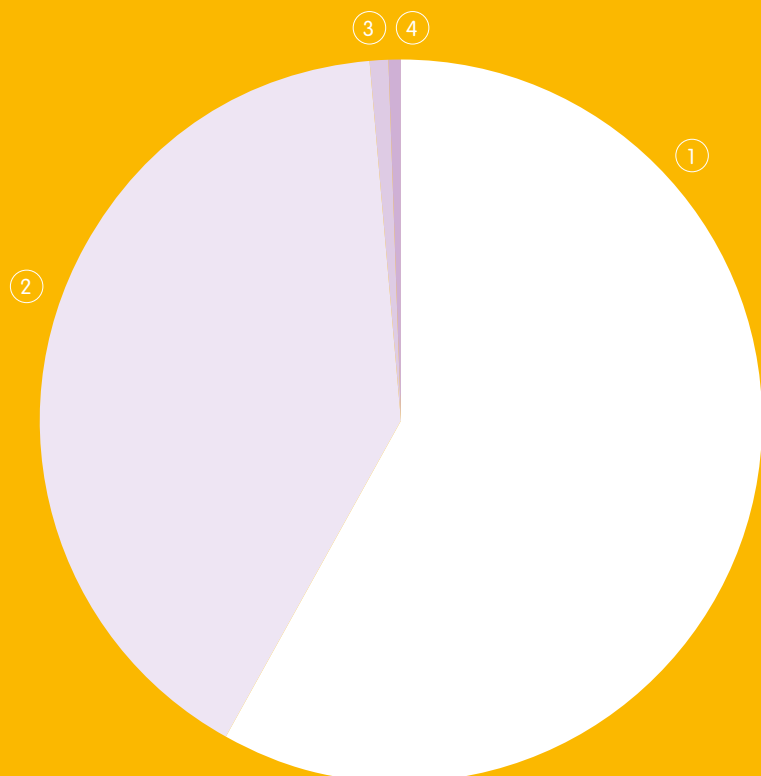
Who made contact with us?

1. Parent	366
2. Extended Family	56
3. Member of the public	36
4. Child or young person	28
5. Third Sector Organisation	18
6. Foster Carer	15
7. Education professional	13
8. Advocacy service	10



How did people make contact with us?

1. Phone	376
2. Email	262
3. Letter	6
4. In person	2



What people have said about the support they've received from our team

"Thank you so, so much for listening to my daughter's story and for being so understanding and supportive. I wish you could have seen the beautiful smile on her face when she was chatting with you. Connecting with you has definitely been a benefit to her."

(Parent of transgender child)

"Thank you for the opportunity to speak today although difficult it was necessary and I thank you for being understanding and compassionate. Following on I have requested a meeting with X, attachment enclosed to safeguard myself and my son from further untold truths of which I hope will satisfy procedures and actions within the remit of protecting myself and more importantly my son" .

(Parent in relation to issue at school)

"When I called the Child Commissioner for Wales, I wasn't sure what help or advice I would receive, if any. However, the lady I spoke to was so helpful, took her time to listen to all I had to say. In addition, I felt informed (as I had no idea about what legislation is in place or the policy and procedures) and x took her time to explain and point me in the right direction, as to where I could research more. The advice and information x kindly sent over to me via email, has been invaluable and I certainly wouldn't of found that on my own by 'googling'. So, a heartfelt thank you! The only thing I wish more parents/guardians were aware of this amazing service, as it has been such a help to me. Thank you!"

(Parent in relation to an education matter)

"One of the hardest things about our experience of trying to get the right educational support for our daughter is the feeling of not being heard or understood. It's very isolating and frustrating. In chatting through the issues with CCfW, I felt that I was being listened to and met with empathy and understanding. The advice received was extremely helpful as it helped cut through the dark arts of a long and difficult process (battle) of getting the right support, and I feel more positive and confident in my approach from here to ensure our daughter gets the provision she needs and deserves."

(Parent in relation to an education matter)



How we **speak up** for children and young people in Wales on important issues and how we **influence** government and other organisations who say they're going to make a difference to children's lives, making sure they keep their promises to children and young people

Our report card includes highlights of how we've spoken up and tried to influence Welsh Government and others to protect children's rights.

Here are some key facts about that work this year:

650



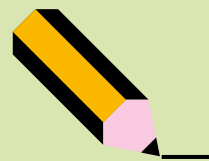
Secured 650 pieces of broadcast and print coverage for the organisation

31



Responded to 31 Welsh Government, Senedd committees and UK Government consultations

148



Took part, on average, in 148 working groups

Our People

Delivering on all this work is a staff team of 25.



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:

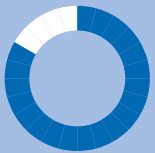
Improvement

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

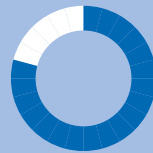
Stability

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

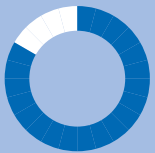
For the first time and in response to major changes in the way we work due to a new office location and the impact of the Covid19 pandemic, a dedicated section on how the organisation responded to change was included. Here are some highlights:



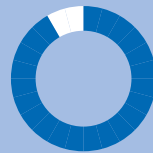
86%
of respondents agree that the move to Llewellyn House was well managed by the organisation for the future of our team;



81%
of respondents felt appropriately supported by CCfW during the pandemic;



86%
of respondents agree that the response to the pandemic including working from home was well managed;



90%
of respondents felt optimistic for the future of our team.



Here's an update from our well-being warriors, who are staff members from across the organisation who have a keen interest in workplace wellbeing and who genuinely care for their colleagues:

Our well-being focus this year has been the challenge of inclusivity with our well-being warriors injecting a little drop of harmony to the Team in a time of constant change.

We moved into our lovely new office premises in Port Talbot in September 2021 but continue to support colleagues working from home for significant periods of the week including an increasing number of home based workers.

With such a wide variety of working patterns, levels of engagement and different needs, how do you successfully support the wellbeing needs of everyone and maintain that hugely important Team cohesiveness and enthusiasm for our mission?

We've worked hard this year on creating a physical office space that is both inviting and practical. Our space is designed by the Team for the Team and it continues to flex and change as we experience new ways of working. This concept of flexing and changing to respond to our evolving needs as a Team has really been key to our approach to well-being this year. We don't have all the answers to well-being in this new world of hybrid working yet, but we like to try initiatives and go with the ones that flow; if they don't succeed, we talk to more people, adjust and try again.

As soon as the pandemic restrictions lifted, we invested in a well-deserved Team away day in the National Botanic Gardens, where colleagues spent quality time together in a beautiful setting planning, socialising and remembering the joys of being together.

We are also very lucky to have a talented group of creative people in our Team willing to spend some time creating a regular CCFW podcast. This piece of audio magic brings smiles and laughter to everyone and is genuinely priceless in terms of well-being.

We continue to meet monthly as a staff team on a virtual platform and share work successes and funny stories.

Another development this year has been the creation of a bank of new induction resources and information for new recruits who are unlikely to meet all of their colleagues in person for several months. These resources focus more on bringing the personalities of the Team alive and communicating our cultural norms, the norms that it's no one's actual job to tell you about. We now have a bank of resources on CCFW culture, acronyms, 'get to know your tribe' challenges and '13 things About Me' from each member of staff.

Our Commitments

There are certain national standards and duties that we must follow as an organisation. Here we explain what we've done in relation to two:

1. Welsh Language Standards

2. Diversity profile of our staff

1

Welsh Language Standards

The Children's Commissioner for Wales actively promotes 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 the Welsh Language Standards. We have a designated a member of management team leading on compliance with all equalities and Welsh language legislative requirements.

This year, we have:

- Continued to monitor and ensure compliance with the Welsh Language standards at monthly management team meetings and to provide staff with learning opportunities to develop their Welsh according to their level of skills;
- Completed a consultation response to Welsh Language Standards' Code of Practice;
- Undertaken a self-audit of compliance against Welsh Language Standards in response to request for evidence from the Welsh Language Commissioner;
- Developed an action plan to address issues that were raised by the Welsh Language Commissioner's audit of compliance against standards; and
- Featured by the Welsh Language Commissioner as a good practice case study about our work on our Welsh Promises;
- Celebrated 'I have a right' campaign by the Welsh Language Commissioner.

Number of employees who have Welsh Language skills at the end of the year in question (Standard 145)

As at 31 March 2022 there were 25 people working at the Commissioner's office. Of the 25 people working with us during that period:

10

describe themselves as proficient in Welsh.

2

describe themselves as having intermediate level skills in Welsh.

4

describe themselves as having advanced skills in Welsh.

9

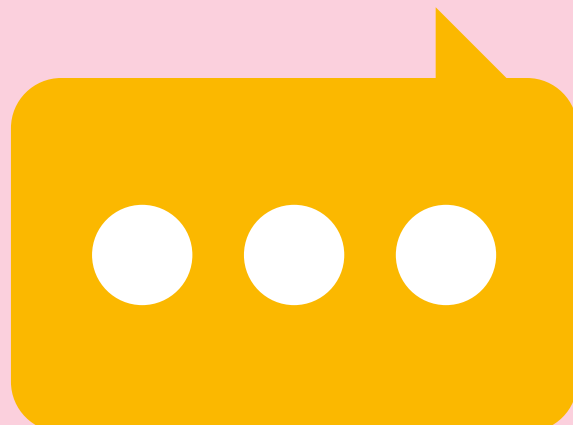
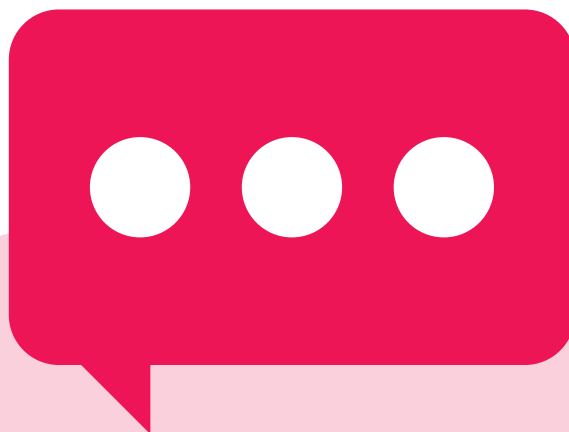
describe themselves as unable to speak Welsh/entry level Welsh

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 for intermediate / advanced learners during this period and supported two members of staff to learn Welsh in their own time outside of work.

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

- **Welsh Language Skills were essential** – One post. One part time Investigation and Advice Officer Post.
- **Welsh Language skills needed to be learnt when appointed to the post** – Nil.
- **Welsh Language skills were desirable** – One post. One part time Policy Officer post.
- **Welsh Language skills were not necessary** – Nil.
- **Number of complaints received during the year in relation to compliance with the operational standards with which we were under a duty to comply** – We have received one complaint in relation to compliance with the operational standards. This was in relation to CCfW submitting a Welsh response to a Senedd consultation response after submitting an English response. The complaint was acknowledged and accepted swiftly when it was investigated, and practice changes have been instituted since this to prevent this from happening again. All staff have been reminded of their responsibilities in respect of welsh language and operational standards.



2

Diversity Profile of our staff

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 improve the inclusive nature of our workplace. On average, between 1 and 5 people each year choose the 'prefer not to disclose' option for each equality characteristic so we do not have a complete picture.

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. Nonetheless, it is broadly clear that on 31st March 2022 our Team was exclusively from a white ethnicity, the majority describe themselves as female, the majority say they are heterosexual, 36% describe themselves as Christian, 48% follow no religion or belief and 64% are proficient or have advanced skills in the Welsh language. A further more detailed breakdown is detailed below.

For ease of reporting and comparing between years, we report our statistics on a fixed date in the year. As a result, we must accept that this method will not capture the diversity profile of any short-term employment or placement students we have supported in this time.

There are things to celebrate from an equality perspective about the make-up of our current Team in terms of gender and empowering women in the workplace, Welsh language culture and long-term health conditions, but there are clearly some important lived experiences absent in our current staff make-up. As a very small team of people, the diverse lived experiences of members of our advisory panels make a vital contribution to the way we see the world, but we recognize we have more to do in this area.

During the past year, we have prioritised action in relation to several equality characteristics through our Equalities Action Group and our annual Equalities Action Plan. These actions include becoming a Disability Confident employer, reviewing all of our recruitment materials including the way we describe our roles,

including socio-economic information in the equality data we capture and introducing a guaranteed interview scheme. We also plan to continue with our policy of advertising all of our permanent posts externally and using accessible formats like video clips to advertise vacancies and encouraging video applications. We will continue to ensure we have diverse interview panels with fair gender representation, and the involvement of children and young people from our 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 also invests in the development of junior Team members, potentially encouraging more female workers to seek promotion and advance their careers. We will also use recruitment tests as part of our recruitment processes to minimise bias and ensure we are appointing on merit

We have participated this year as a host Employer in an Active Inclusion placement scheme managed by the Ethnic Youth Support Team (EYST) in Swansea. Through this scheme, we have welcomed two young adults from ethnic minority backgrounds to our Team, providing them with valuable work experience and in turn, we are improving our cultural competence as a Team. We have also agreed that in future years, as well as paying careful attention to protected characteristics, we will also focus on understanding and celebrating our hidden identities and the rich lived experiences by association of our Team.

Overall workforce diversity

On the 31 March 2022, we had twenty-four people on the payroll (including the Children's Commissioner) and we were supporting one person on a 16 - week funded placement.

Between 1 April 2021 and 31 March 2022, two people on full-time permanent contracts and one person on a temporary part-time contract left the Team and there were two new appointments, both of whom were employed on permanent part-time contracts.

The staff members who resigned from the Team had been employed by the Commissioner between two and four years respectively.

On 31st March 2022:

- **4%** of our workforce (1 person) was engaged on a temporary, fixed term or a supernumerary secondment basis. This is the less than last year when 11.6% of the workforce was employed on a temporary, fixed term or a supernumerary basis.
- **56%** of colleagues (14 out of 25 people) worked full time hours, 40% worked part time hours compared to the year before where 69% worked full time. Only 10% of our part time workers describe themselves as male (1 out of 10 people). This is very similar to last year.
- **80%** of our workforce describe themselves as female; this is the same as last year.
- No one in the Team disclosed a lesbian, gay or bi-sexual orientation, whilst 83% of voluntary respondents stated they are heterosexual.
- No one in the Team disclosed transgender, bi gender or gender fluid identities in this period.
- **40%** (10 people) of our colleagues in this period are under 35 years old; this is slightly more than last year where 36% of our workforce was under 35 years of age. 40% (4 out of 10 people) of this age group works part time.
- **36%** (9 people) of our colleagues in this period are between 36 and 54 years of age. 44% (4 out of 9 people) of this age group works part time.
- **16%** of our colleagues are aged over 55 years, last year this figure was 19%; 50% of this age group works part time.
- We do not currently employ anyone over age 65.
- **12%** of our workforce live with a long-term health condition/ disability; compared to 22.5% of the Welsh workforce as a whole.
- **96%** of our workforce on 31st March 2022 declared they were from a white ethnicity; with 56% describing themselves as White Welsh.
- **64%** of employees (16 out of 25 people) describe their Welsh language skills as either proficient, advanced or intermediate level. 36% of our workforce declared they have entry-level skills in the language.
- **36%** of our workforce declared their commitment to a specific religion (Christianity).
- During this financial year, we have supported one person through pregnancy and maternity leave and supported one member of staff to access shared parental leave.
- Representatives from all genders, most grades and contract type accessed learning and development opportunities this year despite the limitations of remote working during a pandemic. In addition to individual learning applications, our whole team development programme continues and enables part-time workers, temporary workers and workers with protected characteristics to have equal access to learning and development opportunities.

Gender and Pay differentials

The Job Evaluation and Grading System that underpins our pay system allocates a banding to individual posts based on seven different work factors: autonomy, problem solving, decision-making, impact, management of resources, contacts and communication, knowledge and skills. This system ensures that differences in salaries for posts relate to specific job requirements and contributes to our commitment to eradicate bias in the recruitment process.

Of the 20 female staff in post on 31 March 2022, 4 female employees, or 20% of the female workforce, are employed in the three highest pay bands; compared to 2 male employees, or rather 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 participants and 2 male participants.

Female staff continue to be the larger part of our workforce and a female occupies the most senior position in the organisation, however, the average salary for a female worker on 31 March 2022 was approximately £35k and the average salary for a male worker was approximately £41k.

Only female staff members occupy the lowest pay band in CCFW, this in addition to the 90% of part time workers being female, all contributes to the average salary differential.

Of the 20 female staff members employed on 31 March 2022, half of the workers occupy part time roles, compared to just one male employee (20% of the male workforce).



The impact of our three-year strategy

Every three years we publish a three-year plan, outlining what we'll be working on to improve children's lives.



Our current plan was developed from existing evidence about children's access to their rights and our own consultation with over 10,000 Welsh children and adults. We want to live in a Wales where:

- services work together to give children and young people the mental health support they need, where and when 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

This was our final year of delivering on these ambitions. We evaluated our impact and here's what we found:

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

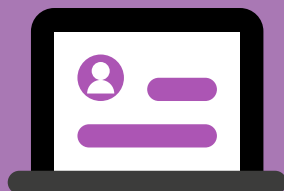
1,894 individual cases handled by our Investigations and Advice team

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



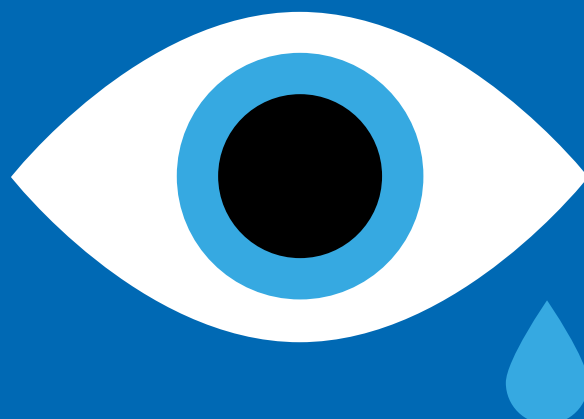
Our Report Card:

Our report on key policy issues, our work in those areas and our assessment of Welsh Government's progress

Adequate Standard of Living

ADEQUATE STANDARD OF LIVING

Tackling Child Poverty



The key issues

Tackling child poverty has been a key issue for the office across the 7-year term of Sally Holland as Commissioner.

Welsh Government's own statistics published towards the end of this financial year indicated that between 2016-19, a child in Wales had a 13% likelihood of being in persistent poverty (after housing costs were paid). In addition, 31% of children were living in relative income poverty in 2017 to 2020. This figure had increased from 28% reported the previous year and represents the highest percentage figure for all of the UK nations.

Academic research during the period has also confirmed a causal link between low incomes and rising rates of children being taken in to local authority care.

How we've influenced

We've written to the Department for Work and Pensions (DWP) at UK Government twice this year together with our counterparts from Scotland and Northern Ireland, raising concerns about the harmful impact of the two-child limit on child tax credit and universal credit. This policy is a clear breach of children's human rights including the right to an adequate standard of living. Children should not be penalised for actions beyond their control. The first letter, in May 2021, coincided with evidence we gave to a House of Lords inquiry on welfare benefits. We also highlighted concerns about in-work poverty in particular, urged that the £20 universal credit uplift that was then in place be continued, and requested to meet with the Secretary of State to discuss our concerns.

The response which was issued from the Minister for Welfare Delivery in July 2021 outlined the UK Government's policy aims in detail but did not refer to children's rights, did not address any of the concerns or data we'd included in the letter and did not acknowledge the request for a meeting. We wrote again to the Secretary of State in September 2021 to reiterate our concerns and ask for these to be addressed properly via a meeting with her. No response has ever been received to this letter and no such meeting has taken place.

We raised this further with the Secretary of State for Wales in early 2022 but no response or meeting offer has been forthcoming. In the meantime, the universal credit uplift has been withdrawn and the cost of living crisis with rising energy and food prices causing further significant impact on families with children.

We've continued to be observers to the Welsh Government's income maximisation working group, but have continued to raise concerns with Welsh Ministers and officials that this primarily focuses on adults and older generations.

At the end of her 7-year term, Sally Holland gave a [lecture](#) from the Senedd reflecting on devolution and its impact for children and young people to date. Child poverty was a major area that was highlighted due to the levers for tackling this sitting across both UK and Welsh Governments.

Progress

Since the 2021 election, the co-operation agreement created by Labour and Plaid Cymru has been extremely welcome, particularly with the inclusion of some important policies for children and families such as the extension of free school meals for all primary school children and an expanded Childcare Offer.

The Welsh Government's income maximisation work continues but does not have a specific focus or work stream related to tackling child poverty.

There is no current strategy or action plan on tackling child poverty, despite our repeated calls for a specific focus on this important area. We are aware that the Welsh Government plans to issue an update on its work under the previous strategy during 2022 but this will not necessarily set out what measures will be introduced or taken forward to take account of the rising child poverty rates and cost of living crisis.

Recommendation

Tackling the root causes of child poverty must remain a clear and ongoing focus for the Welsh Government, as this underpins so many of their life chances and future outcomes and prospects. Work this year particularly needs to be addressed at families on the edge of care, where children are at risk of harm or neglect and entry into the care system. This should form part of a Child Poverty Action Plan.

The Welsh Government must set ambitious targets to tackle child poverty in Wales, using those levers available to them, accompanied by a comprehensive public action plan and timescales that will detail how the Welsh public pound will be spent on alleviating the impact of child poverty in Wales. This plan must be published alongside the updated child poverty strategy due for publication by the end of 2022.

ADEQUATE STANDARD OF LIVING

Transport



The key issues

Young people are particularly reliant on public transport as they cannot yet learn to drive or own a car. Their parents may not have a car either or may not be available to drive them to different places. Young people are very unlikely to have savings to rely on to help them with additional costs such as transport.

This affects access to education (including access to Welsh medium or faith based education post-16), as well as access to play and leisure opportunities, socialising with friends, and the ability to take up work for older young people. It's also a particular issue raised with us for young people from rural areas.

How we've influenced

In our 2021 document 'Happy, Healthy and Safe' – our manifesto for the 2021 Senedd elections – we called for free public transport for all under 18s.

We met with all the main political parties to discuss this when manifestos were being formulated, and shared the manifesto with all parties and members of the Senedd prior to the elections.

We also discussed this point with the Deputy Minister for Climate Change in January 2022. We are aware of proposals to change how bus travel operates in Wales, but this focuses more on the business models; there has been no mention of free or even discounted travel for under 18s in the consultation papers published to date, including the new transport strategy that we've responded to and discussed with officials and Ministers on several occasions. There has been limited engagement with young people on the consultation proposals to date which may indicate why this issue hasn't come forward so strongly; we have repeatedly urged

the Government to do more to gather and act upon children's views in this area.

Free transport for under 18s does not feature in the Programme for Government, although they commit to a "modern legislative basis for transport in Wales."

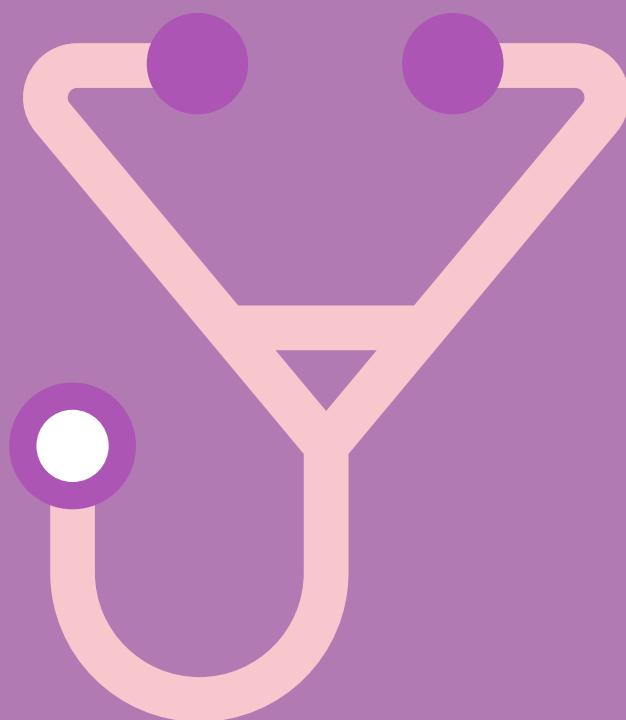
The cost of living pressures on children and young people only exacerbate this issue and a response to this requires a fresh look at this policy call.

Recommendation

The Welsh Government should include a commitment to a pilot of offering free public transport by bus and rail for under 18s in its forthcoming legislative plans for transport in Wales. This should include a cost-benefit analysis and detailed timescales for scoping and implementation. We would see this as a critical element of tackling child poverty in Wales, and would expect to see this included within a comprehensive child poverty plan.

ADEQUATE STANDARD OF LIVING

Health Advocacy



The key issues

While some children who meet certain criteria of accessing specialist mental health support are entitled to an active offer of advocacy, for other children accessing health services, there is – in most parts of Wales – no advocacy provision available to them.

This is what we think health-related advocacy in Wales should look like:

- Consistent, visible and accessible entitlement
- An active offer, rather than waiting for advocacy to be asked for
- Explanation of how advocacy works made understandable to young people
- Staff aware it's available and how it could be helpful
- Accessible and all inclusive – e.g. non-verbal or non-communicative advocacy services
- Consistency through statutory guidelines and a code of conduct

In 2019, the then Deputy Chief Executive of the NHS wrote to all Health Boards to ask for details of advocacy arrangements for children in health services. While all health boards were able to say that they provide something, this was far too often just signposting to a helpline, rather than providing a true offer of advocacy which meets the principles above.

How we've influenced

The Commissioner has repeatedly called for the option of advocacy services to be extended to all children who need it when accessing health services and for this advocacy offer to be well advertised and promoted. Unfortunately work that started in 2020 from Welsh Government to work with Health Boards and advocacy providers was stalled as the first lockdown took place and has not resumed since.

We have called for the new Citizen Voice Bodies established under the Health and Social Care (Quality and Engagement) Act to include advocacy for children accessing health services as one of their functions. We will be pursuing this with the new Body when it begins its work.

Progress

We were pleased to see reference made to health-related advocacy in the recent Transition and Handover Guidance for Health Boards, which clearly states:

Independent Healthcare Advocacy and support should be available for every child and young person.

This is welcome, but we are not convinced that an offer of independent advocacy, including face-to-face advocacy, is being made across Wales. Health Boards have not been given additional resource to deliver health-related advocacy.

Unfortunately there has been very little progress from Welsh Government on supporting health boards to improve the advocacy offer, and they have made it clear that they have no plans to do any work on this area themselves.

We want to see the Welsh Government recommencing work on statutory guidance for advocacy in health settings. Whilst a collaborative approach to developing principles for health-related advocacy could support this, the Welsh Government will need to take the lead to make sure new guidance ensuring health-related advocacy provision is available across Wales.

Failing this, we would like to see the new Citizen Voice Body have a mechanism which ensures an offer of advocacy to children accessing health services who need it.

Recommendation

Welsh Government must set out details of how every health board in Wales is providing an offer of independent advocacy which is accessible and includes face-to-face advocacy if required. Welsh Government should ensure that this advocacy offer is clearly promoted both in health settings and, importantly, on health boards' websites.

The advocacy offer should be set out through stand-alone statutory guidance. As a first step towards this, there should be published a set of service specifications for advocacy for children in health care. The extension of an advocacy offer should begin with entitlement for all those who access secondary mental health services.

Family Environment and Alternative Care

FAMILY ENVIRONMENT AND ALTERNATIVE CARE

Safe Accommodation for Children with Complex Needs



The key issues

Children with complex needs who need to be cared for in a safe residential environment should receive therapeutic support for both their health and social care needs as and when they need it. Too often the right provision for children with complex needs just isn't available to them. We are concerned that there are limited options for safe accommodation in Wales, but also across the whole of the UK.

In our report [Making Wales a No Wrong Door Nation: how are we doing?](#) our key recommendation was that Regional Partnership Boards (RPBs) should turn their plans for a 'No Wrong Door' approach into tangible actions. This includes creating new safe accommodation for children with complex needs. While there have been welcome strategic plans, we are still yet to see many of the No Wrong Door plans rolled out on the ground, making a difference to children's lives.

We are also concerned that the current specialist mental health inpatient unit and secure mental health unit offer in Wales too often does not provide a therapeutic environment for children. This has been highlighted by both the National Collaborative Commissioning Unit and Healthcare Inspectorate Wales.

How we've influenced

Following pressure from our office and others over recent years for action in this area, we were pleased that the Welsh Government made funding available specifically for Regional Partnership Boards to develop new residential provision for children with complex needs which meets their health and social care needs.

The Commissioner and her team met with every Regional Partnership Board in Wales in 2021/22 to scrutinise their progress on the recommendations of the original No Wrong Door report published in June 2020. We also requested full written updates from each Board on their progress before reporting this back in our report [Making Wales a No Wrong Door Nation: how are we doing?](#)

In addition we provided Welsh Government with our detailed analysis of how we felt each Board is progressing against our recommendations. We then made a further set of recommendations to both RPBs and to Welsh Government on what further work is needed.

We also worked with the Together for Children and Young People programme, to ensure young people were able to put questions directly to the Chairs of the RPBs, and subsequently to the Deputy Minister for Mental Health and Wellbeing.

Progress

Six of the seven regions of Wales have plans for new provision using this funding. The new beds across Wales are very welcome and will provide new therapeutic options for children with complex needs, closer to home. Some of these new beds should be available in 2022. More details of this provision is available in our report [Making Wales a No Wrong Door Nation: how are we doing?](#)

At this stage, however, the planned accommodation is mainly comprised of assessment units providing short term support while a further placement is arranged. While certainly this new provision will provide new and vital support for children with complex needs, there is likely to be a need for more long-term provision for those young people who cannot be successfully supported to return home or to foster care.

Welsh Government and RPBs are due to respond to the recommendations made in [Making Wales a No Wrong Door Nation: how are we doing?](#) in summer 2022.

Recommendation

Regional Partnership Boards' plans for new safe accommodation need to progress at pace to become operational in 2022/23, with Welsh Government oversight and support, ensuring that all are therapeutic environments which are jointly funded and delivered by health and social care as equal partners.

Welsh Government must commit to publishing without delay a written statement detailing how sustained improvements can be made to Tier 4 Mental Health Provision and Secure Welfare provision in Wales to ensure that all children and young people needing care in these settings are cared for in a safe and therapeutic environment.

FAMILY ENVIRONMENT AND ALTERNATIVE CARE

Support for young people leaving care



The key issues

Since 2016/17, the Children's Commissioner for Wales has called for the law to change to ensure that young people leaving care will be entitled to an allocated Personal Advisor (PA) to support them up to the age of 25. Whilst funding was initially given to Local Authorities to extend PA support, the statutory change to embed this provision has not come in to force. This call was accompanied by other calls to improve access to financial support for care leavers, ensure young people leaving residential care can access equivalent support to the 'When I'm Ready' scheme and to improve accommodation options for care leavers. All of these have been accepted by Welsh Government.

The Money and Pensions Advice Service has been commissioned by Welsh Government to improve access to financial support, which is a positive step. However, more action is required to increase confidence that young people leaving residential care can access equitable support to those leaving foster care.

We are concerned that without the support of a Personal Advisor and without good quality, semi-independent accommodation, some young people are having to navigate the transition to adulthood with limited guidance and assistance. Personal Advisors play an important role in supporting young people with advice on education and work options, housing, finances and living independently, and can signpost to other important services for health and wellbeing, a particular issue raised with us for young people from rural areas.

How we've influenced

We have continued to push for this extension in regular meetings with Welsh Government Ministers and Officials, and presented on our calls for Care Leavers at the Welsh Government's National Oversight Board, to ensure that improving support for care leavers remains a key focus of Welsh Government's Corporate Parenting reforms. We had received assurances that this legislative change would be timetabled for 2022/23 but have been informed that this will now not happen until 2024 at the earliest.

Whilst funding is welcome, it does not secure these entitlements for all care leavers, and we understand that, to date, the funding has not necessarily resulted in all Local Authorities ensuring that all eligible care leavers have the consistent support of an allocated Personal Advisor.

Progress

Whilst we have received reassurance that this legislative change will be enacted, we are yet to receive a firm timetable. Without additional support to Local Authorities to enact this change, the legislative change may result in further strain on service capacity. The roll out of the Basic Income Pilot will rely heavily on Personal Advisors to offer advice and guidance alongside their existing roles. The ability for young people to access advice and guidance from their Personal Advisors will be key to the success of this Pilot.

Care-experienced parents

In September 2021, we submitted written evidence to the Senedd Petitions Committee on mother and baby placements in Wales. Research highlights an overrepresentation of care-experienced parents in care and child protection proceedings which must be addressed with additional support. In March 2022, the Commissioner and team met with a group of care-experienced parents, many of whom had had their children placed in care or for adoption. The parents had been involved in the development of a Charter for Care-Experienced Parents. We wrote to all Local Authorities in Wales to encourage them to sign up to Charter, which was a positive example of the children's rights approach principles of participation, empowerment and accountability. We are pleased to learn that some Local Authorities are in the process of adopting the Charter.

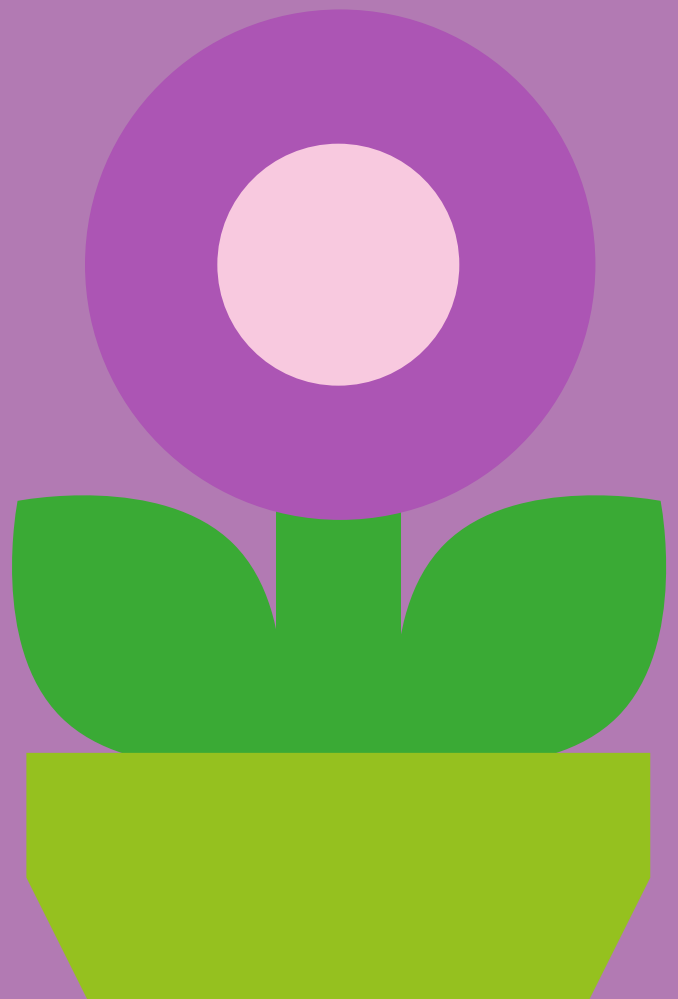
The Young Mums we met shared their experiences with us, of the struggle to overcome challenges to keep their children in their care. Many felt stigmatised, pre-judged and held to what felt like impossible standards. Since meeting with the Mums, we wrote to the All Wales' Heads of Children's Services and Deputy Minister for Social Services, and raised in a Senedd Committee hearing on Mental Health inequalities, the need for greater support for care-experienced parents. We expect to see greater engagement with this group of parents by Welsh Government as part of their Transforming Children's Social Care work, as their experiences are key to reforming and improving social care support.

Recommendation

Legislation the Welsh Government has committed to - to protect and uphold children's rights in social care - must be developed and brought forward as soon as possible to ensure it is passed well within the current Senedd term. Funding for any new legislative entitlements also needs to be provided.

FAMILY ENVIRONMENT AND ALTERNATIVE CARE

Care experienced young people



The key issues

A key commitment of the Programme for Government is to 'explore radical reform of current services for looked after children and care leavers'. A key part of this work is strengthening public bodies' roles and expanding corporate parenting responsibilities to other services, such as health, education and housing. With children's social care services facing huge challenges, an opportunity to reflect on and strengthen our support for care experienced young people has never been more important.

The current proposal to strengthen the responsibilities of health, housing and education services in regard to young people are dependent on organisations signing up to a voluntary charter while statutory guidance is developed. Whilst the draft Charter, developed alongside young people, seeks to promote young people's rights and improve access to key services, without a requirement for full adoption of this by all relevant services, young people could run the risk of continuing to receive inconsistent access to support.

This work must be an opportunity to strengthen care-experienced young people's right to reach their potential, which is why we want to see stronger use of legislative and regulatory change to ensure all public bodies uphold their duties to children in care. All public bodies have a role in ensuring young people thrive in care.

How we've influenced

We are members of Welsh Government's Corporate Parenting Working Group. We have shared views on the Draft Charter and are keen to see the Charter promote and advance the breadth of rights children have; particularly access to health and education, and the right to recover from trauma and rights to family life.

Progress

Care experienced young people have shared their views on a proposed Charter and reiterated the important messages they would like to see in the Charter. However, progress on this important work has been slow in 2021/22 and we are yet to see the full legislative and regulatory proposals that will embed this ambition.

Recommendation

Successful implementation of a new Corporate Parenting Charter will require legislative or regulatory changes in order to require organisations to comply with its duties. The Welsh Government must set out a timetable for bringing forward this legislative change by the end of the financial year 2022/23.

FAMILY ENVIRONMENT AND ALTERNATIVE CARE

High quality accommodation and support options for children and young people in and leaving care



The issues

Care Inspectorate Wales (CIW) is the regulatory body tasked with ensuring foster and residential care placements for children in the public and independent sector are registered and regularly inspected. This means that all children needing care and support must be placed in accommodation that is regulated and registered with CIW, and if in exceptional circumstances a placement cannot be found, CIW must be notified. This is an important safeguard for children.

Unregistered Placements:

Sometimes we hear of incidents where children are placed in a setting that is 'operating without registration'. These are placements which must only be used as a last resort when all other options have been unsuccessful and for as short a time as possible. We hear from the sector that these placements are often used following an emergency placement breakdown or because a nearby suitable placement in a foster, residential or secure setting cannot be found. However, there is little information on their usage nationally. You can read more about what we have been doing to increase accommodation for children with complex need in the 'safe accommodation for children with complex needs' section of this report card.

Unregulated Placements:

All children needing care under the age of 16 must be in a regulated and registered placement. However, some 16 and 17 year olds do not necessarily have to live in regulated accommodation, as from 16 some can begin the process of leaving care. Young people can be assessed as needing just 'support' and not 'care and support'. This means young people can live in accommodation that does not provide care, and therefore isn't required to register with CIW. The accommodation options can vary greatly, from 'When I'm Ready' placements, supported lodgings placements, semi-independent living arrangements or completely independent accommodation, and even places like hostels and B&B's. These come under the umbrella term of 'unregulated placements'.

We are concerned that the quality and standards of accommodation can vary greatly. Whilst we know of some excellent supportive settings, some young people can become very vulnerable if living in poor accommodation with limited support.

How we've influenced

We have been calling for accommodations options for care leavers to be improved by:

- Ensuring young people leaving residential care can access support which is equivalent to the When I'm Ready scheme;
- Building a picture of the use of unregulated accommodation for young people aged 16-18 and considering if any amendments need to be made to the Regulation and Inspection of Social Care (Wales) Act to strengthen safeguards for this group;
- Requiring the development of national standards for accommodation options, so young people can have clear and accessible information on the quality of accommodation and types of support they can expect to receive upon leaving care.

We have been members of the End Youth Homelessness Cymru Steering Group which has provided a valuable space to discuss these concerns. Previously, we were observers to the Welsh Government Joint Housing and Social Services Group, which was tasked with looking at the leaving care experience, but this group was closed during this year without consultation with the group's membership. We met with Welsh Government Data Officials to discuss options for capturing the usage of unregulated accommodation, as more thematic information would help inform a practical solution.

Progress

We remain concerned at the lack of legal or regulatory changes to support the needs of care leavers. We have been concerned that there have been few designated spaces to discuss the varied needs of care leavers in detail and to explore practical solutions to promoting consistency in access to support and good quality accommodation.

Profit in care services

In addition to this, we have been pleased that Welsh Government have started to progress work in relation to removing the element of profit from children's care services, having called in a previous annual report for the safe reduction of profit making in children's care. We are therefore hugely supportive of the principle based on the views that young people have brought forward to our office. We are keen to see a measured and managed transition approach taken to ensure no child experiences disruption to their placement. We attend Welsh Government's Programme Board on this and contribute towards the monitoring of the risk register. We also submitted evidence to the Competition and Markets Authority which published its findings in March 2022.

Recommendation

Welsh Government must establish a working group in 2022/23 to explore the issue of Unregulated Accommodation and Unregistered Placements. The aims of this work must be:

- To collect data to build an understanding of its usage in Wales;
- To consider the needs of affected young people to identify where there are shortfalls in suitable accommodation; and
- To explore whether changes are needed in the regulation system in Wales to award young people stronger protections.

Work needs to be concluded within this Senedd term including any regulatory changes that are required.

A related case example from our Investigations and Advice service

Issue: Contacted by a local authority secure unit raising concerns that an appropriate placement could not be found for a young person with mental health issues that they were looking after. The young person had been assessed by CAMHS professionals as needing care in a medium secure in-patient setting, and had been waiting for 6 months for a placement. Lack of appropriate beds meant that the young person was detained in an inappropriate provision that could not best meet their needs.

Action: Our team made contact with the secure unit and relevant local authority, and established that they were communicating well about this case but the young person had very complex needs. Appropriate additional mental health support was provided to the secure unit whilst an appropriate placement was sought.

Outcome: The local authority and secure unit were doing all that they could to secure a suitable placement for this young person, so there was unfortunately nothing further that our office could assist with in this case. We have highlighted this case as part of our annual report as an example of the lack of appropriate accommodation for children and young people with complex needs in Wales.

Protection from Exploitation and Violence

PROTECTION FROM EXPLOITATION AND VIOLENCE

Protecting Children from Child Sexual Abuse and Exploitation



Key issues

Article 34 of the UNCRC sets out that Governments must protect children from all forms of sexual abuse and exploitation. In 2021/22, there has been a significant focus on understanding the scale of abuse children face, and what further action services must take to robustly prevent and respond to incidents of child sexual abuse. We know that children and young people face abuse online and in spaces where they should be safe. Whilst this lens on this issue has been welcomed, further steps are needed to ensure we continue to prevent this harm and to ensure children are empowered to disclose incidents of abuse and seek support.

How we've influenced

We are observers to the Welsh Government's National Governance Board for the renewed strategy on Violence Against Women and Girls and have written to the Minister for Social Justice to push for a stronger focus on children and young people throughout the strategy.

Our officers advised ESTYN on their engagement work with children and young people as part of their thematic review on peer on peer harassment, to support inspectors to create a safe and inclusive space for children to share their views on sexual harassment in schools. Practice improvements from this piece of work will be taken forward by ESTYN as part of their wider inspection methodologies, such as allowing young people to bring a friend to their discussions with inspectors so they feel safe and supported in sharing their views.

Since its initiation, our office has provided evidence to the IICSA inquiry and are playing an active role in following up the recommendations made in the recent reports. We have written to all Welsh organisations named within the report's recommendations and plan to use our CSA Roundtable in January 2023 to follow up with organisations on how they have implemented actions since recommendations were published in February 2022.

The Commissioner's Office has also continued to host a bi-annual Roundtable on Preventing Child Sexual Abuse and Exploitation. This is a multi-agency meeting, attended by senior representatives from Local Authorities, Welsh Government, Safeguarding, Sexual Assault Referral Services, Health, Police, Academics and Third Sector organisations. It is a space to monitor trends in the harm experienced by children, share best practice in disrupting abuse and providing support to children and families, as well as holding organisations to account on their delivery of services.

In 2021/22, the Roundtable have monitored the Welsh Government's delivery of the National Action Plan and the implementation and embedding of statutory guidance to safeguard children from child sexual exploitation. We have also invited organisations such as ESTYN and IICSA to present at the Roundtable to build links across the sectors.

Progress

There has been a sustained focus on this area. In 2021/22 ESTYN published their [Thematic Report](#) 'We don't tell our teachers', which explored children's experiences of peer on peer sexual harassment in schools. IICSA also published their series of reports into experiences of child sexual abuse in residential school settings and sexual exploitation by organised network. There has also been a renewed strategy from Welsh Government to tackle violence against women and girls along with the publication of and training to support new statutory guidance on child sexual exploitation.

"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

Preventing Child Sexual Abuse and exploitation cannot be achieved by one organisation working in isolation. It requires robust working practices to be in place to ensure services can work quickly and effectively together.

Recommendation

Following the final publication of the Independent Inquiry in to Child Sexual Abuse, Welsh Government must coordinate and publish a Welsh Implementation Plan to ensure its learning and recommendations are implemented by Welsh Government and other public bodies in Wales. Young people themselves should be participants in this work. This will need to be done safely and sensitively.

Children and young people's views on the matter

Many young people, including members of our Young People's Advisory Panel, have wanted to share their views on protecting young people from sexual harm and abuse in this year, perhaps prompted by the Everyone's Invited website and subsequent news and media coverage. Many of the young people we have spoken to have shared strong views on wanting to receive good quality and appropriate relationships and sexuality education in schools. We supported the panel to draft their own response to the Welsh Government Consultation on RSE Guidance, which can be accessed [here](#).

PROTECTION FROM EXPLOITATION AND VIOLENCE

Reforming Youth Justice Services



Key issues

In the last twelve years, there has been a significant reduction in the number of children in custody. However, many of the children who become involved in the youth justice services are particularly vulnerable. Youth Offending Teams are often working with children who are already known to statutory services and too often are working with children who have been excluded from schools. Children from black and ethnic minority backgrounds and children who are looked after continue to be overrepresented in the system.

The [Youth Justice Blueprint](#) for Wales has been developed to help address many of these concerns, and aims to drive forward whole-system reform which seeks to decriminalise young people. We have been supportive of this plan and are keen to work with those delivering these reforms to promote children's rights and young people's ongoing participation and involvement. We are keen to see progress on opening the smaller more therapeutic based secure settings for children as proposed within the Blueprint. This would help keep children closer to their home and ensure they are placed in a more suitable environment than a Youth Offenders Institute or Secure Children's Home. We are pleased a decision has been made as part of the Blueprint for a Small Homes Project.

Despite the intentions for reform, the lack of suitable accommodation for children facing PACE/Remand remains an on-going national concern.

How we've influenced

We have continued to support police and the youth justice sectors with their development and delivery of a children's rights approach to their work. This year we hosted two events; our Annual Children's Rights in Youth Justice and Policing Seminar and a lecture on Implementing Children's Rights in the Youth Justice Sector. We have delivered training on children's rights to Wales' Youth Offending Team Managers, Police and Wales' Violence Prevention Unit.

We have also continued to link with the secure custody settings in Wales, Parc Young Offender Institution (YOI) and Hillside Secure Children's Home (SCH). In 2021, when relaxed Covid restrictions allowed, we visited Parc YOI to meet with the young people there. Following our visit, we wrote to the HMPPS to seek funding for Parc YOI to upgrade the shower facilities as raised by the boys in the setting. Following our letter this was included in HMPSS's Spending Review Bid.

The Commissioner visited Hillside SCH in January 2022 to meet with young people in the setting. Following this visit we delivered children's rights training for staff at Hillside as part of their children's rights approach journey. Hillside SCH have participated in our Rights Seminars for both years they have been running. In the past they have had Children's Rights training for their education staff and are committed to including UNCRC awareness in their staff induction programme.

Progress

We have continued to monitor the roll out of the Youth Justice Blueprint through our attendance at the Welsh Youth Justice Advisory Panel (WYJAP) and regular meetings with Welsh Government Officials. We are pleased to have seen greater progress on this work in 2021/22.

We have been involved in the Working Group, chaired by the 4Cs, to develop Wales' Protocol to reduce the [criminalisation of children in care and care leavers](#). This has been a collaborative project, with many organisations such as Youth Offending Teams, Youth Justice Board, Local Authorities, Health and Residential Settings working together to draft an effective protocol. We had called for the issue of over-criminalisation of looked after children to be addressed in our report *The Right Care* back in 2016. Whilst it has taken some time to achieve, we were pleased that the Protocol was published in March 2022, with plans and funding to develop a toolkit to ensure the Protocol embeds across services to deliver change for young people.

Recommendation

Welsh Government must publish annual progress reports on the work of the Youth Justice Blueprint from in 2022/23, to aid accountability. This should address issues of criminalisation of young people, the over representation of certain groups and the impact of poor mental health on those in contact with youth justice services. This information should be used to inform progress against Wales's Anti-Racism Action Plan.

The Welsh Government must ensure the involvement of young people to actively and meaningfully participate in the development of the Small Homes Project this year, to further shift how we respond to and address young people's needs through youth justice services.

Children and young people's views on the matter

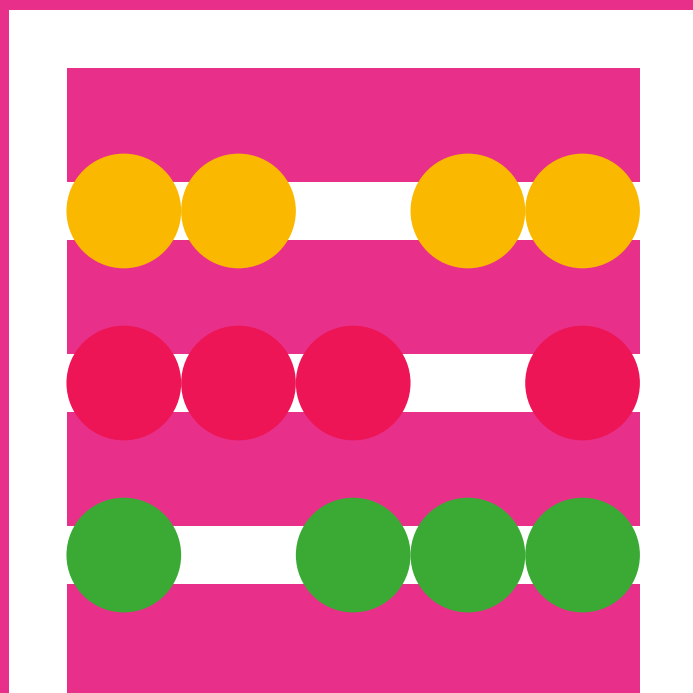
Parc Young Offender Institution (YOI) and Parc HMP have shown a strong commitment to embedding children's rights across the estate. Officers at Parc YOI have contributed to our Children's Rights Seminar to share the good work taking place there. The Commissioner's participation officers have also supported staff to teach fathers at Parc HMP about children's rights, working with the School Zone project to build stronger relationships between fathers who are in prison and their children.

The Commissioner visited Hillside Secure Children's Home (SCH) in Jan 2022 to meet with young people in the setting. Following this visit we delivered rights training for staff at Hillside as part of their children's rights approach journey. Hillside SCH have participated in our Rights Seminar's too for both years they have been running and in the past have had Children's Rights training for their education staff and are committed to including UNCRC awareness in staff induction.

Education, Citizenship and Cultural Activities

EDUCATION, CITIZENSHIP AND CULTURAL ACTIVITIES

Educational Reforms



Key issues

Educational law in Wales changed during the last Senedd with the passage of two key pieces of legislation:

- The Additional Learning Needs and Education Tribunal (Wales) Act 2018
- The Curriculum and Assessment (Wales) Act 2021.

Successful implementation of these educational reforms will be key to improving children's experiences of education over the course of the next Senedd and beyond, and Government commenced on this implementation work over the 2021/22 year.

How we've influenced

We submitted comprehensive consultation responses to the range of proposals for the suite of secondary guidance for the curriculum, which included: regulations and guidance on assessment and progression; guidance for Religion, Values and Ethics education, and guidance for funded non-maintained nursery settings. As observers to the Welsh Government working group, we also gave ongoing advice to ensure a rights-based approach was central to the development of the Code and Guidance for Relationships and Sexuality Education, which was passed by the Senedd at the end of the fifth term.

We have also developed guidance to support the human rights elements of both reforms, including the 2021 duty to raise knowledge and understanding of children's human rights, and the 2018 duty to pay due regard to children's rights in planning additional learning needs. Our office has substantially updated our [Right Way](#) guidance for education, published new case studies of practice that reflects new human rights requirements, and worked with public bodies to develop [participation tools](#) specifically for the 2018 Act.

Progress

Implementation of the additional learning needs legislation began on a phased basis over the 2021/22 year, with some groups of children moving over to the new system. However, over the course of the year, there were delays to the anticipated implementation timetable and a lack of information available for families, children and young people about what they should expect, and when.

In relation to the curriculum and assessment legislation, Government brought forward a raft of secondary guidance to prepare for the implementation of the curriculum from September 2022. Government also again altered the phased implementation plans in relation to secondary schools, to delay mandatory implementation in these settings until 2023.

Recommendation

I recommend that Welsh Government takes an equalities approach to the evaluation of the implementation of educational reforms. This should assess to what extent different groups of children benefit from the new curriculum approach, including children and young people with protected characteristics, and additional learning needs. Initial findings should be gathered in the first year of curriculum implementation and should inform ongoing implementation support.

Investigation and Advice Team Case Study

Issue: A parent contacted us in May 2021 who had been informed by a local authority that their request for a statutory assessment for their child would not proceed and they would have to wait until September for a school based Individual Development Plan. The Local Authority were pre-empting the implementation of the Additional Learning Needs Act and should have been meeting the parents request for a statutory assessment.

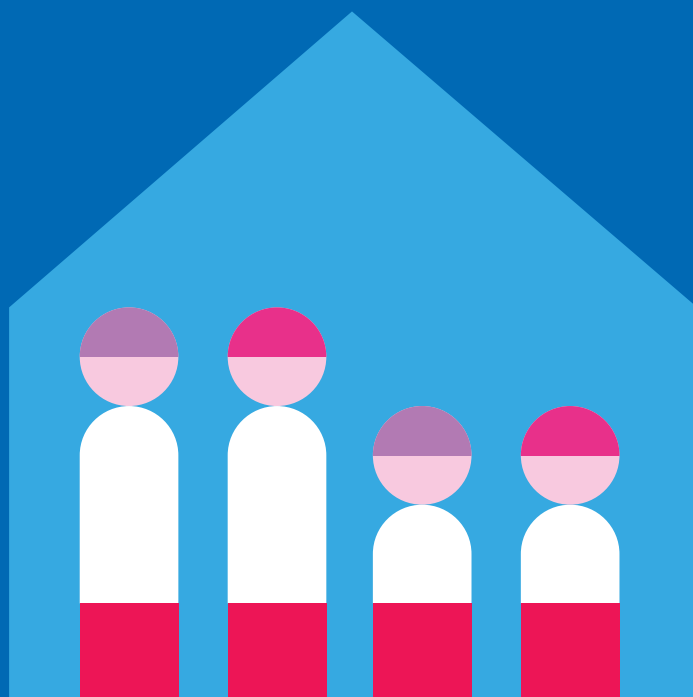
No child or family should be disadvantaged by the transitional arrangements for the new legislation or have to wait for their needs to be met. The assessment process can already be lengthy due to limited availability of educational psychology time, so further delays need to be avoided

Action: Advice was given about appealing the local authority's decision to the Special Educational Needs Tribunal for Wales (SENTW) and the support that they could receive from SNAP- the national charity providing free and independent information, advice and support to help get the right education for children and young people with additional learning needs and disabilities. The family were advised to maintain dialogue with the local authority and to let them know that they had raised their concerns with our office and that we had advised them that they should not be implementing the new Act before its official start date. The parent was offered ongoing support from our office should they need it but said that they would take the matter forward now that they had the appropriate advice.

Outcome: The parent informed us that they would be appealing to SENTW if the local authority did not change their position. The parent did not get back in contact with the office.

EDUCATION, CITIZENSHIP AND CULTURAL ACTIVITIES

Home education



Key issues

Our 2021 formal review into Welsh Government exercise of its functions in relation to this policy area found a lack of due regard for children's rights and a lack of any meaningful progress.

How we've influenced

We reiterated the key recommendation of this formal review in the 2020/21 Annual Report of this office. This recommended that primary legislation is needed to ensure the human rights of home educated children.

Welsh Government rejected this recommendation. However, Government have committed that they will keep this policy area under review as new guidance is implemented, and that if secondary legislation is insufficient to protect the rights of children, there will be a reconsideration of primary legislation.

Progress

In their rejection Welsh Government committed to the development of new statutory guidance under existing laws, although substantive action was not seen on this during the 2021/22 year. This is despite a substantial rise in the numbers of home educated children during and following the pandemic, with indications that numbers may have increased by at least a third.

Guidance is now anticipated to be laid before the Senedd in autumn 2022, with implementation anticipated for April 2023. The position of my office remains that this may make it more likely that children are seen and spoken to, but the guidance will fall short of the guarantees needed to secure children's rights, including their rights to education and safety.

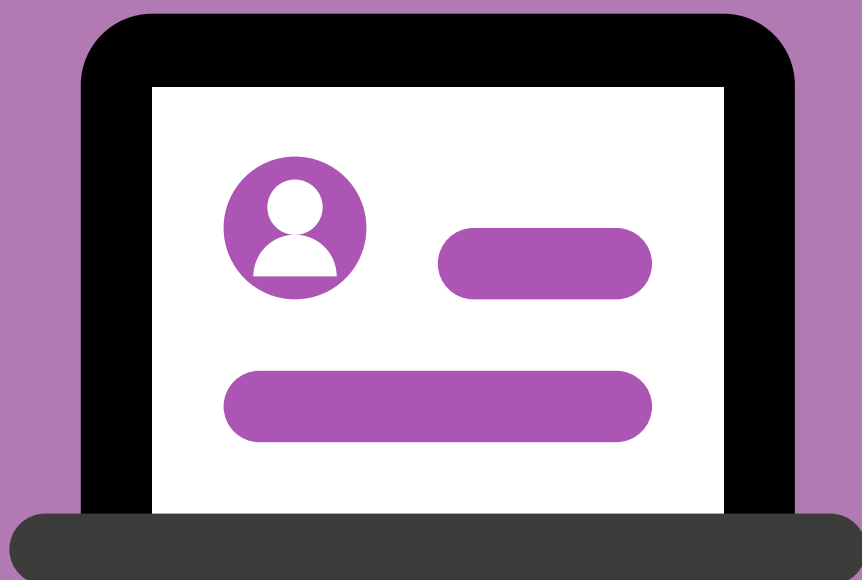
Alongside the development of statutory guidance, Welsh Government have distributed grant funding to local authorities in order for authorities to support home educating families. Local authorities have used this funding in a range of ways: to employ staff and to provide resources and activities directly to families. Authorities have reported a positive impact of taking a supportive approach, noting improved engagement and relationships with families and children becoming more visible. Welsh Government has proposed indicative funding for this supportive package to continue for the next two years, and officials are working with local authorities to discussing options for a consistent support package across Wales.

Recommendation

Welsh Government must publish an evaluation plan for the implementation of new statutory guidance, alongside that guidance. This should expressly measure what percentage of home educated children are seen and spoken with about their education on an annual basis.

EDUCATION, CITIZENSHIP AND CULTURAL ACTIVITIES

Independent Schools



Key issues

Our 2021 formal review into Welsh Government exercise of its functions in relation to this policy area found loopholes in the safeguarding arrangements in independent schools.

This review identified that new regulations were needed to ensure all children in independent schools are kept safe and are well supported with their educational and pastoral needs. It also identified a need to widen registration of independent school staff with the Education Workforce Council. This urgent safeguarding gap had been known to Government for several years.

How we've influenced

Welsh Government accepted the recommendations of our statutory review to bring forward new regulations in relation to independent schools and to widen categories of registration with the Education Workforce Council to include independent school staff.

We submitted a full response to Welsh Government's subsequent call for evidence, suggesting a wide range of changes to regulations and guidance that will ensure the human rights of children in independent settings. We have also continued to engage with the Independent school sector and contributed an interactive plenary session on children's human rights to the annual conference of the Welsh Independent Schools Council.

Progress

In addition to bringing forward a public call for evidence, at the end of 2021, Welsh Government publicly consulted on proposed changes to registration to the Education Workforce Council; this included proposals to register staff in independent schools.

At the start of the year Welsh Government brought into force new regulations that enable the Education Workforce Council to impose interim suspension orders, a step also recommended by our office to better safeguard children in all settings, including independent schools.

Recommendation

I expect to see the progress on this work continued and expect Welsh Government to bring forward the regulations in the Senedd to require independent school staff to register with the Education Workforce Council. The timeline for these regulations to be in force by April 2023 must be maintained.

EDUCATION, CITIZENSHIP AND CULTURAL ACTIVITIES

Qualifications



Key issues

At the outset of the 2021/22 financial year, the decision had already been taken to award qualifications through centre determined grades and to cancel the summer exam series of 2021. This decision was taken in light of ongoing public health advice around the viability of summer exams; the extended periods during 2020 and 2021 when schools and colleges were closed for face to face learning; and the amount of additional learning time lost by individuals needing to isolate.

How we've influenced

Our office participated as an observer on stakeholder reference groups on qualifications convened by Qualifications Wales and Welsh Government. Through this engagement and through ongoing correspondence and meetings at all levels with Qualifications Wales and Government, including in Ministerial meetings, we made a number of key calls in relation to the award of qualifications in 2021. These included:

- the need to prioritise the wellbeing of young people in developing alternative approaches to assessment;
- the need for candidates to retain the right to appeal their centre determined grade on the basis of academic judgement;
- the need for guidance around preventing and avoiding unconscious bias;
- the need to ensure no group of young people were discriminated against, including home educated young people entering as private candidates, and candidates taking vocational qualifications.
- the need for the views and experiences of young people to inform the awarding process;
- the need for clear and accessible information for young people, including about how to appeal;
- the need for ongoing qualifications to retain adaptations in light of lost learning time.

We reviewed proposals, guidance and communications around qualifications throughout the spring and summer terms, and also supported the participation of young people through ongoing advice to Qualifications Wales on the establishment of their learner advisory panels. Qualifications were also a key priority for our own Advisory Panel and we facilitated young people on our panel to engage directly with Government on this issue, including with the Education Minister on more than one occasion.

Progress

Candidates did retain the right to appeal centre assessed grades, including on the basis of academic judgement. Guidance and training on avoiding unconscious bias was made available to centres. Private candidates, for example home educated young people, were enabled to attain centre determined qualifications and a list of centres where private candidates could enter was made available nationally. Learner engagement in the process was facilitated through ourselves and through Qualifications Wales' Advisory Panels. Adaptations to requirements were also continued for qualifications to be taken in 2022.

However, there were ongoing disparities for young people taking vocational qualifications, particularly when these were being offered by exam boards based in England. Information for young people was not always accessible, written simply, or available when it was needed and delays in finding out about arrangements increased concerns for centres and young people themselves. There was flexibility around how centres could determine the grades, but time pressures alongside the pressures of the pandemic meant most centres determined grades by carrying out high numbers of past-paper assessments, sometimes multiple assessments in a day over a period of some weeks, which had wellbeing implications for some young people.

Recommendation

Welsh Government should work with Qualifications Wales to ensure exam boards provide advance information in a timely and accessible way of arrangements and content for qualifications for the summer 2023 examination series. This should include specific consideration of vocational qualifications. This is to ensure schools and settings are able and encouraged to teach the full course and that learners can focus revision time.

A full equality impact assessment should be published alongside publication of advanced information.

A related case example from our Investigations and Advice service

Issue: Parent concerned that child did not receive their predicted GCSE grades due to the impact of the pandemic and too many assessments. We were told that the young person suffered from anxiety due to the pressures of so many assessments and became withdrawn and struggled to complete the assessments they were given. This resulted in the young person receiving much lower grades than had been predicted and not enough to obtain a place in college.

Action: We provided advice to the parent about the appeals process and sent them information about relevant timelines for the appeal process and an explanation of the appeals process

Outcome: The parent was able to submit an appeal about the exam results having understood the process and the timelines for making an appeal.

EDUCATION, CITIZENSHIP AND CULTURAL ACTIVITIES

Whole-school mental health and wellbeing support



Key issues

Given the impact of the pandemic on children and young people's wellbeing, it is more important than ever that every school in Wales has their own whole school approach which reflects the needs of their students through coproducing comprehensive plans with them.

How we've influenced

The Commissioner has been calling for a whole school approach to mental health and wellbeing in Wales since 2015. Our office was involved in the stakeholder group for developing guidance prior to its publication, and have since been involved in the stakeholder group to support and review implementation.

Progress

We were pleased to see the publication of the Whole School Approach guidance in 2021, and have heard positive anecdotal evidence of schools taking forward a whole school approach in line with the guidance. This has also been reflected in positive experiences of work towards a whole school approach reported by my young ambassadors during their autumn term special mission (detailed on page 76).

We have been pleased to see the large financial commitment Welsh Government have dedicated to the implementation of the guidance:

- 2021/22 - £2 m
- 2022/23 - £5.2m
- 2023/24 indicative budget is £7.4m

An [evaluability assessment document](#) was published in January 2022. The evaluability assessment's recommendations set out many of our priorities around effective implementation of the framework. We urge Welsh Government to ensure these recommendations are taken forward through the implementation work led by Public Health Wales.

We want to see the resources in the framework translated into demonstrable strategic support for schools to implement the guidance effectively. We are pleased to hear that there has been good progress with those schools signed up to the whole school approach, but Welsh Government and Public Health Wales will need to work closely together with local authorities and schools in order to ensure all schools have a whole school approach action plan, and that they are implementing it effectively and, importantly, in meaningful co-production with students.

We also urge Welsh Government to produce child-friendly resources so that students are fully informed of what they should expect from their school so that they can hold them to account.

Recommendation

The Welsh Government should ensure that the Whole School Approach Framework is rolled out across all schools in Wales. Children and young people should be involved in this work through their school as set out in the whole school approach framework, but also through existing participation structures within Welsh Government. Welsh Government must develop accessible and child friendly resources, and supporting resources for school staff, to support the successful implementation of this policy. These resources should be published by September 2023.

Children and young people's views on the matter

Autumn Mission 2021: Whole-school approach to emotional and mental wellbeing

In Autumn 2021 we asked our school and community ambassadors to report back on how their school looks after students' mental health and wellbeing. The feedback from that special mission can be found [here](#)

EDUCATION, CITIZENSHIP AND CULTURAL ACTIVITIES

Learner Travel Review



Key issues

Entitlements to learner travel must be equitable, protect children's safety, and enable children and young people to access their education and participate as citizens in their communities. The Learner Travel (Wales) Measure 2008 does not achieve this sufficiently and changes are long-overdue.

Particular issues relate to: the lack of statutory transport entitlements for post-16 education settings and the consequential impacts on ability to continue in education, particularly at a Welsh medium or faith-based post-16 setting; the suitability of the Measure to provide for the needs of children and young people with additional learning needs, including in post-16 settings; and the safety and distance of active travel routes to settings.

An interim measure of the review which was published at the end of 21/22 year is clear that 'the option of 'do nothing' is not considered appropriate' and sets out two options: to take forward some limited changes, or; to take forward a wider programme of work that encompasses a complete revision of the Measure.

How we've influenced

As stated in the interim review, this work was conducted directly in response to concerns raised by this office, specifically as a formal recommendation in the 2018/19 annual report. Last year's annual report subsequently also recommended that this review was published to ensure transparency, which was accepted by Government.

Progress

Progress has been slow in this policy area. Work was underway on a review of the Learner Travel (Wales) Measure in 2020 but it was not until the end of the 2021/22 year that Welsh Government published an interim review. We had chased this up with officials and Ministers in the preceding months as it was important to see the publication of this work and trigger the next steps required for reform in this area.

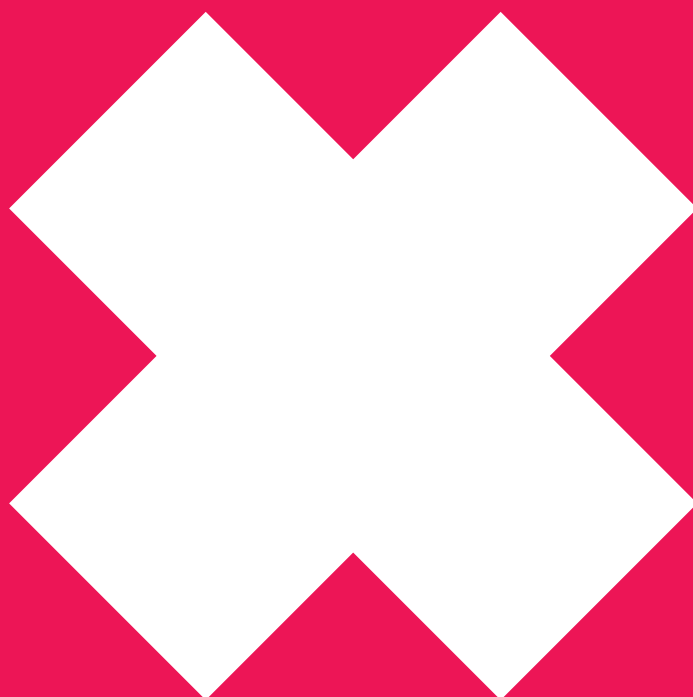
At the publication of the interim review, Government did not give any commitment or timescales as to how they proposed to take forward either of the options outlined.

Recommendation

The Government's own review has concluded that doing nothing in respect of the Measure is not considered appropriate. Given the increasing impact of the cost of living crisis and climate crisis, the Government must urgently bring forward the further work that is required to update the Measure and associated guidance, as this is likely to require legislative change to secure. Welsh Government must set out clearly and with urgency the timescales to achieve this legislative change by the end of the Senedd term, and young people's views must feed in to the next stage of the work.

EDUCATION, CITIZENSHIP AND CULTURAL ACTIVITIES

Exclusions



Key issues

Research by our office in 2019-2020 showed unexpectedly high levels of fixed term exclusion of children in the foundation phase. In 2017-18 (the most recent year for which figures are available) 79,750 days of learning were lost to exclusions in Wales.

Exclusion from education is more of a punishment than a solution that addresses the needs of children and young people; instead these needs require recognition and support. As a measure in itself, exclusion can harm the immediate, medium and long term interests of children and young people.

How we've influenced

We've called publicly for Government to amend the statutory guidance on exclusion so that it includes specific considerations relating to the age of the child and other protected characteristics. New statutory guidance also needs to set out clear alternatives and support mechanisms that schools should follow instead of exclusion.

We've also engaged with local authorities and Estyn around the need to scrutinise exclusions data and additional data around the use of isolation. This is to monitor how this affecting children, including young children, how well provision is meeting needs and what support can be put in place. Data should also be able to be disaggregated to see whether children in receipt of free school meals or with protected characteristics are particularly impacted. Estyn have agreed to reflect these considerations in their guidance for local authority link inspectors.

Progress

Government have committed to amending the statutory guidance on exclusion and to exploring a rights-based and trauma informed approach to this revision. Alongside this work will be a revision of the attendance guidance, which was planned prior to the pandemic, but was delayed due to this.

Revision of the guidance is anticipated to be underway during the 2022/3 financial year but there are not currently timescales available as to when documents will be published for consultation.

Recommendation

Welsh Government must deliver on their commitment to amend statutory guidance on exclusion. This amended guidance should be consulted within 2022/23, with guidance published by September 2023.

Our Audit and Risk Assurance Committee's Annual Report

Under its Terms of Reference, the committee is required to produce an Annual Report summarising the work done during the year to support the Annual Accounts and Governance Statement. The Children's Commissioner's Audit and Risk Assurance Committee (ARAC) is therefore pleased to present this report for the year ending 31 March 2022.

Introduction

The primary role of the Committee is to provide independent advice to the Children's Commissioner for Wales, to assist her to discharge her responsibilities as Accounting Officer. Reporting directly to the Commissioner, members of the Committee review the comprehensiveness of the systems of assurances put in place to meet the Commissioner's Accounting Officer needs and reviewing the reliability and integrity of those systems. In practice, members of the Committee review and challenge the assurances provided by the Commissioner's staff and by her internal and external auditors and advise her on corporate governance, risk management and internal control.

This report focuses on the Committee's work in discharging those functions this financial year, from 1 April 2021 to 31 March 2022. To ensure the Committee complies with the Good Practice principles set out in HM Treasury's Audit and Risk Assurance Committee Handbook, members were invited to complete the National Audit Office's Audit and Risk Assurance Committee Effectiveness Checklist, the results of which have been taken into account in preparing this Annual Report.

Membership

Non-executive members

- **Jocelyn Davies (Chair)**, a former Member of the National Assembly for Wales
- **Margaret Provis**, former Senior Civil Servant
- **Arwel Thomas**, former Senior Civil Servant
- **Jo Hendy**, Head of Improvement at the WLGA
- **Julie Richards**, communications consultant
- **Bernie Bowen-Thomson**, local councillor and director of a third-sector organisation.

After a successful recruitment campaign in January 2022, an additional three non-executive members were appointed for a period of three years. These new members strengthens the core skill base of the

Committee whilst bringing a range of new experiences and expertise. New members include:

- **Suzy Davies**, former Member of the Senedd
- **Alfred Oyekoya**, chartered accountant
- **Michaela Leyshon**, law lecturer Commissioner's staff
- **Sally Holland**, the then Children's Commissioner for Wales
- **Tony Evans**, Head of Finance and delegated Accounting Officer
- **Sara Jermin**, Head of Communications and Performance
- **Ceirios Williams**, Executive Support Officer who provides Secretariat support to the Committee.

Others

Representatives from the Commissioner's internal auditors (for this period, TIAA), who comply with the Public Sector Internal Audit Standards and representatives from Audit Wales, (external auditors), discharging the Auditor General for Wales' statutory duties and obligations under the Code of Audit Practice.

Remuneration

Members do not receive any remuneration but can be reimbursed for out-of-pocket expenses occurred. Members submit such claims in accordance with the Commissioner's Travel and Subsistence Policy. There were no such claims during this period as all meetings were held virtually.

Conflicts of Interest

As members of ARAC, each member of the Committee completes an annual declaration of interests, held in accordance with all relevant data protection regulations. In addition, the first agenda item for any ARAC meeting allowed for the declaration of any interest specific to the agenda items for that meeting.

Training

Members are invited to assess their training needs annually. This year, members, including new, undertook training on anti-fraud and cyber security. New members also completed a series of induction meetings with every member of the Commissioner's management team. The training plan for 2022/23 includes risk management and cyber security; all new members will receive a full induction programme.

Meetings

The Committee aims to meet at least four times a year. During this financial year, meetings were held in April 2021, July 2021, October 2021 and January 2022.

To ensure that appropriate matters can be raised in confidence, the Chair and non-executive members also meet with representatives of External and Internal Auditors in private ahead of most full-Committee meetings.

Attendance Record

Member	Attendance level
Jocelyn Davies	4 of 4
Arwel Thomas	4 of 4
Margaret Provis	4 of 4
Jo Hendy	4 of 4
Julie Richards	3 of 4
Bernie Bowen-Thomson	3 of 4
Sally Holland	4 of 4
Tony Evans	4 of 4
Sara Jermin	4 of 4
Ceirios Williams	4 of 4
Deloitte	Attended final meeting in April – 1 of 1
TIAA	4 of 4
Audit Wales	4 of 4

Committee Business

Terms of Reference, reviewed annually by members, details the Committee's remit and work plan. They were last updated and approved in October 2021 and can be accessed on the Commissioner's website. Included within the Terms are details of the Committee's standing agenda items, including:

- Risk Register
- Finance report
- Internal Audit report
- External Audit update
- Governance / evaluation framework

The Committee's Chair reviews the agenda prior to its despatch to Committee members and attendees.

In addition to the routine items, the Committee reviewed the organisation's Anti-Fraud Policy and Complaints Policy during this period, tracked recommendations from a Stage 3 complaint, tracked action points from the Information Commissioner's Office. Members also reviewed the Commissioner's plans to move premises and the management of transitioning to a new commissioner term. Updates were also provided to members about cyber resilience and actions resulting from a review of the organisation's pension control account. Two additional meetings were also held between the Commissioner, her staff and non-executive members of the Committee to discuss the organisation's budget estimate to Welsh Government.

Overall Assessment

External Audit

In its Audit of Accounts Report and Management Letter for 2021/22, Audit Wales reported the Auditor General's intention to issue an unqualified audit opinion. They were satisfied for the Commissioner, as Accounting Officer, to sign off on the 2021/22 accounts. There were no misstatements identified in the accounts, which remain uncorrected. To note, there were initially minor misstatements in the accounts; these were qualitative narrative in nature and were corrected by management.

Internal Audit

Internal Audit

TIAA, as the Commissioner's appointed internal auditors, provide independent and objective assurance to the Accounting Officer on risk management, internal control and governance. They completed a programme of audits during 2021/22, as approved by ARAC, and stated in its annual report to the Committee:

"TIAA is satisfied that, for the areas reviewed during the year, the Children's Commissioner for Wales has reasonable and effective risk management, control and governance processes in place. This opinion is based solely on the matters that came to the attention of TIAA during the course of the internal audit reviews carried out during the year and is not an opinion on all elements of the risk management control and governance processes or the ongoing financial viability or your ability to meet financial obligations which must be obtained by the Children's Commissioner for Wales from its various sources of assurance."

Below is the statement of level of assurance achieved for each area of audit:

- Response to the Covid-19 pandemic: Substantial
- Risk Management: Substantial
- ICT-Cyber Security: Reasonable
- Governance – Audit and Risk Assurance Committee: Substantial
- Financial Systems – budgetary controls, income, payroll, travel expenses and pension administration: Substantial

Conclusion

Within last year's annual report we set ourselves key focus areas, including: managing the risks relating to cyber security; succession planning to ensure swift transition to a new Commissioner in 2022; appraisal and training programme for non-executive members; the Commissioner's approach and compliance with the Cabinet Office's counter-fraud standards; evaluation of the Commissioner's response to Covid-19 pandemic and management of risks around the proposed changes to the Government of Wales Act (Budget Motions and Designated Bodies) Order 2018.

It's pleasing to report that we have made substantial progress on all this year, with external assurance sought on many areas via internal audit. Many, including the impact of the Government of Wales Act (Budget Motions and Designated Bodies) Order 2018, cyber security and the organisation's approach to counter-fraud standards, will remain key features of our work plan for the forthcoming year.

This year also saw us seeking external assurance of the committee's effectiveness. Internal auditors reviewed the appointment, training and induction of new members to ARAC and the role of the committee compared to best practice guidance. The review concluded by offering substantial assurance to the commissioner, her team and ourselves. Critical to the effectiveness of this committee - which features as a key pillar of the independent Commissioner's governance framework - is the willingness of the Commissioner and her staff team to be transparent with members and receptive to challenge. I'd like to extend on behalf of the committee, once again, to the Commissioner and her staff for their timely updates, honesty in meetings and willingness to embrace challenge. Another critical factor is the way in which the committee works in partnership with external and internal audit. I'd like to extend the committee's gratitude to the internal and external auditors for their constructive contribution and collaboration.

Whilst we acknowledge the strength of the Commissioner's governance and financial arrangements this year, the Commissioner's team and members of this Committee always strive to improve. The committee's focus this year, as well as the core work plan

commitments, will be on building a solid working relationship with the new children's commissioner, managing the risks relating to cyber security and taking an active interest in the organisation's capacity to deliver within budget.

As a result of its work and the findings of internal and external audit, the Committee can provide the Accounting Officer with assurances that the governance, financial management and risk management arrangements in place continue to be strong and have been robust and reliable during the financial year.

Prepared by

Jocelyn Davies, Chair

July 2022

Accounts 2021-22

Directors' Report

Introduction

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

Here is a summary of the Commissioner's powers

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

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

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

Professor Sally Holland took up her post as the Commissioner from 20th April 2015 until 19th April 2022. On the 20th April 2022 Rocio Cifuentes became the next Commissioner, having been appointed by the First Minister, for a seven-year term. The remaining senior officers took up appointments between May 2006 and May 2017 and were appointed by the Commissioner (current and previous) under Schedule 2 paragraph 4 of the Care Standards Act 2000.

Senior Officers

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

- Professor Sally Holland - Children's Commissioner for Wales, until 19th April 2022;
- Sara Jermin – Head of Communications and Performance;
- Andy Wallsgrove – Head of Practice;
- Rachel Thomas – Head of Policy and Public Affairs;
- Amanda Evans – Head of Human Resources; and
- Tony Evans - Head of Finance.

Audit and Risk Assurance Committee

Further details of the role and function of this Committee can be found within our governance statement and in the Committee's Annual Report. In summary, the Commissioner's Audit and Risk Assurance Committee provides advice and assurance in respect of corporate governance, risk management and control within the Commissioner's office and the adequacy of the internal and external audit arrangements. It meets at least bi-annually and is made-up of senior officials of the Commissioner's Office and Non-Executive members. The Non-Executive members of the Committee are:

- Jocelyn Davies – former Member of the National Assembly of Wales, until July 2022;
- Margaret Provis – former Civil Servant, until July 2022;
- Arwel Thomas – former Civil Servant, until July 2022;
- Julie Richards – Independent Writer/Strategic Communications Consultant;
- Bernie Bowen-Thomson – Chief Executive Officer at Safer Wales;
- Jo Hendy – Head of Improvement at the WLGA
- Michaela Leyshon – Professional Tutor, Swansea University, from April 2022;
- Alfred Oyekoya – Director, BAME Mental Health Support (BMHS), from April 2022; and
- Suzy Davies – Former Member of the Senedd, from April 2022.

Representatives from Audit Wales and TIAA Ltd also take part in every meeting.

Funding

The Children's Commissioner for Wales is independent of, but funded by the Welsh Government. In 2021-22 the Commissioner received £1.580 million (2020-21: £1.580 million) to fund the Commissioner's activities.

An additional £23,000 of capital grant to fund specific capital items was approved by the Welsh Government in 2021-22, however, these monies were received by the Commissioner on 1st April 2022; and will be accounted for in the 2022-23 financial period in accordance with International Accounting Standard number 20 (Accounting for Government Grants and Disclosure of Government Assistance) (IAS20).

Format of the Accounts

These financial statements have been prepared in accordance with Paragraph 7(2) Schedule 2 of the Care Standards Act 2000 and the Accounts Direction issued by Welsh Ministers. A copy of that direction can be obtained from Children's Commissioner for Wales, Llewellyn House, Harbourside Business Park, Harbourside Road, Port Talbot SA13 1SB.

These accounts have been prepared for the period from 1st April 2021 to 31st March 2022 and reflect the assets, liabilities and resource outturn of the Children's Commissioner. These financial statements have been prepared in accordance with the Government's Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Accounting Standards (IFRS) as adopted or interpreted for the public sector context.

Results for the Year

The Statement of Comprehensive Net Expenditure shows expenditure, for the period, of £1.524 million (2020-21: £1.700 million). The general fund balance as at the year-end is £161,000 (2020-21: £51,000). During the COVID19 Pandemic the Commissioner and her staff have complied with the UK Government and the Welsh Government requirements in order to deal with requirements. The Commissioner has ensured that the organisation has maintained adequate governance and management arrangements throughout, whilst also ensuring that the health and wellbeing of staff is maintained and monitored. The Commissioner and her Management Team continue to monitor the arrangements and give due consideration to the guidance issued by the Welsh Government concerning the pandemic. During the period 2021-22 the team completed a number of high profile outcomes which are reported in detail in the Commissioner's Annual Report.

During 2021-22 the Commissioner's staff changed to 21.27 (whole time equivalent) from 21.26 (whole time equivalent) members of staff, which includes full time and part time employees.

Learning and Development

We've included further details of our work relating to learning and development in our governance statement. In brief, the Commissioner continues to invest in the provision of learning and development opportunities for staff.

Through the Commissioner's Performance Development Framework all staff are asked and supported to identify personal development needs and record these needs on a Personal Development Plan. As an organisation, we are committed to investing time and resources in the development of everyone who works here and the development of clear systems and structures to support the way we work. We know that establishing a shared understanding about what is to be achieved, and everyone understanding their role within that, enables people to deliver on behalf of the organisation and for children and young people in Wales. The Performance Development Framework links individual performance and development to the strategic objectives of the organisation. We know that people make their best contribution and provide the highest quality of work when they have clear, meaningful and challenging work to do. We also know that planning our work and reflecting on what went well and what could be different in the future enables individuals to grow and improve in their practice. In addition to personal development, the organisation provides an Office wide learning and development programme for all employees each financial year. These meet its obligations concerning learning and development that is either dictated by statute or is considered essential for all staff groups to meet the needs of the annual work plan, covering topics, for example, on Child Protection and Safeguarding.

Staff Consultation and Engagement

The accountability and governance structures described in this document helps to make our workplace a safe, productive and enjoyable place to be. In addition, our collaborative workplace culture significantly contributes to our success as a high performing and successful Team. We believe that our sustained focus on employee engagement as well as staff consultation, over recent years, has been key in developing more progressive people management practices.

The Commissioner and her Management Team work collaboratively wherever possible with staff on major changes to the organisation and organisational development priorities. This is achieved through a variety of methods including our well-established project management approach to work, regular all staff meetings (Fika), surveys, and working groups such as the Well-being Group, along with whole team development days. In addition, we have established practice where all staff are provided with opportunities as individuals and in groups to contribute to the development of the Commissioner's three year strategic plan and annual work plans.

Staff Absences

During 2021-22 the sickness absence rate within the Commissioner's office was 1.6 percent (2020-21: 1.21 percent), based as a percentage of the total available working days.

Sustainability

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 wherever possible and seeks to reduce its impact via the following steps:

- Stationery and office resources: staff are encouraged to minimise their use of office consumables whenever possible. Printing and photocopying are kept to the minimum;
- Travel: where practical, meetings are held using video conferencing wherever possible;
- Energy: the Commissioner encourages all staff to be energy conscious and consider ways of reducing their carbon footprint; and
- Waste disposal: the Commissioner is committed to recycling all waste, where possible.

During 2021-22 the majority of staff worked from home, substantially reducing carbon emissions from commuting and attending meetings, which now took place virtually wherever possible. Additionally, the office became almost paperless, with our finance systems becoming fully electronic at the start of 2020-21. Our move in July 2021 to a modern office, close to a mainline railway station, is expected to reduce our carbon footprint substantially and we will be continuing many new ways of working learned rapidly during the pandemic.

Section 6 of Part 1 of the Environment (Wales) Act puts in place a Biodiversity and Resilience of Ecosystems Duty for public authorities. In 2019-20 we developed a plan in accordance with the four pillars of our performance framework (which covers children and young people, the Commissioner's staff, organisational processes and financial stability/value for money) in response to that duty. The plan is discussed every six months by management team and each task within that plan is owned by a member of management team. You can read a copy of the plan on our website, under 'publications'.

Equal Opportunities

All applications for employment with the Children's Commissioner for Wales are considered on the grounds that all job applicants should have equal opportunity for employment and advancement on the basis of their ability, qualifications and suitability for the work. No job applicant or employee should receive less favourable treatment on grounds of race, colour, sex, sexual orientation, age, marital status, disability, religion, family/domestic responsibilities or working patterns, nor should any individual be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

During 2020 the Commissioner established an equalities action group, with a particular focus on race, which is already taking steps to enable us to further diversify our organisation.

Auditors

The Children's Commissioner for Wales' accounts are examined and certified by the Auditor General for Wales in accordance with paragraph 9 of Schedule 2 to the Care Standards Act 2000.

TIAA Ltd provides internal audit services for the Commissioner.

During the period no remuneration was paid to the auditors for non-audit work.

Disclosure of Information to the Auditors

So far as the Commissioner is aware, there is no audit information of which the auditors are unaware; and the Office has taken all the steps that it ought to have taken to make itself aware of any relevant audit information and to establish that the auditors are aware of that information.

Personal Data Related Incidents

All incidents involving personal data are reported to Management Team and to the Audit and Risk Assurance Committee. We abide by all guidance issued by the Information Commissioner's Office (ICO) including whether escalation of an incident to them is necessary. During 2021-22, we reported one incident to the ICO. Upon reviewing, the ICO were satisfied with our swift actions and approach to the incident and confirmed that no further action was required.

Events since the End of the Financial Year

There have been no events since the end of the financial year that affect the understanding of these financial statements.

Statement of accounting officer's responsibilities

Under Schedule 2 of the Care Standards Act, Welsh Ministers have directed the Children's Commissioner for Wales to prepare for each financial year a statement of accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Children's Commissioner for Wales and of its income and expenditure, changes in taxpayers' equity and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual and in particular to:

- observe the Accounts Direction issued by Welsh Ministers, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed, and disclose and explain any material departures in the financial statements;
- confirm that the Annual Report and Accounts as a whole is fair, balanced and understandable and take personal responsibility for the Annual Report and Accounts and the judgements required for determining that it is fair, balanced and understandable; and
- prepare the financial statements on a going concern basis.

The Commissioner is the Accounting Officer for her office by virtue of paragraph 10 of Schedule 2 to the Care Standards Act 2000. The responsibilities of the Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Children's Commissioner for Wales' assets, are set out in an Accounting Officers' Memorandum issued by HM Treasury.

As the Accounting Officer, I have taken all the steps that I ought to have taken to make myself aware of any relevant audit information and to establish that the Children's Commissioner for Wales' auditors are aware of that information. So far as I am aware, there is no relevant audit information of which the auditors are unaware.

Annual governance statement

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

Role of the Children's Commissioner for Wales

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

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

Previous and Current post holder

Professor Sally Holland took up post as the Commissioner on 20 April 2015, having been appointed by the First Minister for a seven year term. Her term as Commissioner concluded on 19 April 2022.

Rocio Cifuentes MBE was appointed by the First Minister for a seven year term during this financial period and began in post on 20 April 2022.

Governance Structure

Below is a description of our governance structure. Further details about the membership of each group, attendance and respective terms of reference can be accessed on our website.

Children's Commissioner for Wales

• Corporation Sole • Accounting Officer

Management Team (MT)

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

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

Audit and Risk Assurance Committee (ARAC)

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

Commissioner's Advisory Panel and Young People's Panel

The primary purpose of these panels is to provide independent advice, support, scrutiny and challenge to the Commissioner and her staff, so as to secure the effective delivery of the Commissioner's statutory responsibilities. They also act as a critical friend and sounding board for the Commissioner and her staff regarding policies, proposals and strategic priorities.

Advisory Panels: these are non-statutory panels, whose main role is to provide independent advice, support and challenge to the Commissioner and her staff.

Audit and Risk Assurance Committee: to find out more about the role, remit and work of this Committee, please head to [here](#) where you'll be able to read their annual report.

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

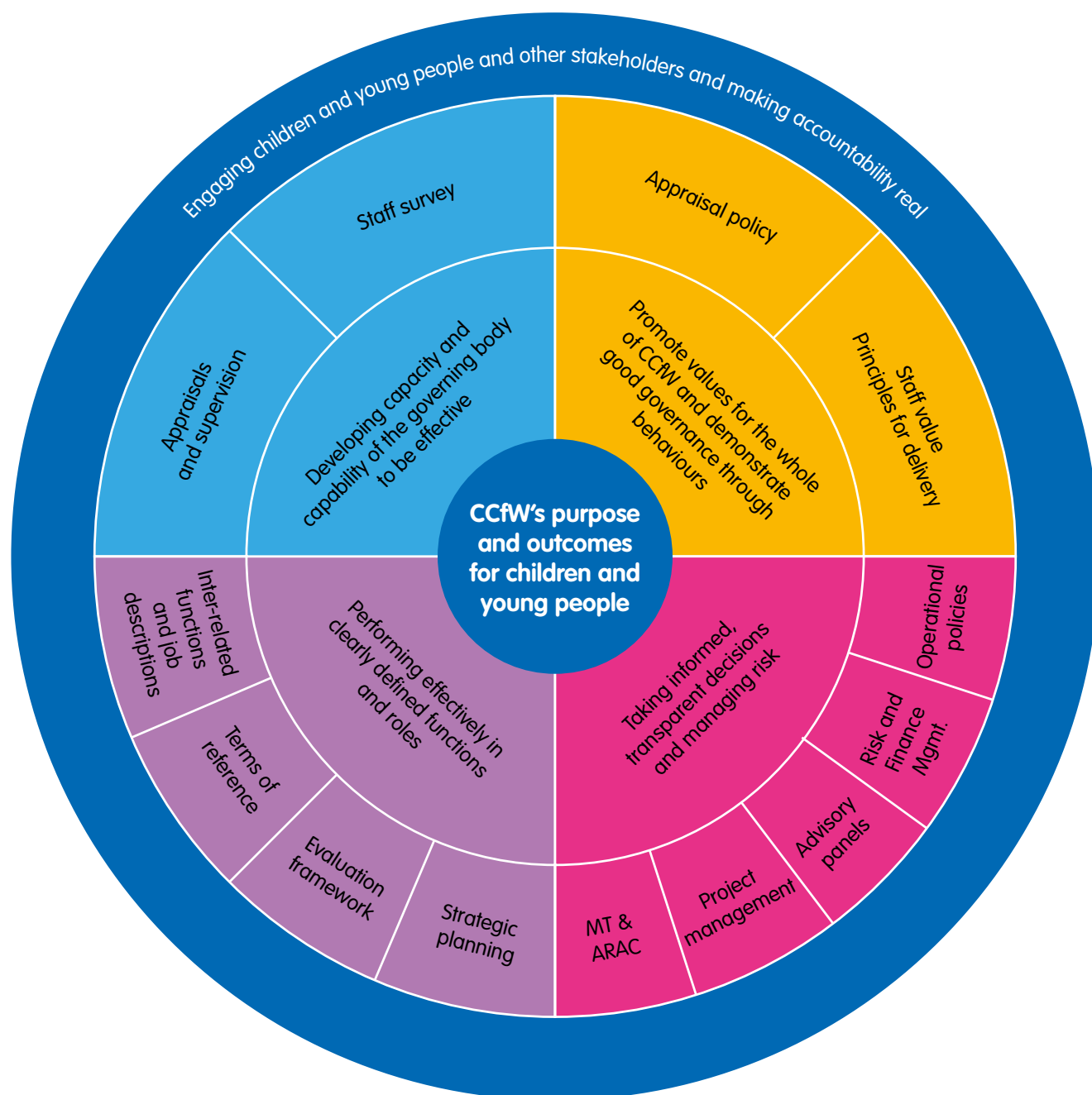
Our governance framework comprises the systems, processes and values by which the organisation is directed and controlled. The Commissioner is required to explain the governance structure within the organisation and to ensure it meets the requirements of the Corporate Governance Code and 'The Orange Book: Management of Risk'.

In this section, we detail the extent to which the organisation lives up to these standards and provides evidence that the governance arrangements are working as intended across the organisation. To provide further assurance, in accordance with the Public Sector Internal Audit Standards, our corporate governance arrangements have been subject to internal audit by our consultants, TIAA. Here is the internal audit's annual opinion for 2021-22:

"TIAA is satisfied that, for the areas reviewed during the year, the Children's Commissioner for Wales has reasonable and effective risk management, control and governance processes in place. This opinion is based solely on the matters that came to the attention of TIAA during the course of the internal audit reviews carried out during the year and is not an opinion on all elements of the risk management, control and governance processes or the ongoing financial viability or your ability to meet financial obligations which must be obtained by Children's Commissioner for Wales from its various sources of assurance."

Governance Framework

We have decided to adopt 'The Good Governance Standard for Public Services', as it builds on the Nolan Principles for the conduct of individuals in public life and provides six core principles of good governance for public service organisations. In this section, we provide an update on the extent to which the organisation lives up to these principles.



*Within our governance framework, the Commissioner is defined as our governing body – the body with overall responsibility for directing and controlling an organisation. At the Commissioner's office, the Commissioner has delegated some responsibilities to members of her management team, all of which are outlined in our scheme of delegation.

Being clear about the organisation's purpose and outcomes

Having a clear organisational purpose and set of objectives is a hallmark of good governance. Our strategic planning approach is the systemic approach to determining our goals. It enables the office to fulfil its legislative remit and to deliver against the vision and objectives set out in my strategic plans.

The strategic and annual planning processes provides an overall strategic direction for all functions within the office; and helps to ensure we make the most effective use of organisational resources to maximise our impact for children and young people in Wales.

In 2019, we published our [Plan for all Children](#) and Young People 2019-22 within which we set out five aspirations for children and young people to help us guide our work. In March 2022, we published an [evaluation](#) of that report which detailed the progress made and impact of our work.

Engaging stakeholders and making accountability real

We don't commission services nor do we deliver front-line services. Instead our work is focused on persuading and supporting others to introduce and implement change. Everything we do is driven by the experiences and views of children and young people.

The work plan, covering the period 2019 – 2022 was based on the biggest ever consultation we've undertaken with children, young people and adults; over 11000 people shared their views via our Beth Nesa' work. Included within this plan are our strategic objectives and the evaluation of that plan, published in March 2022, highlighted how we have:

- Directly engaged with over 20,000 children and young people;
- Heard from over 51,000 children and young people via surveys;
- Delivered training on children's rights to over 1,000 professionals; and
- Secured, on average, sign-up from 553 primary and secondary schools annually for our ambassador schemes.

Our work on implementing our equality duties also enables us to make sure our work reaches those with protected characteristics.

The young people's advisory panel is there to provide the team with advice and challenge and we increased frequency of meetings with them during the Covid-19 pandemic to enable the team to have monthly catch-ups with panel members.

Details of the impact of our work and what we've done as a result of the Beth Nesa' consultation exercise are included within the aforementioned [evaluation](#) of our three-year plan. Within that evaluation, a summary of the latest staff survey results including how 95% of respondents agreed that we listen to different groups of children and the adults that support them and that we work on things that matter to them.

Capacity and capability to be an effective organisation

We recognise that governance is strengthened by the participation of people with many different types of knowledge and experience. We are confident, due to our Performance Development Framework, that all members of staff have the necessary skills, knowledge and capacity to discharge their responsibilities. Within that framework we outline a series of principles:

We want our staff to feel connected and valued; feel supported and safe; have clarity about what they are expected to do and the motivation to contribute to our strategic plan; be accountable for their contributions and impact; have effective discussions with colleagues and managers about performance and personal aspirations; and develop and strengthen their own and their team performance.

As an organisation we are committed to investing time and resources in the development of everyone who works here and the development of clear systems and structures to support the way we develop. In practice, this means we:

- have an in-depth induction programme for all new members of staff;
- encourage all staff during their monthly supervision to discuss their learning and development needs and wants;
- reflect on achievements during our annual appraisal meetings with all staff and use our tailored training needs analysis form to base our discussions on future areas of development;
- support whole team development topics, some of which are mandatory.

We also invite staff to take part in a staff survey every two years. It touches on all aspects of work life at the 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; a response rate consistent with previous years. Four sections, including leadership work-life balance, communications and organisational objectives, showed an improvement on the previous survey (2018).

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

Our values and principles for delivery underpin all our operational and staff policies as well as our three-year strategy. They are shared with new staff members during induction and are communicated externally on our website and in key publications. We have committed to reviewing our values during 2022/23 to coincide with a new commissioner's term in office.

We are also committed to enabling and empowering employees to meet individual, team and strategic goals and consider the process of annual appraisals, objective settings and personal development planning processes to be fundamental to achieving this aim. In our latest staff survey (December 2021), 71% of respondents agree or strongly agree that we demonstrate continuous improvement in our work from regular reflection and critical review.

There exists a suite of internal employment policies that all staff are required to follow in undertaking their duties on behalf of the organisation, including:

- Policy and Procedure for Dealing with Unsatisfactory Conduct
- Resolving Conflict in Working Relationships Policy
- Dignity at Work policy
- Recruitment Principles and Procedures
- Procedure for handling Grievance Concerns
- Whistleblowing Policy
- Performance and Development Framework.

All internal policies have an owner at Management Team level, are discussed with new members of staff during induction, and are updated on a regular cycle (the schedule of which is tabled at management team). As a suite, these policies help us foster a culture that values high performance and strengthens and improves how we carry out our roles.

All our internal policies are reviewed on a regular cycle and this year saw key employment policies being reviewed and updated following staff consultation. They included:

- Working with agility and flexibility;
- Re-grading Policy and Procedure;
- Performance and Development Framework;
- Supporting people at work who are experiencing domestic abuse (which is a brand new policy);
- A guide to holiday leave arrangements;
- Our approach to probationary periods;
- Whistleblowing Policy and Procedure;
- Our wellbeing allowance; and
- Resolving conflict in working relationships.

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

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

Below is a summary of how we ensure we take robust and transparent decisions:

• Management Team Terms of Reference

Contained within the Management Team's terms of reference is a commitment to internally publishing the agenda and minutes of each meeting, making decision-making transparent.

• Audit and Risk Assurance Committee Terms of Reference

Contained within the Audit and Risk Assurance Committee's terms of reference is a commitment to publishing the agenda and minutes of each meeting. They produce annual reports, which will be published on the organisation's website and its chair also prepares an annual statement for inclusion in the organisation's annual report to the First Minister.

• Strategic Planning Policy

Our project management approach ensures the intended outcomes for children and young people are defined and achieved. It offers an effective mechanism for the organisation to define measurable outcomes, and includes mechanisms to monitor performance throughout all stages, including planning, specification, execution and post-project evaluation. Most members of staff have received formal project management training and the majority have obtained a basic qualification.

• Risk Management

This policy defines the framework for risk management within the organisation. The main purpose of the policy is to document the process of risk management so that all staff know what is expected of them; ensure the introduction and maintenance of the process of risk management in a consistent manner; ensure that risk management is embedded in the organisation's activities; and promote a culture of risk awareness.

Risk Management

As noted above, our Risk Management Policy defines the framework for risk management within the organisation. The policy adheres to the main principles of The Orange Book: Management of Risk published by HM Treasury and aims to document the process of risk management so that all staff know what is expected of them; ensure the introduction and maintenance of the process of risk management in a consistent manner; ensure that risk management is embedded in the organisation's activities; and promote a culture of risk awareness.

Our system of internal control in relation to risk is based on a continuous process designed to identify and prioritise the risks to the achievements of the organisation's strategic objectives and compliance with policies and procedures. This involves evaluating the likelihood of those risks being realised and impact should they be realised on the organisation and on children and young people, and managing them efficiently, effectively and economically. In practice, it means all members of staff accepting that risks are inevitable. It also means in practice, every member of staff should be proactive in identifying and managing risks, to ensure the successful delivery of our three year strategic plan.

We manage risk on four levels:

- Our corporate risk register, identifies risks associated with our strategic objectives.
- Our project risk registers and issues logs, for each project within our annual work plan, are managed by our project managers, who report to Management Team every month.
- Our thematic risk registers are in place for specific areas of core work e.g. cyber security. These are maintained by officers responsible for that area of work.
- Our team risk registers are developed for individual teams within the organisation and are maintained by the head of that function and reviewed regularly during supervision sessions with the Commissioner.

During this period, management team and our Audit and Risk Assurance Committee continued to take a role in scrutinising our corporate risk register. We successfully managed and removed some risks from the corporate risk register this year, where risks were either closed or de-escalated to other risk registers. We've also identified and been actively managing new corporate risks in the following areas:

- Ability to meet statutory functions, including our ability to act as an independent human rights institution, short and long term, due to Welsh Government's alignment exercise;
- Ability to meet our statutory functions due to lack of funding;
- Cyber security threats.

As noted, we determine and continuously assess the nature and extent of the principal risks that the organisation is willing to take to achieve our objectives. Below is a general statement about our risk appetite.

"We aim to be risk aware, not overly risk averse and to actively manage organisational risks to protect and grow the organisation. To deliver its strategic aims, the organisation recognises that it will have to take and manage certain risks. Intolerable risks are those that could:

1. Negatively affect the safety of employees or to children and young people who we work with and for.
2. Damage the organisation's trustworthiness and bring our credibility into disrepute.
3. Lead to breaches of laws and regulations.
4. Endanger the future operations of the organisation."

The careful management of risk has been subject to Internal Audit, in accordance with Public Sector Internal Audit Standards. TIAA, our internal auditors, considered the arrangements in place for 2021/22 to identify and align risks to the Commissioner's strategic objectives, the identification of controls and how assurance is provided that these are in place. They provided us with a substantial assurance classification on completion of their review.

Our Audit and Risk Assurance Committee also maintained an overview of the effectiveness of risk management arrangements.

• Financial management

Our financial management is based on a framework of regular management information and a set of clear financial procedures, outlined within the organisation's suite of regularly-updated finance policies and procedures. Review of management information involves regular budget monitoring and reporting. Comparison of spend against budget is reposted to Management Team every month and to the Audit and Risk Assurance Committee on a quarterly basis. Our project management approach also requires all project managers to develop detailed budgets, which are reported on monthly at Management Team. Our internal auditors, TIAA, reviewed our budgetary control, income, payroll, travel expenses and pensions administration this year and provided substantial assurance assessment.

We also take issues around fraud and maladministration very seriously. We have in place policies on whistleblowing, anti-fraud and complaints. Expected behaviours are also outlined in several different internal policies.

Performing effectively in clearly defined functions and roles

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

All committees and advisory panels associated with the Commissioner have Terms of Reference, which are reviewed annually and are published on our website.

The Management Team reviews progress against all our projects, outlined in the annual work plan, every month. On an annual basis, via the Annual Report, we reflect on the progress made against each of our strategic objectives.

As a public office in receipt of public funds, we are 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: our people, our organisational processes, the Commissioner's financial sustainability and value for money and children and young people. These reports are discussed monthly at Management Team meetings, quarterly by the Audit and Risk Assurance Committee and highlights are published within our annual reports (see here for this year's highlights).

Contained within my advisory panels' terms of reference is a specific requirement for them to offer considered advice to the commissioner and staff, as necessary, so that our effectiveness is enhanced and our legislative remit is fulfilled.

Reporting of personal data related incidents

All incidents involving personal data are reported to Management Team and to the Audit and Risk Assurance Committee. We abide by all guidance issued by the Information Commissioner's Office (ICO) including whether escalation of an incident to them is necessary. During 2021-22, we reported one incident to the ICO. Upon reviewing, the ICO were satisfied with our swift actions and approach to the incident and confirmed that no further action was required.

We also provided all staff with an awareness-raising session with the Wales branch of the Information Commissioner's Office and carried out data protection impact assessments on new and existing processes for collecting and analysing data.

Review of Effectiveness by the Children's Commissioner for Wales

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of governance and in accordance with Managing Public Money in Wales, whether I comply with the Cabinet Office's Corporate Governance Code. This review is informed by the work of the internal auditors and the Management Team who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letter and other reports. I have also been advised on the effectiveness of the system of governance by the work of the Audit and Risk Assurance Committee. I have undertaken to ensure the continuous improvement of the internal systems and to address any weaknesses as they arise.

The process applied in maintaining and reviewing the effectiveness of the governance framework was:

- Collectively, the Management Team discussed and reviewed the operation of internal financial controls and the quality of the information provided;
- internal audit completed a review of the effectiveness of key internal controls; and
- the Audit and Risk Assurance Committee met in the year and advised on the implications of assurances provided in respect of corporate governance, risk management and control, the adequacy of the internal and external audit arrangements and management responses to audit recommendations.

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

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

Programme of Improvement for Governance Issues

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

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

Certification by Accounting Officer

I am assured that the system of governance in operation within my office during 2021-22 has been robust. From the review of the effectiveness of the systems of internal control I am assured that the present arrangements meet the needs of the office and ensure that they comply with best practice.

Rocio Cifuentes MBE

Children's Commissioner for Wales and Accounting Officer
19 July 2022



Remuneration and Staff Report

Remuneration of Senior Members of the Management Team

The Welsh Ministers determine the remuneration of the Children's Commissioner for Wales in accordance with Schedule 2 paragraph 3 to the Care Standards Act 2000.

For other members of the Management Team, remuneration was determined by the Children's Commissioner for Wales based on guidance from civil service recruitment specialists.

The following sections, which have been subjected to audit, provide details of the remuneration and pension benefits of the most senior officials who have delegated responsibility within the Commissioner's office:

	Salary £000*		Benefits in Kind (to nearest £100)*		Pension Benefits (to nearest £1000)*		Total £000*	
	2021-22	2020-21	2021-22	2020-21	2021-22	2020-21	2021-22	2020-21
Professor Sally Holland Children's Commissioner for Wales.	90 - 95	90 - 95	-	-	37,000	36,000	127 - 132	126 - 131
Sara Jermin Head of Communication and Performance.	60 - 65	60 - 65	-	-	24,000	24,000	84 - 89	84 - 89
Andy Wallsgrove Head of Practice.	60 - 65	60 - 65	-	-	9,000	31,000	69 - 74	91 - 96
Rachel Thomas Head of Policy and Public Affairs**.	55 - 60	50 - 55	-	-	24,000	-	79 - 84	57 - 62

* This information is subject to audit.

** Rachel Thomas was a member of the Partnership Pension scheme until 31st August 2021 and £2,831 was paid as employer contributions during the period. From 1st September 2021 she became a member of the Alpha pension scheme.

*** The Salaries column includes a £26 per month Home Working Allowance; and Andy Wallsgrove and Rachel Thomas were in receipt of a wellbeing allowance of £250 and £208 respectively.

Fair Pay Disclosure

Median Remuneration	2021-22		2020-21
Band of highest paid individual's remuneration (£000)	90 - 95	Band of highest paid individual's remuneration (£000) -	90 - 95
Median total	33,697	-	34,611*
Ratio	2.75:1	Ratio	2.67:1

*the 2020-21 Median total was restated to reflect a change in calculation.

Pay Ratio Information	2021-22	2021-22 Ratio	2020-21	2020-21 Ratio
25th Percentile Pay Ratio	20,754	4.46:1	22,446	4.12:1
Median Percentile Pay Ratio	33,697	2.75:1	34,611	2.67:1
75th Percentile Pay Ratio	38,160	2.42:1	37,410	2.47:1

I am required to disclose the relationship between the remuneration of the highest-paid individual and the median remuneration of employees. The banded remuneration of the highest-paid individual in 2021-22 was £90,000 - £95,000 (2020-21: £90,000 - £95,000). I have taken the mid-point of this range

Compensation Paid, Significant Awards to Former Senior Managers

During the period 2021-22 there were no compensation payments or significant awards to former senior managers.

£92,500 to compare these amounts, this was 2.75 times (2020-21: 2.67) the median remuneration of employees. The movement between the periods is due to staff reaching the maximum pay point on their scales; and the application of a cost of living increase for all grades during the period. Total remuneration includes salary and benefits-in-kind. It does not include employer pension contributions and the cash equivalent transfer value of pensions.

Pension Benefits – Civil Service Pension Scheme	Accrued Pension £000	Real increase in pension* £000	CETV(i) at 31.3.22* £000	CETV(i) at 31.3.21* £000	Real increase/(decrease) in CETV(ii)* £000
Professor Sally Holland Children's Commissioner for Wales.	10 – 15	0 – 2.5	197	163	22
Sara Jermin Head of Communication and Performance.	0 – 5	0 – 2.5	34	21	9
Andy Wallsgrove Head of Practice.	45 – 5	0 – 2.5	766	724	4
Rachel Thomas Head of Policy and Public Affairs**.	0 – 5	0 – 2.5	11	-	9

* This information is subject to audit.

** Rachel Thomas was a member of the Partnership Pension scheme until 31st August 2021 and £2,831 was paid as employer contributions during the period. From 1st September 2021 she became a member of the Alpha pension scheme.

Pension Scheme

Pension benefits are provided through the Civil Service pension arrangements. From 1 April 2015 a new pension scheme for civil servants was introduced – the Civil Servants and Others Pension Scheme or alpha, which provides benefits on a career average basis with a normal pension age equal to the member's State Pension Age (or 65 if higher). From that date all newly appointed civil servants and the majority of those already in service joined alpha. Prior to that date, civil servants participated in the Principal Civil Service Pension Scheme (PCSPS). The PCSPS has four sections: 3 providing benefits on a final salary basis (classic, premium or classic plus) with a normal pension age of 60; and one providing benefits on a whole career basis (nuvos) with a normal pension age of 65.

These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and alpha are increased annually in line with Pensions Increase legislation. Existing members of the PCSPS who were within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 switch into alpha sometime between 1 June 2015 and 1 February 2022. Because the Government plans to remove discrimination identified by the courts in the way that the 2015 pension reforms were introduced for some members, it is expected that, in due course, eligible members with relevant service between 1 April 2015 and 31 March 2022 may be entitled to different pension benefits in relation to that period (and this may affect the Cash Equivalent Transfer Values shown in this report – see below). All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes.) Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a defined contribution (money purchase) pension with an employer contribution (partnership pension account).

Employee contributions are salary-related and range between 4.6% and 8.05% for members of classic, premium, classic plus, nuvos and alpha. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years initial pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. classic plus is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 worked out as in premium. In nuvos a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation. Benefits in alpha build up in a similar way to nuvos, except that the accrual rate is 2.32%. In all cases members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.

The partnership pension account is an occupational defined contribution pension arrangement which is part of the Legal & General Mastertrust. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member). The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.5% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes, but note that part of that pension may be payable from different ages.)

Further details about the Civil Service pension arrangements can be found at the website www.civilservicepensionscheme.org.uk

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Staff Numbers and Related Costs

a) For the year staff costs consist of:	2021-22 £000			2020-21 £000
	Permanently Employed Staff	Other	Total	Total
Wages and Salaries	906	-	906	956
Social Security Costs	88	-	88	96
Pension Costs	228	-	228	228
Sub Total	1,222	-	1,222	1,280
Costs in respect of inward secondments	-	-	-	-
Less recoveries from outward secondments	-	-	-	(22)
Total Net Costs	1,222	-	1,222	1,258

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme but the participating organisations are not able to identify their share of the underlying assets and liabilities. The scheme was last actuarially valued as at 31 March 2007 but since this date, actuarial valuations of the Scheme were suspended pending the implementation of the Hutton Review recommendations. However, a revaluation of the scheme was conducted in 2018-19 and revised employer pension contributions were announced by HM Treasury effective from 1st April 2019. Details can be found in the Resource Accounts of the Cabinet Office: Civil Superannuation – www.civilservice-pensions.gov.uk.

For 2021-22, employer's contributions of £217,594 were payable to the PCSPS (2020-21: £207,236) at one of four rates in the range 16.7 percent to 24.3 percent of pensionable pay, based on salary bands. The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employer's contributions of £10,523 were payable to one stakeholder pension provider (2020-21: £19,445). Employer contributions are age-related and range from 3 to 12.5 percent of pensionable pay (2020-21: 3 to 12.5 percent). Employers also match employee contributions up to 3 percent of pensionable pay. In addition, employer contributions of £511 or 0.8 percent of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service and ill health retirement of employees (2020-21: £1,075 or 0.8 percent). There were £Nil amounts due to the partnership pension providers at 31st March 2022, (2020-21: £Nil). All these contributions are included in Pension costs.

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

	2021-22 £000			2020-21 £000
	Permanently Employed Staff	Other	Total	Total
Directly employed	21.27	-	21.27	21.26
Total	21.27	-	21.27	21.26

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

During the period 2021-22 there were no compensation payments or exit packages made to former employees.

Rocio Cifuentes MBE

Children's Commissioner for Wales and Accounting Officer
19 July 2022

The Certificate and independent auditor's report of the Auditor General for Wales to the Senedd

Opinion on financial statements

I certify that I have audited the financial statements of the Children's Commissioner for Wales for the year ended 31 March 2022 under paragraph 9 (2) of schedule 2 to the Care Standards Act 2000. These comprise the Statement of Comprehensive Net Expenditure, Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Taxpayers Equity and related notes, including a summary of significant accounting policies. These financial statements have been prepared under the accounting policies set out within them. The financial reporting framework that has been applied in their preparation is applicable law and UK adopted international accounting standards as interpreted and adapted by HM Treasury's Financial Reporting Manual.

In my opinion the financial statements:

- give a true and fair view of the state of the Children's Commissioner for Wales affairs as at 31 March 2022 and of its net expenditure, for the year then ended;
- have been properly prepared in accordance with UK adopted international accounting standards as interpreted and adapted by HM Treasury's Financial Reporting Manual; and
- have been properly prepared in accordance with Welsh Ministers' directions issued under the Care Standards Act 2000.

Opinion on regularity

In my opinion, in all material respects, the expenditure and income in the financial statements have been applied to the purposes intended by the Senedd and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis of opinions

I conducted my audit in accordance with applicable law and International Standards on Auditing in the UK (ISAs (UK)) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of my report. I am independent of the body in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinions.

Conclusions relating to going concern

In auditing the financial statements, I have concluded that the use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the body's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the Children's Commissioner for Wales with respect to going concern are described in the relevant sections of this report.

Other information

The other information comprises the information included in the annual report other than the financial statements and my auditor's report thereon. Legislation and directions issued to the Children's Commissioner for Wales do not specify the content and form of the other information to be presented with the financial statements. The Children's Commissioner for Wales is responsible for the other information in the annual report. My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my report, I do not express any form of assurance conclusion thereon. My responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

I have nothing to report in this regard.

Report on other requirements

Opinion on other matters

As legislation and directions issued to the Children's Commissioner for Wales do not specify the content and form of the other information to be presented with the financial statements, I am not able to confirm that the other information in the Annual Report to be issued with financial statements has been prepared in accordance with guidance.

In my opinion, based on the work undertaken in the course of my audit, the information given in the Directors Report, Annual Governance Statement and Remuneration Report is consistent with the financial statements.

Although there are no legislative requirements for a Remuneration Report, the Children's Commissioner for Wales has prepared such a report and in my opinion, that part ordinarily required to be audited has been properly prepared in accordance with HM Treasury guidance.

Matters on which I report by exception

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

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

- adequate accounting records have not been kept or returns adequate for my audit have not been received from branches not visited by my team;
- the financial statements and the audited part of the Remuneration Report are not in agreement with the accounting records and returns;
- information specified by HM Treasury regarding remuneration and other transactions is not disclosed; or
- I have not received all of the information and explanations I require for my audit.

Responsibilities

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

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Children's Commissioner is responsible for preparing the financial statements in accordance with the Care Standards Act 2000 and Welsh Ministers' directions made there under, for being satisfied that they give a true and fair view and for such internal control as the Children's Commissioner for Wales determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

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

Auditor's responsibilities for the audit of the financial statements

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

Irregularities, including fraud, are instances of non-compliance with laws and regulations. I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud.

My procedures included the following:

- Enquiring of management, the head of internal audit and those charged with governance, relating to the Children's Commissioner for Wales's policies and procedures concerned with:
 - identifying, evaluating and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected or alleged fraud; and
 - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.
- Considering as an audit team how and where fraud might occur in the financial statements and any potential indicators of fraud. As part of this discussion, I identified potential for fraud in the posting of unusual journals;
- Obtaining an understanding of the Children's Commissioner for Wales's framework of authority as well as other legal and regulatory frameworks that the Children's Commissioner for Wales operates in, focusing on those laws and regulations that had a direct effect on the financial statements or that had a fundamental effect on the operations of the Children's Commissioner for Wales.

In addition to the above, my procedures to respond to identified risks included the following:

- reviewing the financial statement disclosures and testing to supporting documentation to assess compliance with relevant laws and regulations discussed above;
- enquiring of management and the Audit and Risk Assurance Committee about actual and potential litigation and claims;
- reading minutes of meetings of those charged with governance;
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business.

I also communicated relevant identified laws and regulations and potential fraud risks to all audit team and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

The extent to which my procedures are capable of detecting irregularities, including fraud, is affected by the inherent difficulty in detecting irregularities, the effectiveness of the Children's Commissioner for Wales's controls, and the nature, timing and extent of the audit procedures performed.

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

Responsibilities for regularity

The Children's Commissioner for Wales is responsible for ensuring the regularity of financial transactions.

I am required to obtain sufficient evidence to give reasonable assurance that the expenditure and income have been applied to the purposes intended by the Senedd and the financial transactions conform to the authorities which govern them.

Report

I have no observations to make on these financial statements.

Ann-Marie Harkin

For and On Behalf of the Auditor General for Wales
25 July 2022

24 Cathedral Road
Cardiff
CF11 9LJ

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

Statement of Comprehensive Net Expenditure for the year ended 31st March 2022

	Note	2021-22 £000	2020-21 £000
Expenditure			
Administration costs:			
Staff Costs	2.3	1,222	1,258
Depreciation	2.2	25	17
Other Administration Costs	2.1	277	425
		1,524	1,700
Income			
Income from Activities	-	-	-
Other Income	-	-	-
		-	-
Net Expenditure		1,524	1,700
Interest payable/receivable	-	-	-
Net Expenditure after interest	-	1,524	1,700

Other Comprehensive Expenditure

	Note	2021-22 £000	2020-21 £000
Net gain/(loss) on revaluation of Plant and Equipment	-	-	-
Total Comprehensive Expenditure for the year ended 31st March 2022		1,524	1,700

All income and expenditure is derived from continuing operations. There are no gains or losses other than those reported in the Statement of Comprehensive Net Expenditure.

The Commissioner receives funding from the Welsh Government.

The notes on pages 109 to 116 form part of these accounts

Statement of Financial Position as at 31st March 2022

		2022		2021	
		£000	£000	£000	£000
	Note				
Non-current assets:					
Property, plant and equipment	4		42	-	14
Current assets:					
Trade and other receivables	5	48		32	-
Cash and cash equivalents	6	135	183	179	211
Total assets			225		225
Current liabilities:					
Trade and other payables	7	(64)	(64)	(52)	(52)
Total assets less current liabilities			161		173
Non-Current liabilities:					
Provision for liabilities and charges	13	(-)	(-)	(122)	(122)
Total assets less total liabilities			161		51
Taxpayer's equity:					
General fund			161		51

Rocio Cifuentes MBE

Children's Commissioner for Wales and Accounting Officer
19 July 2022

The notes on pages 109 to 116 form part of these accounts

Statement of Cash Flows for the period 1st April 2021 to 31 March 2022

		2021-22	2020-21
		£000	£000
	Note		
Cash flows from operating activities			
Net Expenditure	2	1,524	1,700
Adjustment for non-cash transactions	2	(25)	(62)
Increase/(decrease) in trade and other receivables	5	16	(19)
(Increase)/decrease in trade payables	7	(12)	39
Use of Provisions	13	68	-
Reversal of unused provision	13	54	-
Net cash outflow from operating activities		1,625	1,658
Cash flows from investing activities			
Purchase of property, plant and equipment	4	53	5
Net cash outflow from investing activity		53	5
Cash flows from financing activities			
Net Financing from the Welsh Government		(1,580)	(1,580)
Unused provision		(54)	-
Net cash outflow from investing activity		(1,634)	(1,580)
Net increase/(decrease) in cash and cash equivalents	6	(44)	(83)
Cash and cash equivalents at beginning of period		179	262
Cash and cash equivalents at end of period		135	179

The notes on pages 109 to 116 form part of these accounts

Statement of Changes in Taxpayers' Equity for the year ended 31st March 2022

		General Fund
		£000
	Note	
Balance as at 31st March 2021		51
Changes in Taxpayers' Equity 2021-22		
Funding from Welsh Government		1,580
Unused provision		54
Comprehensive net expenditure for the year		(1,524)
Balance at 31st March 2022		161

The notes on pages 109 to 116 form part of these accounts



Notes to the Accounts

1. Statement of Accounting Policies

These financial statements have been prepared in accordance with the Government's Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Accounting Standards (IFRS) as adopted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which has been judged to be most appropriate to the particular circumstances of the Commissioner for the purpose of giving a true and fair view has been selected. They have been applied consistently in dealing with items considered material in relation to the accounts.

We have considered the impact of standards and interpretations which have been issued but are not yet effective and which have not been adopted early by the Commissioner. With the exception of International Financial Reporting Standards (IFRS) IFRS16 Leases, the Commissioner anticipates that the adoption of these Standards and interpretations in future periods will have no material impact on the financial statements. The impact of IFRS16, which has been issued by the International Accounting Standards Board (IASB) will apply from 2021-22, is not reasonably estimable at this stage.

The particular accounting policies adopted by the Children's Commissioner for Wales are described below.

1.1 Accounting Convention

These accounts have been prepared under the historical cost convention as in the opinion of the Children's Commissioner for Wales the effect of the revaluation of fixed assets at their value to the organisation by reference to their current cost is considered to be immaterial.

1.2 Funding

The only source of funding for the Children's Commissioner for Wales is from the Welsh Government via an annual grant, which is credited to the general fund when the grant is received. The grant is recognised in the period in which services are provided.

1.3 Property, Plant and Equipment

The Commissioner has valued all non-current assets at historic cost as any revaluation adjustments are, in the Commissioner's opinion, not material. The minimum level for capitalisation of individual assets is £1,000. Large numbers of the same type of asset have been grouped together in determining if they fell above or below the threshold.

1.4 Depreciation

Depreciation is provided at rates calculated to write off the value of non-current assets by equal instalments over their estimated useful lives, as follows:

ICT Equipment	3 years
Furniture	5 years
Office Equipment	5 years
Fixtures & Fittings	5 years

A full year's depreciation is charged in the year of acquisition.

1.5 Statement of Comprehensive Net Expenditure

Operating income and expenditure is that which relates directly to the operating activities of the Commissioner. It comprises charges for goods and services provided on a full cost basis. All expenditure is classed as administration expenditure.

1.6 Value Added Tax

The Commissioner is not registered for VAT. Expenditure and fixed asset purchases are accounted for VAT inclusive, as VAT is irrecoverable.

1.7 Pensions

The Commissioner's staff are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS). The PCSPS is a defined benefit scheme. The cost of the defined benefit element of the scheme is recognised on a systematic and rational basis over the period during which it derives benefit from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution elements of the scheme, the Children's Commissioner recognises the contributions payable for the year; these amounts are charged to the Statement of Comprehensive Net Expenditure in the year of payment.

1.8 Leases

Leases of assets where substantially all risks and rewards of ownership of a leased asset are borne by the Commissioner are classified as finance leases. The asset is recorded as a tangible fixed asset and a debt is recorded to the lessor of the minimum lease payments. Payments are charged to the Statement of Comprehensive Net Expenditure and a finance charge is made based upon the interest rate implicit in the lease.

Operating lease rentals are charged to the Statement of Comprehensive Net Expenditure in equal amounts over the lease term.

1.9 Segmental Reporting

The Commissioner's Office operates in Wales and deals with issues that impact upon children and young people in Wales. The Statement of Comprehensive Net Expenditure and associated notes reflects the segments that the operating results are reported.

1.10 Staff Expenses

The Commissioner provides for short term compensated absences unused at the year-end.

1.11 Provisions

The Commissioner provides for legal or contractual obligations which are of uncertain timing or amounts at the statement of financial position date, on the basis of best estimate of the expenditure required to settle the obligation.

1.12 Cash and Cash Equivalent

The Commissioner holds cash which is deposited in a commercial bank account upon receipt. Petty cash is also held at the Commissioner's office.

2. Other Administration Costs

2.1 Administration costs:

	2021-22 £000	2020-21 £000
Premises	57	76
Office	67	77
Training and wellbeing	11	18
Travel and subsistence	4	2
External audit's remuneration	18	18
Internal auditor's remuneration	13	12
Communication	28	35
ICT equipment	23	18
Other	56	123
Legal and professional fees	-	1
In year provision	-	45
	277	425

2.2 Non-cash transactions

Depreciation charge in-year	25	17
	25	17

2.3 Staff costs:*

Wages and salaries	906	956
Social security costs	88	96
Pension	228	228
Net recoveries in respect of secondments	(-)	(22)
	1,222	1,258
	1,524	1,700

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

3. Segmental Information

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

4. Property, Plant and Equipment

	ICT Equipment £000	Fixtures & Fittings £000	Office Furniture and Equipment £000	Total £000
Cost				
At 1st April 2021	244	197	211	652
Additions	20	11	22	53
Disposals	(208)	(197)	(198)	(603)
At 31st March 2022	56	11	35	102
Depreciation				
At 1st April 2021	230	197	211	638
Additions	20	2	3	25
Disposals	(208)	(197)	(198)	(603)
At 31st March 2022	42	2	16	60
Net Book Value				
At 31st March 2021	14	-	-	14
At 31st March 2022	14	9	19	42
Asset Financing				
Owned Net Book Value At 31st March 2021	14	-	-	14
Owned Net Book Value At 31st March 2022	14	9	19	42

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

5. Trade and Other Receivables

Amounts falling due within one year:	2021-22 £000	2020-21 £000
Trade and other receivables	-	-
Prepayments and accrued income	48	32
	48	32

6. Cash and Cash Equivalents

	2021-22 £000	2020-21 £000
Balance at 1st April	179	262
Net change in cash and cash equivalent balances	(44)	(83)
Balance at 31st March 2022	135	179

All balances as at 31st March 2021 were held with a Commercial bank and cash in hand

7. Trade and Other Payables

Amounts falling due within one year:	2021-22 £000	2020-21 £000
Taxation and social security	-	-
Trade payables	12	-
Accruals and Deferred Income	52	52
	64	52

8. Commitments under Leases

Operating leases

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

Obligations under operating leases	2021-22 £000	£000	2020-21 £000	£000
	Land and Buildings	Other	Land and Buildings	Other
Not later than one year	40	1	36	1
Later than one year and not later than five years	132	-	158	1
Later than five years	-	-	20	-
	172	1	214	2

The Commissioner's lease on her office at Oystermouth House in Swansea ended on 31st July 2021. During the financial period 2020-21 the Commissioner and her team undertook detailed work on determining the most appropriate level of accommodation necessary to ensure her strategic plan's objectives are met and ensuring there is a reduction in the operational costs of the organisation. This work has also included consultation with staff and other interested stakeholders. In 2021 a new lease was signed for a five year term for new premises at Llewellyn House in Port Talbot.

9. Financial Instruments

FRS7, Financial Instruments, requires disclosure of the role which financial instruments have had during the period in creating or changing the risks an entity faces in undertaking its activities. Because of the non-trading nature of the Commissioner's activities and the way in which her operations are financed, her office is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of the listed companies to which IFRS7 mainly applies. The Commissioner has very limited powers to borrow or invest surplus funds and financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks she faces in undertaking her activities.

Liquidity Risk

The Commissioner's net revenue and capital resource requirements are financed by the Welsh Government. Her office is not therefore exposed to significant liquidity risks.

Interest-rate Risk

The Commissioner's financial assets and liabilities are not exposed to interest-rate risks.

Foreign Currency Risk

The Commissioner's financial assets and liabilities are not exposed to foreign currency risks.

Fair Values

There is no difference between the book values and fair values of the Commissioner's financial assets and liabilities as at 31st March 2022

10. Capital Commitments

There were no capital commitments as at 31st March 2022.

11. Contingent Liabilities

There were no contingent liabilities as at 31st March 2022.

12. Related Party Transactions

The Welsh Government is a related party, the Commissioner received her sole source of funding from the Welsh Government; she received £1.603 million during the period (2020-21 - £1.580 million). The Commissioner has had a small number of material transactions during the period with HM Revenue and Customs (Tax and National Insurance payments) of £291,946 (2020-21 £305,371); and the Cabinet Office (payments in respect of the Principle Civil Service Pension Scheme) of £218,105 (2020-21 £250,770).

There were no material transactions with organisations in which senior staff, or any of their family, held positions of influence.

13. Provisions for Liabilities and Charges

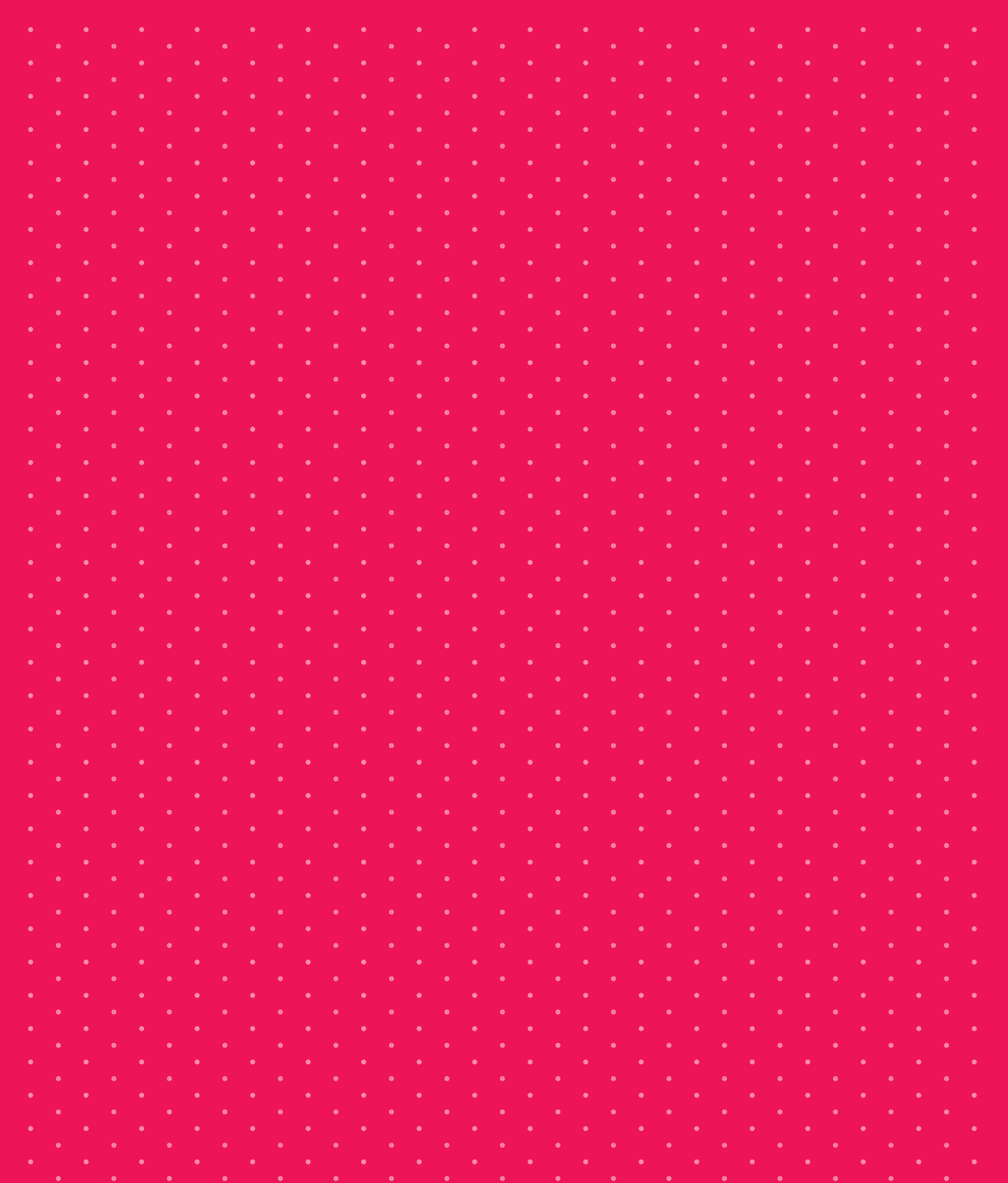
	Provision for Dilapidations £000	Total £000
Balance at 1st April 2021	122	122
Use of provision	68	68
In year provision	-	-
Release of provision	54	54
Balance at 31st March 2022	-	-

Provision for Dilapidations

The Commissioner provides for meeting her obligations under the terms of her lease of her Swansea office in full by establishing a provision for the estimated payments. The lease ended in July 2021 and a settlement of the lease obligations was made of £67,975. £54,025 was credited back to the General Fund for unused provision.

14. Events after the Reporting Period

There were no events between the statement of financial position date and the date the accounts were signed that impact upon these statements. The Accounting Officer authorised these financial statements for issue on 19 July 2022.



**Comisiynydd
Plant Cymru**
Children's
Commissioner
for Wales