



**Comisiynydd
Plant Cymru**

Children's
Commissioner
for Wales

Annual Report & Accounts 2022-23





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FOREWORD

by the Children's Commissioner
for Wales



01

This is a report about my first year in post – a year which saw us work with 17,000 children, sought views from over 10,000 children, young people, parents/ carers and professionals in our most accessible survey to-date, and helped families in over 600 cases supported via our investigations and advice service.

I took up post in April 2022 knowing what a formidable team the office of the Children’s Commissioner was, but spending the last 12 months with them, working on designing strategic priorities, refining our practices, and enhancing our offer – has made me realise what a hidden gem this institution has become. As such, increasing the visibility of the team and its work and identifying how it can support so many more children and their families is one of my top priorities, as well as building on our accessibility as a public body and the diversity of our staff team, our advisory panels, our Audit and Risk Assurance Committee and the stakeholders we engage with.

For children and young people this year, the cost of living crisis has had a devastating impact on their lives. I won’t forget one of the first conversations I had with one member of my young people’s advisory panels about how she was worried that her family wouldn’t be able to afford school transport for her younger brother, and reading some results from our Ambitions for Wales work, where 7 year olds were sharing openly their concerns about the affordability of food for their families. Accordingly, poverty and its effects will be a key pillar of my work and making sure Welsh Government and those in positions of power in Wales are doing all they can to curb its devastating effect on childhoods.

Whilst there’s clearly much to be proud of here in Wales – we’re a country which respects and upholds human rights, we’re a nation of sanctuary and we’re world-leading in some of our practices, there are many issues and areas where we must do better. My work this year with counterparts in Northern Ireland and Scotland producing a joint report to the UN Committee on the Rights of the Child shines a light on some of these critical areas.

As the independent champion for children in Wales, I will be challenging Welsh Government to ensure that public money spent in Wales is delivering positive change in children’s lives and that the squeeze on the public purse won’t have yet another detrimental effect on younger generations. This means, that I’ll be taking a deeper look into making sure that the structures and the flagship programmes which are intended to keep children safe and well are as effective as possible. Our section on key policy issues within



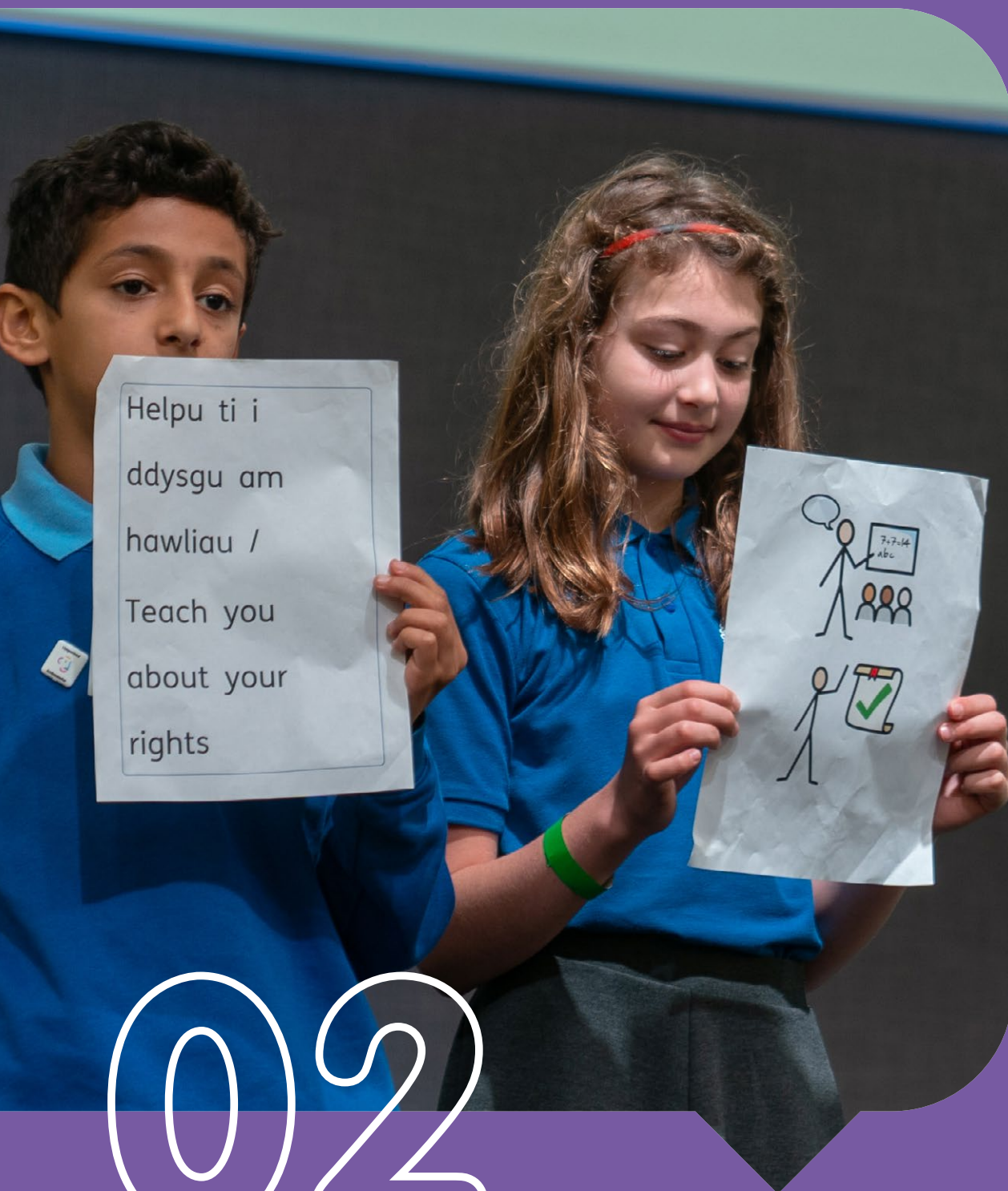
this Annual Report highlights what we think the priorities should be for our Government over the next twelve months; recommendations which are based on intelligence gleaned from our work with children and young people and our discussions with partner organisations.

We have a team of just 23 officers with a significant statutory remit. For us to deliver on our ambitions, I want to see us working more in collaboration with others in Wales, to ensure we’re extending our reach, making the most of the evidence these organisations will have from front-line services and hearing from those quieter voices who may not take part in our usual participation work.

Having spoken personally with many of our key stakeholders over the last year, as well as numerous discussions with staff and our advisory panels, my personal ambitions centre around the following: increasing the visibility, accessibility and diversity of this organisation to make sure we help as many children and young people as possible, as well as maximising the use of the data and evidence we gather. This report highlights the work we’ve done to-date on those.

Rocio Cifuentes MBE
Children’s Commissioner for Wales

OUR PURPOSE



02

A set of laws describes what the Children's Commissioner for Wales should do to protect and promote children's rights.



We're allowed to work with **every child** in Wales

Who is up to the age of **18 or up** to the age of **21** if they've been in care, or **25** if they've been in care and still in education.



Our policy team **influence**



Our participation team **engage**

All **supported** by a small, dedicated **core team** of IT, finance and HR specialists.



Our investigations and advice team **advise**



Our communications team **speak out**

VISIBILITY

“I want to increase the visibility of the office and the role of the Children’s Commissioner for Wales through improved external communications and engagement with a range of stakeholders, including children and young people.”

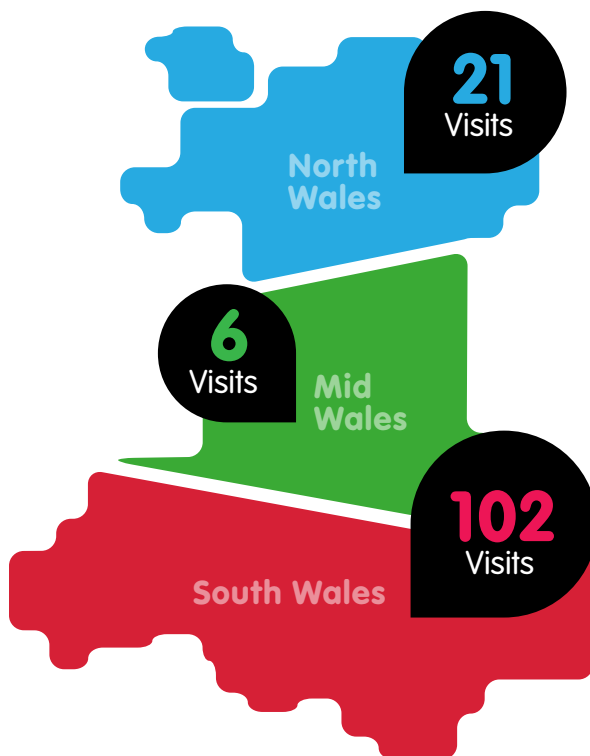
Rocio Cifuentes, 2022

03

A personal highlight from staff

“Launching Ambitions for Wales – our most accessible and inclusive consultation to-date and receiving over 10,000 responses from children, young people and adults who care for them.” ^R

Our year in numbers



All the visits we've made to local authorities across Wales

Area of Wales	Number of visits
South Wales	102
Mid Wales	6
North Wales	21
Various/All Wales	36

17,000

Engaged with over 17,000 children and young people from across Wales, in nearly every Local Authority area in Wales.

10,000

Secured over 10,000 responses to our Wales-wide consultation, Ambitions for Wales, the results of which would shape our next three-year strategy.

235

Secured 235 pieces of print and broadcast coverage for the Commissioner's work.

Our work highlights

Ambitions for Wales

This large-scale 'Ambitions for Wales' consultation was designed to enable children and young people, as well as parents and carers, and professionals who work with children to share their experiences and contribute their views around key thematic areas of relevance to children.

These insights would inform the team's next three-year strategy.

In total

8,830



children and young people
responded, as well as

507

professionals

876

parents/carers

For the first time, we created a version which enabled the team to listen to the views of children with profound, multiple learning disabilities. Working with a teacher from Ty Coch special school, we were able to use specialist technology – work which [hit the headlines](#) and secured feedback including:

"This means everything to the child and the family because it means that their opinions and voices are heard and that they can be listened to as well."

Our new three-year strategy will come into effect on 1 April 2023 and a comprehensive analysis of all results is available [here](#).

The Right Way

Continuing our work to support public bodies in Wales to integrate children's rights into every aspect of decision-making, policy and practice, this year we've created a range of online presentation guides for different professional sectors, including: Social Care; Education; Health and for professionals/undergraduates. We aimed to make these user friendly by including a presenters' guide and audio delivery options. You can read more about 'The Right Way: a children's rights approach in Wales' [here](#).

Ways of working

To enhance our communications work and increase the visibility of the team's work, this year saw us issue monthly newsletters, featuring key highlights of work delivered by our various functions.

We have also spent time this year reviewing our participation strategy. The work has resulted in a revised strategy aligned with the principles of our children's human rights approach. To support others with meaningful participation work, we have developed an adult guided step-by-step accessible participation toolkit. This sets out how to support a group of children and young people to take part in decision making about how to make a service better. This is an accessible toolkit, designed to be used with all children, including those with additional learning needs.



ACCESSIBILITY

“I want to increase the accessibility of the office and its investigations and advice service in particular to ensure this important resource can be accessed by all children, young people and professionals who may need it.”

Rocio Cifuentes, 2022

04

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 or has been denied their rights.

Some personal highlights from members of our investigations and advice team

ISSUE: Parent contacted as child had been offered a specialist placement which, due to delays with building work, was not ready for the child to begin in September 2022. The Childcare Offer for Wales funding had also been removed due to the child having been offered the specialist placement and parent could not afford to bridge the gap financially until the provision was ready.

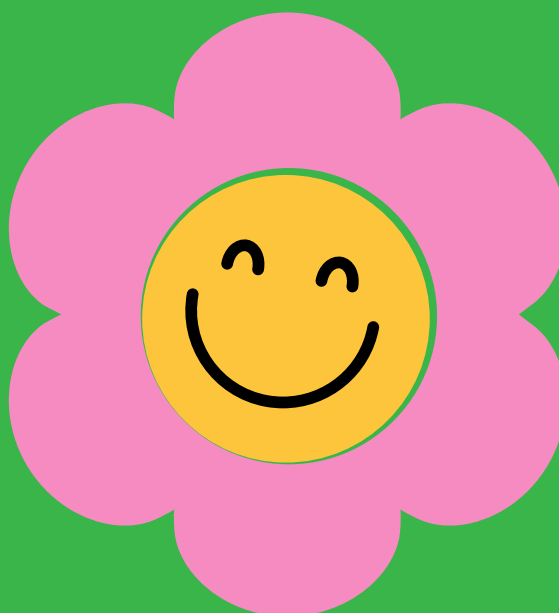
ACTION: We contacted the local authority to ask whether the school could take the child in mainstream with support until the placement was ready or to pay the private nursery whilst making the claim to Welsh Government of extenuating circumstances to extend the provision. We made the request to the Childcare Unit, with supporting letter from the authority, for Childcare Offer for Wales funding.

OUTCOME: Childcare Offer for Wales funding was secured, quicker than anticipated and until half term. It enabled the child to access a provision which met their needs, without detrimental financial implications for the family.

ISSUE: Two local health boards were disputing who was responsible for funding continuing health care for a care-experienced young person with complex needs transitioning into adult services.

ACTION: We spoke with the young person's local health board who was disputing they were responsible, as young person was a care-experienced young person and as such, they claimed the young person was the responsibility of the local authority who had initiated care proceedings.

OUTCOME: Local health board agreed funding and meeting was arranged regarding transition arrangements.

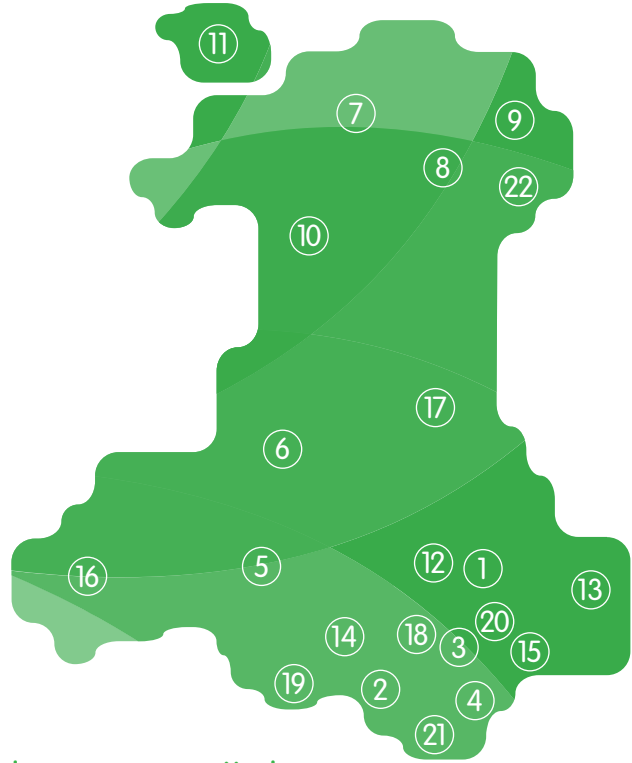


Our year in numbers

665 cases

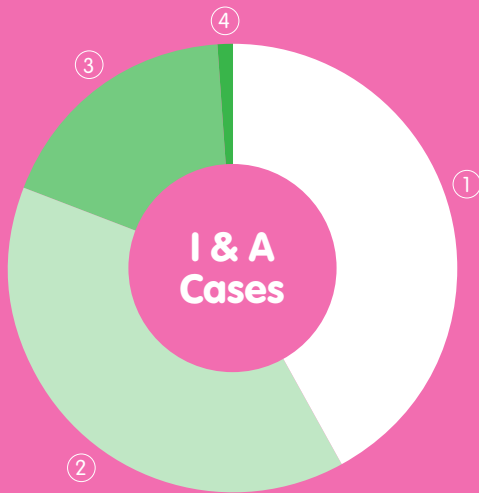
(this compares with 604 cases the previous year) – highest figure in 4 years

Where all the cases have come from authorities across Wales

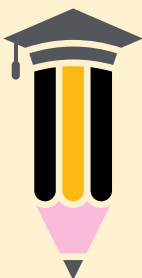


Local authority	Number of cases
1. Blaenau Gwent	9
2. Bridgend	57
3. Caerphilly	33
4. Cardiff	84
5. Carmarthenshire	34
6. Ceredigion	7
7. Conwy	13
8. Denbighshire	8
9. Flintshire	13
10. Gwynedd	10
11. Isle of Anglesey	7
12. Merthyr Tydfil	18
13. Monmouthshire	9
14. Neath Port Talbot	39
15. Newport	41
16. Pembrokeshire	20
17. Powys	25
18. Rhondda Cynon Taf	51
19. Swansea	45
20. Torfaen	5
21. Vale of Glamorgan	45
22. Wrexham	17
23. Other	18
24. Unknown	73

Top issues:



Issue	Number of cases
1. Education	279
2. Social Services	260
3. ALN/SEN	120
4. Other	6



279

Education
of which 75 related to complaints, 33 sought advice and 27 related to bullying

260



Social services
of which 116 were about complaints, 30 about provision of service and 24 sought advice

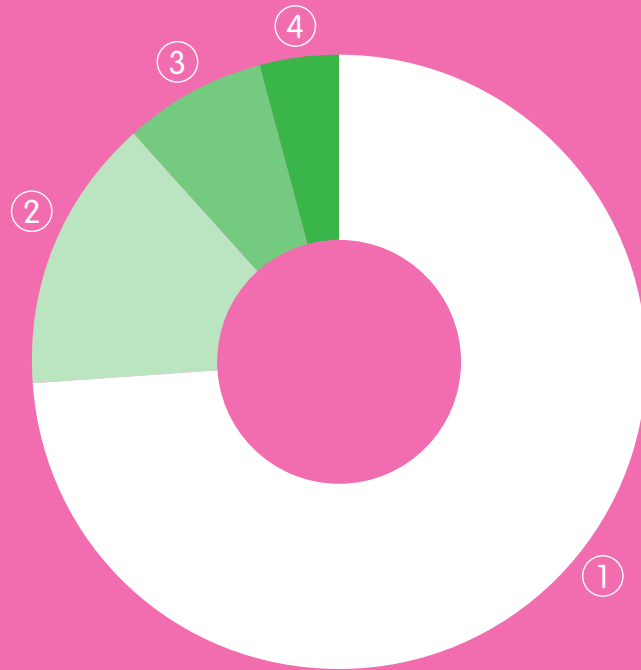


120

Education ALN/SEN of which 43 related to placements, 27 about provision and 20 about Statement/IDP

Who made contact:

1. Parents	376
2. Extended family member	73
3. Members of the public	38
4. Children and young people	21



How they made contact:

1. Phone	453
2. Email	208



What the data is telling us:

Having analysed our casework function over the last twelve months, three aspects of the work are of concern to us and warrant further, detailed work by the team in 2023/24.

They include:

- Despite efforts by the wider team, contact from some local authorities is low. We'll undertake more targeted work with those authorities to offer support to uphold children's human rights and to determine how we can increase engagement from schools and third sector organisations from those areas.
- We want to establish why more young people aren't reaching out for support directly from the service. We consciously seek to not duplicate the work of others, but we'll work with young people to determine whether they have sufficient support elsewhere and what, if anything, we can do to improve the accessibility of our service.
- We have also previously not gathered equalities data on the people making contact with our service, however going forward we will explore ways to gather this information sensitively and appropriately to help us evaluate how wide and effective our reach is.

Making the best of use of our data and evidence is also a key priority for the Commissioner. As such, we will aim to strengthen the mechanisms by which we identify key trends and patterns emerging from Investigations and Advice work, and use this to inform the work of our Policy team. One example of this is the implementation of the ALN Act, which is impacting on children and their families, in ways which are not always positive or in line with the vision of this ground-breaking legislation. Our team will dive deeper into this, to identify the stumbling blocks and make policy recommendations.

Other work highlights

Book of experiences

This year the team published the 'No Wrong Door: Book of Experiences', which aimed to bring to life the challenges faced by neurodivergent children and their families who are simply trying to reach out for help and access their rights. All the experiences set out in the book are cases handled via our independent investigations and advice services within the last two years. Promising practice is also highlighted in the book as well as the perspective of a leading clinical psychologist. It concludes with a series of next steps for Welsh Government's new Neurodevelopmental Conditions Ministerial Advisory Group. Our team sit as observers to that Group, to ensure our learning points are adequately addressed.

Security of our data

With increased visibility and accessibility comes increased data to process. Due to the nature of our work, our data is often personal in nature and upholding our responsibilities to ensure that data is kept safe and in line with our data protection obligations is a key operational objective. This year, on advice of the National Cyber Security Centre, we put ourselves forward for two external assessments - Cyber Essentials and Cyber Essential Plus - to provide a level of assurance to us and to those whose data we collect about the measures we have in place to protect their data. We secured both accreditations.



DIVERSITY

“I want to increase the diversity of the staff team and the stakeholders we engage with to better reflect the range of issues and lived experiences of children and young people in Wales.”

Rocio Cifuentes, 2022

05

**We're a proud anti-racist organisation,
a Living Wage employer and a Disability
Confident employer.**



Our staff

1 Introduction and context

We routinely encourage our Team members to share data in relation to all of the protected characteristics covered by the Equality Act. We do this because these statistics help us to identify positive actions to improve the inclusive nature of our workplace.

On average, however, 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 and caveat this section on that basis.

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.

For ease of reporting and comparing between years, we report our statistics on a fixed date in the year (31 March). As a result, we must also accept that this method will not always capture the diversity profile of any short-term employment or placement students we have supported over the year.

2 Reasons to celebrate

Despite the limitations in the data as indicated above, there are many things to celebrate this year from an equality perspective about the make-up of our small Team:

- We are proud of our gender equality in terms of empowering women in the workplace. We have a female Children's Commissioner and a management team that includes 4/6 female leaders;
- We are proud of our Welsh language culture. We have a high percentage of colleagues who identify as ethnically Welsh and 57% of our staff team have advanced and proficient skills in the language;
- We are improving our efforts to support people with long-term health conditions in the workplace and learning from colleagues and advisory team members who understand disability by lived experience and association;

- We are also making strides to improve the ethnic diversity of our staff Team with some important (and previously missing) perspectives from minority ethnic communities contributing to our workplace this year.
- We employ people from across the age ranges with our youngest Team member being in their 20s and the oldest over 60 years of age.
- As a very small team of people, the diverse lived experiences of members of our Adult Advisory panel and Children and Young People Advisory Panel make a vital contribution to our ability to understand and respond to diverse lived experiences and challenges.

We are cautiously optimistic that the changes to our recruitment processes will continue to increase the diversity of our Team; nevertheless, we are not complacent about our workforce equality. We know the diversity of our Team can change with just one resignation and there remain some important lived experiences absent in our current staff make-up.

During the past year, we have continued to refine the changes we introduced the year before to our recruitment processes in relation to equality. We have seen an increased number of applicants living with disabilities, applicants requesting a guaranteed interview, increased number of video applications, increased applicants from ethnic minority backgrounds and the LGBTQ+ community.

Our learning and development activities this year included Race Awareness training and a whole Team development day visiting the premises of the Ethnic Youth Support Team, meeting clients and learning about the challenges for young people in these communities.



3 Overall workforce diversity

On the 31st March 2023, we had twenty-six people on the payroll (including the Children's Commissioner).

Between 1 April 2022 and 31 March 2023, three people left the Team. This includes the end of the seven-year term of the then current Commissioner, and two people on full-time permanent contracts.

There were five new appointments in this period, one appointment was the new Children's Commissioner for Wales appointed by Welsh Government, one was employed on a permanent full time contract and three people were employed to cover maternity/adoption leave.

Of the two staff members on fulltime permanent contracts, both resigned from the Team, one retired and one left for career progression having been employed by CCFW for six years, excluding the Children's Commissioner's end of term.

On 31st March 2023:

- **15%** of our workforce (4 people) were engaged on a fixed term basis. One reflects the Children's Commissioners' 7 year term and the other three are directly related to maternity and adoption cover.
- **65%** of colleagues (17 out of 26 people) worked full time hours, 35% worked part time hours compared to the year before where 69% worked full time. People working part time hours has increased slightly from 31%. Only 11% of our part time workers describe themselves as male (1 out of 9 people). This is very similar to last year.
- **81%** of our workforce identify as female; this is the same as last year.
- **7.5%** of the Team disclosed a lesbian, gay or bi-sexual orientation, 11.5% prefer not to disclose their orientation and 81% stated they are heterosexual.
- No one in the Team disclosed transgender, bi gender or gender fluid identities in this period.
- **53%** (14 people) of our colleagues in this period are under 35 years old; this is slightly more than last year where 40% of our workforce was under 35 years of age. 21% (3 out of 14 people) of this age group works part time.
- **30%** (8 people) of our colleagues in this period are between 36 and 54 years of age. 25% (2 out of 8 people) of this age group works part time.
- **15%** (4 people) of our colleagues are aged 55 years and over, last year this figure was 19%; 75% of this age group works part time.
- We do not currently employ anyone over age 65.
- **15%** of our workforce live with a long-term health condition/disability; compared to 22.5% of the Welsh workforce as a whole.
- **88%** of our workforce on 31st March 2023 declared they were from a white ethnicity compared to 96% on 31st March 2022; with 57% describing themselves as White Welsh.
- **58%** of employees (15 out of 26 people) describe their Welsh language skills as either proficient, advanced or intermediate level. 42% of our workforce declared they have entry-level or foundation skills in the language. This is a slight decline in the number of colleagues with Welsh language skills from the previous year.
- **34%** of our workforce declared their commitment to a specific religion (Christianity and Islam). 50% of colleagues declared they have no religion or belief.
- During this financial year, we have supported two people through pregnancy and maternity leave, one person through adoption leave and one person on a secondment to another organisation.
- Representatives from all genders, most grades and contract type accessed learning and development opportunities this year. In addition to individual learning applications, our whole team development programme enables part-time workers, temporary workers and workers with protected characteristics to have equal access to learning and development opportunities.

4 Gender and Pay differentials

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

Of the 21 female staff in post on 31 March 2023, 4 female employees, or 19% of the female workforce, were employed in the three highest pay bands; compared to 2 male employees, or 40% of the male workforce. This is the same as last year despite staff changes.

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 2023 was approximately £35,000 and the average salary for a male worker was approximately £39,000. However, the pay differential between the two genders is reduced this year compared to last year by £2,000.

Only female staff members occupy the two lowest pay bands in CCFW, this in addition to 8 of the 9 part-time workers in CCFW being female, all contributing to the average salary differential.

Of the 21 female staff members employed on 31 March 2023, 38% (8 people) occupy part time roles, compared to just one male employee (20% of the male workforce).



Our Advisory Panels

The primary purpose of our adult and young people's advisory panels is to provide independent advice, support, scrutiny and challenge to the Commissioner and staff, so as to secure the effective delivery of the Commissioner's statutory responsibilities.

Here are some of our current members' highlights:

I have enjoyed being on this panel as it has given me confidence and an outlet to raise awareness on current issues. I covered many different topics since 2020 - COVID and its impact being a main one. I have discussed healthcare, education, social issues and the environment, many of which have had real impacts. This panel has given me a great opportunity to speak directly to politicians. I will thoroughly miss my time on this panel as it has given me important life experience and skills. Children's/young people's rights are hugely important and must be respected.

Jess

In my time on the Children's commissioner for Wales youth panel I have found that I get to contribute my ideas freely and regularly and I feel that my views are listened to and respected. I have enjoyed my time on the panel so far and love traveling to the meeting venues. All of the meetings are fun and enjoyable (online and in person). I also like that we get told when changes are happening and we can alter them if we so choose. One example is when there was an animation for promoting the knowledge of children's rights, we watched the video, heard the script and unanimously and strongly decided against it. Some topics we have discussed are; how much Welsh is used in schools, climate change, free public transport for under 18s, exclusions (a short 'ban' from school) and many more.

Dylan

Wedi mwynhau cyfarfodydd am newid hinsawdd yn fawr iawn ac wedi mwynhau ymygyslltu a phobl o wledydd eraill yng nghynhadledd ENYA. Trafnidiaeth cyhoeddus! Angen pwyslais gwell ar hyn.

Charlie

Dwi wedi mwynhau yn fawr. Mae'r cyfarfodydd yn gyffrous ac yn hwyl. Mae wedi fy helpu i dyfu mwy o hyder. Mae wedi fy helpu i ddyngu am broblemau plant ifanc. Bwyd blasus.

Gwerfyl

I have enjoyed being part of the climate change subgroup, as I am very passionate about tackling climate change. I have enjoyed discussing opinions and ideas with the panel. I have gained confidence from participating. My favourite meeting was our first meeting in person. I connected with people and we discussed problems I am eager to solve. I have learned about problems that we face today in Wales.

Matteo

The children's commissioner of Wales panel is a group of young people, from all over Wales, which take part in meetings with Rocio Cifuentes, and discuss what is important to us, and the issues we believe are relevant to the youth of Wales. In addition to, influence organisations and the government, in the decisions that impact children's lives. I have thoroughly enjoyed my time on the panel, as it makes me feel I'm creating an impact for the youth of Wales, as well as sharing my views with like minded people.

During my time on the panel, I have taken part in many additional opportunities which the panel provide, such as the climate change subgroup, where a blog is being created, a letter has been sent to local authorities, and a petition to put pressure on the government for under 18s to get free transport, as well as other ideas to better impact the environment. I have also taken part in a meeting with the young people from south Africa and their western cape child advisory panel, of which we shared with them what we do and what Wales is like, as well as finding out about them and what they have done.

Similarly, I and a few others were lucky enough for Childrens commissioner for Wales to take us to a climate change event called Teach the Future Wales and got the chance to listen and talk to other people and organisations. Additionally, on the panel we have discussed many different topics, in particular the Welsh language, and the importance of it in schools, and it being taught more as a vocational subject, and furthermore the history of it taught more. Moreover, we have discussed school meals being free, along with them needing to be healthier with more variety for vegetarians. Finally, we have discussed anti - bullying and anti - racism, along with diversifying education.

Holly B

I have really enjoyed being part of the advisory panel for the Children Commissioner for Wales because I have learn a lot and as well have an chance to discuss how can you help with things that have an big impact. Meeting an commissioner was an honour and it were interesting talking with her by having the benefit of speaking the same language. As well by seeing how all the things we discuss are taking in count to make a change.

Milton

I have enjoyed being on the panel because it has given me the opportunity to raise issues that I find important. Being on the panel has enabled me to learn about on going issues and how the Welsh Government are dealing with them - especially during covid. The panel has given me the chance to Government officials such as Kirsty Williams and Mark Drakeford. Having young people involved in such decisions ensures different views and concepts are considered.

Chloe

The youth advisory panel discusses topics that affect children in Wales to help the commissioner see young people's view. We get to meet lots of people from different parts of Wales. We also get to have a say in lots of important topics and know our voices have been heard. As a member of the climate change sub-group I attended a parliamentary reception for Teach the Future Wales as well as taking part in the subgroup's meetings where we focus on climate action. I've also met with young people from South Africa via zoom and we had the chance to exchange information about our respective countries.

The panel has discussed issues such as how to help young people understand their children's rights, how to improve the physical and mental health of young people and issues in current media that effect children and young people.

Mari



The Adult Advisory Panel were sad to say goodbye to Sally Holland as her term ended as Children's Commissioner but delighted to be able to welcome Rocio as the new Children's Commissioner and gain an understanding of the exciting ideas she had for her time in post. In response to the exciting work being undertaken by the Commissioner and her excellent staff team, the Adult Advisory Panel went through a period of transition as we felt it was important to ensure a robust range of voices and lived experiences, so the Commissioner invited some new members on an Interim basis.

As a panel we spent a lot of time discussing the Ambitions for Wales work, from implementation of the work to the publication of the important report, taking time to discuss the important findings and how this would shape the 3-year work plan for the Commissioner. A personal highlight was the joint meeting with the Youth Advisory Panel in July '22 as it was wonderful to be able to gain an insight from them about the Ambitions for Wales work and hear what issues they felt were really important for young people, including important issues about child poverty.

The Interim Adult Advisory Board will be undergoing exciting changes as we recruit for permanent members going into 2023, and we can't wait to see who applies and see how we can support the ambitious 3 year plan for the Commissioner and her team.

Kelly Harris

Interim Chair of the Adult Advisory Panel

OUR COMMITMENTS

There are certain national standards and duties that we must follow as an organisation, including the Welsh Language Standards, the Equality Act and the Biodiversity Duty.

06

Welsh Language Standards

We actively promote the Welsh language and the principles of the Welsh Language (Wales) Measure 2011 and have put in place structured measures to ensure that we comply with the Welsh Language Standards.

This year, we have continued to monitor and ensure compliance with the Welsh Language Standards and the Commissioner, in her first few months in post published her Welsh language promises. We also created a dedicated employment policy with staff – Welsh in the workplace – which outlines how we'll meet the obligations on us outlined in the Welsh Language (Wales) Measure, as well as describing our aspirations:

We aspire to the Welsh language being a living, breathing language in our organisation.

In practical terms this means:

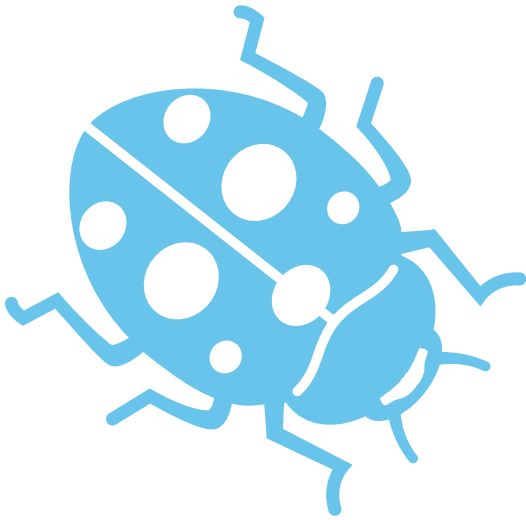
- The team uses it every day, in every aspect of our work.
- It is not something we just use to convey messages but it is a way of us connecting with one another and those who we are here to represent.
- Among those in the Team who do not speak Welsh there is goodwill and a sense of ownership towards learning and the language; and
- There is recognition by all of its contribution to the culture, society and economy of Wales. We will take proactive steps to support and increase the use of the language in our workplace, and to meet and in some cases surpass our statutory obligations under the standards outlined in the Welsh Language Measure (Wales) 2011.

As at 31 March 2023, there were 26 people working for the Commissioner. Of the 26 people,

- 10 described themselves as proficient in Welsh;
- 2 describe themselves as having intermediate level skills in Welsh
- 5 describe themselves as having advanced skills in Welsh
- 9 describe themselves as unable to speak Welsh/entry level Welsh.



Cymraeg



Biodiversity Standards

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. In 2022-23 the Commissioner developed her Sustainability Policy, which incorporates the duties under the Act. The policy is being further enhanced by the Commissioner's Wellbeing working group and will be finalised in 2023-24.

Public Sector Equality Duties

The Equality Act 2010 provides a legal framework that will protect the rights of individuals and advance equality of opportunity for all. A major feature of the Act is the public sector equality duty. Specific duties for public bodies in Wales are set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

This year, we reviewed our strategic equality objectives to ensure they aligned with the new Commissioner's vision and based directly on the participation of children and young people. Our plan for 2023-2027 is published here and is aligned to the five pillars of our children's human rights approach:

- Embedding children's rights
- Equality and non-discrimination
- Empowering children
- Participation
- Accountability

For transparency, we have committed within that strategy to include an update on actions and progress made against our four strategic equality objectives in our annual reports. The first of those updates will be published in our Annual Report, October 2024.



OUR WORK ON KEY POLICY ISSUES

This section of our report sets out key work we have undertaken across a range of policy areas during the year. We make recommendations to the Welsh Government, for them to provide a formal response in due course.

07

To begin with, we have also highlighted some key areas of work that we have undertaken at a UK level. Whilst we do not expect a formal response from Welsh Government on these matters, they are included to demonstrate the breadth of work undertaken and the different ways in which we work to secure positive outcomes for children in Wales. Our legislation provides us with the ability to highlight issues affecting children in Wales to the Welsh Government, which is why the following areas of work are set out here.

Wider issues affecting Welsh children

UN Committee on the Rights of the Child

This year we've reported to the UN Committee on the Rights of the Child¹ ("the UN Committee"), jointly with the Children's Commissioners for Scotland and Northern Ireland, incorporating both published evidence and children and young people's views to this report. The Committee published their Concluding Observations² in June 2023, which include recommendations directed at both the UK Government and devolved nations. Where relevant, we have highlighted a summary of the recommendations that they've made under each area, adding weight to our own recommendations.

Illegal Migration legislation

We've also worked jointly with the Children's Commissioner for England on responding to the Illegal Migration Bill, on its passage through Parliament. The Commissioners were particularly concerned about diminishing protections for children being detained or removed, children being unable to seek asylum, the use of unsuitable Home Office accommodation with fewer safeguards potentially leading to more children going 'missing', and the proposed powers to remove children as soon as they reach 18. In a [published statement](#) in March, we noted how these proposals from the UK Government go against everything we in Wales stand for as a Nation of Sanctuary³.

The UN Committee made specific recommendations in this area;

- To simplify and strengthen legal provision for children to acquire residence status and nationality;
- To reflect the best interests of the child as a primary consideration in all proceedings related to nationality, by amending the Nationality and Borders Act 2022;

- To urgently amend the Illegal Migration Bill, to remove anything that would violate children's rights and bring the Bill into line with international human rights law. This was specifically in relation to children's right to nationality, to seek asylum and have their best interests considered in this, and to prevent their prolonged detention and removal.

Whilst some amendments were made during the passage of the Bill, it is very disappointing to note that several highly concerning elements that we had raised remain in place.

UK Covid Inquiry

We sought and were granted core participant status in Module 2B of the Inquiry. This module will look at, and make recommendations about, the Welsh Government's core political and administrative decision-making in relation to the Covid-19 pandemic between early January 2020 and May 2022, when the then remaining Covid-19 restrictions were lifted in Wales. We had [responded to the consultation on the Terms of Reference](#) for the Inquiry, noting the need to expand the work the Inquiry would consider to ensure all areas of children's experiences would be considered, particularly noting the impact on education during that period. In addition, we argued for greater involvement of and consideration of children's views and direct experiences.

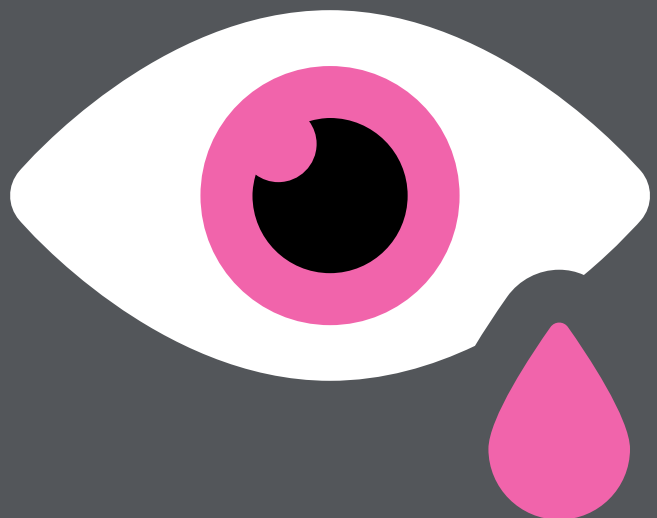
We have submitted initial evidence and continue to liaise with the Inquiry team as they prepare for the Module 2B hearings, scheduled to commence in 2024. This has been a significant undertaking for our small staff team to respond to and provide a large amount of information and documentation for the Inquiry to consider, but has been an important way for us to continue to influence how Government protect and uphold children's rights in their decision making processes.

¹ Children's Commissioner for Scotland, Wales and Northern Ireland (2022) Commissioners' joint report to the United Nations. Available at: childcomwales.org.uk/publications/commissioners-joint-report-the-united-nations/

² UN Committee on the Rights of the Child (2023) Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland. Available at: tinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FGBR%2FCO%2F6-7&Lang=en

³ Children's Commissioner for Wales (2023) Commissioner's statement in response to unacceptable UK Government Illegal Migration Bill. Available at: childcomwales.org.uk/2023/03/commissioners-statement-in-response-to-unacceptable-uk-government-illegal-migration-bill/

ADEQUATE
STANDARD OF LIVING
Child Poverty



Issue

Tackling child poverty has been a consistent priority for the office and we have regularly discussed with Ministers and officials to push for stronger and clearer measures from the Welsh Government to address this persistent issue.

The most recent statistics available show that an average of 28% of children in Wales were living in poverty between 2019 and 2022. However this statistic predates the current cost of living crisis, which has impacted disproportionately on the poorest families, meaning that the actual child poverty figure is likely to be far higher. It is unacceptable therefore that nearly a third of children in Wales live in poverty.

Pressures to afford the basics, was also a key issue raised by the 8000+ children and young people who responded to our 2022 Ambitions for Wales survey⁴:

Among younger respondents aged 7-11:

- Almost two thirds (61.1%) of children worry about their family having enough money;
- Almost half (44.8%) of children are worried about having enough to eat.

Among older respondents aged 12-18:

- More than half (51.5%) of surveyed young people aged 12-18 are worried about their family having enough money.
- Around a quarter (24.9w%) worry about having somewhere to live and having enough to eat (25.8%).

The Commissioner has spent considerable time this year discussing this significant issue with children and families, organisations and decision makers. The Commissioner remains concerned that, despite work being undertaken in this area, children and families are not seeing a positive impact in terms of the money available to them to meet their basic needs and their standard of living.

The Commissioner has five recommendations for Welsh Government to tackle child poverty seriously:

- Publish a detailed Child Poverty Action Plan or a Child Poverty Strategy which contains specific actions, targets and milestones for delivery;
- Improved quality alongside continued roll out of Free School Meals;
- Increased investment in Play, Sports & Leisure facilities & Youth Support;
- Free Bus Travel for all children;
- Consider further devolved powers to enable a Scottish style Child Payment.

UN Concluding Observations:

The UN Committee recommended that governments should develop or strengthen their policies, to have:

- **Clear targets;**
- **Measurable indicators; and**
- **Robust monitoring and accountability mechanisms.**

We urge Welsh Government to work at pace to deliver these targets and indicators, together with a robust monitoring framework against which the Welsh public can hold government to account. This work needs to sensitively include the voices of children and young people from across Wales.

⁴ childcomwales.org.uk/our-work/ambitions-for-wales/ambitions-for-wales-findings/

UK wide work

Recognising that some of the levers in relation to child poverty sit with the UK Government, we've also produced joint statements with the Children's Commissioners for Scotland and Northern Ireland this year.

Following the UK Government's autumn statement, the Commissioners noted how all three had heard directly from children how they feel poverty robs them of their childhood and called on the UK and devolved governments to use all available resources to the maximum extent possible to ensure children's rights; their published responses included four clear calls to Governments, to urgently:

- Increase the income of families in poverty, through child payments, and increase take up of those who are entitled to support
- Reform the social security system, review thresholds for support and remove the punitive benefit cap and the two-child limit
- Reduce the costs to families, particularly the costs associated with education, transport, and debt to public authorities
- Target interventions to families in vulnerable situations and ensure families have access to high quality affordable childcare.

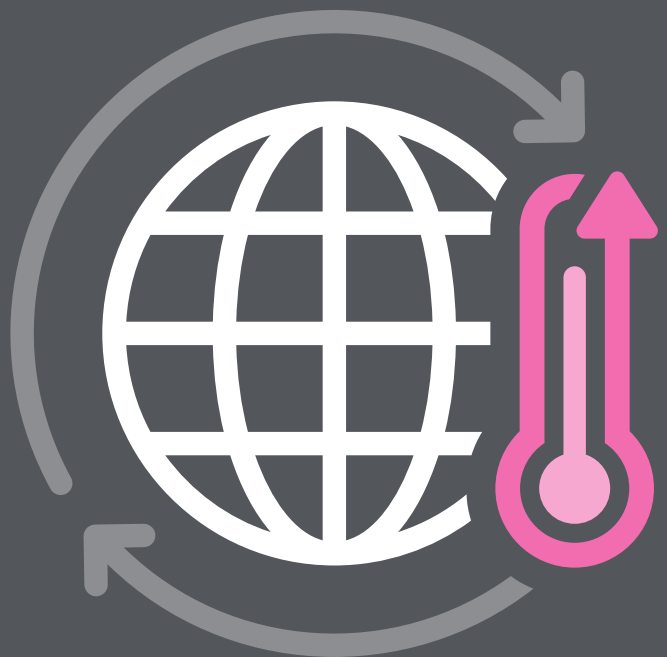
Recommendation

The Welsh Government must create a child poverty action plan alongside a clear monitoring framework with measurable, time-bound targets, and a robust accountability mechanism to enable sensitive input from children and young people.

This must be published within the 2023/24 Senedd term.

ADEQUATE
STANDARD OF LIVING

Climate Emergency



Issue

The planet and climate change was raised as a key issue within our 'Ambitions for Wales' Survey:

- The planet was the most frequent worry for children aged 7-11, with 82.8% of children aged 7-11 stating they are worried about this; this percentage was higher for children from minority ethnic backgrounds (85.3%).
- This was also a widespread concern for young people aged 12-18, with 79.5% of young people worrying about this issue. Young people with disabilities were significantly more concerned than others about this issue.

In January 2023, our Young Advisory panel formed a sub-group with a focus on climate action, on the basis that the panel are calling for free public transport for under 18s. A member of the sub-group set up a [Senedd petition](#) calling for free transport for young people under 18 in Wales, citing the environmental and wellbeing benefits. It received 381 signatures and will be discussed by the Petitions Committee on 11th September 2023.

During 2022, we worked with sixteen members of our Young Advisory Panel on the theme – “Let’s Talk Young, Let’s Talk about Climate Justice” as part of ENYA’s (European Network of Young Advisors) annual participation project. The group met to discuss and develop policy recommendations, considering the impact of Climate Change on children’s rights with a focus on climate action, participation, consumption and carbon footprint. Two representatives presented the policy recommendations at the ENYA forum in the Basque Country. [Final recommendations](#), including a call for “Free accessible public transport for all under 18s which will encourage lifelong habits and decrease individual carbon emissions” were presented and discussed with the Minister for Climate Change.

This work has been influential on the UN Committee on the Rights of the Child, producing their [General Comment no. 26](#) on children’s rights and the environment with a special focus on climate change in 2023.

We have met with the Minister for Climate Change and Deputy Minister for Climate Change, discussing concerns such as the impact of climate change, poverty, public transport and young people’s engagement in climate action. The office has responded to the consultation on the Draft Strategy for Engaging the General Public in Action on Climate Change in December 2022 highlighting the importance of children’s participation and the need to engage with children and young people throughout this process. We also responded to the ‘One network, one timetable, one ticket: planning buses as a public service for Wales’, in which we again highlighted the need to engage with children and young people through the consultation process. Despite this being a highly important issue affecting children and young people, there was no opportunity for young people to meaningfully engage with the proposals. We were told by officials that there would be plans to engage children and young people around the postlegislative steps but it will be too late to wait until after the legislation is passed to begin engagement with children and young people to understand what their priorities will be for public transport use.

A representative from the office also contributed to the working group considering mainstreaming equalities and a just transition to Net Zero.

UN Concluding Observations:

- To reduce greenhouse gas emissions in line with national and international commitments;
- Legislate on air quality and urgently take measures to improve air quality in urban areas;
- National policies to address environmental protection, climate change and disaster risk management, taking children's needs and views into account;
- Increase awareness-raising among children on climate related laws and guidance, and their rights to a clean environment and the highest possible standards of health.

Recommendation

To address both child poverty and the climate emergency, the child poverty action plan should include a commitment to a free public transport pilot for children and young people under 18 within this Senedd term.

DISABILITY, BASIC
HEALTH AND WELFARE

Mental health and wellbeing



Issue

Mental health and wellbeing continues to be a major issue for children across Wales as reflected in our Ambitions for Wales national survey.

Almost two thirds of children aged 7-11 were concerned about their mental health or wellbeing (63.2%). Children with the lowest levels of family affluence were statistically significantly more likely to be concerned about their mental health and wellbeing than those with higher affluence levels. Children with disabilities were more likely to be concerned about their mental health.

Two thirds of young people aged 12-18 (66.6%) are concerned about their mental health or wellbeing. Young people with the lowest levels of family affluence were statistically significantly more likely to be concerned about their mental health and wellbeing than those with higher affluence levels. Young people with disabilities were more likely to be concerned about their mental health. Almost three quarters (73.3%) of young people in the lowest affluence category worry about their mental health compared with two thirds (63.9%) in the highest.

In a survey conducted by the Welsh Youth Parliament (Senedd Ieuencid), over 1 in 4 (28%) of young people say that they struggle with their feelings or mental health every day⁵.

For those with poor wellbeing, or lower level mental ill health, we must improve our school and community based preventative support. The Whole School Approach Framework is very welcome, and is beginning to make a difference in schools in Wales. However, it is vital that children themselves know about it, and how they can expect their school to create a supportive environment and to help them access further help when they need it. This includes access to counselling. In a 2022 review of school and community based counselling services, issues around referral pathways and general accessibility of school and community-based counselling services were identified. The evaluation recommended an extension of the counselling offer to primary school pupils (currently it is available for children in year 6 upwards). The most recent data from the School Health Research Network (SHRN) showed that 61.8% of 11-16 year olds reported that they felt there is support at school for students who feel unhappy, worried or unable to cope. This is down from 66.8% in 2019, and from 72.8% in 2017.⁶ Children should have complete faith that their school will support them and that, if they need it, they will be signposted and supported to access further help.

All health boards in Wales have now moved over to a 'single point of access' system for providing mental health care for children. This is welcome, and has resulted in a significant drop in referrals to secondary CAMHS⁷, as well as those referrals being seen more quickly by mental health professionals. This is welcome, however, these statistics do not tell us what support these children and young people actually receive. Further improvement is still needed however, as the most recent figures for Primary CAMHS⁸ from March 2023, only 67.9% of children had assessments undertaken within the target time of 28 days after referral.

In November 2022, the Welsh Youth Parliament (Senedd Ieuencid) published their 'Young Minds Matter' report into the mental health and wellbeing of children and young people in Wales. This was a follow up report to a previous report published in 2020, and found little progress since then. The report made several recommendations to Welsh Government and include calls for a 'recognised central one stop shop for information, resources and support'. Senedd Ieuencid has been making this call since 2020. The Government have not published a formal response to this important report.

5 Welsh Youth Parliament (2022) Young Minds Matter. Available at: youthparliament.senedd.wales/media/4sxay1zs/young-minds-matter-mental-health-report.pdf

6 Public Health Wales (2023) School Health Research Network (SHRN) Data Dashboard. Available at: publichealthwales.shinyapps.io/SHRN_Dashboard/

7 Welsh Government (2023) First appointment waiting times. Available at: <https://stats.wales.gov.wales/Catalogue/Health-and-Social-Care/Mental-Health/specialist-child-and-adolescent-mental-health-services-scamhs/first-appointment-waiting-times/percentageofscamhspatientpathwayswaitingforfirstappointment-by-month-groupedweeks>

8 Welsh Government (2023) Part 1: local primary mental health support services. <https://stats.wales.gov.wales/Catalogue/Health-and-Social-Care/Mental-Health/Mental-Health-Measure/Part-1>

UN Concluding Observations:

- Strengthen measures to ensure there are quality, child sensitive and age-appropriate primary and specialist health care services for all children;
- Address the overrepresentation of children from minority groups, children with autism and children with learning disabilities in inpatient mental health care;
- Strengthen measures to address the underlying causes of poor mental health, eating disorders and other self-harming behaviours among children, and invest in preventive measures.

Recommendations

The Welsh Government should ensure that the needs of children and young people are clearly reflected and addressed in their new Mental Health Strategy, and that the recommendations from the Senedd Ieuenid's Young Minds matter report are reflected in this strategy.

The Welsh Government should publish an update within 2023/4 on their progress against the Senedd Ieuenid's recommendations in their Young Minds matter report.

The Welsh Government should ensure that the implementation of the Whole School Approach Framework is closely monitored to ensure it is delivering on its intended aims, addresses the needs of those with protected characteristics, and responds to emerging evidence about children and young people's mental health.

DISABILITY, BASIC
HEALTH AND WELFARE

**Healthy
Child Wales
programme**



Issue

The Healthy Child Wales programme sets out the health visiting and school nursing contacts that health boards should provide families with children 0-7.

These services were heavily affected by the pandemic. In the reported figures⁹, while some health boards have returned to pre-pandemic levels of contacts with families, others continue to report low percentages of contacts, which is concerning. However, we are told that there are issues with data quality, in part due to reliance on paper records and delays in reporting. Either way, this is very concerning and must be remedied. Welsh Government are looking at these issues and we would expect improvement in these figures in this financial year, as we are still hearing of families waiting lengthy periods without any contact.

The proposals for the Daily Active programme set out a whole-school approach to physical activity, seeking to improve the mental and physical well-being of children in Wales. Whilst there is Welsh Government support for this programme, we understand that there has been a delay in funding it.

UN Concluding Observations:

- **Strengthen measures to address child malnutrition, food insecurity and growing trends in overweight and obesity, including by promoting healthy lifestyles and physical activity**

Recommendations

- The Welsh Government, in conjunction with NHS Wales, must ensure that local health boards are equipped to input timely and accurate data for the Healthy Child Wales programme to reflect adherence to the scheduled screening, immunization and monitoring meetings that families can expect.
- The Daily Active Programme should commence without further delay.

⁹ Welsh Government (2023) Healthy Child Wales Programme.

Available at: <https://stats.wales.gov.wales/Catalogue/Health-and-Social-Care/NHS-Primary-and-Community-Activity/Healthy-Child-Wales-Programme>

DISABILITY, BASIC
HEALTH AND WELFARE

Vaping/ E-cigarettes



Issue

The Healthy Child Wales programme sets out the health visiting and school nursing contacts that health boards should provide families with children 0-7.

The issue of 'vaping' or use of e-cigarettes has consistently emerged as a key concern of children and young people, as well as a concern of teachers and health professionals.

In August 2022, we asked our young people's Advisory Panel 'how can Rocio make Wales a better place to live in' during Phase 1 of our Ambitions for Wales project. This is what they said:

- Increase vape tax and age range for people who sell vapes and make sure they get ID check
- Vapers and vaping rapidly become bigger problems – this happens in many places such as parks, schools
- Vaping is marketed towards children e.g. blueberry and unicorn flavours & have colourful packaging.

We shared our ideas for our 3 year strategy with the panel in February 2023 and asked whether anything was missing. Here's some of the things they said:

- Problems like vaping are normalized so they grow. Teachers don't really take it seriously. Peer pressure.
- Vaping is a huge problem
- Vaping: children in secondary schools, all the way from year 7 onwards are engaging this activity.
- Vape shops appear to be located very close to secondary schools.
- Teachers are not policing this at all.
- Better awareness of the harms of vaping in schools
- Often marketed to children and young people – colourful and in a variety of flavours.
- Affordable – often under £10, with numerous deals.
- Single use vape pens are extremely harmful for the environment.

In March 2023, the Commissioner attended the Gwent Youth Question Time, where over 120 young people put questions to a panel including Gwent's Police and Crime Commissioner, a police Chief Constable, a Sexual Health Consultant and the Commissioner. The issue of vaping was raised here by many young people who highlighted just how accessible these are to children and young people. Teachers also raised their concerns about their accessibility and the lack of educational resources to educate children about the dangers of vaping.

As a result, the Commissioner discussed this with Public Health Wales, and raised the concerns with Government Ministers.

Recommendations

- The Welsh Government should publish clear guidance for schools for the regulation of vaping.
- The Welsh Government should explore a child and young person's public health campaign, highlighting the known and potential dangers of vaping.

DISABILITY, BASIC
HEALTH AND WELFARE

Gender identity services



Issue

Gender identity services for children in Wales are commissioned from NHS England. The recently published interim service specification for this service is highly concerning and is contrary to children's human rights, including article 24 (the right to the highest standard of healthcare). The NHS England service specification states that:

- children will only have access to puberty suppressing treatment if they commit to clinical research participation;
- restrictions should be in place on support for social transition unless approved clinically.

This is highly concerning and it is unclear whether such a requirement could be legal and constitute free and informed consent.

The Welsh Government LGBTQ+ Action Plan for Wales sets out to make Wales the most LGBTQ+ friendly nation in Europe. The current service provided in England, but for Welsh children too, appears to be at odds with the Welsh Government's LGBTQ+ action plan.

UN Concluding Observations:

- **Urgently address the long waiting times faced by transgender and gender questioning children in accessing specialised health services, improve the quality of those services, and make sure children's views are taken into account in all decisions affecting their treatment.**

Recommendations

Welsh Government should expedite work committed to in the LGBTQ+ Action Plan on exploring a Welsh Gender Service for children and young people, to replace reliance on commissioning services from NHS England.

A new gender identity service for Wales should be established .

FAMILY ENVIRONMENT
AND ALTERNATIVE CARE

Social care and radical reform



Issue

The Welsh Government Programme for Government puts forward a substantial number of commitments to deliver radical reform for children’s social care services. It has the potential to deliver significant changes for children and families, however, it has not always been clear how or when the changes as part of this agenda of radical reform will be achieved.

We have raised these concerns in regular meetings with the Deputy Minister for Social Services and her Officials, and have sought to make clear that it is absolutely critical that Welsh Government are able to account to children for the progress they are making or not making towards such fundamental changes.

This is why we have been pushing Welsh Government to develop and publish a clear plan of action identifying what changes are going to be implemented and when. It is welcome that early iterations of a road map have been developed, however, drafts we have seen do not align with the vision set out in the Declaration developed with young people at the Summit event in December 2022.

In order to give a full picture of the work being undertaken by Welsh Government in this area, we would like to see an action plan published that includes all commitments set out in the Programme for Government, recommendations made by our Office (such as legislating to protect personal advisor support entitlements for care leavers up to age 25) and other important pieces of work that have been accepted by Welsh Government, with clear actions and timescales.

We also want to see progress updates communicated regularly, in particular to the young people who have so passionately shared their own lived experiences in the hope of informing a better future for children who grow up in care. Welsh Government are considering a follow up Radical Reform Summit with young people which will be a welcome opportunity for children to scrutinise delivery in this area. We would like to see Welsh Government consider annual reporting to children, as is committed to in the Declaration.

Actions we have taken alongside this work:

- Via our role on Welsh Government’s Corporate Parenting Implementation Group, we contributed to shaping Welsh Government’s Corporate Parenting Charter ‘A Promise from Wales’ which was published in June 2023.¹⁰ We were pleased our amendments were reflected in the final draft which made strong references to the rights that children have.
- In September 2022, the Commissioner wrote to the Chief Social Care Officer, seeking greater detail on the Radical Reform Agenda.
- In December 2022, we attended the Care Experienced Young People’s summit, facilitating conversations between young people and Welsh Government Ministers, along with Voices from Care Cymru. This helped to ensure that Minister’s heard directly from young people on what mattered to them. These conversations, which did not shy away from difficult topics, resulted in the drafting of a declaration, which sets out an agreed vision to help deliver radical reform of children’s services.¹¹
- We have also attended Welsh Government’s Transformation Delivery Group, from January 2023.
- Whilst the Declaration makes clear the standards Welsh Government and Young People expect from services involved in the care of children, we have continued to raise with Welsh Government Ministers and Officials the need for greater detail on how these standards will be met.

¹⁰ gov.wales/corporate-parenting-charter

¹¹ gov.wales/sites/default/files/publications/2023-05/radical-reform-summit.pdf

UN Concluding Observations:

- Ensure that child protection systems take a children's rights-based approach.

Recommendations

The Welsh Government must publish a detailed road map of all actions associated with the Radical Reform of Children's Social Care Programme, including progress of action undertaken associated with child protection and safeguarding. This should be underpinned by timescales and outcome indicators.

This must report annually to ensure children and adults can hold the Government to account on progress towards their vision of reform.

FAMILY ENVIRONMENT
AND ALTERNATIVE CARE

Safeguarding of Children



Issue

Most children in Wales live safe and happy lives. The results from our Ambitions for Wales survey reflected that spending time with family and friends were the most frequent responses from children when asked about what makes them happy.

In Wales, we have robust guidance in place to support the safeguarding of children and young people. These are set out in the All Wales Safeguarding Procedures. However, following the tragic death of Logan Mwangi, recommendations were made about how safeguarding should be strengthened on a national level to better protect children at risk of harm and abuse. This included national recommendations to review Child Protection Conferences and to commission a full review of Health, Social Care, Education and Police recording, information gathering and sharing systems.

We have had concerns about the governance and accountability arrangements surrounding learning from Reviews. In May 2022, we wrote to the Deputy Minister setting out these concerns, and sought Welsh Government's views on the effectiveness of Wales' safeguarding governance methods and structures.

The Commissioner also met with the Independent Chair of the Logan Mwangi Review and the CYSUR Mid and West Wales safeguarding board regarding the Kaylea Tifford Review.

Following the publication of the Cwm Taf Morgannwg Child Practice Review, the Commissioner spoke out about ongoing concerns. We wrote again to Welsh Government to share these concerns and urged for this area of safeguarding to feature in any review the Welsh Government undertakes to build confidence that we have robust governance and accountability structures in place. Officers also met with Care Inspectorate Wales to help shape their Rapid Review of Child Protection Arrangements.

In December 2022 we met with Welsh Government Officials to learn more about the proposals of the Single Unified Safeguarding Review (SUSR) process, which went out for public consultation in May 2023. We have made clear that whilst the proposals will help to have greater oversight of recommendations emanating from reviews, dissemination of learning and monitoring of the implementation of recommendations still relies on existing structures. We have not been confident that the SUSR will go far enough in addressing our concerns as an office.

In 2023, a number of key pieces of work will be published which are likely to contribute significantly to the policy and legislative landscape of children's safeguarding in Wales. These include the publication of the renewed National Action Plan on Preventing Child Sexual Abuse, Welsh Government's response to the SUSR proposals and a thematic review of Child Practice Reviews, commissioned by the National Independent Safeguarding Board. We will be scrutinising these publications closely to ensure that there is sufficient accountability built into the child protection system in Wales, and will undertake further action ourselves should we remain concerned.

Preventing Child Sexual Abuse

Our Office has continued to bring together organisations via the Roundtable on Preventing Child Sexual Abuse. In 2022-23, the Roundtable has been a space to explore the embedding of the Independent Inquiry into Child Sexual Abuses Recommendations and scrutinised and fed into the review of Welsh Government's Nation Action Plan on Preventing Child Sexual Abuse. The Roundtable has been a space to share new resources and practice tools to support innovation in this important area of support for children, and, has enabled organisations to share updates on the work they are undertaking.

Our Office is linked in with the IICSA Changemakers Network as a Wales representative in an observer capacity. We have also responded to the Welsh Government's consultation on Mandatory Reporting which would create a legal duty to report disclosures of sexual abuse.

UN Concluding Observations:

- Strengthen measures aimed at tackling violence against children, including implementing the recommendations of the independent inquiry into child sexual abuse (IICSA);
- Improve training for professionals working with and for children, to identify and effectively respond to cases of violence, including sexual exploitation;
- Ensure the systematic collection and analysis of data on child protection issues and violence against children to inform the implementation of national strategies on violence and child sexual abuse.

Recommendations

- Welsh Government should confirm how the Single Unified Safeguarding review proposals will adequately ensure the learning emanating from child practice reviews will be implemented and monitored.
- Welsh Government should ensure that the renewed National Action Plan on Preventing Child Sexual Abuse effectively responds to the recommendations of the IICSA enquiry and sensitively incorporates the views of children and young people.

FAMILY ENVIRONMENT
AND ALTERNATIVE CARE

Safe Housing of Vulnerable children



Issue

We are concerned that some children who are looked after are living in places that have not been registered, inspected or approved by the organisation Care Inspectorate Wales (CIW). These are called 'unregistered placements' or OWR – operating without registration.

All places that care for children must meet the high standards that are expected. The law in Wales sets out what these standards and expectations are. These standards are important as they aim to keep children safe and ensure their rights are met.

There are lots of reasons why children might be living in 'unregistered placements'. Adults and organisations, like Welsh Government and Local Authorities are trying to find solutions to ensure all children live in places that can care for them and can help them reach their potential.

We are keen to ensure a solution is found to this situation to ensure all children can live in places that offer the most suitable care.

This is why we have called for jointly commissioned provision to be developed to support children with the most complex of needs.

We responded to the CYPE Committee call for evidence and raised our concerns about the shortage of registered placements and rise in placements operating without registration (OWR). We also raised these in Welsh Government's Consultation on the Primary Legislation Changes for Social Care.

We have met regularly with Welsh Government Officials and CIW to discuss this as well as meeting with the All Wales Heads of Children's Services to better understand what actions are needed to prevent these placements.

We know many people working with children share these concerns, including the family courts, as we've received correspondence from Judges in cases where placement sufficiency issues have caused and continue to cause difficulties. Following our recommendation, as part of Welsh Government's Elimination of Profit Programme, a work stream is dedicated to exploring this issue.

We have been concerned that too often, the voices of children who are most impacted are not heard. This is why we have committed to undertaking a piece of work to link with children who are living in or have lived in OWR placements, to understand their experiences.

UN Concluding Observations:

- **Prohibit and prevent the placement of children in secure care or residential care homes without appropriate safeguards or unregulated alternative care, including hotels and bed and breakfast accommodation.**

Recommendations

- Welsh Government should consider the findings emerging from the workstream on OWR, together with the data emerging from CIW's work on the topic, and urgently produce an action plan to respond to the identified needs during 2023/24.
- Welsh Government should urgently assess the progress of planned accommodation being developed by Regional Partnership Boards and commissioned by WG and seek to address barriers to completion of this work.

PROTECTION
FROM EXPLOITATION
AND VIOLENCE

**Strip searches
of children and
young people**



Issue

Policing is not a devolved matter – this means that the Children’s Commissioner for Wales is unable to intervene on police issues. However, the office enjoys a constructive working relationship with police forces and criminal justice agencies across Wales as they play a significant role in children’s lives.

Following an introductory meeting with the Chief Police Officers Group in Wales in June 2022, we wrote to Police Forces in Wales to learn more about the processes and safeguards that are put in place should children be strip searched by Police.

In December 2022, the Children’s Commissioner for England used her formal powers to seek information and data from all Police Forces in England and Wales on the strip searching of children. The report, which was published in March 2023¹² raised concerns regarding a lack of oversight of these powers, and highlighted non-compliance with statutory safeguards.

The data highlighted that children of black ethnicity were six times more likely to be strip searched when compared to national population figures.

The report made a number of recommendations to the UK Government’s Home Office, such as to review the legislative policy framework for searches involving children in custody and under stop and search powers, and to review the Police and Criminal Evidence Codes to strengthen the statutory safeguards. There were also learning points for education settings and for regional safeguarding boards.

We are committed to working collaboratively with the English office to ensure that services in Wales are involved in movements to change. This is why we wrote to Police Chiefs, Welsh Ministers and Regional Safeguarding Boards to raise awareness of the report’s findings and I continue to liaise with these bodies on the ongoing response and work to address concerns.

In light of the issues raised, the Welsh Government should consider whether there is sufficient up-to-date guidance for devolved public bodies when dealing with a potential search of a child or young person. There is guidance¹³ for local authorities, governing bodies and head teachers on safe and effective interventions when needing to search for weapons, but it has not been updated since 2013.

UN Concluding Observations:

- **Prohibit, without exception, the use of strip searches on children measures in schools and alternative care and health settings.**

Recommendations

Welsh Government should review the *“Safe and effective intervention – use of reasonable force and searching for weapons”* guidance to ensure there is adequate and up to date guidance for schools and governing bodies

in Wales, to understand and effectively carry out their roles and responsibilities when strip searches of children are being proposed or have been carried out.

¹² Children’s Commissioner for England (2023) Strip search of children in England and Wales – analysis by the Children’s Commissioner for England. Available at: childrenscommissioner.gov.uk/resource/strip-search-of-children-in-england-and-wales/

¹³ Welsh Government (2013) Safe and effective intervention – use of reasonable force and searching for weapons. Available at: gov.wales/sites/default/files/publications/2018-03/safe-and-effective-intervention-use-of-reasonable-force-and-searching-for-weapons.pdf

EDUCATION, CITIZENSHIP
AND CULTURAL ACTIVITIES

Racism in schools



Issue

Racism and identity based bullying was raised as a key theme within our 'Ambitions for Wales' Survey.

Findings from respondents aged 7-11:

- **30.1%** of children aged 7-11 reported experiencing bullying or being treated differently because of who they are.
- **57.2%** of Black, Asian and minority ethnic children aged 7-11 worry about bullying.
- Of those that reported experiencing bullying, **80.5%** of Black, Asian and minority ethnic children reported experiences of bullying in school.

Findings from respondents aged 12-18:

- **30.3%** of 12-18 year olds reported experiencing bullying or abuse.
- Considering responses between respondents of different ethnicities, there were high rates of bullying among Black young people, with **48.6%** having experienced bullying.
- Of those that reported experiences of bullying, **87.3%** of Black, Asian and minority ethnic young people were bullied in school.

We have sought to deepen our understanding of children and young people's experiences of racism throughout the year, through our Racism in Schools research project. This work was initiated, considering the Estyn report on peer to peer sexual harassment, and work being undertaken by the Welsh Government on LGBTQ+ bullying, and the gaps or lack of equivalent work around racism and racist incidents affecting children.

The Welsh Government published their Anti-Racist Wales Action Plan (ARWAP) in June 2022. In this plan, the Welsh Government committed to revising the Rights, Respect and Equality anti-bullying guidance to reflect the experience of ethnic minorities in Wales, as well as to 'require reporting of racist incidents and harassment in schools and colleges through strengthened data collection, how they were dealt with, action taken in response and whether the incident was resolved successfully for the victim.'

We welcomed this in a [statement](#) responding to the plan, but highlighted that monitoring progress and the delivery of the action plan is important. Unfortunately delivery of some elements of the plan appears slow. The Welsh Government have not as yet confirmed when or how they will update on their progress but their [LGBTQ+ action plan tracker](#) provides a very helpful blueprint.

UN Concluding Observations:

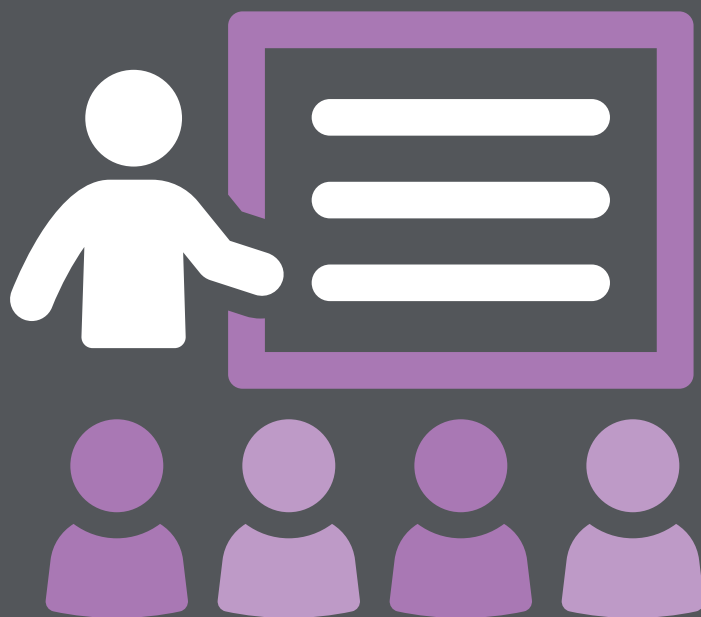
- Targeted policies and programmes to combat racism and eliminate discrimination against children in disadvantaged situations, including children belonging to ethnic minority groups, asylum-seeking, refugee and migrant children, Roma, Gypsy and Traveller children and many other disadvantaged groups.
- Clear avenues for children to get justice where there has been discrimination, including ensuring access to education is maintained.
- Media campaigns to target behaviours that contribute to discrimination, and promote tolerance and respect for diversity.
- Encouraging the reporting of hate crimes against children; and to deal with these appropriately.
- Evaluating existing measures aimed at combating discrimination against children in disadvantaged situations, involving children in this work.
- Increase efforts to eliminate discrimination and bullying on the grounds of race, sexual orientation, gender identity or sex characteristics, disability, migration or other status in the school context, and ensure that such measures: (i) are adequately resourced and developed in consultation with children; (ii) address the root causes of bullying; and (iii) encompass prevention, early detection mechanisms, awareness-raising on its harmful effects, the empowerment of children, mandatory training for teachers, intervention protocols and consistent and robust recording and monitoring of bullying behaviour.
- Remove “colonising” and discriminatory language from textbooks and curricula and develop educative materials that foster respect for and appreciation of racial, cultural, gender and other diversities.

Recommendations

- The Welsh Government should deliver on its commitment within the (ARWAP) to strengthen the existing anti-bullying guidance for schools (Rights, Respect, Equality 2019) to recognise the particular needs of learners from ethnic minority backgrounds.
- The Welsh Government should take the necessary actions within 2023/24 to establish ‘a Wales-wide system of reporting and data collection which will specifically collect data in relation to bullying and harassment, including on the basis of protected characteristics’ as identified in its Anti-racist Wales Action Plan.
- In order to improve the experiences of Black, Asian and Minority ethnic learners in schools, the Welsh Government should carefully consider and formally respond to the Commissioner’s forthcoming thematic report on racism in schools including recommendations around teacher training on racism.

EDUCATION, CITIZENSHIP
AND CULTURAL ACTIVITIES

Gypsy, Roma and Traveller children and young people in education



Issue

Children from Gypsy, Roma and Traveller communities face stark educational inequalities, with outcomes identified within Welsh Government’s Anti-racist Wales action plan seeking to “support and improve educational outcomes for learners from Gypsy, Roma and Traveller backgrounds” and promote “increased awareness in schools of the specific needs of Gypsy, Roma and Traveller learners, leading to a reduction in educational inequalities.”

In order to achieve these outcomes, it is essential that schools take a culturally sensitive approach to their delivery of the RSE. We are aware that families from Gypsy, Roma and Traveller communities are concerned about the implementation of this element of the curriculum and feel it is a threat to their child’s education. We have heard of children being scared about what they will be learning and how this is affecting their mental health and wellbeing.

We are aware of productive working relationships between the Welsh Government and certain faith groups, and the same approach could helpfully be taken to working with Gypsy, Roma and Traveller communities.

UN Concluding Observations:

- Targeted policies and programmes to combat racism and eliminate discrimination against children in disadvantaged situations, including children belonging to ethnic minority groups, asylum-seeking, refugee and migrant children, Roma, Gypsy and Traveller children and many other disadvantaged groups.

Recommendations

- The Welsh Government should establish a community forum or similar to facilitate ongoing dialogue with Gypsy, Roma and Traveller communities.
- The Welsh Government should publish standalone guidance around the delivery of RSE, which includes case studies to help schools support the needs of all learners.

EDUCATION, CITIZENSHIP
AND CULTURAL ACTIVITIES

**Support for
disabled learners
and children with
additional needs**



Issue

By far the most frequently raised issue with our Investigation and Advice Team is education and support provision for children with additional learning needs (ALN).

Access to appropriate specialist provision is a consistent issue being raised with us and is confirmed as an issue in conversations with Local Authorities across Wales. Learners with ALN, in comparison with their mainstream peers, already face barriers to their learning. By not providing the required specialist provision these learners are being doubly disadvantaged, not all ALN can be met in a mainstream school. As a result of a lack of provision, learners face greater barriers to learning and wider life skills which can quickly lead to disengaging from education entirely. Issues relating to Placement and Provision make up 70% of all ALN cases brought to the office.

Case example 1

ISSUE: Parent contacted as their child was struggling in a Learning Resource Base and school agreed that they needed a more specialist placement.

ACTION: CCfW made contact with the LA, known issue in terms of not enough specialist school places available within the authority.

OUTCOME: A transition plan and additional 1:1 support has now been put in place for the child until they start the placement in September 2023.

Case example 2

ISSUE: Child had not been receiving full time education for nearly a year and the 5 hours home tuition that had recently been provided was currently on stop due to the tutor being on sick leave. The specialist unit that had been identified for the pupil was currently full and no start date had been given.

Parent had met with the Director of Education and provision and placement had been identified but parents had not received official agreement nor start date for the specialist teaching facility.

ACTION: CCfW emailed the Director of Education for clarification of what provision would be put in place and when and if placement was agreed.

OUTCOME: CCfW received written confirmation of placement and provision and this information was provided to the parents.

Case example 3

ISSUE: Parent contacted us as their child had been offered a specialist placement which, due to issues with the building trade, was not completed in time for them to begin in September 2022. The Childcare offer for Wales funding was also removed due to the child having the placement and parent could not afford to bridge the gap financially until the provision was ready.

ACTION: CCfW contacted the LA to ask whether the school could take the child in mainstream with support until the placement was ready or to pay the private nursery whilst making the claim to Welsh government of extenuating circumstances to extend the provision. We made the request to the Childcare Unit, with supporting letter from the LA, for Childcare Offer for Wales funding.

OUTCOME: Childcare Offer for Wales funding secured, quicker than anticipated and until half term, so the child was able to access private nursery provision without detrimental financial implications for the family until the specialist education placement is ready.

Case example 4

ISSUE: Parent contacted us unhappy with the support offer from a Welsh medium school, stating they cannot meet their child's needs and suggesting a unit which is an English medium provision as there are no suitable Welsh medium provisions.

ACTION: CCfW raised the issue with school and the local authority.

OUTCOME: Local authority will liaise with the school and SNAP CYMRU are supporting the parents.

The new legislation that has come into force in this area sits alongside wider educational reforms such as the new curriculum. Given the level of change in this field since guidance on training for school governors was last revised, it is necessary to review the mandatory training requirements, to ensure that issues affecting learners at schools are widely understood by governors and that they are equipped to deal with any complaints or appeals that might arise as a result of decisions from the school on how to provide certain lessons or educational support.

During this year we published a [book of experiences](#) highlighting the needs of neurodiverse children. Whilst this is not solely focused on the issue of ALN education provision, it highlights how, unfortunately, lack of diagnoses is hampering children and families' efforts to gain support and ALN provision for the child's education. Delays in referrals and subsequent appointment for assessments are hampering children's access to education, and this is particularly exacerbated at the point of transition between primary and secondary schools.

We have also been working with the Welsh Language Commissioner to highlight the lack of suitable resources and provision to support Welsh medium learners with additional learning needs. Workforce issues and lack of baseline data on what local authorities can provide or have access to are key issues, as is provision in areas with fewer Welsh medium schools and/or learners.

Waiting times for assessments for neurodevelopmental conditions has also emerged as a key issue with significant waiting times (of up to 3 years), which we highlighted through the publication of our [Book of Experiences](#) on this topic this year. Alongside this, confusion has also emerged around the status of private medical diagnoses for neurodevelopmental conditions, which we have raised with Government during the year and which we will continue to closely monitor.

UN Concluding Observations:

- **Strengthen support for the social integration and individual development of children with disabilities, and ensure their access to personal assistance, rehabilitation and assistive devices;**
- **Ensure the right of children with disabilities to be heard in all decisions that affect them.**

Recommendations

- Welsh Government should review the professional learning on ALN for teachers, and consider making a placement in specialist ALN provision (including STF units in mainstream schools) as a mandatory part of all teacher training (ITE).
- Welsh Government should ensure a long-term plan is in place to ensure placement sufficiency of specialist provision to meet the needs of the growing cohort of learners with identified complex needs.
- Welsh Government should review the mandatory training requirements for school governors and revise the guidance, to include in particular additional learning needs, related issues such as exclusions and reduced timetables, and the requirements of the new curriculum.
- Welsh Government should progress the planned work of the Neurodivergence Improvement Programme to bring a consistent, Wales-wide approach to private medical diagnoses, including publishing operational guidance and a framework for clinicians.

EDUCATION, CITIZENSHIP
AND CULTURAL ACTIVITIES

School Exclusions



Issue

Following the impact of the Covid 19 pandemic, our office has heard evidence of increasingly complex behaviour presenting from children and young people, and of schools and teachers struggling to respond to this.

School exclusions including permanent and temporary exclusions are one way of managing pupil behavior, however there is concerning evidence that some learner groups are disproportionately excluded, including learners eligible for free school meals, those with additional learning needs, and Gypsy, Roma and Traveller children.¹⁴ The rate of exclusions is three times higher for those entitled to free school meals, and the rate is higher still for children with additional learning needs.¹⁵

We had previously called for the statutory exclusions guidance to be revised, and were pleased that this work commenced during 2023. However the Welsh Government approach to this evolved into a two stage approach, to allow for consideration of the findings of commissioned research into practice on exclusions. While we are welcoming of an evidence-based approach, we are concerned about further delays to this important revision of the guidance and wish to see this work completed as a priority.

In addition to the use of formal exclusions, we are concerned about the use of unofficial or 'hidden exclusions' which can include the use of reduced timetables, pastoral support programmes, managed moves and the use of 'isolation'.

Our own Investigation and Advice service's casework indicates a correlation between learners' educational needs not being fully met, particularly those with social, emotional and behavioural difficulties, and use of exclusions, including 'hidden' exclusions. Welsh Government should closely monitor the issue of Hidden Exclusions and seek to support Local Authorities and schools through a supportive not a punitive approach.

Both our casework and our engagement with education stakeholders suggests a need to look afresh at existing frameworks for managing attendance and behavior, to account for the increasingly complex and challenging behaviour of learners, and the changing landscape of pupil disengagement, post-pandemic, including consideration of Return to School processes, and the role of Education Welfare Officers.

Case example 1

ISSUE: A young person had been permanently excluded from a specialist school for Emotional and Behavioural Difficulties (EBD) and was currently out of education with no support.

ACTION: CCfW contacted the local authority Inclusion Manager and then the Director of Education regarding the plans for education provision for this young person.

OUTCOME: The young person was given home tuition and placement at an EOTAS provision while the authority continued to seek a full time placement at an appropriate provision.

Case example 2

ISSUE: Parent contacted due to issues with their child's school placement and fixed term exclusions as well as their IDP not being finalised.

ACTION: Contact with school, who confirm that they are unable to meet the child's needs despite a high level of support and access to PRU four mornings per week. Initial contact with LA indicated that as the child had changed schools they were within the IDP timescales.

OUTCOME: Disagreement resolution process was started by the LA and SNAP Cymru, however, the parent also submitted an appeal to the educational tribunal, as they felt matters were dragging on excessively.

¹⁴ humanrightstracker.com/en/progress-assessment/school-exclusions-and-managing-challenging-behaviour-welsh-government-assessment-2/

¹⁵ Welsh Government (2022) Permanent and fixed-term exclusions from schools: September 2020 to August 2021. Available at: gov.wales/permanent-and-fixed-term-exclusions-schools-september-2020-august-2021-html#107572

Case example 3

ISSUE: Parent called as their child who has a statement of SEN had just received their fifth exclusion in 3 months. Parent was unhappy with the support school were providing for the child because even though there is a statement in place, the child continues to be excluded.

ACTION: Raised the concern with the ALN team in the local authority.

OUTCOME: A review was to take place in the new term and the placement would be reviewed to determine suitability.

UN Concluding Observations:

- For all children to have access to confidential, child-friendly and independent complaints mechanisms in schools (and other settings), and to raise awareness among children of their right to make a complaint under these mechanisms.
- Monitor the use of exclusions and ensure that they are prohibited in primary schools and used in secondary schools only as a measure of last resort; prohibit the use of informal exclusions and “off-rolling” by providing appropriate alternatives; and develop measures to address their overuse in general as well as their disproportionate use on children belonging to ethnic minority groups and children with disabilities;
- Ensure the right of children to appeal against exclusions and provide them with legal advice and representation, where appropriate, in line with the Committee’s previous recommendations.

Recommendations

- The Welsh Government should complete their planned revision of the statutory guidance on exclusions in 2023/24, strengthening the guidance for specific groups disproportionately affected by exclusions and other sanctions, including younger children, those with protected characteristics, those with ALN and those eligible for free school meals.
- Welsh Government should provide an update on its comprehensive review of all guidance relating to attendance, behaviour and exclusion.

EDUCATION, CITIZENSHIP
AND CULTURAL ACTIVITIES

Home Education



Issue

The Welsh Government published statutory guidance for local authorities in May 2023¹⁶. This was then accompanied by a handbook for home educators in June 2023.¹⁷

We welcome the funding which Welsh Government has made available to local authorities to provide further support to home educating families.

However, statutory guidance will not meet the 'three tests' set out previously:

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

As recommended in a previous annual report, the evaluation of the implementation of the statutory guidance must include data on what percentage of home educated children are seen and spoken with about their education on an annual basis. This will be vital in assessing whether the choice to update secondary legislation only, has resulted in significantly improving the numbers of children seen and spoken to about their education.

Home educating families also need to be given the opportunity to hear from Welsh Government directly on the new guidance and to ask questions. We were pleased to be able to facilitate two sessions, attended by dozens of home educators, who were able to have questions answered by the Welsh Government. The Welsh Government should create more opportunities like this to engage with home educating families.

Recommendation

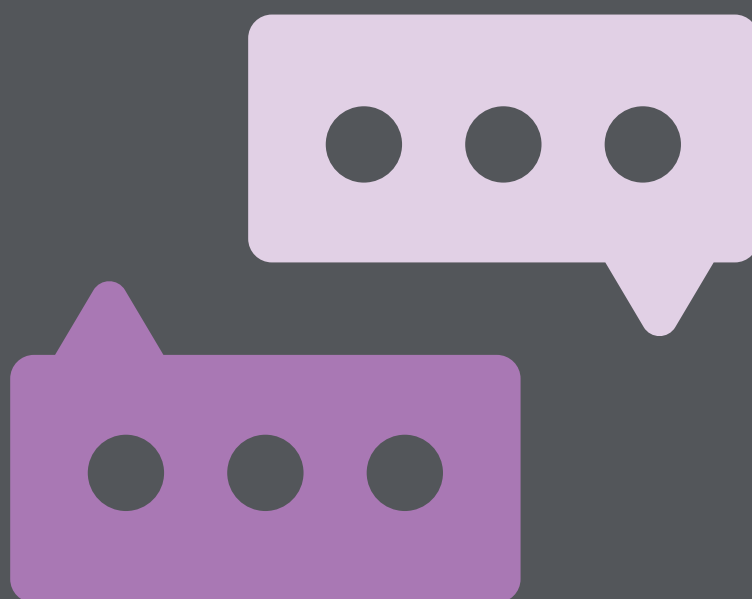
- The Welsh Government should create regular opportunities during 2023/24 for continued engagement with home-educating families as the guidance is implemented.

¹⁶ Welsh Government (2023) Elective Home Education Guidance. Available at: gov.wales/elective-home-education-guidance

¹⁷ Welsh Government (2023) Home Education: handbook for home educators. Available at: gov.wales/home-education-handbook-home-educators

EDUCATION, CITIZENSHIP
AND CULTURAL ACTIVITIES

Youth services



Issue

Several professionals who completed our 'Ambitions for Wales' survey in Autumn 2022 highlighted the consequences of reduced levels of funding for community-based youth groups and activities, increasing the pressure on parents to pay, or on schools to provide free activities for children and young people, and the relationship between affordable play opportunities and mental health and wellbeing as well as reducing rates of obesity and chronic health conditions:

Professionals' worries and concerns for the children they work with:

- **16.7%** noting poverty and cost of living as a worry/concern;
- **11.8%** noting lack of support for parents and carers; and
- **10.8%** noting concerns about lack of funding/investment/resources/overstretched

Children (aged 7-11) who took part and responded to 'what would make children's lives better', noted 'free things to do' (23.22%) and more places to play (23.27%)

Parents and carers were asked to share their opinions on how to improve the lives of children and young people. They most frequently (48.4%) identified 'More free activities and things to do'.

During the year we also responded to the consultations on new registration categories for the Education Workforce Council, supporting the proposals to extend registration to include all paid youth workers and youth support workers in any setting, including students. This would bring them in line with registration to other professional regulators, for example in medicine or social work, recognising the important role these workers have in young people's lives and the professional nature of the work they carry out.

Youth services are fundamentally important to young people in Wales, and they are more important than ever in the current financial climate. Despite this, local authorities are not compelled to spend specific funds on youth services. It is time for that to change.

Recommendation

- Welsh Government should progress and conclude its planned youth work funding review within this Senedd term, to ensure that youth work services can be put on a sustainable footing to protect these vital services longer-term.

EDUCATION, CITIZENSHIP
AND CULTURAL ACTIVITIES

Education in Health Care Settings



Issue

This year we've undertaken a project on education provision for children and young people in in-patient healthcare settings. This was an issue brought to the office's Investigation and Advice team, taken up by the wider team in the form of a spotlight report.

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We've undertaken a number of surveys and pieces of work to hear the experiences of children and families, and the views of professionals about the current provision, any gaps or barriers and any examples of good practice. We've also researched approaches in other nations.

Children with healthcare needs should be supported to receive appropriate provision that meets their educational needs. This may be in hospital, home or another setting. However, we've heard that some children were being offered no education at all, despite being well enough and wanting to learn. Others were only receiving very limited provision.

We heard about how important education is for children in healthcare settings, to keep up with school work and qualifications, but also learning for pleasure, having something to focus on other than illness, and having activity and engagement away from the ward. Teachers in healthcare settings also highlighted that teaching and learning creates a daily structure, builds relationships and keeps children and young people connected with their school community where possible.

Welsh children have reduced entitlements to education compared both to children who don't need to stay in a healthcare setting, and compared to children in England.

We're publishing a report which sets out the work in full and a series of recommendations to address the current inequity of provision.

Recommendation

- The Welsh Government should update the EOTAS guidance and framework for action, to ensure that a full-time offer of education is maintained for those receiving in-patient treatment, whenever appropriate.

ACCOUNTS 2022-23



08

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;
- Rocio Cifuentes – Children's Commissioner for Wales, from 20th April 2022;
- Sara Jermin – Head of Communications and Performance;
- Andy Wallsgrove – Head of Practice, until 15th March 2023;
- Rachel Thomas – Head of Policy and Public Affairs, until 31st July 2022;
- Kirrin Davidson – Acting Head of Policy and Public Affairs, from 1st August 2022;
- 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;
- Margaret Provis – former Civil Servant, until July 2022;
- Arwel Thomas – former Civil Servant;
- Julie Richards – Independent Writer/Strategic Communications Consultant;
- Bernie Bowen-Thomson – Chief Executive Officer at Safer Wales;

- Jo Hendy – Chief Audit, Risk and Information Officer for Pembrokeshire County Council & Head of Internal audit for ERW and Swansea Bay City Deal;
- 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 2022-23 the Commissioner received £1.640 million (2021-22: £1.580 million) to fund the Commissioner’s activities.

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 2022 to 31st March 2023 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 (FRoM) issued by HM Treasury. The accounting policies contained in the FRoM 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 £1.721 million (2021-22 £1.524 million). The general fund balance as at the year-end is £80,000 (2021-22: £161,000).

During 2022-23 the Commissioner’s staff changed to 22.70 (whole time equivalent) from 21.27 (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 2022-23 the sickness absence rate within the Commissioner's office was 4.1 percent (2021-22: 1.6 percent), based as a percentage of the total available working days. The change in sickness absence rates between years has been impacted by Covid19.

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 2022-23 staff worked in a hybrid manner either from our office or from home, substantially reducing carbon emissions from commuting and attending meetings, which now took place virtually wherever possible. The office is also almost paperless, with our finance systems becoming fully electronic. 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. In 2022-23 the Commissioner developed her Sustainability Policy, which incorporates the duties under the Act. The policy is

being further enhanced by the Commissioner's Wellbeing working group and will be finalised in 2023-24.

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 2022-23 there were no reported incidents.

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 on our website.

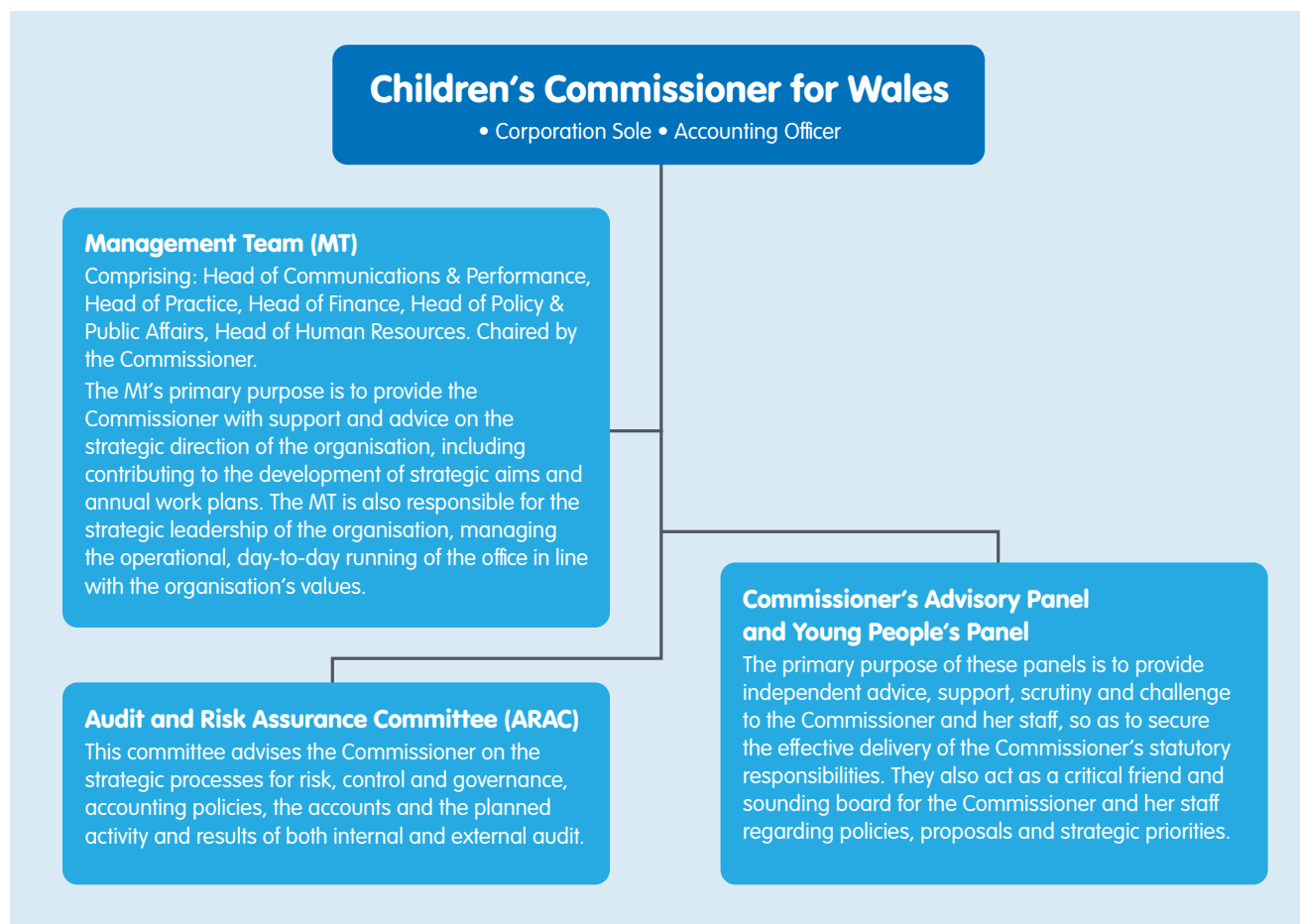
Previous and Current post holder

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.



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 our website 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 2022/23.

"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."

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 organisation to fulfil its legislative remit and to deliver against the mission, vision and strategic priorities outlined in the Commissioner's strategic plan. 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.

This year, our operational planning and performance was reviewed by our internal auditors, who provided a substantial assurance assessment to the Commissioner.

Our latest three-year strategy includes details of the population outcomes we'd like to see happen for all children in Wales by 2026 and how we'll contribute to those outcomes.

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 and holding public bodies to account on the duties they hold and the commitments they have made. Everything we do is driven by the experiences and views of children and young people.

Since taking up post, the Commissioner has spent the first year listening to children and young people as well as their families and professionals who work with and for them. Our large-scale consultation, 'Ambitions for Wales', enabled us to listen to 8,830 children and young people including through specific formats we created for under 7s and those with profound and multiple learning disabilities. We also heard from 507 professionals and 876 parents and carers. All these views helped shape the organisation's work over the next three years.

Increasing the visibility, diversity and accessibility of our organisation have been identified by the new Commissioner as key drivers, as well as ensuring our work is focussed, that staff remain connected to our purpose, and that we are making the best use of the evidence that we collect to inform our influencing work.

To ensure our work in implementing our equality duties is enabling us to reach those with protected characteristics and that our work is having a meaningful impact on their lives, we have committed to undertaking a comprehensive review of our equalities strategy which we'll publish in early 2023.

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). We commit to re-running the survey during the financial period 2023/24.

This year saw us continue to transition to new ways of working with our flexible work model being further embedded. Our model, outlined in a dedicated internal policy, enables us to be adaptable, responsive and flexible. It means we bring people, working practices, technology, time and place together to find the most appropriate and effective way of working, at any given time, to deliver our remit for children and young people.

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. With a new Commissioner in post and a new strategic plan in place, we have begun the process of reviewing our values and will complete this work during the 2023/24 financial year.

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:

- Welsh in the Workplace
- A guide to holiday leave arrangements
- Our Flexible Work Model

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 (on a monthly basis) and our Audit and Risk Assurance Committee (on a quarterly basis) continued to take a role in scrutinising our corporate risk register. Our internal auditors, TIAA, provided risk management training for both teams. 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 deliver statutory functions due to staff capacity;
- 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. We have reviewed our risk appetite statements following the appointment of a

new Commissioner and Accounting Officer. Those statements have been discussed with our Audit and Risk Assurance Committee and 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."*

- **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 reported to Management Team every month and to the Audit and Risk Assurance Committee on a quarterly basis. Our project management approach also requires all project managers to develop detailed budgets, which are reported on monthly at Management Team. Our internal auditors, TIAA, reviewed our payroll and travel and expenses procedures and provided substantial assurance assessments for both.

We also take issues around fraud and maladministration very seriously and this year undertook an exercise to create a dedicated fraud risk assessment, tabled at our Audit and Risk Assurance Committee. 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 quarterly performance report 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 our website 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 2022/23, there were no incidents of personal data breaches we needed to report to the ICO.

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.

During this period, TIAA reviewed the following internal systems and provided substantial assurance against all:

- Case Management system
- Communications
- Financial systems – payroll and travel and expenses
- Governance – operational planning and performance

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 2022/23 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
24 July 2023

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 the nearest £100)*		Pension Benefits (to the nearest £1,000)*		Total £000*	
	2022-23	2021-22	2022-23	2021-22	2022-23	2021-22	2022-23	2021-22
Professor Sally Holland Children's Commissioner for Wales, until 19 th April 2022	5 - 10	90 - 95	-	-	2,000	37,000	7 - 12	127 - 132
Rocio Cifuentes Children's Commissioner for Wales, from 20 th April 2022	85 - 90	-	-	-	33,000	-	118 - 123	-
Sara Jermin Head of Communications and Performance	60 - 65	60 - 65	-	-	25,000	24,000	85 - 90	84 - 89
Andy Wallsgrave Head of Practice, until 15 th March 2023	60 - 65	60 - 65	-	-	25,000	9,000	75 - 80	69 - 74
Rachel Thomas Head of Policy and Public Affairs, until 31 st July 2022	50 - 55	55 - 60	-	-	8,000	24,000	58 - 63	79 - 84
Kirrin Davidson Acting Head of Policy and Public Affairs, from 1 st August 2022**	35 - 40	-	-	-	14,000	-	49 - 54	-

* This information is subject to audit.

** Kirrin Davidson took up the role of Acting Head of Policy and Public Affairs from 1st August 2022 whilst Rachel Thomas went on maternity leave.

*** The Salaries column includes wellbeing and working from home allowances for Sally Holland (£16); Sara Jermin (£26); Andy Wallsgrave (£276); Rachel Thomas (£251); and Kirrin Davidson (£210).

Fair Pay Disclosure

Median Remuneration	2022-23		2020-21
Band of highest paid individual's remuneration (£000)	85 - 90	Band of highest paid individual's remuneration (£000)	90 - 95
Median total	39,966	Median total	33,697
Ratio	2.19:1	Ratio	2.75:1

Pay Ratio Information	2022-23	2022-23 Ratio	2020-21	2020-21 Ratio
25 th Percentile Pay Ratio	32,710	2.68:1	20,754	4.46:1
Median Percentile Pay Ratio	39,966	2.19:1	33,697	2.75:1
75 th Percentile Pay Ratio	41,239	2.12:1	38,160	2.42:1

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 2022-23 was £85,000 - £90,000 (2021-22: £90,000 - £95,000). I have taken the mid-point of this range

£87,500 to compare these amounts, this was 2.19 times (2021-22: 2.75) 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.

Compensation Paid, Significant Awards to Former Senior Managers

During the period 2022-23 there were no compensation payments or significant awards to former senior managers.

Pension Benefits – Civil Service Pension Scheme	Accrued pension £000	Real increase in pensions* £000	CETV(i) at 31.03.23* £000	CETV(i) at 31.03.22* £000	Real increase/ (decrease) in CETV(ii)* £000
Professor Sally Holland Children's Commissioner for Wales, until 19 th April 2022	15 – 20	0 – 2.5	211	197	1
Rocio Cifuentes Children's Commissioner for Wales, from 20 th April 2022	0 – 5	0 – 2.5	22	-	15
Sara Jermin Head of Communications and Performance	5 – 10	0 – 2.5	50	34	9
Andy Wallsgrove Head of Practice, until 15 th March 2023	50 – 55	0 – 2.5	864	766	17
Rachel Thomas Head of Policy and Public Affairs, until 31 st July 2022	0 – 5	0 – 2.5	16	11	3
Kirrin Davidson Acting Head of Policy and Public Affairs, from 1 st August 2022**	0 – 5	0 – 2.5	16	10	5

* This information is subject to audit.

** Kirrin Davidson took up the role of Acting Head of Policy and Public Affairs from 1st August 2022 whilst Rachel Thomas went on maternity leave.

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 updated 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:	2022-23 £000			2021-22 £000
	Permanently employed staff	Other	Total	Total
Wages and Salaries	1,003	-	1,003	906
Social Security Costs	92	-	92	88
Pension Costs	263	-	263	228
Sub Total	1,358	-	1,358	1,222
Costs in respect of inward secondments	-	-	-	-
Less recoveries from outward secondments	(15)	-	(15)	-
Total Net Costs	1,343	-	1,343	1,222

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 2022-23, employer’s contributions of £246,258 were payable to the PCSPS (2021-22: £217,594) 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 £10,364 were payable to one stakeholder pension provider (2021-22: £10,523). Employer contributions are age-related and range from 3 to 12.5 percent of pensionable pay (2021-22: 3 to 12.5 percent). Employers also match employee contributions up to 3 percent of pensionable pay. In addition, employer contributions of £670 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 (2021-22: £511 or 0.8 percent). There were £Nil amounts due to the partnership pension providers at 31st March 2023, (2021 22: £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:	2022-23 £000			2021-22 £000
	Permanently employed staff	Other	Total	Total
Directly employed	22.70	-	22.70	21.27
Total	22.70	-	22.70	21.27

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

During the period 2022-23 there were no compensation payments or exit packages made to former employees.

Rocio Cifuentes MBE

Children’s Commissioner for Wales and Accounting Officer
24 July 2023

The Certificate and report of the Auditor General for Wales to the Senedd

Opinion on financial statements

I certify that I have audited the financial statements of Children's Commissioner for Wales for the year ended 31 March 2023 under paragraph 9 (2) of schedule 2 to the Care Standards Act 2000.

The financial statements 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 the significant accounting policies. 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, in all material respects, the financial statements:

- give a true and fair view of the state of Children's Commissioner for Wales' affairs as at 31 March 2023 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 income and expenditure recorded 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 for 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 certificate.

My staff and I are 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 Accounting Officer with respect to going concern are described in the relevant sections of this certificate.

The going concern basis of accounting for Children's Commissioner for Wales is adopted in consideration of the requirements set out in HM Treasury's Government Financial Reporting Manual, which require entities to adopt the going concern basis of accounting in the preparation of the financial statements where it anticipated that the services which they provide will continue into the future.

Other information

The other information comprises the information included in the annual report other than the financial statements and other parts of the report that are audited and my auditor's report thereon. The Accounting Officer 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.

Opinion on other matters

In my opinion, the part of the Remuneration and Staff Report to be audited has been properly prepared in accordance with Welsh Ministers directions made under schedule 2 to the Care Standards Act 2000.

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

- the parts of the Remuneration and Staff Report subject to audit have been properly prepared in accordance with Welsh Ministers directions made under schedule 2 to the Care Standards Act 2000; and
- the information given in the Directors Report, Annual Governance Statement and Remuneration and Staff Report for the financial year for which the financial statements are prepared is consistent with the financial statements and is in accordance with the applicable legal requirements.

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, Annual Governance Statement and Remuneration and Staff Report.

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

- I have not received all of the information and explanations I require for my audit;
- 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 and Staff Report are not in agreement with the accounting records and returns;
- information specified by Welsh Ministers regarding remuneration and other transactions is not disclosed;
- certain disclosures of remuneration specified by HM Treasury's Government Financial Reporting Manual are not made or parts of the Remuneration and Staff Report to be audited are not in agreement with the accounting records and returns; or
- the Annual Governance Statement does not reflect compliance with HM Treasury's guidance.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for:

- maintaining adequate accounting records;
- the preparation of the financial statements and Annual Report in accordance with the applicable financial reporting framework and for being satisfied that they give a true and fair view;
- ensuring that the Annual Report and financial statements as a whole are fair, balanced and understandable;
- ensuring the regularity of financial transactions;
- internal controls as the Accounting Officer determines is necessary to enable the preparation of financial statements to be free from material misstatement, whether due to fraud or error;
- assessing 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 the Accounting Officer anticipates that the services provided by body will not continue to be provided in the future.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the paragraph 9 (2) of schedule 2 to the Care Standards Act 2000.

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 audited entity's head of internal audit and those charged with governance, including obtaining and reviewing supporting documentation relating to Children's Commissioner for Wales' 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 following areas: expenditure recognition and the posting of unusual journals;
- Obtaining an understanding of Children’s Commissioner for Wales’ 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 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, the Audit and Risk Management 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 members 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’ 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.

Other auditor’s responsibilities

I am required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded 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.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Report

I have no observations to make on these financial statements.

Adrian Crompton

Auditor General for Wales

24 July 2023

1 Capital Quarter
Tyndall Street
Cardiff
CF10 4BZ

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 2023

	Note	2022-23 £000	2021-22 £000
Expenditure			
Administration costs:			
Staff Costs	2.3	1,343	1,222
Depreciation	2.2	46	25
Other Administration Costs	2.1	332	277
		1,721	1,524
Income			
Income from Activities	-	-	-
Other Income	-	-	-
		-	-
Net Expenditure		1,721	1,524
Interest payable/receivable	-	-	-
Net Expenditure after interest	-	1,721	1,524

Other Comprehensive Expenditure

	Note	2022-23 £000	2021-22 £000
Net gain/(loss) on revaluation of Plant and Equipment	-	-	-
Total Comprehensive Expenditure for the year ended 31st March 2023		1,721	1,524

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 97 to 102 form part of these accounts

Statement of Financial Position as at 31st March 2023

	Note	2023		2022	
		£000	£000	£000	£000
Non-current assets:					
Property, plant and equipment	4.1	33		42	
Right of Use assets	4.2	85	118	-	42
Current assets:					
Trade and other receivables	5	43		48	
Cash and cash equivalents	6	91	134	135	183
Total assets		-	252	-	225
Current liabilities:					
Trade and other payables	7	(115)	(115)	(64)	(64)
Total assets less current liabilities			137		161
Non-Current liabilities:					
Long term Right of Use lease	7	(57)	(57)	-	-
Total assets less total liabilities			80		161
Taxpayer's equity:					
General fund			80		161

Rocio Cifuentes MBE

Children's Commissioner for Wales and Accounting Officer

24 July 2023

The notes on pages 97 to 102 form part of these accounts

Statement of Cash Flows for the period 1st April 2022 to 31st March 2023

		2023	2022
		£000	£000
	Note		
Cash flows from operating activities			
Net Expenditure	2	1,721	1,524
Adjustment for non-cash transactions	2	(46)	(25)
Increase/(decrease) in trade and other receivables	5	(5)	16
(Increase)/decrease in trade payables	7	(51)	(12)
Long term Lease	7	57	-
Use of Provisions		-	68
Reversal of unused provision		-	54
Net cash outflow from operating activities		1,676	1,625
Cash flows from investing activities			
Purchase of property, plant and equipment	4	8	53
Net cash outflow from investing activity		8	53
Cash flows from financing activities			
Net Financing from the Welsh Government		(1,640)	(1,580)
Unused provision		-	(54)
Net Financing		(1,640)	(1,634)
Net increase/(decrease) in cash and cash equivalents	6	(44)	(44)
Cash and cash equivalents at beginning of period		135	179
Cash and cash equivalents at end of period		91	135

The notes on pages 97 to 102 form part of these accounts

Statement of Changes in Taxpayers' Equity for the year ended 31st March 2023

		General Fund
		£000
	Note	
Balance as at 31st March 2022		161
Changes in Taxpayers' Equity 2022-23		
Funding from Welsh Government		1,640
Comprehensive net expenditure for the year	2	(1,721)
Balance at 31st March 2023		80

The notes on pages 97 to 102 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 (FRM) issued by HM Treasury. The accounting policies contained in the FRM apply International Accounting Standards (IFRS) as adopted or interpreted for the public sector context.

Where the FRM 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 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

Where the Right of Use is identified in a lease and in accordance with International Financial Reporting Standards (IFRS) IFRS16 (Leases) the asset is recorded as a Right of Use 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 or using the relevant interest rate from HM Treasury.

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:

	2022-23 £000	2021-22 £000
Premises	37	57
Office	66	67
Training and wellbeing	20	11
Travel and subsistence	5	4
External auditor's remuneration	18	18
Internal auditor's remuneration	13	13
Communication	37	28
ICT equipment	27	23
Legal	16	-
Other	93	56
	332	277

2.2 Non-cash transactions

Depreciation charge in-year	46	25
	46	25

2.3 Staff costs:*

Wages and salaries	1,003	906
Social security costs	92	88
Pension	263	228
Net recoveries in respect of secondments	(15)	(-)
	1,343	1,222
	1,721	1,524

*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.

4.1 Property, Plant and Equipment

	ICT Equipment £000	Fixtures & Fittings £000	Office Furniture and Equipment £000	Total £000
Cost				
At 1st April 2022	56	11	35	102
Additions	8	-	-	8
Disposals	-	-	-	-
At 31st March 2023	64	11	35	110
Depreciation				
At 1st April 2022	42	2	16	60
Charged in Year	11	2	4	17
Disposals	-	-	-	-
At 31st March 2023	53	4	20	77
Net Book Value				
At 31st March 2022	14	9	19	42
At 31st March 2023	11	7	15	33
Asset Financing				
Owned Net Book Value At 31st March 2022	14	9	19	42
Owned Net Book Value At 31st March 2023	11	7	15	33

4.2 Right of Use assets

	Building Lease £000	Total £000
Cost		
At 1st April 2022	114	114
Additions	-	-
Disposals	-	-
At 31st March 2023	114	114
Depreciation		
At 1st April 2022	-	-
Charged in Year	29	29
Disposals	-	-
At 31st March 2023	29	29
Net Book Value		
At 31st March 2022	114	114
At 31st March 2023	85	85
Asset Financing		
Leased Net Book Value At 31st March 2022	114	114
Leased Net Book Value At 31st March 2023	85	85

The application of the International Financial Reporting Standards (IFRS) IFRS16 (Accounting for Leases) on the Commissioner's activities is shown in Note 4.2 above. The Commissioner entered into a five year lease of her current premises of Llewellyn House, Port Talbot in July 2021. The Right of Use (RoU) calculation, under IFRS16, provides a figure of £28,500 per annum; and the lease does not include an element of annualised interest, therefore the Commissioner has used the HM Treasury short term interest rate to calculate the element of interest relating to the RoU. It is the opinion of the Commissioner that the calculated amount is non-material and has not been separately disclosed within her financial statements.

5. Trade and Other Receivables

Amounts falling due within one year:	2022-23 £000	2021-22 £000
Trade and other receivables	-	-
Prepayments and accrued income	43	48
	43	48

6. Cash and Cash Equivalents

	2022-23 £000	2021-22 £000
Balance at 1st April	135	179
Net change in cash and cash equivalent balances	(44)	(44)
Balance at 31st March 2023	91	135

All balances as at 31st March 2023 were held with a Commercial bank and cash in hand

7. Trade and Other Payables

Amounts falling due within one year:	2022-23 £000	2021-22 £000
Taxation and social security	-	-
Trade payables	53	12
Accruals and Deferred Income	62	52
	115	64

Amounts falling due after one year:	2022-23 £000	2021-22 £000
Long term Right of Use lease	57	-
	57	-

8. Right of Use Leases

Obligations under operating leases	2022-23 £000	2021-22 £000
	Buildings	Buildings
Not later than one year	29	-
Later than one year and not later than five years	57	-
Later than five years	-	-
	86	-

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, included in the lease commitments is the cost of management service charge.

9. Financial Instruments

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

Liquidity Risk

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

Interest-rate Risk

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

Foreign Currency Risk

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

Fair Values

There is no difference between the book values and fair values of the Commissioner's financial assets and liabilities as at 31st March 2023.

10. Capital Commitments

There were no capital commitments as at 31st March 2023.

11. Contingent Liabilities

There were no contingent liabilities as at 31st March 2023.

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 £1.640 million during the period (2021-22 - £1.603 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 £320,785 (2021-22 £291,946); and the Cabinet Office (payments in respect of the Principle Civil Service Pension Scheme) of £299,656 (2021-22 £218,105).

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

13. 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 24 July 2023.



**Comisiynydd
Plant Cymru**

Children's
Commissioner
for **Wales**