

## **Children and Young People Committee**

**Date: 15 March 2011**

**Venue: Senedd Committee Room 2**

**Subject: The Children's Commissioner Annual Report 2009/10**

**This paper provides background information on the role and remit of the Children's Commissioner for Wales and on the areas of the Annual Report 2009/10 that the Committee have indicated they would like to discuss.**

### **Background**

The Children's Commissioner was appointed by the First Minister to begin work on the 1<sup>st</sup> March 2008. Young people were fully involved in all stages of the appointment process. The First Minister may also remove him from office under certain conditions (if the Commissioner requests it, if he is considered incapable of performing the role, or if he has been guilty of misbehaviour).

The Children's Commissioner, is an independent champion of children's rights, and makes representations to the Assembly Government and to others as necessary on the views of children and young people and the key issues affecting them. This role is particularly important where Children and Young People may not be fully enjoying their rights or their rights are being infringed. The Commissioner challenges Ministers and other agencies in Wales, to take children and young people's views, issues and needs seriously. The matters he raises cover a range of policy and service areas, and include matters that cross the portfolios of Ministers.

Under current protocols agreed between the Children's Commissioner's Office and the Welsh Assembly Government the Commissioner must submit an annual report to the First Minister on his activities by 1 October each year. The Deputy Minister welcomes the Report in Plenary, usually during November. The First Minister will then make a formal public response that is agreed by the Cabinet, and debated in plenary before publication and by the end of March of the following year.

An Assembly Government Formal Response prepared by officials is considered in Cabinet following the November Plenary and prior to the formal response, where it is approved by Ministers together with a projected budget for the following financial year. The response is published and the lead Minister, the Deputy Minister for Children, then makes a statement in March, on the basis of which Assembly Members are able to comment further.

If the Commissioner decides to undertake an examination of a particular case involving the Welsh Assembly Government, he is under a statutory duty to serve notice of his terms of reference. However, he has also agreed to inform the Welsh Assembly Government if he decides or is minded to exercise any of his review functions in respect of the Assembly. He will do this by writing to the relevant subject Minister.

## **Subject areas identified by the Committee**

### **The Welsh Assembly Government UNCRC Action Plan and the actions and targets that flow from it.**

The Welsh Assembly Government has publicly stated its commitment to working towards full implementation of all articles of the United Nations Convention on the Rights of the Child (UNCRC) for every child and young person in Wales. We are continuing to work closely with our national and local partners in Wales and with children and young people themselves to achieve this.

The Welsh Assembly Government has been working closely with the UNCRC NGO Monitoring Group, the Children's Commissioner for Wales and other national and local partners to develop a coordinated approach to driving forward implementation of the Convention over the next 5 years via an agreed UNCRC Action Plan for Wales.

An extremely positive response has been recorded to the majority of the actions within the priorities with over 98% of actions being on schedule or completed. Timeframes for a minority of actions within the priorities have been revised. It is inevitable that in some cases work will not be completed according to planned timescales but looking at progress overall this represents an extremely promising start.

### **Children's budgeting/funding. In particular, children's budgeting and the need to protect funding for the prevention and early intervention services.**

The final budget was approved by the Assembly on 8 February 2011. The budget reflects our commitment to protect front line services for children and young people. This has been at the forefront of the decisions reflected within the budget.

### **The implementation of recommendations of the National Attendance and Behaviour Review**

Good progress has been made on the Behaving and Attendance Action Plan responding to the review. Since the publication of the Commissioner's report, officials have met members of his staff to set out this progress, which the Commissioner's office acknowledged.

Our Behaving and Attending Action Plan is actively improving how we promote positive behaviour and attendance in Wales. Since its publication in March 2009 significant progress has been made on the actions set out in the Plan.

Behaviour and attendance issues are an integral part of all our major educational initiatives such as the School Effectiveness Framework. Using the Attending and Behaving Action Plan we are working to create a culture of early intervention and effective support, while providing ways to share good practice to promote positive behaviour and attendance in schools.

## **School toilets**

The Welsh Assembly Government believes that the concerns raised in the 'Lifting the Lid' report were important and action was needed to be taken to address issues surrounding health, hygiene and safety in school toilets.

A consultation on the Best Practice Guidance on standards for school toilets has recently been published. Responses are currently being reviewed. The final guidance will be endorsed by both of my colleagues the Minister for Children, Education and Lifelong Learning and the Minister for Health and Social Services.

## **Safeguarding and child protection, including the areas where the 'gap between policy and practice' still exist and the protection of and investment in the front – line workers.**

We are working in a number of areas to address these issues. We recently established a Welsh Safeguarding Children Forum which includes senior representation from within and outside the Assembly Government, including the Children's Commissioner and will report regularly to Ministers on any actions that need to be taken to further strengthen safeguarding arrangements.

We are also committed to introducing a new framework to improve the timescales and effectiveness of Serious Case Reviews.

## **The Commissioner's challenges the Welsh Assembly Government to 'build a bridge between the objectives and principles within the Children and Families (Wales) Measure and the real, lived experiences of children and young people in Wales'.**

One of my top priorities as Deputy Minister for Children is to reduce child poverty in Wales. The Children and Families (Wales) Measure 2010 provides the Statutory framework for tackling child poverty in Wales. It places a duty on Welsh Ministers to publish a new Child Poverty Strategy for Wales and to set specific objectives for the 13 broad aims that underpin the Children and Families (Wales) Measure.

**Huw Lewis AM**  
**Deputy Minister for Children**