

Additional paper to the National Assembly for Wales' Children and Young People's Committee from the Children's Commissioner for Wales regarding progress on the Welsh Government's UNCRC Action Plan – *Getting it Right*



Date: 8th October 2010

Purpose of the paper: To provide Committee members with a perspective on progress of actions contained within the UNCRC Action Plan.

Introduction

I have always welcomed the publication of the Action Plan as it will allow Government and others to monitor progress in implementing actions. My hope is that it will serve as a catalyst for change and lead to children and young people experiencing better enjoyment of their rights in Wales.

Whilst I welcome the partnership approach to the United Nations Convention on the Rights of the Child in Wales I must highlight here that it is the Welsh Government that has duties to deliver on this action plan. With this in mind, this paper does not set out to provide a comprehensive analysis of all actions contained within *Getting it Right* – as I would expect Welsh Government to have a detailed analysis of implementation and outcomes – instead, it concentrates on a number of actions which have not been completed despite timescales indicating their completion by now.

It would be remiss of me not to note here the actions which have been successfully completed. They include those relating to child poverty and the imminent establishment of a UNCRC Implementation Support Network. It is essential that all the initial actions contained within the Action Plan are completed so that the other actions can then be taken forward within a holistic and comprehensive approach to addressing the United Nations Committee on the Rights of the Child's Concluding Observations.

I am aware that the Government sees the Action Plan as a live document that will be updated throughout the period leading up to the next UK State Party report to the United Nations Committee on the Rights of the Child. My fellow UK Children's Commissioners and I will be publishing an interim report in autumn 2011 looking at the UK Government and devolved administrations' progress against the Committee's observations.

A useful reference to the commitments made can be found in the 'Summary of Actions' within the *Getting it right 2009, United Nations Convention on the Rights of the Child*

(p.89 onwards) which is available at:

<http://wales.gov.uk/docs/dcells/publications/091117gettingitrighten.pdf>

Main areas where progress is behind anticipated timescales:

I outlined in Committee on 28th September my concerns in relation to the delays in the following:

- Producing the new anti bullying guidance for schools that was due in December 2009 (**priority 11**).
- The Refugee Inclusion Strategy Action Plan (**Priority 12**) was due by Spring 2010.
- The planned review of the National Service Framework for Children, Maternity Services (**priority 6**) has not as yet been completed.
- I stated in my Annual Report that safeguarding is a major concern for me and it is for that reason that I am concerned that the consolidated report of the Serious Case Reviews which have been undertaken since 2007, and disseminate the results of this exercise to Local Safeguarding Children Boards (**priority 2**) to help improve learning which was due to be published in May 2010 has not yet been published.
- I note that the revised Children and Young People's Planning Guidance was due to be published in April 2010 (**priority 4**) but the consultation was delayed until the summer of 2010. The Children and Young People's plans are the crucial planning document for all children's services across local authority areas and there is a need to ensure that those plans are aligned to meeting the national priorities as well as local need.
- I have not yet seen the outcome of the review into disengagement from education which was due in March 2010 (**priority 5**).
- There have been delays in producing guidance on emotional well being (**priority 6**) in schools and other educational settings which was due in December 2009 and was finally published in September 2010.
- As I referred to within the scrutiny session, I am concerned at the delays in addressing the actions relating to children's budgeting (**priority 15**). Given the current financial situation, there is a greater need for this work to be addressed.
- In terms of **priority 8**, each of the actions is necessary in meeting a number of the Concluding Observations, however the review of local participation

strategies is currently ongoing and I await publication of the regulations in relation to pupil participation and the National participation strategy.

- **Priority 9** has seen delays in commencing the pilots of the Education (Wales) Measure in two local authority areas.

Concluding Comments

I am aware that timescales can be delayed in the implementation of actions within any action plan and that other policy developments may help to achieve improved outcomes for children, however, I believe that we need to ensure that there is a high profile and commitment across all departments of Government to completing the actions within the Action Plan within the anticipated timescales so that all children can better enjoy and exercise their rights. As the current actions outlined in the Action Plan are completed, I hope that Welsh Government will ensure that children, families/ carers and local authorities and others are aware of the changes that have been made.

I would expect Welsh Government to keep the Action Plan under regular review and to refresh the actions in relation to the plan as agreed actions are completed so that demonstrable progress can be seen and experienced by children in Wales.

Annual Report Statistics

The Committee requested that the Children's Commissioner for Wales provide a breakdown of data on what numbers of adults and children had made initial contact with his office.

The following statistics were not made available in the Children's Commissioner for Wales' Annual Report 2009 / 10 (www.childcomwales.org.uk).

The statistics are not comparable with the ones available in the Annual Report 2008/09 due to changes in the recording processes.

There were a total of 475 initial contacts.

Children / adult split

Children: 54

Parent: 204

Elected Member: 18

Local Authority 5

Refugee / Asylum Org: 8

Carer: 6

Social Worker: 9

Foster Carer: 20
Advocacy Service: 5
School (non teaching): 5
Teacher: 4
Solicitors: 6
Youth Offending Teams: 3
Health Professional: 7
Petition: 1
Anonymous: 5
Children's Legal Centre: 1
Other professional: 25
Extended family: 36
Friend of family: 5
Member of the public: 23

Keith Towler
Children's Commissioner for Wales

Signature:

A handwritten signature in black ink that reads "Keith Towler". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right.