

Legislation Committee No.2 - Proposed Children and Families (Wales) Measure

LC2(3)08-09 Paper 3

Trosgynnal

Consultation Questions

1. Is there a need for a proposed Measure to deliver the stated objectives of:

contributing to the eradication of child poverty;

making provision in relation to child minding and day care for children;

establishing integrated family support teams to provide services to families where there are children who need to be, or who are, looked after, and this is related to needs on the part of their adult carers (such as dependence on drugs and alcohol); and

making provision for play opportunities for children?

Yes, we welcome the Measure. We see the work to eradicate child poverty as being key to removing social disadvantage and making Wales a fairer society for children and young people to grow up in. We consider that the adoption of the UN Convention on the Rights of the Child by the Welsh Assembly Government as having been a seminal moment in this regard and one that necessitates this kind of Measure in order to push forward the 'Rights' agenda.

2. How will the proposed Measure change what organisations do currently and what impact will any such changes have?

The proposed Measure, by imposing duties on parties such as local authorities, will create a greater sense of commitment and urgency in following government strategy and policy. And, although these elements are already stated in WAG policy documents, (eg One Wales), there are variations across Wales as to the degree to which they are pursued. The Measure gives additional weight to the strategy and commits the government and agencies to action - which should create greater consistency for the future.

The establishing of integrated family support teams to provide services to families where the children are either looked after, or at risk of being looked after, due to the needs of their adult carers (i.e drugs/alcohol) is a very positive way forward and could mean that Trosgynnal's advocates would be supporting or representing the views and wishes of the children and young people involved both within the family support team and with the adult carer.

Whilst this does not fundamentally change the role of the advocate nor the relationship between the advocate and the child or young person, the integrated family support team will need to clearly understand (and accept) the 'special' relationship and function of the advocate, serving the child or young person and not the team, sharing information in their possession openly with the young person and only sharing with the team with the child or young person's consent, 'wishes and feelings' not 'best interests'.

3. Are the sections of the proposed Measure appropriate in terms of achieving the stated objectives?

In considering this question, consultees "may" wish to consider the nature of the provisions in the proposed Measure that:

(a) contribute to the eradication of child poverty (sections 1-12), particularly in relation to:

the broad aims for eradicating child poverty and preparation of strategies (sections 1-5)

services to tackle child poverty (sections 6-9).

Tros Gynnal is a member of and supports the aims of the End Child Poverty Network Cymru. We welcome the measure's intent to eradicate child poverty. There is much that public bodies can do to help assist in the reduction of disadvantage and poverty and we agree with the Measure's intent to ensure that progress made by Flying Start is maintained.

It is important that support services to the most disadvantaged families are provided free of charge to encourage take up of these services by those who need them most.

(b) make provision in relation to child minding and day care for children (sections 13-48), particularly in relation to:

registration provisions (sections 13-27);

emergency protection provisions (sections 28-29);

safeguards and disqualification provisions (sections 30-33);

inspection provisions (section 34-35);

offences and penalty provisions (sections 38-43).

We do not wish to make specific comments on this section although we support and welcome the intent as a way of regulating childminding and Day care.

(c) establish integrated family support teams (sections 49-58), particularly in relation to:

teams (sections 49-52;

boards (sections 53-54);

annual reports (section 56).

Research indicates strongly in favour of multi agency teams which break down cultural and policy barriers between workers who have different professions/employers but who are seeking common outcomes for vulnerable children. Tros Gynnal believes that the establishment of integrated family support teams is a positive step forward and agrees with the notion of pioneer services evaluated after three years as a means of learning the best ways of implementing this policy.

(d) secure sufficient play opportunities for children (section 60); and

Play is one of the fundamental needs for a healthy childhood and good educational attainment. Tros Gynnal is pleased to see the WAG acknowledging this by including it in the measure.

(e) ensure participation of children in local authority decision making (section 61).

We welcome the emphasis on the participation of children in local authority decision making. Including this in the measure will cement the developing good practice emerging in a number of local authorities and encourage others to follow suit.

However, we are wary of participation being seen as an exercise or an event which may be covered by a number of consultations rather than as a process for ensuring that all children and young people are empowered to participate in local authority decision-making.

There is a danger for a relatively small group of young people to become identified as fulfilling the requirements of the provisions in the Measure and other policy guidance and initiatives for participation. 'Ticking the box'.

The Participation Standards and the Participation Kitemark being developed by the Participation Consortium aims to ensure that participation is embedded in local authority decision-making for the widest possible spread of children and young people in the local population.

Whilst we are disappointed that independent advocacy as a way of ensuring the participation of the more vulnerable children and young people in decision making has not been specifically mentioned, we are aware of the support through guidance that WAG is giving to the development of this service across Wales.

4. What are the potential barriers to implementing the provisions of the proposed Measure (if any) and does the proposed Measure take account of them?

For example, is there capacity to implement the new duties in the proposed Measure through the existing programmes of Cymorth and Flying Start, and to undertake the work of the new Integrated Family Support Teams?

The recent budget news that the WAG budget will be reduced by £216m in 2010-11 following on from previous reductions will create a significant barrier. We are concerned that this reduction will be passed onto the voluntary sector including ourselves either directly or indirectly through our service level agreements (SLAs) with local authorities

5. What are the financial implications of the proposed Measure for organisations, if any? In answering this question you may wish to consider Section 2 of the Explanatory Memorandum (the Regulatory Impact Assessment), which estimates the costs and benefits of implementation of the proposed Measure.

We are not aware of any financial implication which the implementation of this measure might have for our organisation other than those that might affect capacity, as mentioned above. Having considered the Regulatory Impact Assessment we would support the implementation of Option 3 as 'the most beneficial option in terms of contributing to the eradication of child poverty in Wales'

6. Are there any other comments you wish to make about specific sections of the proposed Measure?

The eradication of child poverty will also depend on successful measures to redistribute wealth. There is need for progressive tax and income policies and (although more of a challenge in the current climate) the creation of new training and employment opportunities. We would urge the Assembly Government to continue to work with and influence the Westminster Government regarding non devolved issues such as benefits, tax and income policies - linked to the proposed Child Poverty Bill.