

Julie Morgan MS, Deputy Minister for Health and Social Services

Dyddiad | Date: 4 December 2020

Pwnc | Subject: **Children's Rights Report: next steps**

Dear Julie,

Thank you for your letter dated 23 September 2020 in which you provided us with the Welsh Government's response to the recommendations made in our report on Children's Rights in Wales.

I write to:

- inform you of the stakeholder consultation we undertook on the Welsh Government's response, to inform our preparations for the forthcoming Plenary debate on this report;
- request some information from you arising from the responses we received; and
- request further information from you in respect of one of the recommendations that was rejected.

This information is being requested to inform both our on-going work on children's rights and our scrutiny of the general principles of the Curriculum and Assessment Bill. You will be aware that the Stage 1 debate for that Bill is scheduled for the 15 December 2020. As such, we would be grateful to receive this specific information in advance of that date. Details of all the information requested is set out below.

### **Consultation in advance of the Plenary debate on the Children's Rights report**

Following your response to our recommendations, we sought feedback from stakeholders with the intention of using it to inform the Plenary debate on this report. Given the length of time since the Committee took evidence, we also asked for any significant updates in respect of children's rights that may not be covered by the recommendations we had made. The responses we received are set out on the Committee's [webpage](#).

Based on the responses received, we would be grateful if you were able to liaise with the Minister for Health and Social Services to provide a copy of the CRIAs in relation to:

- the review and changes made to the Welsh Government Activity Based Funding model; and



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- the allocation of funding to the 2020-2025 Welsh Government Health and Social Care Research Infrastructure, as referred to in evidence from [Noah's Ark Children's Hospital](#).

### Further information on Recommendation 15 of the Children's Rights report

In your response to our report, you rejected our recommendation that all devolved public bodies should be placed under a specific duty to have due regard to the United Nations Convention on the Rights of the Child (UNCRC). You referred to the need to wait for the outcomes of the Welsh Government-commissioned research into strengthening and advancing equality and human rights in Wales, due in February 2021.

We would be grateful if you could provide further detail of the terms of reference for this research and detail whether this research will consider specifically the merits and feasibility of placing duties on public bodies in respect of the UNCRC.

You will be aware that this Committee has considered a duty of due regard to the UNCRC in detail during its Stage 1 scrutiny of the Curriculum and Assessment Bill, and has recommended the following:

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“That the Welsh Government amend the Bill to include, on its face, a duty to have due regard to the UN Convention on the Rights of the Child (UNCRC). Given their respective roles in relation to the Curriculum for Wales, this duty should be placed on all persons listed in section 66(3) of the Bill when exercising any of their functions conferred by or under the Bill.”

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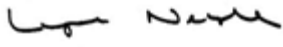
Those listed in 66(3) are:

- (a) the head teacher of a maintained school or maintained nursery school;
- (b) the governing body of a maintained school or a maintained nursery school;
- (c) a provider of funded non-maintained nursery education;
- (d) the teacher in charge of a pupil referral unit;
- (e) the management committee for a pupil referral unit;
- (f) a person who provides teaching and learning for a child, otherwise than at a maintained school, maintained nursery school or pupil referral unit, by virtue of arrangements made under section 19A of the Education Act 1996 (c. 56);
- (g) a local authority in Wales.

We would be grateful if you could provide clarification whether the terms of reference of the Welsh Government commissioned research due to report in February 2021 will consider in detail anything which is relevant to this recommendation. **We would be grateful to receive this information by 14 December 2020 at the latest to inform the Stage 1 debate.**

Given the shared interest, I am copying this letter to the Minister for Education.

Yours sincerely,



**Lynne Neagle MS**  
**Chair**

Cc Kirsty Williams MS, Minister for Education

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.