

**Paper for Equality and Social Justice Committee session on 25<sup>th</sup> September 2023, on the focused inquiry into the Welsh Government's draft child poverty strategy**

Background information about the Children's Commissioner for Wales

The Children's Commissioner for Wales' principal aim is to safeguard and promote the rights and welfare of children. In exercising their functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC). The Commissioner's remit covers all areas of the devolved powers of the Senedd that affect children's rights and welfare.

The UNCRC is an international human rights treaty that applies to all children and young people up to the age of 18. The Welsh Government has adopted the UNCRC as the basis of all policy making for children and young people and the Rights of Children and Young Persons (Wales) Measure 2011 places a duty on Welsh Ministers, in exercising their functions, to have 'due regard' to the UNCRC.

Key messages:

- Welsh Government must comprehensively revise their draft strategy. It does not match the gravity of the situation facing children and young people in Wales today. It lacks ambition and, most importantly, the strategy must be accompanied by a comprehensive Action Plan and monitoring framework which sets out targets and measurable outcomes. It is not currently clear at all how any of the draft strategy will translate into tangible actions and how or when they would be delivered.
- The extensive engagement exercises undertaken by Welsh Government are welcome, but this is not adequately reflected in the draft strategy. There is a lack of correlation between the 'what we have heard' sections reflecting engagement with children and young people, and other stakeholders and the priorities set out by Welsh Government. The strategy should also set out how feedback will be provided to stakeholders on progress of actions against the points they have raised.
- The revised strategy should be framed by the five principles of a Children's Rights Approach, and be able to comprehensively demonstrate its adherence to each one. This would go some way towards Welsh Government meeting their duty of due regard under the Rights of Children and Young Persons Measure (2011). The current strategy does not adequately demonstrate this.

## CCfW report and relevant recommendations from 2019

My office, in 2019, published the *Charter for Change* report<sup>1</sup>, which made a series of recommendations to Welsh Government and local authorities.

One of the recommendations related to the auto-enrolment of eligible families to both free school meals and the school essentials (formerly PDG Access) grant. This is just one example; the council tax reduction scheme and others should also be included in a simplified Welsh benefits systems which minimises stress and effort for applicants. Families should be able to access all the financial support to which they are entitled in a streamlined way. It should not be down to particularly clued up advisors to ensure that families receive and fill out all the different forms that may be required to access support they are entitled to. Streamlining arrangements to give families an easier route through the process(es) will result in tangible change for them, what is often described by the Government as putting money directly in people's pockets, which has to be a key aim of any effective anti-poverty strategy.

The draft strategy sets out the aim to deliver a coherent and compassionate Welsh benefits system, and that the government wishes to support people to access the UK welfare benefits to which they are entitled. However, there is not enough detail provided in the strategy as to how far a Welsh benefits system can go in terms of auto-enrolment or passporting of benefits, and striving for equity across local authorities.

Food poverty was another topic raised in the 2019 report. Objective 1 of the draft strategy states that 'learning lessons from rolling out our universal offer in primary schools will inform future changes to eligibility criteria for free school meals'. Reviewing eligibility criteria for free school meals was a key recommendation from our report. However, it is unclear how the universal offer (which emerged after our original recommendation was made) would inform consideration over eligibility criteria as of course the universal offer means that there is no eligibility criteria. Reviewing the eligibility criteria for free school meals in secondary schools should be happening right now, if it is not the immediate intention for universal free school meals to be rolled out to all learners in secondary schools.

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<sup>1</sup> Children's Commissioner for Wales (2019) *A Charter for Change: protecting Welsh children from the impact of poverty*. Available at: <https://www.childcomwales.org.uk/wp-content/uploads/2019/04/A-Charter-forChange-Protecting-Welsh-Children-from-the-Impact-of-Poverty.pdf> <sup>2</sup> Audit Wales (2022) *Time for Change – Poverty in Wales*. Available at: <https://www.audit.wales/publication/time-change-poverty-wales>



In relation to universal free school meals, Welsh Government must ensure that they retain information about former eligibility because of the fact that eligibility for free school meals also entitles families to other welfare benefits and payments through local authorities. Without this focus, universal free school meal provision could impact upon families' eligibility for other sources of income, as an unintended consequence. Eligibility criteria have also historically had a direct impact on school budgets. There needs to be a replacement criteria or process to ensure schools which would have had high proportions of their population eligible for free school meals still have sufficient funding to support learners and create equality of opportunity and provision for them.

It is unclear why the School Holiday Enrichment 'Food and Fun' Programme is not included in the relevant sections of the Strategy. Will the Programme continue to be funded and, if it is designed to provide coverage which has some equivalence to the previous provision of free school meals over the school holidays, what actions is Welsh Government taking to improve its coverage?

Issues related to child poverty also create stigma in schools, such as refusal of school meals to children whose dinner cards are in debt. I met recently with a group of young people in North Wales who told me about experiences of their peers, who had been told, in front of other children, that they could not have any dinner as their cards are in debt. No child should experience this situation and should be provided with food regardless of the debt on their card, but it should be a principle embedded within all schools that conversations around debt are not held with children themselves, only with their parents or carers. The Child Poverty Action Group have produced a guide for schools<sup>2</sup> on supporting families in times of financial hardship which could be used as a model for Welsh Government action on this issue.

### **The Welsh Government Child Poverty Review**

The Government undertook a Child Poverty Review in 2019/20. They presented the findings of their Review to some stakeholders including my office but did not publish the findings<sup>3</sup>, citing the changing context of the pandemic as a reason for this.

The findings included the fact that not everyone was accessing their full entitlements in terms of benefits, grants and other financial support; there was low awareness of entitlements

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<sup>2</sup> Child Poverty Action Group (2022) *Supporting families in times of financial hardship: a guide for schools*. Available at: <https://cpag.org.uk/policy-and-campaigns/briefing/supporting-families-times-financial-hardshipguide-schools>

<sup>3</sup> [Children's Commissioner for Wales annual report 2019 to 2020: Welsh Government response](#)



generally, which was exacerbated by literacy and language barriers; programmes offering support were restricted by postcode/area and therefore exclude some people in need; and even universal schemes weren't reaching those who need them the most.

My office challenged the decision not to publish the Review findings, by writing to the First Minister to emphasise the importance of transparency in their findings, and accountability to children and families. The First Minister's response in August 2020 noted that the findings did not reflect the current economic landscape due to the pandemic. He noted the need for actions to be taken in the here and now to maximise families' incomes, given the acute financial pressures of the pandemic at that time.

No action plan to tackle or mitigate child poverty has been created since the Government's review.

### **Cost of living work**

I have been an observer member of the Wales Expert Group on the Cost of Living Crisis, tasked with advising the Welsh Government Cabinet Sub-Committee on the Cost of Living Crisis on: the impact of the Cost of Living Crisis on people in Wales; and actions that should be taken to mitigate the impact of the crisis in Wales. This group produced a report for that subcommittee. The Group's recommendations included practical actions that Welsh Government could commit to which would help tackle the crisis, but also the longer term impacts of poverty. These include:

- *Welsh Government introduces an instalment-based Child Cost of Living Payment for low-income households with children.*
- *Welsh Government introduces an instalment-based Disabled Person Cost of Living Payment for households with a disabled person.*
- *Welsh Government extends the provision of free school meals to Years 7-11 for those households in receipt of Universal Credit, without a cap on earnings.*
- *Welsh Government extends the reach of the 'Food and Fun' programme so that it prioritises low-income families and runs across all 22 local authorities during all school holiday periods in the Autumn, Winter and beyond.*
- *Welsh Government and local authorities pilot free bus travel for young people by introduce free travel for under-16s in 24/25 for a trial period.*

While I recognise that these recommendations were made following the publication of the draft strategy, none of them are included as part of the objectives in this draft strategy.

In relation to youth work, Welsh Government should ring-fence funding for local authorities to ensure youth work is treated as an essential service, rather than one which may suffer early in budget cutting decision-making against competing and often statutory priorities. The benefit of youth services will have a knock on positive impact on health and healthy behaviours for example, so can be seen as an 'invest to save' area. A lack of investment in youth services was highlighted by professionals we surveyed for my *Ambitions for Wales* survey<sup>4</sup>.

### **The draft strategy**

The strategy should include clear ambitions which will be set against targets and timescales. It should be more ambitious and future-focussed, with measurable actions to demonstrate how those ambitions will be realised.

My office has long called for a child poverty delivery plan with measurable actions, in our 2019 report, and as a recommendation in multiple Annual Reports. Similar calls are included in a recent report from Audit Wales<sup>2</sup>, and in the Welsh Government commissioned report by the Welsh Centre for Public Policy (WCPP)<sup>5</sup>.

In their report, the WCPP state the following:

*A good anti-poverty strategy makes a big difference. If a strategy is to be more than a list of relevant policy initiatives, there needs to be a focus on the means through which the Welsh Government can ensure that those who can act, do so.*

However, the current draft strategy *does*, at various points, read like just a list of relevant policy initiatives, lacking as it does an accompanying Action Plan and monitoring framework which would detail how to effectively implement and measure the effectiveness of that strategy. The planned monitoring framework, and accompanying Action Plan, should have been published alongside this consultation.

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<sup>4</sup> Children's Commissioner for Wales (2023) *Ambitions for Wales- Findings*. Available at: <https://www.childcomwales.org.uk/our-work/ambitions-for-wales/ambitions-for-wales-findings/>

<sup>5</sup> Wales Centre for Public Policy (2022) *Poverty and social exclusion: a way forward*. Available at: <https://www.wcpp.org.uk/wp-content/uploads/2022/09/Poverty-and-social-exclusion-A-way-forward.pdf>



At various points throughout the draft strategy, it is simply stated that a policy or initiative exists, without giving any details of how it links to the relevant Objective or Priority.

### **Work and childcare**

Objective 2 focuses on education, and fair work with good conditions. However, just getting families into work will not lift families out of poverty. 26% of children in working households live in poverty, and we know that, even in households where all adults work, the likelihood of living in poverty is still 13%<sup>6</sup>. Of course, families with children are more likely to be working fewer hours and paying for childcare.

The Objective is right to point to the need for accessible and affordable childcare. The recent extensions of the childcare offer to families in education or training are very welcome. However, free childcare should be available to *all* families, as a service that directly benefits children's rights and supports child development on an even playing field, regardless of parents' employment status. Once again, the strategy falls short on providing any practical actions beyond a vision for the future. The strategy should set out which cohorts of families will be included within the childcare offer over time, and when the Government expects this to take place.

### **Communities and housing**

No child in Wales should live in unsuitable, unsafe or uncertain conditions in their home and community, and this should be clearly stated by Welsh Government with actions setting out how this will be achieved.

Part of the priority sets out the Welsh Government's objective to...

*push forward, working with partners, on the delivery of more community based offers for play, sports and youth opportunities for children and young people and low cost family activities to support health and wellbeing*

I welcome that this is a priority for Welsh Government, but once again actions must be set against these priorities. Concerns over limited opportunities for play, recreation and physical activities for children and young people in their communities was a key concern for parents

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<sup>6</sup> Welsh Government (2023) *Relative income poverty: April 2021 to March 2022*. Available at: <https://www.gov.wales/relative-income-poverty-april-2021-march-2022-html#119556>

and carers in the results of our *Ambitions for Wales* survey<sup>7</sup>. Improving access to and provision of play and recreation opportunities was a priority for children and young people responding to our survey. 7-11 year olds told us that they would like to see “more physical activities and clubs for free for all children”, “more safe parks for us to play in”, as well as supporting “places where kids can meet up and to make new friends”.

12-18 year olds mentioned the importance of providing activities in the local community, and providing ‘free transport’ to help them access opportunities.

What specific actions will Welsh Government take to make the ambition of more community based offers a reality and how will local authorities be held to account on providing these offers?

### **Accountability**

While there will be roles across Government in delivering the strategy, ultimate accountability should lie with an individual Minister who can provide drive and leadership across government. The WCPP report recommends that a good anti-poverty strategy needs one senior minister to have overall responsibility<sup>8</sup>. The current draft is not clear on where ultimate responsibility will sit.

Welsh Government is required to report on progress against the strategy every 3 years. I am disappointed that the strategy is not framed around short term, medium term and longer term actions with timescales, and would have expected Welsh Government to set out what they would like to be achieved by the time they are next required to report on progress, in 2025. It may be that the ambition for that reporting is to have specific short and medium term actions completed, and a robust Action Plan and monitoring framework in place that can be delivered against.

I acknowledge that many of the levers impacting child poverty lie at Westminster, but this should not impede Welsh Government’s ambition to do whatever it can within the powers it does have. Where the levers sit elsewhere, there is a responsibility on the Welsh Government to press future UK Governments, whatever their colour, to reverse the ‘tide’ of policy making which has such a devastating impact on the most vulnerable children in our society.

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<sup>7</sup> Ibid.

<sup>8</sup> Wales Centre for Public Policy (2022) *What Makes an Anti-Poverty Strategy Effective?* Available at: <https://www.wcpp.org.uk/wp-content/uploads/2022/09/WCPP-What-makes-an-anti-poverty-strategyeffective-September-2022-English-final.pdf>





The previous (2015) child poverty strategy lists several measures against which progress can be measured. I believe that this draft strategy must do the same. A lack of progress against those measures is not a reason not to measure. Even where there might not be great improvement in the statistics, a narrative can speak to this and how Welsh Government have made measureable differences, alongside the context of UK Government's policies which further exacerbate child poverty.

Welsh Government should commit to a pilot of free transport for all under 18s, and the objective and priority should make explicit reference to how Welsh government will tackle the issue of a lack of affordable transport for accessing opportunities which can alleviate the impact of poverty.

Previous iterations of the child poverty strategy included more narrative on measurement and accountability, as well as specific measurements. For example, the 2015 child poverty strategy<sup>9</sup> set out objectives to 'reduce the number of families living in workless households'; 'increase the skills of parents and young people living in low-income households'; and 'reduce inequalities...in health education and economic outcomes of children'. Reports in 2016<sup>18</sup>, 2019<sup>10</sup> and 2022<sup>11</sup> then reported on progress against those and other objectives. It is unclear why the draft strategy does not have similar measurables.

There are several examples of Welsh Government Action Plans which the government could use as examples to shape a revised strategy with accompanying action plan. These are some examples:

- The LGBTQ+ Action Plan for Wales<sup>12</sup> includes a comprehensive list of actions with specific activities, outcomes, timelines and action owners set against them. The Welsh Government has committed to publishing regular progress updates against these

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<sup>9</sup> Welsh Government (2015) *Child Poverty Strategy for Wales*. Available at:

<https://www.gov.wales/sites/default/files/publications/2019-06/child-poverty-strategy-for-wales-report.pdf>

<sup>18</sup> Welsh Government (2016) *Child Poverty Strategy: assessment of progress 2016*. Available at:

<https://www.gov.wales/sites/default/files/publications/2019-06/child-poverty-strategy-2016-progressreport.pdf>

<sup>10</sup> Welsh Government (2019) *Child Poverty Strategy: assessment of progress 2019*. Available at:

<https://www.gov.wales/sites/default/files/publications/2020-01/child-poverty-strategy-2019-progressreport.pdf>

<sup>11</sup> Welsh Government (2022) *Child Poverty Strategy: 2022 progress report*. Available at:

<https://www.gov.wales/child-poverty-strategy-2022-progress-report.html>

<sup>12</sup> Welsh Government (2022) *LGBTQ+ Action Plan for Wales*. Available at: <https://www.gov.wales/lgbtq-actionplan-wales>





actions, the first of which was published<sup>13</sup> within just a few months of the launch of the Action Plan. The Plan also produces regular bulletins that can be signed up to by interested stakeholders. I strongly recommend this approach being taken for an action plan linked to the Child Poverty Strategy.

- The Anti-Racist Wales Action Plan<sup>14</sup> sets out a comprehensive list of actions against timescales, time-bound to the month that action will be completed. An annual update is due to be published this month.
- The NHS National Workforce Implementation Plan<sup>15</sup> sets out specific, measurable actions time-bound to the month that each action will be completed.

The Welsh Government should commit to an accompanying Action Plan and monitoring framework which provides the same level of accountability as the above examples.

### **Children and families' views**

The methodology for the engagement exercise carried out to inform this strategy is set out in the introduction to the draft strategy. I welcome the extensive engagement sessions carried out by Welsh Government, in partnership with others. I understand that a full summary of the engagement activity will be published alongside the final version of the strategy, but a more detailed summary of that engagement would have been helpful as an accompanying document to the draft, to inform consultation respondents. It does not appear to be the case, in its current form, that the 'what we heard' sections always relate to their priorities in each section. The links between what was raised and what the government's priorities are should be explicit.

It is not clear at all how progress will be monitored, and this is the biggest issue with this strategy.

When we discussed the strategy consultation with members of our young advisory panel, they commented that there is... "not enough in there about how they will communicate back to children and young people on progress", "Not clear actions – doesn't sound like big changes

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<sup>13</sup> Welsh Government (2023) *LGBTQ+ Action Plan for Wales: progress update*. Available at: <https://www.gov.wales/lgbtq-action-plan-wales-progress-update>

<sup>14</sup> Welsh Government (2022) *Anti-Racist Wales Action Plan*. Available at: <https://www.gov.wales/anti-racist-wales-action-plan>

<sup>15</sup> Welsh Government (2023) *National Workforce Implementation Plan: Addressing NHS Wales Workforce Challenges*. Available at: <https://www.gov.wales/sites/default/files/publications/2023-01/national-workforceimplementation-plan.pdf>



– feel will be same trajectory [not improving statistics] if not real actions”. When asked if they feel the strategy will make a positive difference, a young person stated that it... “...depends on what happens after - depends on what the actions are”.

In its Concluding Observations<sup>16</sup> to the UK and devolved governments published in June 2023, the UN Committee on the Rights of the Child included a recommendation that governments should:

*Develop or strengthen existing policies, with clear targets, measurable indicators and robust monitoring and accountability mechanisms, to end child poverty and ensure that all children have an adequate standard of living*

The draft strategy briefly mentions that Welsh Government will ‘seek independent research advice on suitable national poverty indicators, data availability and a framework to monitor and demonstrate transparent accountability in reporting on our tackling poverty progress and on involving people with lived experience in telling us whether we are achieving’.

Here are some further comments from my panel on the strategy and whether they feel there are any gaps:

*Kind of vague with each of their points.*

*Think goals are good but should be focusing on food, education, healthcare, clothing. Put pressure on supermarkets to subsidise costs of foods for families on Universal Credit because prices will be lower. Supermarkets had high profits during covid.*

*Could look at shoe bank, or coats, or uniform, as well as food banks. Don't have that moment to spend on those things. Supermarkets, councils etc could advertise and uniform bank could be in food banks*

*Uniform rules could be less strict. Would help families.*

*Good to say ‘start early to make sure help from the start’*

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<sup>16</sup> 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: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CRC%2FC%2FGBR%2FCO%2F6-7&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CRC%2FC%2FGBR%2FCO%2F6-7&Lang=en)

*Focus on health and education to reduce issues.*

We asked them whether the strategy is clear and easy to understand. A majority said that the strategy is easy to understand, but our panel members asked how the strategy is to actually be achieved. We asked them whether they feel the strategy will make a positive difference. Here are some of their responses:

*Makes some reasonable points but a lot of it feels like aimless ambition, there's a lack of clear practical steps or defined sub-aims.*

*I think the goals need to be operationalised, how are the government going to work on children getting the "best start in life". The statements do not describe any future actions that may take place.*

My panel also commented that there is “not enough in there about how they will communicate back to children and young people on progress”, it is important that, as well as accountability in the form of monitoring measurable outcomes, accountability is also delivered in the form of feedback to stakeholders who have contributed to this process. I hope

that the publishing of the full engagement exercise will provide part of this, but it is essential that the regular reporting required every 3 years speaks to the ‘what we have heard’ sections of this strategy which stem from the engagement exercises, and give specific details on what actions have taken place and how they have progressed.

In our *Ambitions for Wales*<sup>17</sup> survey, carried out in autumn 2022, of over 8,000 children and young people, and around 2,000 parents, carers and professional, poverty and cost of living were the most prominent themes.

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.

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<sup>17</sup> Children’s Commissioner for Wales (2023) *Ambitions for Wales- Findings*. Available at: <https://www.childcomwales.org.uk/our-work/ambitions-for-wales/ambitions-for-wales-findings/>



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 (24.9%) worry about having somewhere to live and having enough to eat (25.8%).

That so many children worry about their family having enough money, having somewhere to live and having enough to eat, is quite simply heart-breaking. I do not believe that this strategy shows Welsh Government has a detailed action plan which would give children more hope, one which can be measured, and to which the public can hold government accountable.

### **Children's Rights in the strategy**

The introduction does highlight the UNCRC when discussing the evidence base in relation to gathering children and young people's views. However, the due regard duty under the Rights of Children and Young Persons (Wales) Measure 2011, and the Welsh Government's commitment to the Convention, should act as a *driver* for combating the experience of living in child poverty as an egregious breach of human rights. Welsh Government has a duty to tackle child poverty in order to demonstrate due regard for children's rights in line with their duty, and this should be explicit. Each objective should link to specific articles of the UNCRC, and how the strategy supports that right.

I am pleased to see that Welsh Government has published a children's rights impact assessment as part of the overall integrated impact assessment (IIA). The assessment recognises that different groups of children are more likely to experience poverty, and sets out how Welsh Government set out to engage with those groups. This is welcome. It is also welcome that the CRIA sets out individual articles and gives some narrative of those articles.

However, while it gives details of the articles themselves, it does not specifically give examples of how the strategy *will actually enhance* each of those rights. I believe this would have been a straightforward exercise to undertake and am disappointed that this has not been set out. As reflected in the remainder of this response, there are significant deficiencies in the current iteration of the strategy, and a more thorough analysis through completion of the CRIA should have drawn out the missing details and mitigating actions that are required to protect and uphold all children's rights.