

“What could a new Children’s Act for Wales look like?”

"Beth yw'r weledigaeth ar gyfer Deddf Plant Cymru newydd?"

Joint Children and Families and Children in Our Care CPG Workshop

Wednesday the 22<sup>nd</sup> of January, 2025, 10am – 12pm

Seminar Rooms 1 and 2, The Pierhead

### **Welcome and Apologies**

Jane Dodds MS (JD)

#### **Attendees:**

Jane Dodds MS; Helen Mary Jones- Voices from Care Cymru; Sioned Williams MS; Tomos Roberts-Young – MSS; Rhiannon Beaumont-Walker – TGP Cymru; Cath Lewis – Guide Dogs Cymru; Leo Holmes – Early Years Wales; Amy Bainton – Barnardo’s Cymru; Daljit Kaur-Morris – NYAS; Suzanne Griffiths – Adoption UK; Mark Carter – Barnardo’s Cymru; Elizabeth Bryan – Fostering Network UK; Samantha Baron – BASWSO; Cherrie Bija – Faith in Families; Neil Davies – Home for Good; Katie Jacobs – Social Care Wales; Tamzin Covell – Forstering.net; Sarah Whitcombe-Hayes – NSPCC; Rachel Beddoe – Children in Wales; Manel Tippett – British Psychological Society; Davina Carey-Evans - Family Fund; Rachel Thomas – Children’s commissioner’s Office; Rachel Thomas - ; Rhian Croke Chamberlain – Sharon Lovell – NYAS Cymru; Sarah Williamson - ; Sophie Carter - ;

#### **Apologies**

Johanna Robinson – Welsh Government; Rebekah Burns – Adoption UK; Andrea Gordan – Guide dogs; Keira Stanton – Llamau; Katie Palmer – Cardiff and Vale UHB; Linda Hawkins – RCT CBC; Caroline Walters – Royal College of Speech and Language Therapy; Becky Saunders – Foundations; Dafydd Huw – RCPSYCH; Mark Jones – Higher Plain Research Education

#### **Welcome**

JD:

- Welcomes everyone
- Reiterates commitment from her staff to push this piece of work through.
- Gives a short overview of CPG Children and Families AGM / GTB Plant a Theuluoedd AGM with the Children’s Commissioner on the 20<sup>th</sup> of November, 2024.
- The purpose of this workshop is to ensure a new children’s act for Wales – moving forward from the 2026 Senedd elections.
- Timeline – group wants a commitment from parties to put a Children’s Act in their Manifestos by the end of the summer (2025).
- Following the completion of a document, outlining what a new children’s act would include, Jane notes that we need to agree on a comms plan across groups.

**Aim:** This meeting is where we hone it down to the final piece of work for a new Children's Act

Jane begins excursus on grooming gang and notes that this portion of the meeting is to be kept confidential

*Jane notes that there has been a lot of media around the systematic grooming and sexual abuse of children by organised networks. As chair of this group, JD asked the group whether they felt there were issues that were specific to Wales*

## 1) Updates

### i) Committee Recommendations

Helen Mary Jones, Voices from Care Cymru (HMJ):

- Introduces Committee's Recommendations from the *Children on the Margins* report
- notes that the three will focus on in this meeting are recommendations 3, 6 and 19.
- reads Recommendations 3
- Notes that missing from the recommendation is the need for a statutory right to *refuse* a RHI if they do not want to do it, as well as the right to have one.

JD – suggests reword the committee recommendation to 'statutory requirement of an offer', rather than 'statutory requirement of an interview'

Sharon Lovell, NYAS Cymru (SL):

- notes that NYAS Cymru have been calling on this. What is missing is RHI interviews that are independent from the Local Authority.
- Missing from the recommendation is the commissioning arrangement – suggests that there needs to be consistency of the offer of a RHI

**JD:**

- Asks SL to send a short piece on commissioning.

Katie Jacobs (KJ) –

- shares her background as social worker
- reaffirms HMJ and SL's view that the offer should be independent
- however, extends the statutory right to refuse so that it should be made clear why the young persons refused a RHI.

**JD:**

- agrees with KJ

Amy Bainton (AB) – Barnardo's Cymru–

- Maintains that that the statutory requirements need to be a means of strengthening the offer. This means guidance and consistency
- This requires a strong relationship with a young person – just creating a statutory duty doesn't go far enough.

SL – [online]

- I would also add - data - we should have a national report on missing children [...] annually to see what the issues are - potentially this would give a national picture on grooming and exploitation

Elizabeth Bryan (EB), Fostering Network UK:

- notes that a lot of work has been done around decriminalisation – a lot of work done on the protocol and it's on the Missing Persons website-  
<https://www.missingpeople.org.uk/reducing-the-criminalisation-of-care-experienced-children-and-young-adults-in-wales-a-practical-toolkit-for-professionals>

SL:

- Notes that the 4C's in Wales have produced the toolkit in partnership with Missing People

RT:

- Notes that she recalls that it came out originally around Covid time
- publicising it suffered in that time
- Notes that it is always welcome to bring things back to people's attention.

Daljit Morris – NYAS (DM):

- Notes the importance of the representation of the trusted adult
- Notes the effects of disproportionality – which would be important for future requirement

JD:

- Notes that there should be funding and the framework which ensures that there's a diverse group of adults.

Group moves on to Recommendation 6 -

HMJ:

- Reads Recommendation 6

Mark Carter (MC):

- Notes that there is work going on in Europe which is focused on eliminating homelessness
- Ensuring the supply of safe, warm and affordable housing.
- However, he notes that legislation often means that people end up in hotels for months and months

JD:

- Notes that R6 only refers to care experienced children and not children and families
- Add in there a recommendation around children and families and quality of housing

HMJ:

- States that we're focusing on what can we legislate for and not what is good policy and practice
- Committee's deliberation around youth homelessness addresses the committee specifically.
- There's also a right to housing for all children but these recommendations are specifically for care experienced young people.

Sioned Williams MS – they won't be homeless but will they be the right type of homes?

SL:

- Notes that she agrees with the committee's reports is taking away the priority need for care experienced young people.
- Notes that she met with the CS for Housing and this Rec could link up with our concerns around corporate parent
- Notes that this could link up with our concerns around corporate parent

JD:

- Notes that this needs work around appropriate housing
- Begins discussion on Recommendation 19
- Notes the need to put Corporate Parenting Charter on a statutory footing

HMJ:

- Notes that this is a weaker recommendation than the Radical Reform recommendations

ii) Early Intervention and Prevention

Following conversations in the last CPG, it was agreed that Barnardo's to work on *Early Intervention & Prevention* definition with the working group and share with the CPG.

*All children, families and young people in Wales will have a statutory right to receive Early Intervention and Preventions services in line with the national Early Intervention & Prevention Framework for Children and Young People in Wales. This will offer a universal, integrated approach to supporting children and families in Health & Social Care, addressing challenges 'upstream' before any issues can escalate. Rooted in the principles of equity and resilience, the framework emphasises reducing risk factors, bolstering protective factors, and ensuring tailored support based on evolving needs. By aligning community, targeted, and statutory services, this model seeks to improve health, education, and social outcomes, fostering better futures for all children in Wales, and seeking to ensure that more children can safely remain with their families and out of local authority care.*

MC:

- Notes that it hasn't been looked at by lawyers
- However, there has been input from various organisation
- Notes that they are working on a document now but can't share draft at the moment
- Framework is a vision about transforming the EIP and a call to action to everyone

HMJ :

- Notes that one of the big struggles is defining what EIP means
- What has come to light through this process is that the WG will bring a definition of what EIP will be by the time the election comes.
- It is right that the definition should have statutory footing
- Announces her new role as Independent Chair of the Transformation Delivery Group
- Notes that an awful of money is spent on EIP.
- However, the services is unclear, inconsistent
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Rachel Thoms (RTh):

- Notes that with regards to the UNCRC incorporation, superb example to be aware of this week from Scotland on the importance of this in practice, and how it can be applied to children's direct benefit <https://www.cypcs.org.uk/news-and-stories/future-decisions-to-prosecute-children-must-meet-uncrc-act-standards/>
- Calls on future decisions to prosecute children must meet UNCRC Act standards - The Children and Young People's Commissioner Scotland
- The High Court in Edinburgh confirms that the Lord Advocate's power to prosecute children falls under the UNCRC Act 2024. This ruling ensures all child prosecutions align with children's rights and...

Sarah W-H:

- Notes that we need to add babies into the definition

MC:

- Notes that while they had incorporated the whole age range, from pre-birth in our work here, it is important to capture babies in their own right. He will also make sure this is fed back to the work on the Framework

JD:

- This needs to be a incorporation of children's rights [i.e. with babies]
- Looked After Children – up to 30 years old – available and on offer.

Suzanne:

- Asks if the same services are and should be made available for Care Experienced Children and Care Leavers.

HMJ:

- Care Experienced covers everyone and maybe we should use that

RTh:

- on UNCRC incorporation, superb example to be aware of this week from Scotland on the importance of this in practice, and how it can be applied to children's direct benefit: Link to - <https://www.cypcs.org.uk/news-and-stories/future-decisions-to-prosecute-children-must-meet-uncrc-act-standards/>

JD:

- Notes that there needs to be specific asks around speed of assessment and delivery of services for children with ALN

Cath Lewis, Guide Dog Cymru:

- Notes that the delivery of ALN service is a postcode lottery
- Access to services is difficult around sensory deprivation
- Notes the need for more rehabilitation services
- Happy to work with Jane around this

Discussion on Youth work

JD reads the minutes of last meeting –on Guardianship for Asylum Children – NO OBJECTIONS

SG:

- Argues that adopted children are not on the same statutory footing

SL:

- stat footing for youth work in Wales – consultation published 2 weeks ago – ask is about a national body for YW to protect it for future definition

HMJ:

- Asks whether this is likely to be legislated before next Senedd lection?

SL:

- Confirms that it will.

### **iii) Child Poverty**

HMJ:

- Notes that the child poverty committee report has *nothing* in legislation about child poverty

SW:

- Notes that she thinks that the Welsh Benefit Charter should become statutory

RTh:

- Notes that she strongly agrees with Sioned on the benefits ...

SL:

- Notes that she would also totally agree with Sioned's point
- Notes that half of local authorities have signed up to it.
- Notes the need for targets and reporting in legislation

Sean:

- notes that we have statutory targets in Scotland for child poverty
- There is also annual reporting of targets in Scotland
- At the moment, the current legislation is out of date – 15 year old legislation and no monitoring mechanism
- Promises to put something together on targets and Scotland and England

RTh:

- Notes that there is a debate on benefits charter was 14<sup>th</sup> of January in Plenary

HMJ:

- Wales specific term for the same outcome on protected characteristics
- There is no intention by the Welsh Government of aiming to amending the EA 2010
- Suggests running this through lawyers

SW:

- Notes that the Radical Reform committee addressed this

Legislative oversight – Rhian happy to pass it past their lawyers network

HMJ:

- Notes the need to assess Welsh legislative competence with regard to this.

Leo:

- Related to Statutory is the Right to Play
- Early Childhood Play Learning and Care – based on EEEEC

JD:

- calls on Tammy to comment on discussion around making parental opportunities for network -

RTh:

- the Children's Wellbeing and Schools Bill in England. Specifically re. Corporate parenting from these 3 recs, but also that bill covers wider topics like safeguarding in home education, and support for education for those in kinship care. Could we as a CPG ask the WG how they are planning to respond to this Bill, which goes further than us in many areas. Happy to work with whoever on a draft if that would help

AB:

- Notes the work that Barnardo's have spoken about surrounding UK Gov's school's bill

JD and SW to work with Rachel Thomas on this

EB:

- The England Bill has stuff on Virtual Schools / Virtual School Heads. We're waiting on results of the pilot in Wales but there are a lot of inconsistencies across Wales in how this has been implemented during the pilot, and in education provision for care experienced children and young people more generally, so might want to get that on a statutory footing as well. I think we talked about that briefly in 1st workshop so just adding here for reference.

## NEXT STEPS

JD:

- Create a 2 page document that is ready to be delivered to political parties
- Notes that the group needs to clear on how and who is going to take forward the discussion with our Children and Young People.
- Notes the need for an event to promote the work when it's complete

HMJ:

- Suggests that an event is a lot of work, so lots of these organisations have existing avenues to discuss with Ch and YP
- Instead of an event, suggests that we invite MS' to some of these events that already exist

JD:

- Notes that this is ambitious in terms of time scales
- Weds -14<sup>th</sup> of May – good as possible final paper which outlines all the of the issues
- Fine tuning by **end of May**.
- June – Start our comms and lobbying
- Run an event with our partners to Launch it
- Finish it all up by the end of June
- HMJ, JD and SW to have informal discussions about timetables
- Notes that manifestos already being thought through by parties
- Notes that Children in Wales manifesto work and this work aligns together

## NEXT DATES

- Deadline for Next Meeting: Mid to End of March. Have final picture as far as moving forward
- Jane's team to send out date by end of Senedd Term – 13.12.2025

A copy transcript of the Teams conversation that was part of this meeting is available on request.