

## MINUTES

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

Joint CPG Workshop – Children and Wales and Children in Our Care

Tuesday 25<sup>th</sup> March 2025

10am – 12pm, Teams

#### Attendance:

Jane Dodds, MS, Helen Mary Jones, Voices from Care Cymru, Sian Thomas, Senedd Research, Janine Benner, Llamau, Prof. Euan Hails MBE, Adferiad, Amy Bainton, Barnardos Cymru, Elizabeth Bryan, Fostering Network, Leo Holmes, Early Years Wales, Janine Bennett, Llamau, Charis Harrington, Llamau, Tamzin Covell, Fostering Network, Tammi Owen, The Cube, Barry, Anna Gwozdz, NSPCC, Cherri Bija, Faith in Families, Zuzanna Gwozdz, NSPCC, Rachel Beddoe, Children in Wales, Sioned Williams, MS, Davina Carey-Evans, Family Fund, Suzanne Griffiths, Adopt Cymru, Isata Kanneh, Bevan Foundation, Katie Jacobs, Social Care Wales, Neil Davies, Home for Good, Sharon Lovell, NYAS, Tamzin Covell, Fostering Network

#### Apologies

Joanna Robinson, Welsh Government, Mike Greenaway, Play Wales, Caroline Walters, RCSPLT, Mark Jones, Higher Plains Research Education, Manel Tippett, BPS, Linda Hawkins, RCSPLT, Sean O Neil, Children in Wales, Samantha Baron, BASW, Rachel Thomas, Children’s Commissioner for Wales Office, Tom Davies, Children’s Society,

Sarah Thomas, Fostering Network

#### Introductions

Jane Dodds (JD) opens the conversation, thanks Helen Mary Jones for her contributions and involvement in the work. It was shared that the first copy of the draft legislation was distributed to the group – when asked if all had received it, no one said they hadn’t.

#### Work on the legislation

JD spoke about the title of the legislation and asked for contributions and suggestions from the group, ideally in Welsh with an English translation. It was discussed that it needed to be innovative. Some suggestions that came forward included:

Davina Carey Evans (DCE) suggested Every Child Matters act / Deddf Pob Plentyn yn Bwysig

Cherri Bija (CB) suggested Strength in Childhood / Voice of the Children / Children’s Future Act

Sharon Lovell (SL) reminded the group that Every Child Matters was an English paper or outcomes framework.

Sioned Williams (SW) – Llais Plant

JD – Polb Planten? Every Child

SL – Pawb Plant

Leo Holmes (LH)– Cynefin pob plant

CB- "Hawl i Fyw" – Right to Live, "Llais y Plant" – Voice of the Children, "Dyfodol i Blant" – A Future for Children, "Plant yn Gyntaf" – Children First

JD thanks everyone for initial suggestions and asked that before the next meeting they came back to the group with further suggestions and, if possible, shared them with young people and children for their input.

### **Working on the document**

The working document was opened and shared onto the Teams call for the group to go through as a whole.

#### Legislative processes

SL asked if the devolution of police and criminal justice could be added as well as the statutory rights for return interviews for missing children? JD agreed to add devolution and HMJ shared that part of this was in the introduction.

Isata Kanneh (IK) asked if there was going to be protection of discretionary benefits for NRPF? Outlined that at the moment no guarantee that this will stay and if we have this it gives more powers for discretionary funds. And the second one, maybe a legislative barrier for free schools meals for children with public resource funds children, can we clarify this?

JD asked IK to look into this in further detail and come back with the research. IK agreed.

Suzanne Griffiths (SG) discussed amending existing legislation powers. JD asked SG for SG to look into this in further detail and come back with the research and wording around legislative competence. SG agreed.

SW also mentioned devolution of police and criminal justice. Youth justice and devolving that was discussed, as well as speech and language therapy which isn't devolved. JD said they would get more wording on this.

Amy Bainton asked if we could consider adding devolution of welfare administration, saying it would give powers where needed.

JD asked if this was based on the Scottish model, asked if this would have the power to challenge two child cap benefit?

SW shared that they have power to add new ones, but can't change existing – so could add new ones that mitigate against existing. If we had full devolution we could do whatever we wanted to do and have our own system. But even with the Scottish model we could do more and introduce new payments.

JD said that HMJ, herself and staff would look at this and do more working on it. A summary of the legislation that the group would like to be looked at:

- 1) Devolution of Police and Criminal Justice
- 2) Protecting discretionary funds for NRPF – Isata to send
- 3) Suzann Griffiths – Competence around existing legislation (to work on this and get back to us)
- 4) Devolution of welfare administration – work on a way to present this.
- 5)

#### Core Principles

JD announced that they were moving onto core principles, asking for recommendation and suggestions

IK shared that they would like to see something about children having their own rights that aren't dependent on migration status of parents, wanting all children to be equal in the UK.

JD asked if this came under the Scottish model linked to core principle 1?

IK said she doesn't think that the UN rights went far enough and JD asked IK to come back with further research, IK agreed.

SG shared that the wording around adoption isn't right so will share new working. This was thanked.

LH shared that Early Years Wales would like more wording on the importance of play and early years. JD responded to say this was included later in the paper.

JD welcomes HMJ to the meeting. HMJ apologised for lateness to meeting and this was accepted and noted.

SL said that they needed to work on breaking down what supporting services meant and SG and SL agreed to meet and go through this.

Elizabeth Bryan asked about number 7 and amending around education status, saying that it needed to be worded to say 'regardless of education status' – this was agreed by all.

HMJ queried if, with the final copy of the proposal, we should include supporting documents so that the main body of the text was kept small and the more in-depth information was still with the document.

JD asked for anymore on Core Principles before moving onto Rights to Services.

### Rights to Services

JD went through the list by numbers.

Number 1 – no hands

Number 2 – no hands

Number 3 – JD shared there was additional input on this from someone who wasn't able to attend and agrees that they would add the information on their behalf that was kindly shared ahead of time.

Number 4 – SL asked HMJ to clarify the amendment of the Llais Legislation, which she did:

"I discovered that Llais replaced community health councils and included social care within the remit of Llais, but it wasn't within community health council to help to advocate. The help with advocacy for complaints against health care service, anyone can access Llais including young people under the age of 18. But if it's a complaint against social care, under 18's can't access advocacy for this complaint. Care experience and looked after people have the offer, but if you were a young carer and wanted to raise concerns about the way your mum was being looked after, Llais couldn't help you. If you're a disabled young person, the parent on your behalf could go to Llais, but you cant. Current advocacy is misunderstood and assumes that it covers things it doesn't.

SL thanked HMJ and shared that some local authorities do offer advocacy services for all young people in their area, such as the Families First Programme. HMJ accepted that it was great that some authorities do this, but that it should be put as a statutory entitlement to ensure that all local authorities do it.

Number 5 – no hands

Number 6 – no hands

Number 7 and 8 – JD asked SL for some more lines on this, SL said she would contribute.

Number 9 – LH to add further lines.

Number 10 – no hands

Number 11 – JD to work on this

SG added in the Teams chat that parts on adopted children need to be added in:

*The Adoption and Children Act 2002 should be brought into line with the Social Services and Well-being (Wales) Act 2014 to create*

*a) an enforceable right to access an adoption support service once the need has been identified in a similar way to Part 4 SSWB(W)A 2014 for others and*

*b) the same duties to support adopted young people to those that are in place under Part 6 SSWB(W)A 2014 for children formerly subject to a Special Guardianship Order.*

*(ii) New duties to create parity in the entitlement for services across social care, health and education .*

Proof Euan Hails questioned number 11 on mental health and timings of services. JD explained that in earlier discussions that the veteran charter have access to mental health support, and we want to make sure that for our young people they have the same. PEH agreed and questioned the feasibility of enforcing this. JD going to look at veterans charter to see what this means and how it can become parity with young children. PEH offered to help with this if needed. JD outlined reasons that we're going to put it in this way would be to show politicians that veterans have more rights than children and young people, so that children and young people can have the same. Any support very welcome.

### Ending Poverty

JD is going to do more work on the Welsh benefits charter and asked if anyone has any further thoughts?

HMJ suggested that we probably need to move the points. The intention was to put the piece about people without access to recourse public funds into this section, saying that they should have the same rights as anyone else under the Welsh Benefits System and questioned if this needs to be moved to this part or added in again? WG could ensure that families without access to public funds could still have access to support. HMJ to do more work on this section.

### Conclusion

JD brings attention to conclusion and asks for all involved to come back to this section. There was a conversation around cross-party signatures on the work, and it was shared how great a piece of work this was becoming and that all political parties should see the level of commitment from everyone into this work.

HMJ expressed concerns around timelines for publishing this document. She highlighted that some of the groups involved are part of UK wide groups and might need to put this through to various other levels such as boards of trustees or wider policy groups. What we might want is that as part of the campaign is that it goes out in the names of the cross party groups and that we have a 'sign up' – this organisation has signed up too etc. There was concern that if we had to wait for full verification from all levels then it would slow down the work. A suggestion was made to list the organisations and individuals involved in the work to say they have taken part, but they haven't formally endorsed.

Amy Bainton agreed with HMJ and said that getting full endorsement could be quite a process. They suggested the title 'this was developed in partnership with...' and then list the organisations and individuals involved.

JD began to bring the discussion to an end, sharing that the document needed to be short and snappy with an appendices at the end – ideally the document will be no more than 4 pages long, 3 if possible. They also shared that it will be formally printed ahead of the launch with a date to be confirmed. They asked if there was anything else from anyone on the framework and content?

SW shared a point of information as Chair of the CPG on Human Rights: a short inquiry is being published in the autumn, similarly to inform manifestos, and we're looking at barriers to human rights and I think these documents could work well together, and suggested linking up in the future.

PEH asked a quick questions on transition from children into adult and JD asked for PEH to send a link through on this. JD spoke about chasm on transition between child and adult services, almost like a cliff edge. Challenge is what can that look like in legislation – almost like we need another one for 16-25 years old, and asked for further ideas.

HMJ asked whether under the general principles we could include that no child or young person should lose their right to services or have services disrupted when they turn 18. Would cover everything. HMJ to look for wording on this.

A discussion was held around the launch date of this event. Timing was queried to ensure as much political representation as possible, but also to get young people and children to the event. The aim was to get a weekday in Juen on the Senedd estates, and the secretary would share the details when they were ready.

HMJ asked whether the publication should be sent embargoed to political groups ahead of the launch. SL shared that within her position she has been flagging their own manifesto with similar principles, and that thus far there had been no objections.

### **Conclusion of meeting**

JD told the group that final comments by 28<sup>th</sup> April.

The final meeting date was shared - 30<sup>th</sup> April – with details coming imminently.

The launch date would be shared on the 30<sup>th</sup> April.

JD asked if there were any more points and there were none. She thanked the group for attending and their participation, and HMJ for her contributions. Individuals were reminded to get their comments in soon.

### **Actionsm**

- Speech and language therapy in legislative processes needs more wording – HMJ and JD to work on this
- HMJ to meet with JD and staff to work on final draft in confidence to share with the group ahead of next, and final, meeting
- HMJ and JD, and staff, to work on the final date of the meeting and share with the group
- Launch date for the act to be finalised
- HM to work with JD to add into the Welsh Benefits Charter specific part for protecting NRPF and devolved right to decide our own benefits
- Information to be sent by organisations that have been asked.
- Amend number 7 to reflect education status.
- HMJ to look at including that no child or young person should loose their right to services or have services disrupted when they turn 18.
- JD and SW to talk on CPG on human rights.
- Prof Euan Hails to send line in n transition into adult services.