

Welsh Government Evidence on Compliance with the Rights of Children and Young Persons (Wales) Measure 2011 and the Update Report on the Welsh UNCRC Getting it Right Action Plan.

Purpose

The paper has been prepared to provide information to the members of the Children and Young People Committee on the compliance with the Rights of Children and Young Persons (Wales) Measure 2011 and the Welsh 'Getting it Right' Action Plan Update'2013.

Introduction

The Welsh Government is clear in its continued commitment to improving the lives of children and young people. The introduction of the Rights of Children and Young Persons (Wales) Measure 2011 demonstrated this commitment and we are determined that it will continue to have a positive impact on children, young people and their families.

May 1 2013 will be the first anniversary of the 'due regard' duty becoming law in Wales. We are confident we have made good progress. There is more to do and we will be analysing carefully the results on the impact these new duties have made and will use the lessons learnt in further developing our approaches. Our aim is to develop a culture of consideration of children's rights within all business activity of Welsh Government.

The Rights of Children and Young Persons (Wales) Measure 2011.

Section 1 – Duty to have due regard to the United Nations Convention on the Rights of the Child (UNCRC).

From 1 May 2012, up to and including 30 April 2014, the duty applies to decisions of the Welsh Ministers about any of the following:

- proposed new legislation;
- proposed new policies; and
- a review of or change to an existing policy and/or legislation.

From May 1 2014, the duty will apply to Welsh Ministers when exercising all their functions.

To ensure compliance a number of resources have been developed, to aid and help officials with the understanding of their responsibilities in relation to the Measure. Also, to improve levels of knowledge of the UNCRC, online, desktop training packages are available across Welsh Government.

Other activity has included 'Lunch n Learn' seminars, team specific training and one to one support as requested. A fully dedicated web page carries sources including frequently asked questions, the UNCRC convention in full and summarised versions and other sources of information to access.

Significantly we have introduced a Children's Rights Impact Assessment (CRIA) tool. The tool has been developed to ensure that officials provide evidence of their analysis and consideration to children's rights when providing advice to Ministers.

The CRIA is a six steps guide which clearly defines the process officials must consider when preparing the advice. The CRIA is also included in the briefing and advice template that all Welsh Government officials are required to complete when submitting advice to Ministers.

Another significant development has been the creation of the Children's Rights Scheme Monitoring group. Consisting of representatives from all of the Director General areas within the Welsh Government, it is tasked to oversee the implementation of the Measure and members act as 'champions' in raising awareness within their areas of responsibility.

Section 2 – The Children's Rights Scheme 2012.

The Children's Rights Scheme approved on March 27 2012 set out the arrangements that Welsh Ministers put in place to ensure that they and their officials comply with the due regard duty.

The scheme set out the roles and responsibilities for specific people and groups:

- The Implementation Steering Group – This group comprises of members from each of the Director General Area within the Welsh Government. NB After the consultation process this became the CRS monitoring group as a result of feedback.
- Implementation Team – This is the team within the Welsh Government who lead on the Implementation of the Measure.
- Welsh Government staff – inclusive of all staff
- External Stakeholders - Working with experts in the field has and will prove invaluable. We have very much valued their feedback on all aspects of the Measure.
- We have also worked closely with internal audit who are currently undertaking their second audit.

Importantly the Children's Rights Scheme provides information on how children or their representatives can challenge Welsh Ministers if they believe that sufficient regard has not been paid to children's rights. To ensure that this

information is available to all, the Implementation Team has produced a children and young person friendly interactive version of the corporate Welsh Government complaints process which is available online.

Section 3 – Preparation and Publication of the scheme 2012.

As part of this process it was important to be inclusive in our approach and ensure those children that may be marginalised living in Wales at this time would be involved.

Throughout the consultation process approximately 400 children were involved in developing the Children's Rights Scheme. The Implementation Team commissioned workshops throughout Wales and engaged with difficult to reach children and young people in addition to contacting a variety of schools. A young person friendly version of the consultation document was produced and provided the basis for the workshops.

Also Welsh Government officials ran workshops within government offices across Wales.

26 Organisations including Save the Children and the Children's Commissioner for Wales responded to the consultation and provided important feedback to the development of the scheme.

Section 4 - Reports

The Compliance Report, laid before the National Assembly for Wales in accordance with the requirement of the Measure and was published on 31st January 2013.

Section 5 – Duty to promote knowledge of the Convention.

Under Section 5 Welsh Ministers must take such steps as are appropriate to promote knowledge and understanding amongst the public in Wales, including children of the Convention.

Currently officials have produced:

- Online training for external professionals/volunteers working with children and young people.
- Commissioned train trainers programmes for various organisations such as the Police, Health and Immigration professions.
- Produced a short film on children's rights made by children for children.
- Produced a mobile app which not only describes each of the rights but also has a directory of support services that potentially could assist in issues surrounding children's rights.
- Updated our resources and are currently updating the Let's Get it Right website. The site brings together all our resources and information on children's rights and the UNCRC in one place, for use by and with children, young people and professionals.

All of the above resources are available on the Welsh Government external website.

Section 6 – Power to amend Legislation.

At this moment in time there is no requirement to amend the legislation. This may change if it is required at a future time in relation to the purpose of giving further or better effect to the rights set out in the Convention and its Protocols.

Section 7 – Application to Young Persons aged 18 – 24 years old.

A 12 week consultation process was undertaken in 2012 seeking the views and opinions whether the due regard duty should be applied, and to what extent to 18 – 24 year olds. Following receipt and analysis of all of the responses received a report has been published which concludes that the duty will **not** be extended to this age group.

United Nations Convention on the Rights of the Child – Getting it Right Update 2013.

The ‘Getting it Right’ Update is based on the existing 16 Priorities for Wales which were agreed with the then Welsh Assembly Government and representatives of the UNCRC Monitoring group in Wales and submitted to the UN Committee.

Full details of the update are provided to the Committee as an annex as part of this evidence.

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Minister for Communities and Tackling Poverty**