



Title: **Well-being of Future Generations (Wales) Bill**

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1. Information and working context of Barnardo's Cymru

Barnardo's Cymru has been working with children, young people and families in Wales for over 100 years and is one of the largest children's charities working in the country. We currently run 88 diverse services across Wales, working in partnership with 19 of the 22 local authorities, supporting in the region of 8,500 children, young people and families last year. Barnardo's Cymru services in Wales include: care leavers and youth homelessness projects, young carers schemes, specialist fostering and adoption schemes, family centres and family support, parenting support, community development projects, family support for children affected by parental imprisonment, domestic abuse and parental substance misuse, short breaks and inclusive services for disabled children and young people, assessment and treatment for young people who exhibit sexually harmful or concerning behaviour and specialist services for children and young people at risk of, or abused through, child sexual exploitation and young people's substance misuse services.

Every Barnardo's Cymru service is different but each believes that every child and young person deserves the best start in life, no matter who they are, what they have done or what they have been through. We use the knowledge gained from our direct work with children to campaign for better childcare policy and to champion the rights of every child. We believe that with the right help, committed support and a little belief, even the most vulnerable children can turn their lives around.

- **This response may be made public.**
- **This response is on behalf of Barnardo's Cymru.**

Inquiry submission

Barnardo's Cymru works with families, children and young people across Wales and a substantial element of the work we deliver is commissioned by local authorities as part of their work to secure better outcomes for children and young people and to meet the requirements of Welsh Government.

1. The 'common aim' principle

- 1.1.** We are disappointed that the 'common aim' principle as presented on the face of the Bill does not include any reference to children's rights and the UNCRC. The Child Rights Impact Assessment (CRIA) that is published with the Bill states that *'the Bill will potentially support and promote the UNCRC but it is for the organisations already responsible for public services to deliver solutions – it is up to them to decide what their well-being objectives will be and how they will meet them'* (Step 3, Para 1,CRIA). It is of concern that a piece of legislation which has the term 'future generations' in its title does not include direct reference to measures to promote children's rights in line with Welsh Government intentions as contained in the Rights of Children and Young Persons (Wales) Measure 2011.
- 1.2.** The CRIA accompanying the Bill does not give proper consideration to the ways in which the Bill could be strengthened to directly promote children's rights but rather considers how the 'common aim' should/is likely to provide opportunities for better outcomes for children.
- 1.3.** The Social Services and Well-being (Wales) Act includes provision that *'a person exercising functions under this Act in relation to a child' ... 'must have due regard to Part 1 of the United Nations Convention on the Rights of the Child'*. The Well-being of Future Generations (Wales) Bill would be considerably strengthened if the same provision were to be included on the face of the Bill. Such provision would also ensure the Minister's duty to give due regard to the United Nations Convention on the Rights of the Child was clearly demonstrated. The omission of such provision represents a lost opportunity to promote children's rights and the UNCRC in Wales in a way that will impact on the lived experiences of children in Wales.

2. The approach to improving well-being, including setting of well-being goals, establishment of objectives by public bodies and the duties imposed on public bodies.

- 2.2.** The Social Services and Well-being (Wales) Act defines 'well-being' against eight domains for people and in relation to one further domain for children and two additional domains for adults (Part 1, page 5, lines 5-22). The relationship between the well-being goals contained in the Bill and well-being as defined in the Social Services and Well-being (Wales) Act is not clear. Clarity is needed on the ways in which the well-being objectives that local authorities must develop in relation to the Bill will relate to the duties to promote well-being imposed on them through the Social Services and Well-being (Wales) Act. This is potentially confusing for duty bearers and for the public, in particular children and young people.

- 2.3.** As set out in response to item 1 above we would like public bodies exercising functions under the Bill to be required to have due regard to Part 1 of the United Nations Convention on the Rights of the Child as is the case with the Social Services and Well-being (Wales) Act.

3. The approach to measuring progress towards achieving well-being goals and reporting on progress

3.1 The Social Services and Well-being (Wales) Act requires the Welsh Minister to issue a statement specifying the well-being outcomes that are to be achieved for people who need care and support and carers who need support. The Deputy Minister issued such a well-being statement in 2013.¹ The statement describes the well-being outcomes that people who need care and support and carers who need support can expect and how Welsh Government will measure whether these outcomes are being achieved. The statement describes aspects of well-being that relate to all areas of an individual's life. On June 26th, 2014 Welsh Government published 'The national outcomes framework for people who need care and support and carers who need support, 2014-15; working document'.² The well-being statement sits within the national outcomes framework. The second phase of the national outcomes framework includes outcome indicators to measure whether national policies and local practices are supporting people to achieve the well-being outcomes described in the well-being statement and includes indicators related to measured data outcomes. The 'what people can expect' indicators sit across both elements of the national outcomes framework and the new Local Authority Social Services Performance Measurement Framework.

3.2 Clarity is needed on the relationship between the national indicators that may be applied for the purpose of measuring progress towards the achievement of the well-being goals introduced by the Bill and the well-being outcomes contained in the national outcomes framework under the Act. As a provider of services that now sit under the Social Services and Well-being (Wales) Act and of services designed to deliver on the objectives currently contained in Single Integrated Plans (that will become Well-being Plans under the Bill) we would seek clarity on the synergy between future reporting frameworks. We understand that a shared Outcome Framework in relation to Tackling Poverty programmes including Communities First, Families First and Flying Start is also being developed. It is not clear how these overlapping but separate outcomes frameworks and indicators will fit together in a way that does not impose onerous reporting requirements that will draw from shared evidence on population well-being.

4. The establishment of a Future Generations Commissioner for Wales.

4.1. We welcome the fact that the Children's Commissioner for Wales will be a member of the advisory panel that will provide advise to the Commissioner on the exercise of Commissioner's functions.

¹ <http://wales.gov.uk/docs/dhss/publications/130416frameworken.pdf>

² [National Outcomes Framework 2014](#)

5. The establishment of statutory Public Service Boards, assessments of local Well-being and development/implementation of local well-being plans.

- 5.1.** Under arrangements that preceded the introduction of Local Service Boards strategic Children and Young People's Partnerships (CYPPs) were in place in each local authority in Wales. Welsh Government commissioned research carried out by Barnardo's Cymru and Action for Children³ suggests that changes in structures, in particular the removal of Children and Young People's Partnerships (CYPPs) in many areas of Wales has reduced the quality of dialogue between the public and the third sectors. CYPPs were seen as a useful forum for not only providing networking opportunities but also as a means for stake-holders to contribute to strategic plans or at the very least to have their opinions heard. While they recognised that some areas had replaced the CYPPs with other structures, respondents felt these arrangements were not as useful. As providers of services on the ground Barnardo's Cymru and other third sector organisations are well placed to understand the needs of and issues facing children, young people and families in local communities. Clarity is needed on the arrangements that will be made to ensure that the third sector will have opportunities for meaningful engagement with statutory Public Service Boards in relation to issues for children, young people and families.
- 5.2.** The same research (see 5.1 above) found that the extent of consultation with third sector providers varies widely across Wales. Participants reported that they are often responding to Local Authority strategic plans rather than contributing to them. This is in contrast to the experience of Barnardo's Cymru under old arrangements, where through close working across the CYP Partnerships delivery partners were able to both inform and better understand the development and aims of Children and Young People's Plans.
- 5.3.** The introduction of Single Integrated Plans (SIPs) provided for the discharge of duties that were previously discharged through the production of Children and Young People's Plans. Children and Young People's Plans used the framework of the Welsh Government's 7 Core Aims for all children and young people which were in turn directly related to the UNCRC. The Children's Commissioner for Wales published his Child Poverty Strategy Progress report in October 2013.⁴ The Children's Commissioner reported that he had assessed the SIPs published by local authorities in terms of how far they demonstrated a commitment to tackle child poverty. The Children's Commissioner found that the majority of SIPs included a clear focus on child poverty and actions on reducing the number of children in poverty. However he was also found that a small number of SIPs had a focus on poverty but did not specifically prioritise child poverty. The Children's Commissioner for Wales also reported concerns that only around a third of SIPs included reference to the UNCRC and/or Welsh Government's 7 Core Aims.

³ Barnardo's Cymru and Action for Children (June 2014), *Beyond Barriers: promoting best practice in commissioning, procurement and collaborative working for children, young people and their families across Wales*, funded by Welsh Government

⁴ <http://www.childcom.org.uk/uploads/publications/402.pdf>

- 5.4. The loss of a clear focus on planning directly linked to a child right's framework and promotion of rights under the UNCRC that has been seen in relation to the move from Children and Young People's Plans to Single Integrated Plans should be remedied through expectations on the face of the Bill in relation to Well-being Plans. The introduction of a duty to have due regard to the UNCRC for those carrying out functions under the proposed legislation (see para 1.3 above) would provide a safeguard against any further dilution of planning aligned to the promotion and delivery of children's rights under local planning processes.

