

National Assembly for Wales  
Environment and Sustainability Committee  
WFG 32  
Well-being of Future Generations (Wales) Bill  
Response from National Society for the Prevention of Cruelty to Children

**NSPCC Cymru/Wales**

**Response to:**

## **Consultation on the Well-being of Future Generations (Wales) Bill**

**September 2014**

The National Society for the Prevention of Cruelty to Children (NSPCC) is the UK's leading children's charity specialising in child protection. Our vision is to end cruelty to children in the UK. We make a difference for all children by standing up for their rights, listening to them, helping them when they need us and by making them safe.

The NSPCC runs projects and services across the United Kingdom and Channel Islands to help vulnerable children. We also provide ChildLine, the UK's free, confidential 24-hour helpline and online service for children and young people and a helpline for adults who are worried about a child or want advice.

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## **1 Introduction**

- 1.1. NSPCC Cymru/Wales welcomes the opportunity to provide evidence to support scrutiny of the Well-being of Future Generations (Wales) Bill (henceforth the Bill).

## **2 About the NSPCC**

- 2.1. The NSPCC is here to end cruelty to children. Everything we do is to protect children and prevent abuse. As part of the NSPCC's Strategy towards 2016 we deliver services which are innovative, distinctive and designed to capture and disseminate learning. We are an independent charity who has researched what is needed and by providing cutting edge new services we hope to better understand the real issues and any challenges in the prevention, protection and treatment of abuse.
- 2.2. As our knowledge, experience and expertise is focused on safeguarding children and young people we will limit our comments to the general principles of the Bill and therefore question 2 of the consultation. NSPCC Cymru/ Wales' response can be made public and we would be happy to provide oral evidence to the Committee during the scrutiny process.

## **3 Comments on the general principles of the Well-being of Future Generations (Wales) Bill and the need for legislation in the following areas –**

### **3.1 The “common aim”**

NSPCC Cymru/ Wales is disappointed that the ‘common aim’ does not make reference to either human rights or children’s rights. We believe that a human rights lens is crucial if vulnerable groups are to achieve well-being and we have contributed to and are in full support of the evidence submitted by the UNCRC Monitoring Group.

As a children’s organisation we are particularly concerned that the Bill does not mention children and young people and does not include children’s rights on the face of the Bill. NSPCC Cymru/ Wales thinks the Bill would be strengthened if provision was included for people exercising duties to have due regard to the United Nations Convention on the Rights of the Child, similar to the Social Services and Well-being Act. (This 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’* )

### **3.2 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**

We note that there is no definition of well-being on the face of the Bill. Well-being of people and children is clearly defined on the face of the Social Services and Well-being Act 2014 and we would ask that the Committee clarifies if the meaning of well-being in this Bill is the same as that defined in the Social Services and Well-being Act 2014.

NSPCC Cymru/Wales has carefully considered the six well-being goals and are concerned about how the well-being of children and young people will fit into them.

Children and young people have unique developmental needs and rights. We feel it is essential that these goals are linked to the UNCRC or the Welsh Government's Seven Core Aims so that the public bodies with duties under this Bill can set and achieve well-being objectives that appropriately meet the rights of children and young people in their area, particularly those who are vulnerable. A consistent understanding of 'well-being' across Government will be all the more relevant to align with duties and initiatives under the Welsh Government Tackling Poverty and Child Poverty approaches which are obviously strongly linked to children's wellbeing and the states parties responsibilities in this area, particularly with regards to Articles 26 and 27 UNCRC.

Furthermore, we know that poor parenting and not meeting children's needs blights their lives. NSPCC Cymru/Wales believes that if there is just one issue that public bodies in Wales should prioritise to ensure future generations live in thriving communities and a prosperous Wales it must be supporting parents to fully meet the needs of their children right from birth.

The biggest child protection issue in Wales, and the UK as a whole, is child neglect. Neglect is the most common reason for a child being put on a child protection register<sup>1</sup> in Wales and NSPCC's research<sup>2</sup> shows that one in ten 11-17 year olds report severe neglect in their childhood. Neglect is when parents and carers do not meet children's needs, and, put simply, neglect is 'all about the NOTS'. Child neglect covers a spectrum, from mild to severe neglect, but it is these 'gaps' in parenting that can risk, particularly in the early years, effecting a child's brain development, leading to a devastating and long lasting effect on all of the child's development and future. Evidence shows that the early years – beginning in the womb- are vital to child development. This development is a dynamic process – through which a child is transformed from reacting to sensations and being dependent on carers to becoming independent and making sense of the world. The process does not unfold solely on the basis of neurological maturation but is significantly shaped (positively or negatively) by the interactions between biological and environmental influences.

*'Neglect particularly in the early years affects the developing brain of the child and can have a devastating and long lasting effect on all of the child's development needs....if the root cause of neglect is left unchecked, the child is more likely to exhibit behaviours such as aggression, language delay, poor cognitive and interactional skills and anti-social behaviours...'* Professor Jan Horwath 2013<sup>3</sup>

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<sup>1</sup> Welsh Government (2013) *Children on child protection register by local authority, category of abuse and age group (2012-13)* [online], Available online: <https://statswales.wales.gov.uk/Catalogue/Health-and-Social-Care/Social-Services/Childrens-Services/Service-Provision/ChildrenOnChildProtectionRegister-by-LocalAuthority-CategoryOfAbuse-AgeGroup>

<sup>2</sup> Radford, L., Corral, S., Bradley, C., Fisher, H., Bassett, C., Howat, N., and Collishaw, S. (2011) *Child abuse and neglect in the UK today* [online], Available at: [http://www.nspcc.org.uk/Inform/research/findings/child\\_abuse\\_neglect\\_research\\_PDF\\_wdf84181.pdf](http://www.nspcc.org.uk/Inform/research/findings/child_abuse_neglect_research_PDF_wdf84181.pdf)

<sup>3</sup> Horwath, J. (2013) *Child Neglect Planning and Intervention* London: Palgrave Macmillan

The Centre on the Developing Child at Harvard University reports:

*'that studies show conclusively that severe deprivation or neglect is associated with significant risk for learning difficulties and poor school achievement, including deficits in executive function and attention regulation, low IQ scores, poor reading skills...'*<sup>4</sup>

NSPCC would like to see work to counter neglect become a core part of the jigsaw when the Welsh Government considers issues of parental support and the approach to intervention in the early years. We would like to see better support for parents to understand the impacts of 'not doing' certain things, to build a stronger sense of agency and to work with parents to build strategies to help them address problems in their parenting approach. We feel that seeing these issues in the round is fundamental to the well-being of our children and young people in Wales. It is our view that there remains work to be done to integrate neglect more fully into the Welsh Government's overall approach to the early years. We are strongly supportive of the priority that the Welsh Government has consistently given to early years and the clear recognition of the importance of this area. Flagship initiatives such as Flying Start and Families First have ensured a focus and additional support and investment for some of Wales' most vulnerable children in those crucial early stages of development.

Our innovative 'Baby Steps' programme<sup>5</sup> is rooted in our belief that parents in Flying Start areas (and across Wales) should have access to good quality ante-natal education such as Baby Steps. We currently deliver Baby Steps at our Swansea Service Centre.<sup>6</sup> The Baby Steps interim evaluation report is due at the end of this year and emerging findings are promising. We're working with four 'early adopter' areas in the UK to understand how best to roll out Baby Steps into mainstream health and children's centre services. Based on this, we will develop a package of training and support which will be available to other agencies in 2015. NSPCC is pleased to inform the committee that our service centres in Cardiff and Swansea will become Thriving Children Centres in 2015. NSPCC will be rolling out a range of neglect assessment and intervention services which will be available at no charge to professionals concerned that a child may be experiencing neglect.

We therefore believe that the Well-being of Future Generations Bill provides a significant opportunity to take a holistic view of children's well-being. For example, we see a significant opportunity for NSPCC's work on neglect and the Welsh Neglect Project<sup>7</sup> (commissioned and funded by the Welsh Government Social Services Directorate) to feed into Welsh Government work on parent support. A key example is the recently published draft 'Parenting in Wales: Guidance on engagement and support' and the work being undertaken by the Tackling Poverty team on early years. NSPCC is currently evaluating its services which assess and intervene in cases of neglect and we will forward programme information and evaluation reports as they become available and hope that they can be included in updated versions of the Parenting Guidance.

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<sup>4</sup> Center on the Developing Child at Harvard University. (2012). *The Science of Neglect: The Persistent Absence of Responsive Care Disrupts the Developing Brain: Working Paper 12.*  
[www.developingchild.harvard.edu](http://www.developingchild.harvard.edu)

<sup>5</sup> [http://www.nspcc.org.uk/what-we-do/the-work-we-do/priorities-and-programmes/under-ones/baby-steps/baby-steps\\_wda94564.html](http://www.nspcc.org.uk/what-we-do/the-work-we-do/priorities-and-programmes/under-ones/baby-steps/baby-steps_wda94564.html)

<sup>6</sup> [http://www.nspcc.org.uk/what-we-do/NSPCC-in-your-area/cymru-wales/services/services-in-your-area\\_wda84178.html](http://www.nspcc.org.uk/what-we-do/NSPCC-in-your-area/cymru-wales/services/services-in-your-area_wda84178.html)

<sup>7</sup> The Welsh Neglect Project, jointly delivered by NSPCC and Action for Children, aims to improve multi-agency responses and services to address child neglect across the spectrum of need, which of course, overlaps with work on parenting. As part of the Welsh Neglect Project, we are developing resources to help all front line workers who work with children and families. Both strands are rich resources for the Welsh Government's work on family support.

**NSPCC Cymru/Wales therefore urges the Committee to press for a clear definition of ‘child well-being’. We would also recommend that Welsh Government sets a wellbeing objective or key priority for each public body and each Public Service Board in Wales to support parents to meet their child’s needs to ensure all babies and children thrive.**

### **3.3 The approach to measuring progress towards achieving well-being goals and reporting on progress;**

We note that under this Bill it is intended to set ‘national indicators’ to measure progress towards achievement of well-being goals. We would like the Committee to seek clarity about how these indicators link to the recently published ‘National outcomes framework for people who need care and support and carers who need support, 2014-15’<sup>8</sup> by Welsh Government and the shared Outcome Framework that is being developed in the Welsh Government’s Tackling Poverty programmes, which includes Communities First, Families First and Flying Start. Further sets of indicators and outcomes will be developed under the recently introduced Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill. This Bill will cover children and we would therefore wish to see alignment with future well-being goals.

### **3.4 The establishment of statutory Public Services Boards, assessments of local Well-being and development / implementation of local well-being plans.**

#### **3.4.1 Public Services Boards**

We are pleased that this Bill puts Local Service Boards, to be called Public Service Boards, on a statutory footing. We are also pleased that Section 27 of the Children Act 2004, the requirement for local authorities and local health boards to appoint Lead Directors/ Officers for Children and Young People’s Services, is not being repealed as these posts are crucially important to ensure that the needs and rights of children in local areas are met.

The Social Services and Well-being Act includes provisions for co-operation for children and adults who need care and support and partnership arrangements. We recommend that the Committee seeks clarity that these different sets of partnership arrangements in the Act and this new Bill are coherent and whether the duties under the Social Services and Well-being Act can be discharged through arrangements in this Bill and the Public Service Boards.

NSPCC research<sup>9</sup> found that 1 in 4 (25.3%) of young adults aged 18-24 had experienced severe maltreatment in childhood and so it is crucial that effective safeguarding is embedded in all organisations and all policy areas. Local Safeguarding Children Boards (LSCBs), responsible for co-ordinating safeguarding of children, were established in the Children Act 2004. However CSSIW<sup>10</sup> in their 2009 review of safeguarding and LSCBs stated that “Safeguarding and protecting

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<sup>8</sup> <http://wales.gov.uk/docs/dhss/publications/140624NOFen.pdf>

<sup>9</sup> Radford, L., Corral, S., Bradley, C., Fisher, H., Bassett, C., Howat, N., and Collishaw, S. (2011) *Child abuse and neglect in the UK today* [online], Available at: [http://www.nspcc.org.uk/Inform/research/findings/child\\_abuse\\_neglect\\_research\\_PDF\\_wdf84181.pdf](http://www.nspcc.org.uk/Inform/research/findings/child_abuse_neglect_research_PDF_wdf84181.pdf)

<sup>10</sup> CSSIW (2009) *Safeguarding and Protecting Children in Wales. The review of Local Authority Social Services and Local Safeguarding Children Boards*

children should be a priority for all organisations, professionals and practitioners, but this review has identified considerable variability amongst them .... If children are to be consistently and effectively safeguarded and protected, action is needed to strengthen and improve existing arrangements to ensure that all professionals, practitioners and organisations give priority to this and share equal and continuing responsibility for bringing about the changes and improvements that are needed". Further CSSIW<sup>11</sup> found in their joint inspection of Local Safeguarding Children Boards in 2011 that: "in practice LSCBs are not accountable to and are not being held to account by statutory bodies and partner agencies. There are no local mechanisms in place to scrutinise the work of LSCB's".

NSPCC Cymru/ Wales reviewed the content of the twenty two Single Integrated Plans(SIPs) in 2014 and found that the Local Safeguarding Children Boards were only mentioned in half of the SIPs and detail about how Local Service Boards worked with LSCBs, or the link between them was mentioned in none. New safeguarding arrangements have been established under the Social Services and Well-being Act and we recommend that the Committee seeks clarity about the proposed working relationship and links between the new Safeguarding Boards and Public Service Boards and, as a minimum, we would recommend that Public Service Boards scrutinise the annual reports of these new regional Safeguarding Boards.

#### 3.4.2 Assessments of local wellbeing

We welcome the requirement to produce 'Assessments for local well-being' to inform the development of the well-being objectives and plan and that each board must take into account sufficiency audits of nursery education, childcare and play together. We also welcome that the assessments for well-being must take into account the population needs assessments for care and support and preventative services under the Social Services and Well-being Act. We recommend that the Committee seeks clarity that these two key assessments are coherent and inform each other or whether the duties from the Act can be discharged through provisions in the Bill.

#### 3.4.3 Local wellbeing plans

We are extremely concerned that it is intended to repeal Section 26 of the Children Act 2004, the requirement for Children and Young People's Plans. These plans have brought together organisations to jointly plan, co-ordinate, deliver and sometimes result in co-location of services for children and families which has benefited children and families and has led to some economies and reduction of duplication. The requirement to produce Children and Young People's Plans, or discharge that duty through the SIPs, has ensured that there is a focus on services to support vulnerable children and young people in each local area. NSPCC Cymru/ Wales' 2014 review of Single Integrated Plans revealed that the focus on children and young people and vulnerable children and young people was variable. NSPCC Cymru/ Wales recommends that the Committee closely scrutinises the proposed repeal of Section 26 of the Children Act 2004. We would also ask the Committee to scrutinise the proposed approach to the duty under the Children and Families (Wales) Measure for each local authority to produce a child poverty strategy, we would seek assurance that proposals for local wellbeing plans will not result in any change to this duty. We would also seek clarification about how new local wellbeing plans would incorporate this duty.

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<sup>11</sup> CSSIW (2011) *Joint Inspection of Local Safeguarding Children Boards*

**NSPCC Cymru/ Wales strongly recommends that the wellbeing goals are linked to children's rights or the Seven Core Aims; this could align with child poverty approaches and provide a more robust overarching framework for the new Public Service Boards underpinned by the UNCRC. Subsequent guidance could then ensure that all of the local wellbeing plans focus appropriately on vulnerable children and young people.**