



Ein cyf/Our ref VG/07968/19

Janet Finch-Saunders AM
Chair, Petitions Committee
National Assembly for Wales
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22 November 2019

Dear Janet,

Thank you for your letter of 30 September regarding the Petition P-05-842 – Give young people a voice when commissioning local services in Wales.

Enhancing Equality and Human Rights in Wales

In response to calls from many stakeholders for Welsh Government to take action to safeguard equality and human rights, particularly in the context of Brexit, several strands of work are being taken forward:

- Commencing the socio-economic duty in Part One of the Equality Act 2010, to require certain Welsh public bodies to consider the impact of their strategic decisions on the poorest people and groups.
- Reviewing the Welsh Specific Duties (currently set out under the 2011 Regulations) under the Public Sector Equality Duty (PSED), to ensure they are up to date, proportionate and effective.
- Working closely with the Equality and Human Rights Commission (EHRC) in Wales to review PSED monitoring and reporting arrangements, so that equality data and reports from Welsh public bodies are easy to find and understand.
- Commissioning research on wider options to strengthen and advance equality and human rights in Wales, which, among other things, will consider the possible incorporation of UN conventions into Welsh law and whether there may be a need for fresh legislation, such as a Human Rights Bill for Wales. This research is expected to report by the end of 2020.
- All of these strands of work are being overseen by a Strengthening and Advancing Equality and Human Rights Ministerial steering group chaired by the Deputy Minister and Chief Whip.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

- The Steering Group consists of key stakeholders and is chaired by the Deputy Minister and Chief Whip. The Deputy Minister and Chief Whip has been asked to agree that two members of the Youth Parliament be invited to sit on the working group to ensure that young people have a voice in this ground breaking piece of Human Rights legislation.

In addition to this, action is being undertaken to promote equality in relation to the Protected Characteristics set out in the Equality Act 2010, for example, the Gender Equality Review, the Action on Disability: The Right to Independent Living' Framework, and the overarching Welsh Government Strategic Equality Action Plan 2020-2024 (taking account of the Equality and Human Rights Commission's "Is Wales Fairer? 2018") which is currently out to consultation.

Focussing on Gender equality for a moment, we already have world-leading equalities legislation in place with progress made. The Welsh Government is committed to work to improve the lives of women and girls and achieve equality of opportunity for all.

All of these strands of work are being overseen by a Ministerial Steering Group, chaired by the Deputy Minister and Chief Whip, which brings together a range of key stakeholders to monitor and advise on progress. This Group is due to meet next on 14 November.

I have noted your request that I express the Committee's support for the petitioners call for a statutory requirement to include children and young people in the commissioning of children and young people's services.

However, I must refer you to the provisions that are already in place to promote and facilitate the participation of children in decisions made by local authorities which might affect them under section 12 of the Children and Families (Wales) Measure 2010. This Measure provides that a local authority must make such arrangements as it considers suitable to promote and facilitate participation by children in decisions of the authority which might affect them.

There is also statutory guidance issued under s.17(3) with regards to 'Children and young people's participation' Shared Purpose: Shared Future Shared Purpose 3 : Collective Roles (Public Service Boards)- Annex B (S17.(3) of the Children and Families (Wales) Measure 2010 requires a local authority exercising its function under S.12 to have regard to any guidance given from time to time by the Welsh Ministers) which imposes expectations upon local authorities relating to the participation and involvement of young people as part of the local authorities 'policies, services and wider citizen engagement'.

The Petitions Committee might wish to note that the Welsh Government funded event being held on 20 November to celebrate the 30th anniversary of the United Nations Convention on the Rights of the Child in partnership with the Children's Rights Advisory Group¹ and in which has been developed in close partnership with young people, will have participation as its main theme. Six public sector organisations will receive the new kite mark demonstrating their commitment to participation. We hope these best practice examples will help to demonstrate the many benefits of participation and also how best to achieve it within the current legislative landscape.

¹ The Welsh Government works collaboratively with a number of organisations who are instrumental in providing expertise and advice on the implementation of the Rights of Children and Young Persons (Wales) Measure 2011, and how children's human rights may be given better effect in Wales. The standing members of CRAG are Children and Families Division (Welsh Government), Children in Wales, Office of the Children's Commissioner for Wales, Wales Observatory on Human Rights of Children and UNICEF.

I hope this is helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a small dot above the 'i' in "Gething".

Vaughan Gething AC/AM

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services