



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

# Taking the Right Road

The Welsh Assembly Governments Response  
to the Wales NGO Alternative Report:  
Stop, Look, Listen - the road to realising  
children's rights in Wales

November 2008

**PLANT A PHOBL IFANC - GWEITHREDU'R HAWLIAU**  
**CHILDREN AND YOUNG PEOPLE - RIGHTS TO ACTION**



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# TAKING THE RIGHT ROAD

## Welsh Assembly Government Response to the Wales NGO Alternative Report 'Stop, Look, Listen: The road to realising Children's rights in Wales'

### 1. Introduction

During November 2007, as part of the alternative reporting process to the Monitoring Committee on the United Nations Convention on the Rights of the Child (UNCRC), Save the Children on behalf of the non-governmental organisations (NGOs) Group monitoring the implementation of the UNCRC published the "Stop, Look, Listen" report. The report is the result of extensive work across Wales and the UK and highlighted a number of key areas against which it recommends that action should be taken to help rights under the UNCRC to be realised.

Since the initial submission of this report to the Welsh Assembly Government, it has been submitted and presented to the Monitoring Committee of the UNCRC as part of the evidence submitted for consideration in relation to the UK State Party.

A number of reports and information were submitted to the United Nations Committee relating to Wales and the distinct rights based approach that has been taken to the UNCRC as part of the evidence gathering process. In addition to the Stop Look Listen report this included:

- *Rights in Action WAG (2007).*
- *Why do Ages Go Up and Not Down (Funky Dragon 2007).*
- *Our Rights Our Story (Funky Dragon 2007).*
- *UK Children's Commissioners Report to the UN Committee on the Rights of the Child (2008).*

Following the consideration of the evidence submitted during the reporting process and the hearing with the UK State Party (held during September 2008) the Monitoring Committee on the UNCRC considered the range of evidence received. The concluding observations of the Committee were received during October 2008.

The concluding observations will be considered by the Welsh Assembly Government, working with the NGOs, other partners and children and young people themselves. This will take place over the course of the next few months with a view to developing and implementing a joint action plan to progress work in realising the UNCRC for all children and young people in Wales over the next five years.

The remaining sections of this report contain the Welsh Assembly Governments response to each of the recommendations made in the Stop, Look Listen report and highlights work in a number of areas that is ongoing to address the issues raised.

## **2. Legislation**

### **Recommendation 1**

The Welsh Assembly Government should:

Use all available means to effect legislative change pursuant to the Assembly's commitment to the UNCRC, including using the mechanisms of the Government of Wales Act 2006 to enact measures amending and consolidating legislation on social services, child care, health and education in Wales.

### **Response**

The Welsh Assembly Government is pursuing a Legislative Competence Order (LCO) on Vulnerable Children and Child Poverty, using powers under the Government of Wales Act 2006. The LCO will provide the Assembly Government with wider powers to legislate for vulnerable children and their families to meet Welsh priorities and timescales.

### **3. Resources**

#### **Recommendation 2**

The Welsh Assembly Government should:

Establish the necessary systems or mechanisms to enable routine analysis of its spending on children in all of its future budgets (with reference to good practice in other State parties).

Ensure that the arrangements it puts in place to inspect the functioning of the children and young people's partnerships include appraisal of the performance of each of the 22 partnerships in setting out annual accounts of the public expenditure on children.

#### **Response**

Papers on "Children's Budgeting" were discussed at the Cabinet Committee on Children and Young People in April and June 2008. A technical note on the proportion of the Assembly budget spent on children will be produced in due course.

Children and Young People's Plans (CYPP) final versions were due to be published by 30 September 2008.

Feedback on the draft versions included comments on the extent to which each Plan includes the financial information that is essential for it to effectively hold partners to account on delivery of services. At this early stage in implementing the CYPP process it is essential to ensure this aspect works effectively.

The issue of single budgets for children and young people's services across local authorities and the large number of partners will take longer to arrange. Officials will raise it with Partnership Lead Directors as part of the planned review of the first CYPPs in the autumn.

## **4. Co-ordination**

### **Recommendation 3**

The Welsh Assembly Government should:

Establish a Cabinet Committee for Children and Young People with an adequate level of co-ordinated civil service resource to support it across all aspects of Ministerial portfolios.

Strengthen the role of Minister for Children (and young people).

### **Response**

Changes were made to the role of the Cabinet Committee on Children and Young People, and of the Minister for Children, following the 2007 Assembly Elections. The Children and Young People's Cabinet Committee's current terms of reference are:

- a. To ensure that a strategic approach is taken to the development of policies and programmes in order to deliver the Assembly Government's commitments to children and young people.
- b. To ensure that the interests of children and young people are given due priority in all Cabinet and Assembly Government policy-making.
- c. To oversee the implementation of the UNCRC in Wales and of the Assembly Government's Seven Core Aims for Children and Young People.

In so doing, the Cabinet Committee will:

- Determine the policy priorities relevant to children and young people, and secure their implementation.
- Ensure the periodic review of policy and programme effectiveness.
- Ensure coherence in cross-cutting policy initiatives which contribute to the realisation of the Assembly Government's priorities for children and young people.

The Cabinet Committee is supported by an Officials Group of senior officials from across Assembly Government departments, and by a more broadly-based Policy Network, with the latter meeting monthly to ensure a coherent and joined-up approach to policy development and implementation.

The Minister for Children, Education, Lifelong Learning and Skills chairs the Cabinet Committee and within her capacity as Minister with portfolio responsibility for this area of work, she has made a commitment to monitor, on a regular basis, progress being made within the Welsh Assembly Government across all portfolios against commitments made.

Young people from Funky Dragon (the children and young people's assembly for Wales) attended the Cabinet Committee meeting in June 2008 to share with

Ministers their experience of attending the UNCRC pre-session hearing, together with the Chair of the UNCRC NGO Monitoring Group, Eleri Thomas. Their presence at the Cabinet Committee provided the opportunity for an exchange of views on a considerable number of topics. Ministers were impressed by the young people and their understanding and insight and invited them to attend the Cabinet Committee in a years time to discuss progress.

#### **Recommendation 4**

The National Assembly for Wales should:

Establish a Scrutiny Committee for Children and Young People to ensure cross-cutting scrutiny and monitoring of Welsh Ministers' decisions and policies.

#### **Response**

The National Assembly established a Scrutiny Committee for Children and Young People on 16 October 2007 when the Motion to establish the committee was agreed in plenary. It will exist for the duration of the third Assembly.

The remit of the Children and Young People Committee is:

*'to consider and report on issues affecting children and young people in Wales. In particular, the Committee may, within its remit examine the expenditure, administration and policy of the Welsh Assembly Government and associated public bodies and consider reports of the Children's Commissioner for Wales.'*

## 5. Plan of Action

### Recommendation 5

The Welsh Assembly Government should:

- a. Ensure that the seven core aims for children and young people are given greater prominence and are reflected in the government's overarching strategic plan.
- b. Produce a national plan for progressing the seven core aims with targets and milestones. As the national strategy for implementing the UNCRC, the plan should include key objectives for government to undertake children's rights impact assessments; to raise awareness of children's rights; and to monitor public expenditure on children.
- c. Strengthen its guidance for the 22 children and young people's partnerships on the single plan they are required to produce. The plans must give real practical meaning to the implementation of the UNCRC and partnerships need more guidance, leadership and support on how to achieve compliance with the UNCRC. Specifically, we recommend that guidance includes the following:
  - Rights based outcome measures and indicators for monitoring progress in each local authority area in Wales including disaggregated data and children's views and feedback.
  - A requirement to integrate key objectives to undertake children's rights impact assessments; to raise awareness of children's rights; and monitor budgets for their expenditure on children.
  - Make the role of the lead director with regard to ensuring implementation of the UNCRC more explicit.

### Response

Officials are working on a single brand and title for all Assembly Government policies for children and young people aged 0-25 along with a website that will give greater impact and profile to the Seven Core Aims and the rights basis of all the Assembly Government's work for children and young people.

UNCRC rights already act as the basis for the Government's work with children and young people and Jane Hutt as Minister for Children has specific responsibility for leading on this. She chairs both the Cabinet Committee on Children and Young People and a Senior Officials Group that have this as one of their tasks.

The outcome measures framework set out in Children and Young People's Plans (CYPPs) uses measures that are currently available and collected. This aspect of CYPPs is intended partly to show progress being made locally in implementing the rights of children and young people, and thereby to meet reporting requirements under the UN Convention on the Rights of the Child.

The Assembly Government will develop and consult on appropriate outcome measures that support implementation of rights and shared responsibility for improving wellbeing and delivery of services, to be ready by April 2010 for the 2011 planning cycle.

As the rights basis of the Plans becomes familiar to partner agencies it is expected that rights will become more explicitly used as a basis in principle for services and support. One of the areas for assessment in the review of the first CYPPs will be the effectiveness of Plans in demonstrating that a rights focus has been adopted in their preparation. Further work is needed to make explicit the practical action expected of Partnerships in this respect, including the tasks of those in local authorities and the health sector, who have lead responsibilities under the Children Act 2004. This will be developed in time for the second planning cycle due to plan for 2011-14.

As reported above, the issue of single budgets for children and young people's services across local authorities and the large number of partners will take longer to arrange. Officials will raise it with Partnership Lead Directors as part of the planned review of first CYPPs in the autumn.

## **6. Independent Monitoring Structures**

### **Recommendation 6**

The Welsh Assembly should:

Use the opportunity offered by the Government of Wales Act 2006 (which strengthens the separation of the Welsh Assembly Government and the National Assembly for Wales) to transfer the funding of the Children's Commissioner from the Assembly Government to the National Assembly, which now has a clear scrutiny, and monitoring function.

### **Response**

The Assembly Government has no plans to alter the funding arrangements for the office of Children's Commissioner for Wales, which are comparable to those of other ombudsmen such as the Public Services Commissioner. Funding for the Children's Commissioner is debated by the National Assembly for Wales during the annual debate on the Assembly Government's budget.

## **7. Data Collection**

### **Recommendation 7**

The Welsh Assembly Government should:

Collate, analyse and publish data on the well-being of children in Wales, monitoring progress across the country in achieving its seven core aims for children and young people. It should report on an annual basis to the National Assembly on the 'state of children in Wales' to enable debate and reflection. The data collected in Wales should be capable of measuring progress over time and allow comparisons with countries within the UK and Europe.

### **Response**

The Welsh Assembly Government is planning to launch a "Children's Wellbeing Monitor for Wales" in November 2008. The Monitor will focus on the seven core aims that underpin the Children and Young People's Plans and will also report on the child poverty targets set out in "*Eradicating Child Poverty in Wales – Measuring Success*". The Monitor will pull together data from published regular surveys carried out in Wales, as well as key findings from research that has a specific Wales focus. It will provide data on child wellbeing and child poverty at an all-Wales level (rather than local authority level). Where possible and appropriate, it will contain comparisons with countries within the UK and Europe.

The Monitor is being developed by statisticians, social researchers and economists within the Welsh Assembly Government.

## **8. Training/Dissemination of the Convention**

### **Recommendation 8**

The Welsh Assembly Government should:

- a. Develop and resource a comprehensive strategy for disseminating knowledge regarding the principles and provisions of the UNCRC throughout society.
- b. Ensure that training on the Convention is mandatory for all professionals working with or delivering a service to children and young people.
- c. Ensure that there is a single, integrated approach to children's rights training and diffusion of information.

### **Response**

We have recently started work on developing materials to promote the UNCRC, as we are required to do under Article 42 of the Convention. Our intention is to develop materials for children and young people, parents, and professionals who work with children and young people, eg teachers, social workers, police. This work is linked to the proposals for a single brand as indicated in response to Recommendation 5 above.

We have decided to start with material for children and young people. We have also given Save the Children (Wales) a three-year grant to develop materials and training for professionals; to be linked to the "common core of skills knowledge and understanding" in the children and young people's workforce development. Measures aimed at raising awareness with parents will follow in due course.

The Rights and Entitlements Team within the Welsh Assembly Government will work with partners across Wales to develop a strategic approach, and agree on how best to achieve its implementation.

The Rights and Entitlements Team began work during 2008 with a range of partners, including the new Rights Unit in Save the Children Wales and Funky Dragon, to develop suitable training in children and young people's rights for teachers and other professionals who work with children and young people.

## **9. Participation**

### **Recommendation 9**

The Welsh Assembly Government working with key statutory partners should:

- a. Introduce legislation, long-term core funding and central support to secure national and local participation structures and mechanisms - including Funky Dragon.
- b. Develop and implement an overarching participation strategy for Wales.
- c. Proof all policies and initiatives to ensure they all actively support children and young people's participation in decision-making, incorporating and endorsing the national standards for children and young people's participation for Wales. Allocate additional resources to support the strategic development of the participation of children aged 0-10 years in decision-making in Wales, including the development of relevant structures.
- d. Promote a full understanding of participation and its diversity and include this in all training for professionals by sectors working with children and young people.
- e. Ensure the equal right to participate of groups of children with specific additional needs through a range of appropriate structures, processes and opportunities, nationally, regionally and locally.

### **Response**

Legislation is not the only way to resolve these issues. The key to achieving cultural change of this nature is to win hearts and minds by demonstrating benefits from a participative approach – for individuals and organisations. Work to do this is in hand.

We are setting the foundations for a National Participation Framework for Wales including local participation activity. We have developed Local Participation Strategy Guidance working collaboratively with a range of national and local partner organisations and with children and young people. It is a key piece of the infrastructure jigsaw designed to support and drive forward children and young people's participation in Wales. The guidance aims to ensure that all children and young people aged 0-25 have opportunities to contribute to and have their voices heard in decision making on issues which impact on their lives at local level. It was put in place with effect from 1 April 2008 with links to use of Cymorth Theme D funding. Hand in hand with the consolidation of the Cymorth grant funding stream into the Revenue Support Grant over the next 2-3 years, the Welsh Assembly Government is introducing an Assembly Measure which give a statutory basis to the requirement on local authorities and their partners to develop and implement a Local Participation Strategy.

The Assembly Government will work with the Participation Consortium to develop and secure implementation of any national strategy.

The Minister for Children, Education, Lifelong Learning and Skills and her officials are well aware of the need for long term core funding to secure the national and local framework for participation and the issues will be considered further as part of broader discussions on Budget Planning Round 2009-10 onwards.

The Assembly Government has begun work to put in place Divisional Link Officers in every Division. This will help to ensure that policies and initiatives all support children and young people's participation in decision-making. The Children and Young People's Strategy Division was recently 'inspected' against the National Participation Standards, and we intend to incorporate this kind of inspection across the Assembly Government. It will also form a part of the training for the Divisional Link Officers.

Work has taken place to signpost children and young people's involvement as part of the Welsh Assembly Government's Policy Gateway tool. This means that increasingly more children and young people will be involved in policy development at an earlier stage.

Achieving cultural change takes time and if the current approach to persuade Assembly Government departments to develop more participative approaches does not achieve the desired level of progress we would consider a more robust approach.

The Welsh Assembly Government provides funding to Save the Children to host the Participation Consortium. This is a multi agency group which acts as a focal point for key stakeholders to co-ordinate the development of children and young people's participation in decision making in Wales, to share information on participation work and to develop and promote Core principles for participation work in Wales. One of its sub groups advises the Consortium on 0-10s. The remit of this sub group is to:

- Promote the agenda for 0-10s participation, ensuring it has equal status and equal representation.
- Take an overview of current work with 0-10s and to consider and discuss new and emerging ideas.
- Ensure that 0-10 issues are represented at Consortium meetings.
- Identify gaps in current service and identify strategies to address the gap.
- To ensure 0-10 participation is considered and represented on other sub groups of the Consortium.

In 2007-08 and 2008-09 specific funding of £70,000 per annum was allocated to Funky Dragon to work with younger children. Similar provision may be available 2009-10 onwards depending on the outcome of the current external evaluation of Funky Dragon.

Officials in the Children and Young People's Strategy Division are working closely with the Assembly Government's Human Resources Department to make participation training for officials a part of the Assembly Government's core training programme. To further support officials we have made available 'Blast Off Guides'.

These are good practice guides to children and young people's participation, developed in partnership with the Participation Consortium.

We have also developed an internal Welsh Assembly Intranet site for Children and Young Peoples Participation. This site offers information relating to all aspects of Children and Young Peoples Participation. Officials can use the links to identify how children and young people can become involved in participation in their policy areas.

Another sub group of the Consortium looks at training and seeks to promote policy, practice, training and quality standards in children and young people's participation at a local and national level including training the trainers.

The National Participation Standards for Wales aim to promote an understanding of what participation means in practice for organisations and young people themselves and supports organisations in assessing and developing the quality of their participation activity.

The European funded Participation Project, part of the 'Reach the Heights' project, will provide the opportunity for **all** young people to get involved. All training, workshops, etc are adapted to suit the individual needs of the audience. The contacts awarded to deliver the training, etc will ensure that the training is adaptable and that the contractors look for every opportunity to include marginalised groups of young people.

We want to see children and young people from a broad range of social backgrounds and across the ability range actively involved in the work of the Assembly Government and other organisations in Wales.

The voices of all children and young people are important, which means that Funky Dragon tries to work with as wide a range of children and young people as possible so that it is as representative as possible. Because Funky Dragon recognise the additional challenges minority groups have in being listened too, they have specific places for equality representatives drawn from:

- Gay, Lesbian, bisexual and transgender.
- Young people with disabilities.
- Young carers.
- Looked after young people.
- Black and minority ethnic.
- Homeless or have been homeless.
- Been in the youth justice system.
- Long term health problems (but not a disability).

## **10. Corporal Punishment**

### **Recommendation 10**

The Welsh Assembly Government should:

- a. Continue to press the UK Government for legal reform to give children equal protection.
- b. Establish a public education strategy supported by an increased level of parenting support.

### **Response**

Our “Help at Hand” booklet was written by Children in Wales; with advice from the Children are Unbeatable Steering Group, for distribution to all new parents over a three year period from July 2007. Distribution of the booklet is via health visitors. The booklet clearly sets out the Assembly Government’s line on physical punishment:

“The Welsh Assembly Government wishes to help provide parents with the support they may need to find non-violent ways of managing their children’s behaviour effectively and before things reach crisis point”.

Health visitors are currently distributing to all new parents two booklets sponsored by the Assembly Government. “Help at Hand” focuses specifically on alternatives to physical punishment. ‘Breakfast to Bedtime’ also focuses on positive parenting, and aims to help parents of 0-5 year olds with managing their children’s behaviour. A third booklet, “Over the Top Behaviour in the Under 10’s”, aimed at parents of children aged 5-10, has been distributed via schools. Copies of all three booklets are available from local Children’s Information Services.

## **11. Children of Prisoners**

### **Recommendation 11**

The Welsh Assembly Government working with key statutory partners should:

- a. Ensure that local authorities treat the children and families of prisoners as a priority vulnerable group in line with guidance to local children and young people's partnerships.
- b. Inform mainstream services, including education, of the evidenced needs of this group and support good practice in meeting these needs.
- c. Provide sustainable resources for targeted services (both prison and community based) for the children and families of offenders.

### **Response**

Our guidance on Children and Young People's Plans, 'Shared Planning for Better Outcomes' (September 2007), states that Children and Young People's Partnerships should cover key elements of local strategies that include children and young people experiencing parental separation, including those in families of offenders. Plans were due to be finalised for publication by 30 September 2008. Consideration of the final Plans will provide an opportunity for evaluation of this aspect of policy and action being taken by the local partners. Decisions on resourcing fall to local service providers.

## 12. Child Protection

### Recommendation 12

The Welsh Assembly Government working with its key statutory partners should:

- a. Clarify its overarching strategy for safeguarding and protecting children. In particular, it needs to be clearer how the different strategies that impact on children's rights and welfare link together.
- b. Urgently develop a strategy for providing children and young people with information about who to contact if they are worried about abuse.
- c. Resource a public education campaign to empower communities to recognise and act to stop abuse against children and young people.
- d. Take steps to ensure that children and young people who have experienced abuse can access appropriate, child centred therapeutic services as required.
- e. Ensure that there is effective and regular measurement of the violence and abuse experienced by children and young people in Wales.
- f. Develop a basic standard package of training on child protection to be used across professions, ensuring that **all** professionals develop the same awareness and are provided with the tools to safeguard children and young people.

### Response

The Assembly Government is working to ensure that a multi-disciplinary approach is taken to safeguard children in Wales. Within the Assembly Government a group of officials (Welsh Assembly Safeguarding Children Officials Group) meet quarterly to consider child safeguarding issues. This group comprises representatives from Children's Health and Social Services, CSSIW, Social Justice and Regeneration, CAFCASS Cymru, Public Health and Health Professionals, Education and Lifelong Learning and Estyn.

The Assembly Government also meets on a quarterly basis with a wider group containing external partners (Welsh Assembly Safeguarding Children Advisory Group). This group includes ADEW, ADSS, Association of Police Officers Child On-line Protection, Probation, Youth Offending Teams, Welsh Local Government Association, National Public Health Service, designated Doctors and Nurses, HIW, Ambulance Service, Careers Wales, NSPCC, Child Protection Forum, Local Authorities and Faith Groups. These Groups provide input to the safeguarding agenda, policies and guidance.

The Local Safeguarding Children Boards (LSCBs) have been operational since October 2006. To support the work of the LSCBs the Assembly Government published 'Safeguarding Children: Working Together under the Children Act 2004'. This document has been widely issued and well received. The Assembly Government has also provided training to enable the new LSCBs to establish their

safeguarding agenda along with an annual two-day workshop to explore issues more widely.

The Assembly Government's Statistics Division collects data from local authorities on the number of children on the child protection register. This is broken down into the category of abuse suffered by those on the registrar and reflects the number of children affected, not the number of incidents recorded. Statistics on cases taken to court and those successfully prosecuted will be collected in Whitehall as the Court Services are not a devolved issue. These statistics may not accurately reflect actual incidents.

LSCBs are responsible for raising awareness and providing training in their local authorities. The LSCBs have set up training sub-groups and some of these provide joint training with partner LSCBs. The All Wales Child Protection Procedures have been reviewed and recently re-issued with support from the Assembly Government. Guidance has been issued to those working specifically in education on child safeguarding and the Assembly Government is engaged fully with health professionals to ensure the agenda is carried forward. The Assembly Government has also developed the Common Assessment Framework to ensure a consistent approach across Wales.

### **Recommendation 13**

The UK Government should work with the Welsh Assembly Government to ensure:

A consistent approach to supporting young people giving evidence in court needs to be developed, with a national network of services providing young witness support.

### **Response**

Although this is essentially an issue for the UK Government and is non-devolved, we are aware that the Court Services have developed a witness support programme. In addition special measures are available to assist vulnerable witnesses, including children and young people, when giving evidence in court. These include choosing to deliver evidence by video link or from behind screens if they wish to attend court and give evidence in person.

## **13. Looked After Children**

### **Recommendation 14**

The Welsh Assembly Government working with local authorities and other key statutory partners should ensure:

- a. A continued and increasing emphasis on offering a range of quality placements to meet children and young peoples needs.
- b. Children and young people in care are able to maintain secure and enjoyable placements.
- c. Basic improvements in frontline services in health (especially mental health) education and social services for looked after children and young people.
- d. All looked after children and young people in Wales have access to independent advocacy and support in raising concern.
- e. Increased accommodation options for care leavers, including extending the use of supported lodgings and enabling more young people to stay in foster placements.

### **Response**

The Assembly Government continues to invest in the Children's Commissioning Support Resource, a cross-sector database of placement provision and commissioning resource managed by the Local Government Data Unit, to assist local authorities in better matching placements to need and to improve commissioning of placements by local authorities. The Assembly Government introduced regulations that came into force on 1 July 2007 to strengthen arrangements for the placement of children and is reviewing National Minimum Standards for foster care and children's homes.

The Assembly Government will consult later this year on a strategy for vulnerable children (including looked after children and care leavers). The strategy will build on progress made to date through our Children First programme. The main vehicles for taking the strategy forward are joint clauses we have secured in the Children and Young Persons Bill and a Legislative Competence Order on Vulnerable Children and Child Poverty. The Legislative Competence Order will provide the Welsh Assembly Government with wider powers to legislate to improve services for vulnerable children including those looked after.

The review of CAMHS provision, currently being undertaken by the Wales Audit Office and Healthcare Inspectorate Wales, will assist the Assembly Government in planning future mental health services for vulnerable children and young people.

The Children and Young Person's Bill includes a number of clauses to improve the education and wellbeing of looked after children.

The Assembly Government has a long-standing commitment to ensure effective advocacy provision for all children and young people. We are putting in place a new Service Framework for the Future Provision of Advocacy Services in Wales which will include a new National Advocacy and Advice Service to provide a single point of contact 7 days a week for all children and young people and a locally/regionally commissioned integrated specialist advocacy service covering health, social care and education commissioned locally or regionally by the Children and Young People's Partnerships.

The Assembly Government's strategy for vulnerable children will include a number of proposals to improve services for care leavers including allowing care leavers to continue to stay with their carers up to the age of 21 and removing the financial disincentives to carers in doing so.

### **Recommendation 15**

The Welsh Assembly Government and the Welsh Local Government Association (WLGA) should:

Closely monitor the implementation of regulations relating to private fostering to ensure that the new arrangements are proving effective in identifying and supporting children and young people in these situations.

### **Response**

The Care and Social Services Inspectorate for Wales is undertaking a survey of local authorities to ascertain how they are implementing the regulations. Following analysis further work will be undertaken with authorities to identify good practice and areas for improvement and a conference held to disseminate findings.

## 14. Health

### Recommendation 16

The Welsh Assembly Government working with key statutory partners should:

a) GENERAL

- Prioritise the health targets set out in *Eradicating Child Poverty in Wales - Measuring Success* and adequately resource the NSF.

b) INEQUALITIES

- Develop targeted services for marginalised children and young people across Wales.

c) BREAST-FEEDING

- Promote the rights of breast-feeding mothers, especially those in resource-poor families, through statutory change and improved support.

d) TEENAGE PREGNANCY

- Ensure that all children in primary schools have access to high quality sex education provided in ways accessible to those most at risk.

e) MENTAL HEALTH

- Set up services for children and young people with learning disabilities who have mental health problems.
- Commission a survey of the mental health status of Welsh children.
- Comprehensively resource *Everybody's Business* and the CAMHS related NSF actions.
- Reintegrate CAMHS into other children's services to achieve holistic care reflecting the close links between mental health of children and the social and biological factors that affect their general health.
- Stop the practice of placing young people on adult mental health wards.

### Response

The National Public Health Service has been commissioned to examine the evidence and make recommendations on how the health targets might be addressed. Their recommendations are being reviewed by officials.

The National Service Framework (NSF) for Children, Young People and Maternity Services is centred on our 7 Core Aims for Children and Young People. The seventh

Core Aim states that no child or young person should be disadvantaged by poverty. The NSF will contribute to the achievement of this aim by improving quality and reducing variations in service delivery through the setting of national standards. The standards are not just for health and social care but for other local government services such as education, housing, leisure and transport.

The Welsh Assembly Government's Breastfeeding Strategy, *Investing in A Better Start: Promoting Breastfeeding in Wales*, makes recommendations for ways to support and encourage mothers and mothers-to-be in Wales to breastfeed their babies.

The Assembly Government has drawn up a new National Programme to promote breastfeeding to the youngest mothers in Wales. It includes funding for health professionals and the voluntary sector to enable them to support work within communities and in schools across the country. The Programme also includes provision to increase the work to raise public awareness of the benefits of breastfeeding to mothers, babies and their families.

Examples of activities proposed within the National Programme include a new Grant Scheme to develop more Breastfeeding Support Groups across the country. These will focus in particular on meeting the needs of young women who may not choose to join the existing groups. Trusts are to be encouraged to train Health Care Assistants to enable them to provide one-to-one support to the youngest mothers.

The 2008 Breastfeeding Awareness Campaign in Wales focuses on the youngest mothers who are the least likely to breastfeed their babies. One of the concerns of young women is the need to breastfeed in public. The Assembly Government's Breastfeeding Welcome Scheme encourages businesses and public bodies to display a sign to demonstrate their support for breastfeeding mothers. All libraries, museums and leisure centres in Wales are now participating in this Scheme. The National Assembly for Wales does not currently have legislative competence to make a measure in relation to this issue.

Our bilingual, interactive CD, 'Making Sense of Growing and Keeping Safe', has been provided for all maintained primary schools in Wales, to support delivery of the new PSE Framework. Local distribution, with training, is being led by local Healthy Schools Co-ordinators during this academic year. The responsibility for delivering effective sex and relationships education in schools rests with schools and Local Authorities.

The Welsh Assembly Government's Children and Adolescent Mental Health Services (CAMHS) strategy 'Everybody's Business' says that 'no child should be excluded from receiving a mental health service on the grounds of having a learning disability'. This is key to meeting the principles of accessibility, non-discrimination and social inclusion.

The report of the review of CAMHS provision, being undertaken by the Wales Audit Office and Healthcare Inspectorate Wales, should be completed in 2008. This review will assist the Assembly Government in planning future services for vulnerable children and young people.

Work has also begun on introducing a mapping template of NHS provision in Wales. The template will provide an annual on-line data collection system that builds descriptions of services and investment and tracks change year on year. Further mapping will ensure the continued development of the annual on-line data collection system, ensuring CAMHS mapping is maintained and expanded. The first year's findings will be published in 2008.

The Assembly Government has made a commitment in 'One Wales' and an additional £4.8 million - £1m in 2008-09 and £1.6m and £2.2m in successive years - has been allocated to CAMHS. This demonstrates the priority that the Assembly Government attaches to these services. In addition, some £6.5m has been allocated to counselling in schools over the same period.

CAMHS are provided by all sectors including the health service, local authority social services and education departments, schools and voluntary organisations. The mental health and well-being of children, especially the most vulnerable, is a priority for the Assembly Government. *Everybody's Business* established multi-agency ownership of CAMHS to help achieve a comprehensive approach to children's mental health and solving the problems encountered.

The Mental Health Act 2007 requires managers of hospitals to ensure that patients under 18 who are admitted to hospital with a mental disorder are accommodated in an environment that is suitable for the person having regard to their age. Both in Wales and England it is acknowledged that it is not possible to commence this provision immediately due to bed availability. The Assembly Government is working with commissioners to take forward this new legislative requirement.

## 15. Lesbian, Gay, Bisexual Young People

### Recommendation 17

The Welsh Assembly Government working with key statutory partners should:

#### a. SUPPORT

- Allocate sufficient resources to increase the number of support groups required to counsel those people 'coming out' as LGB, responsive to their life stage.

#### b. HOMOPHOBIC BULLYING

- Increase support for the implementation of anti-bullying strategies in Wales' schools and colleges, including roll out of Stonewall training materials.
- Include LGB issues in the Personal and Social Education framework in the National Curriculum, and monitor implementation in schools across Wales.

#### c. TRAINING

- Ensure that school counsellors and teachers are trained in understanding LGB issues, and are confident to discuss sexual identity and relationships and tackle homophobic bullying.
- Ensure there is mandatory equality training for school governors in Wales, prior to taking up duties and the extension of the duties placed upon School Governors in Wales to promote gender and race equality to include promoting LGB equality.

### Response

The Welsh Assembly Government is issuing new guidance on homophobic bullying in Spring 2009 and funded the translation of Stonewall's 'Spell It Out' DVD and the production of copies for all secondary schools in Wales.

The revised PSE curriculum, which will be in place from September 08, has a clear emphasis on respect for and sensitivity to differences between people. How successfully it embeds into schools will be the subject of Estyn monitoring.

The school-based counselling strategy identified sexual orientation and relationships as a key element of training and knowledge that counsellors in Wales will need to develop.

All local education authorities are duty bound by Section 22 of the Education Act 2002 to ensure that every governor is provided with information and training free of charge so that s/he can discharge his/her functions effectively. This legal duty would include any training and/or information that governors need to carry out duties placed on them by gender and race equality legislation, including any duties to promote equality in these fields. The proposal to make such training mandatory is therefore unnecessary because the legal basis for governors having training in these matters already exists.

## 16. Disabled Children

### Recommendation 18

The Welsh Assembly Government working with key statutory partners should:

- a. Review progress on the *NSF* and provide incremental milestones and allocate a budget to implement the standards for disabled children.
- b. Develop a process of gathering statistical data pertinent to disabled children and young people, particularly in relation to safeguarding, school exclusions, protection and care.
- c. Develop services to ensure that disabled children and young people are supported to be able to participate in a range of opportunities in their communities, and in play and leisure provision.
- d. Implement the Recommendations of the National Assembly for Wales' Education and Lifelong Learning Committee to improve transition services for disabled children and young people.
- e. Monitor local partnerships against minimum set standards to improve the support to families through increased home support and short breaks services, particularly for the children in most need.
- f. Develop a system to monitor the provision of services against assessed need to ensure that every disabled child has the appropriate equipment to enable them to participate in education, training, play and leisure.
- g. Give disabled children a statutory right to child development services from birth (or time of diagnosis).

### Response

A web based Self-Assessment Audit Tool (SAAT) has been developed as part of the performance management system for the Children's NSF for use by all statutory agencies that deliver services for children and young people.

Local Children and Young People's Partnerships use SAAT data to determine progress against implementing the NSF key actions and to share examples of best practice. It enables organisations to reflect on the systems and processes they have in place, identifying strengths, obstacles and areas for further development. The SAAT is completed annually in a cyclical process of ongoing review and re-evaluation.

A three yearly review of the NSF has commenced to ensure that standards and key actions within the NSF are still fit for purpose. Scoping of the review will begin in September 2008.

On funding for the Children's NSF, the standards and key actions cut across local partnership and service area responsibilities and the Assembly Government is committing resources to ensure improved access, equity and standards of provision

across a number of strategies and policies which will contribute to the delivery of the NSF 10-year strategy.

The Assembly Government attaches considerable importance to the needs of disabled children and their families, and Chapter 5 of the NSF is dedicated to disabled children and young people. The ethos is that disabled children and young people are entitled to be valued and have the same chance to succeed and participate in society as their non-disabled peers.

In December 2007, the Minister for CELLS pledged to work across portfolios to improve services for disabled children and young people. A Task Group, 'Rights into Action for Disabled Children and Young People in Wales', has been set up comprising members of the voluntary sector and senior officials to advise Ministers and take work forward.

Local authority expenditure on disabled children is estimated to be some £46 million annually. Estimated expenditure by the NHS is almost £16 million. A non-recurrent grant of £1.54 million was made available by the Assembly Government to local authorities in 2007-2008 to promote short breaks for families who have children with disabilities. Subject to the monitoring of that grant and the advice of the Task Group, the Assembly Government will decide how best to target resources in 2008-09 and beyond. In addition Ministers have agreed to a joint clause in the Children & Young Persons Bill to place a legal duty on local authorities to ensure that there is sufficient provision for short break services for disabled children in their area.

Key Action 5.2 of the NSF states that disabled children and young people have equity of access to play and leisure services, including holiday play schemes, after school clubs and pre-school provision, with appropriate support if necessary. SAAT data indicates that the statutory agencies are making progress towards enhancing play and leisure services for disabled children and young people. In addition £1 million has been made available in the Cymorth budget for 2008-09 onwards to advance access and development of play and leisure services for disabled children and young people.

Already some of this data is collected centrally by Assembly Government: a prime example would be to do with school exclusions. As to the other elements this is a developing area of concern and one where data collection is either already in train or being given serious consideration, including in the areas of safeguarding and protection and care.

In relation to information collected on social services forms, we will raise the issue with the Technical Working Group for Social Services Statistics in Wales (TWG). The TWG will be asked to consider whether the current sources of information on disability are adequate, and if not what the highest priority for improvement is.

In December 2006 an additional £1million was announced to support more play facilities for disabled children. All Children and Young People's Partnerships responded positively to this additional allocation to their Cymorth grant in 2007-2008. This funding for play for disabled children is continuing over the three years of the new budget. Partnerships have embraced this additional funding. Activities were

varied and showed an imaginative use of funds. This funding for disabled play has been used to take forward a key action within the National Service Framework: that Disabled children and young people have equal access to play and leisure services, with appropriate support if necessary.

Phase 3 of the former Education Lifelong Learning and Skills Committee Review of Special Educational Needs focussed on children and young people moving on from school to further education or work. In total, the Committee put forward 47 recommendations, the vast majority were accepted by the Assembly Government.

We have now drawn together an External Strategic Reference Group (which comprises representatives from Education, Health, SSD's, FE, HE, employers' organisations as well as Careers Wales and Skills Wales), to consider how we can take the main recommendations forward in a meaningful way. The first meeting of the group was held in October 2007 and in the following three since then, a number of sub groups have been established with a remit to develop action plans to take the different strands of this issue forward.

One of the key recommendations of the former ELLS Committee Review was the appointment of transition key workers (TKW) and we are delighted to have already secured £500k for each of the three years from 2008-09 onwards to appoint a number of additional key transition workers and are working with WEFO and YALO colleagues to secure ESF match funding (from 2008-09 onwards) to further develop their role to support children and young people moving from school to further education and work. We have asked the Care Co-ordination Network UK (the leading networking organisation promoting and supporting key working for disabled children and young people and their families in England and Wales) to manage the recruitment process and the development of training and support structure on our behalf.

The Assembly Government's strategy for vulnerable children will be predicated on early intervention and support for families. We have provided grant funding to local authorities for 2 years from 2007/08 to provide early support to vulnerable children and their families and are part funding a support care development worker within the Fostering Network to promote the use of support care.

We will continue to monitor expenditure under Cymorth and ensure partnerships justify a reduction of more than 10% in the theme "Play, leisure and enrichment". Partnerships are also being asked to report towards the end of June 2008 the impact the play projects for disabled children and young people have had in 2007-08.

In 2008-09 an additional £225,000 is being provided for the development of changing facilities for children and young people with disabilities, to allow them to fully participate in wider sport and leisure experiences. The task group Rights into Action for Disabled Children and Young People are currently looking at how to strengthen guidance in this area for 2009-10. An additional £1million was distributed through the Cymorth grant to support more play facilities for children with disabilities. This funding is to continue for a further three years.

The National Service Framework for Children, Young People and Maternity services in Wales acknowledges that disabled children and their families will need particular support from health, education and social services, including early diagnosis or identification of difficulties and early and effective intervention. They will also need support from housing, transport and leisure services. Services designed to maximise the development of a disabled child should include a timely assessment of each child's needs and strengths, including diagnosis, if and when appropriate and services should be delivered collaboratively and promptly to meet those assessed needs.

## 17. Child Poverty

### Recommendation 19

The Welsh Assembly Government working with key statutory partners should:

- a. Establish mechanisms to measure both severe and persistent poverty and target resources at those most in need.
- b. Child poverty proof all government policy (to be extended to local authorities and all public bodies).
- c. Give consideration to the transport, play and recreational needs of children living in rural communities and non-government targeted urban areas.
- d. Take steps to address the lack of affordable housing in Wales and improve the current housing stock.

### Response

The Welsh Assembly Government uses the UK Government's measure of poverty. Beyond 2004-05 the UK Government is measuring progress on child poverty using three indicators: absolute low income (60% of 1998/99 median income up rated to take account of inflation), relative low income (60% of current median income) and relative low income and material deprivation combined (70% of current median income and materially deprived). The Government's long-term measure of child poverty was developed through extensive consultation led by Department of Work and Pensions.

In September 2008, the Assembly Government will be producing a Child Well-being Monitor for Wales, to track the quality of life of children and young people in Wales across a range of dimensions, including child poverty. The Monitor will be the vehicle by which the Assembly Government measures its progress towards meeting its child poverty milestones and targets.

Under the Assembly Government's New Ideas Fund (which supports small research projects with up to £10,000) funding was approved for Save the Children (Wales) to undertake a scoping study to investigate the circumstances of children living in the most severe and persistent poverty in Wales and then to consider the most effective policy solutions for the Assembly Government and its partners to adopt to tackle child poverty at this level. Save the Children (Wales) worked on this project with partners, the Bevan Foundation and New Policy Institute. The final report has now been completed. Assembly Government Ministers and officials are now considering its findings carefully in the wider context of the development of new policies.

There is also an exercise underway that is intended to identify spend across Assembly Government Departments on child poverty issues. This will be invaluable in assessing the amount of resource currently aimed at tackling the issue.

In the most recent review of the Assembly Government's Policy Gateway tool in 2007, the Child Poverty Team was consulted on an appropriate child poverty

proofing question. A question was agreed and added to the Tool. The Tool is currently being revised to reflect 'One Wales'. Further meetings have been held with Strategic Policy Unit to ensure that the current revisions to the Tool incorporates questions to positively benefit children in low income families. Tackling child poverty is integral to the new Tool and all new programmes will be 'proofed' to ensure that they provide positive benefits to the poorest children.

Ensuring the rest of the public sector prioritises child poverty is a priority. Hence the 'One Wales' commitment to *establish a duty on public agencies to make and demonstrate their contribution to ending child poverty*. Using the Assembly Governments new powers to legislate to establish a duty on public agencies to make and demonstrate their commitment to ending child poverty. The Assembly Government intends to meet this commitment using new measure making powers provided from the draft Vulnerable Children and Child Poverty Legislative Competence Order (LCO) laid on 9 July 2007. The new legislative process can be lengthy and in the shorter term the Assembly Government will develop a voluntary agreement to commit to joint action on child poverty, in full consultation with the sectors concerned, to ensure that public agencies prioritise child poverty. The consultation on the joint agreement closed on 30<sup>th</sup> September 2008 and work is currently underway on the process of signing the agreement.

A number of public agencies have already been working to take action on child poverty. For example, using Assembly Government funding, two local authorities – RCT and Gwynedd – are taking part in a 2 year pilot project led by Save the Children and the WLGA to ensure that action on child poverty is at the top of the list of priorities for local government.

Rural Policy Unit are in the process of developing detailed rural proofing guidelines that will ensure all new Assembly policies/programmes including those that affect children and young people will take into consideration the special needs and circumstances of people living in rural areas. In particular we want to ensure that children and young people living in rural areas do not suffer as a direct result of their location, where the limited availability of public transport and poor access to key services and centres are a common problem.

We made a commitment in 'One Wales' to increase the supply of affordable housing by at least 6,500 homes by 2011, and are taking a number of steps to ensure that is achieved. This includes the introduction of Affordable Housing Delivery Plans, increased resources for the Social Housing Grant Programme, the preparation of best practice guidance on the use of planning obligations to provide affordable housing, and the provision of training for local authority staff and members on the use of such delivery mechanisms. We remain committed to ensuring that all social housing meets the Welsh Housing Quality Standard and that this standard is maintained thereafter.

We are also tackling fuel poverty via the Home Energy Efficiency Scheme. The budget for the scheme in 2007/08 was £19.6m and over 93,000 households have received assistance since 2000.

## **Recommendation 20**

The Welsh Assembly Government should *[in relation to youth homelessness]*:

- a. Increase investment in homelessness, support services and safe house provision, which need to be routinely available and easily accessible.
- b. Place a statutory duty on local authorities to provide early intervention and quality mediation services.

## **Response**

The Welsh Assembly Government has increased its funding for homelessness services by over 1000% since 1998, and now funds 170 projects across Wales. Many of these projects focus on tackling youth homelessness, and the Deputy Minister for Housing recently announced funding for a range of new projects including family mediation services and work with young offenders.

We are preparing a plan to confront homelessness across Wales over the next 10 years. This will directly address the issue of youth homelessness, and set the agenda for how we prevent this wherever possible. The first priority will be on promoting effective partnership working and planning to make best use of existing resources. We will want to promote good practice in this area, but would only introduce new legislation after careful feasibility assessment and consideration of any additional burden on local authorities.

## 18. Education

### Recommendation 21

The Welsh Assembly Government working with key statutory partners should:

#### a. GENERAL

- Deliver its ambitious vision of increased achievement and reduced inequalities in education for all children in Wales.
- Strengthen early intervention, with a focus upon enhancing support for parents and integrating multi-agency responses within local education authorities and schools.
- Focus on improving standards, support and delivery targeted at those most disadvantaged and underachieving in school.
- Hold local education authorities and schools to account on delivering reduced inequality in education across Wales.
- Continue the strong level of investment, ensure that additional funding is targeted on reducing educational inequalities and is integrated with that of other departments.

#### b. CHILDREN'S RIGHTS

- Continue to promote participation in schools with strong emphasis on excluded groups and expand participation to areas such as recruitment of teachers, curricula, school performance and inspections.

#### c. EXCLUSIONS

- Require local education authorities to take all necessary measures to minimise both formal and informal exclusions, and ensure that the quality of provision for excluded pupils is equal to mainstream education.

#### d. INEQUALITIES

- Require local education authorities and schools to continue to focus on early intervention and holistic responses.
- Ensure the effective implementation of Recommendations to increase educational achievement in *Learning Country: Vision into Action*, *Narrowing the Gap* and the *Child Poverty Strategy* through scrutiny and monitoring of LEA and school performance for disadvantaged pupils.

#### e. DETENTION AND EDUCATION IN CARE

- Ensure the effective implementation of the *All Wales Youth Offending Strategy* and the realisation of equal rights to education in detention and continued support on return to the local community.
- Strengthen the support for looked after children and hold local authorities to account for educational provision for looked after children.

#### f. BULLYING

- Take all necessary measures to ensure LEAs and schools implement effectively anti-bullying policies within schools.
- Survey children's experiences of bullying in Wales annually.

#### g. CURRICULA

- Take measures to ensure effective delivery of the PSE Framework within schools.
- Develop and embed the principles of the UNCRC across the curriculum and in initial teacher training programmes.

#### h. TEENAGE MOTHERS

- Strengthen the support for local authorities to improve provision for parents and hold local authorities to account to deliver quality provision.

### Response

The Welsh Assembly Government is working to deliver its ambitious vision of increased achievement and reduced inequalities in education through a number of key policy strands designed to raise the attainment bar for all children and young people and reduce the difference in performance between different groups. The Assembly Government will use, and encourage schools and local authorities to use, statistical analysis to identify where resources and interventions should be targeted and to measure progress.

Key policies to help reduce inequalities will be delivered through the Assembly Government's recently-launched **School Effectiveness Framework**. This is designed to ensure all our schools become effective places of learning. The Framework is based on tri-level reform – that is schools, local authorities and the Assembly Government working together and aligning their programmes to improving the wellbeing and learning of children and young people.

School effectiveness requires an ethos where ALL children and young people are expected to achieve a personal standard of excellence. Schools need to work both in developing their own and interdependent approaches to effectiveness, capturing

existing good practice and knowledge and finding new solutions to old and emerging challenges. This will maximise future opportunities and support the creation of a high performance culture.

**14-19 Learning Pathways** will extend the routes through education for young people to better reflect their strengths, preferences and ambitions.

We are presently consulting on the Learning and Skills (Wales) Measure 2008. The provisions sought within the Measure will provide for a legal framework to be put in place that will reflect Learning Pathways 14-19 policy. The primary purpose of the Measure is to create a right for learners aged 14-19 in Wales to elect to follow a course of study from a local area curriculum (options menu).

The Welsh Assembly Government's **RAISE** programme has made approximately £14.5 million a year available to those schools serving the most disadvantaged areas of Wales, since April 2006. Under the same programme, another £1 million a year has gone to local authorities to support the education of looked-after children. This has enabled schools to improve resources to address the needs of pupils currently at school. More significantly, it has also allowed schools to explore ways of main-streaming more radical approaches to addressing the link between socio-economic disadvantage and low educational attainment. Working with regional consortia of local authorities, the Assembly Government has disseminated the good practice emerging from the programme through regional and national events and the development of a RAISE website.

A continuing focus is maintained on pupils from minority ethnic backgrounds. They are often disadvantaged, particularly when having to learn English as an additional language, and certain pupil groups consistently under-achieve. These include Gypsy Traveller pupils who, for a range of reasons, including interrupted learning and brief school careers, are the lowest achieving. Significant funding backs the Assembly Government's commitment to help all children and young people reach their full potential - £10million in 2008-09. Close links have been forged with LEA practitioners leading on ethnic minority achievement, and charities, including Save the Children, and other departments across the Assembly Government. An Ethnic and Cultural Diversity sub-group of a Ministerial Advisory Group contributes to policy development.

The Assembly Government's Pupil Participation Project has sent out a questionnaire to all schools in Wales to gather information about how inclusive and representative school councils are. The data from this research will be analysed and made public. We will also undertake some targeted research regarding the barriers to participation, particularly amongst marginalised groups, and act on the recommendations.

We will define what we mean by "good practice", and re-write the information available to pupils, staff and governors to give more detailed guidance about how to develop real participation in areas such as recruitment, curriculum, teaching and learning and key policies, with accompanying case studies.

These issues will also be addressed in the National Behaviour and Attendance Review the report of which was published in May 2008. The Welsh Assembly Government will be producing an action plan in response to the report early in 2009.

One of the overarching 'Principles for Co-operation' in our planning guidance *Shared Planning for Better Outcomes* is the need for preventative services. As regards "holistic", the guidance on Core Aim 2 puts forward the objective that all children and young people should engage in full-time education; have any barriers to learning identified early and removed; reach their full potential; continue in purposeful formal and informal education training or employment to age 19; and achieve social and economic well being.

The Assembly Government remains totally committed to increasing educational attainment among all children and young people in Wales, whatever their background or circumstances. We monitor Estyn inspection reports on schools causing concern and schools in need of significant improvement, and where necessary use intervention powers. We also evaluate the performance of LEA services in the light of Estyn inspections. In February 2008 we published 'School Effectiveness Framework: Building effective learning communities together'. The School Effectiveness Framework (SEF) is based on the principles of tri-level reform, ie government, local authorities and schools working together collaboratively to bring about systems change. The overall aim of the SEF is to improve educational experiences and life-chances for all children and young people.

Implementation of the All Wales Youth Offending Strategy is ensured by quarterly meetings of the Wales Youth Justice Committee, which is jointly chaired by the Assembly Government and the Youth Justice Board. This Committee comprises senior representatives of all relevant youth justice agencies as well as officials from health, housing, education and social services divisions within the Assembly Government. The Committee has overseen the setting of challenging objectives and targets each year since 2004 and there has been considerable success in meeting these. It has now been agreed that joint work with the Youth Justice Board will be taken forward this year with the aim of more sharply focussing these objectives in the future.

Local authorities have a statutory duty under the Children Act 2004 to promote the education of looked after children. The Assembly Government's strategy for vulnerable children will include a number of proposals to improve the education of looked after children and care leavers including proposals to place the role of 'designated teacher' on a statutory footing to require local authorities to provide a £2,000 bursary for care leavers going on to higher education.

The Welsh Assembly Government will be producing new guidance in Spring 2009 for schools and authorities on homophobic, racist, and cyber bullying and bullying of children with disabilities. A self-evaluation tool has been piloted and this will be made available to all schools in November 2008. The Assembly Government hosted two conferences on 14<sup>th</sup> and 16<sup>th</sup> October 2008 and the fourth annual anti-bullying week will be held in November 2008.

The Assembly Government is commissioning research into incidents of bullying in Wales which will act as a baseline for future years and allow an assessment of the nature of the problem and progress in tackling it.

The effective delivery of the PSE Framework is the responsibility of schools in partnership with their local authorities. This will be supported by the new PSE website which has been positively received by practitioners and by continued funding for initiatives such as the All Wales Police Liaison Core Programme which is currently being revised to reflect the new curriculum.

The position on initial teacher training (ITT) is as follows:

- All accredited institutions providing courses of ITT must design the content, structure and delivery of training to enable trainee teachers to demonstrate that they have met the Qualified Teacher Status (QTS) Standards. The QTS Standards are outcome statements that set out what trainees must know, understand and be able to do at the end of an ITT course in order to gain QTS and thus be able to work as a qualified teacher.
- The QTS Standards allow providers autonomy in deciding how they will organise their training and respond to individual trainees' needs. They do not set an ITT curriculum, nor do they specify how training should be organised or run.
- There is no separate ITT curriculum. But to gain QTS, trainees must demonstrate, amongst other things, that they have a secure knowledge and understanding of the subject(s) they are trained to teach, including the relevant school curriculum; and that they can teach the required or expected knowledge, understanding and skills relevant to the curriculum for pupils in the age range for which they are trained. As relevant to the age range they are trained to teach, they must be familiar with the PSE Framework.
- To the extent that the principles of the UNCRC are included across the school curriculum, they will be covered in ITT - as providers have to ensure that knowledge and teaching of the relevant curriculum, including the PSE Framework, is incorporated in ITT in order to ensure that trainee teachers demonstrate that they have met the QTS Standards.
- Any further action by the Welsh Assembly Government to develop and embed the principles of the UNCRC across the curriculum would thus similarly be covered in ITT. Separate, additional, changes to ITT are unlikely to be required.

Two of the main themes within Cymorth (the Children and Youth Support Fund) are 'Family Support' and 'Health Promotion'.

Family Support aims to ensure families have access to support that will foster positive relationships between parents and children whilst Health Promotion promotes the healthy development of children, including before birth, and young people by providing more intensive community health support, or to break down

barriers to mainstream health services. Through these themes we continue to provide support to families and also link in to the wider social inclusion agenda by providing support to parents in the most disadvantaged communities. Cymorth will continue to deliver projects aiming to give young people the knowledge they need to make informed decisions about parenting.

## 19. Play

### Recommendation 22

The Welsh Assembly Government working with key statutory partners should:

- a. Commit itself to maintaining a momentum to deliver to its strategy targets and in due course commission a five-year review of the national play strategy.
- b. Place a statutory duty upon local authorities to protect and develop sufficient playable spaces in every community in Wales and to meet all children's play needs.
- c. Put in place a coherent public education programme to ensure that the developmental play needs of children are recognised for their critical importance to society and its future.
- d. Commission in-depth research:
  - A comparative analysis of respective access to playable spaces and take up of play opportunities for all children, including in particular, disabled children and BME children.
  - A longitudinal study into the benefits of providing children with wider opportunities for play.

### Response

It has been two years since the Welsh Assembly Government published its Play Policy Implementation Plan. Since then they have continued in their commitment to develop Play in Wales. A Monitoring Group has also been established to oversee the practical delivery of the plan.

The Welsh Assembly have awarded a contract to York Consulting to develop Standards and Guidance on Play for local authorities and they will consult widely with children and young people as part of this process.

Throughout the Play Policy Implementation Plan, the Assembly fully recognise the importance that all children and young people should be given every chance to access play to fulfil their potential. The Assembly Government remains committed to play and implementing the actions outlined in the plan.

The Assembly have now agreed with York Consulting that the contract to develop Standards and Guidance on Play for Local Authorities is closed. As a result of this, they have been in discussions with our Procurement Division and will be putting this contract back out to tender.

The play plan is inclusive of all children and young people. When developing the new contract to develop standards and guidance on play, the Assembly will still wish to consult widely with children and young people in developing these. They recognise that children and young people want places to meet up and to socialise and play.

Their views are an important part of the process of developing play opportunities in Wales.

In June 2008 the Assembly Government launched a public consultation "Taking Action on Child Poverty" proposing new legislation for Wales. One of the new duties on local authorities put forward is to ensure adequate access to play for all children and young people. This can embed existing excellent work funded by Assembly Government grants promoting the understanding of children and young people's play and the creation of local strategies.

A new duty to ensure adequate access to play may go wider than providing play facilities such as fixed equipment or staffed schemes. In the promotion of play the new legislation will allow for the creation of statutory guidance and national minimum standards. The Assembly are already developing guidance and national standards on play.

Action 18 of the Play Policy Implementation Plan states that the "Assembly Government will continue to ensure that play is recognised as a means of providing enjoyable psychological and physical activity for all children and will commission research in Wales on the psychological benefits of freely chosen play". Regrettably it has not been possible to achieve all the action stated in the play plan within the names timescales. However, the Welsh Assembly Government will remain committed to implementing these and are actively ensuring their delivery.

The main funding for play is through Cymorth – the Children and Youth Support Fund. 'Play, leisure and enrichment' is an integral theme within this fund. Cymorth is administered through Children and Young People's Partnerships in each local authority area, and funding is distributed to meet local needs and priorities. Partnerships are also reporting back as to the impact of the play projects for disabled children and young people in 2007-2008. The Welsh Assembly Government will have a clearer picture once all reports are provided.

## **20. Refugee and Asylum Seeker Children**

### **Recommendation 23**

The Welsh Assembly Government working with key statutory partners should:

- a. Ensure asylum-seeker children and young people have access to all basic services specifically education, health and mental health.
- b. Fund specialist independent advocacy for separated children as a step towards establishing a system of guardianship for all separated children.

### **Response**

The Minority Ethnic Achievement Grant supports Asylum Seeker pupils aged 3 to 18 and they attract the highest weighting under the funding formula to recognise their special needs and the fact that LEAs must provide funding for their uniforms, meals, transport and interpretation costs.

It is also recognised that access to Further and Higher Education can be difficult for refugees and asylum seekers, not least because of the level of fees, and guidance clarifying the rules on this is being prepared for students and institutions.

The Refugee Inclusion Strategy (forthcoming) states the following: to ensure the needs of refugee/asylum seeking children and young people are met, Welsh Assembly Government will work with partners in local government, local health boards, social services, the Wales Consortium for Refugees and Asylum Seekers, Clic Online, DeNIAS and the voluntary sector to:

- Establish a specialist all Wales resource that can supply information and advice to those providing services to refugee/asylum seeking children and young people.
- Put in place arrangements to collate and share existing administrative data and derive new data on the population of refugee/asylum seeking children and young people in order to better inform future policy and to better direct resources.
- Establish a dedicated resource within the Welsh Assembly Government who will act as a point of reference for the development of refugee and asylum seeking children and young people's policy.
- Develop a Welsh Assembly Government protocol setting out standards and expectations for the assessment of asylum seeking and refugee children and young people, paying particular attention to language issues and the circumstances of unaccompanied children.
- Develop specialist advocacy services for asylum seeker and refugee children as part of the current Welsh Assembly Government review of advocacy provision across Wales.

- Develop a programme of targeted health protection and health promotion measures to meet the needs of asylum seeking and refugee children, linked to improved assessment practice.

The Welsh Assembly Government will also continue to work with the UK government to ensure UNCRC derived principles underpin children's policies and programmes in Wales in the field of asylum and immigration.

The Assembly Government funded the Welsh Refugee Council to provide specialist advocacy to unaccompanied asylum seeking children in 2007/08. We are currently pursuing longer term funding arrangements with the Home Office.

## 21. Roma, Irish and Gypsy Travellers

### Recommendation 24

The Welsh Assembly Government working with local authorities and other key statutory partners should:

- a. Implement without delay all the Recommendations of the National Assembly for Wales' *Review of Services for Gypsies and Travellers*.
- b. Provide support, training and monitoring to ensure schools and local authorities comply with anti-bullying guidance.
- c. Resource the delivery of models and approaches that can effectively engage and sustain Gypsy and Traveller children and young people in education.
- d. Establish specialist support structures for involving young Gypsies and Travellers in policy and service development at a national and local level.
- e. Establish a national practitioners network, which can feed into national policy and service development.

### Response

In January 2007, a dedicated Gypsy Traveller Unit was established to, amongst other things, take forward the recommendations outlined in the 'Review of Service Provision for Gypsies and Travellers'. Many of these have been met.

For example:

- The words Gypsy and Traveller are capitalised in official use (Recommendation 1).
- The Caravan Count has been reintroduced (Recommendation 3).
- Sections 225 and 226 of the Housing Act 2004 have been commenced to place a duty on local authorities to undertake an accommodation needs assessment of Gypsy Travellers and plan for these (Recommendations 7 and 9).

The outstanding recommendations will be addressed in the All Wales Gypsy Traveller Strategy which will be produced in draft form in 2009.

We issued anti-bullying guidance to schools in September 2003. Last year we developed a self assessment tool to help schools revise their anti-bullying policies. Eight schools in each local council area have taken part in a pilot exercise to test out the tool, and which will be made available to schools in November 2008. The self-assessment tool highlights the need for schools to regularly monitor and review their policies.

The Grant for Traveller Education, amounting to £900,000 in 2008-09, supports specialist LEA Gypsy Traveller education services which cater for the very special needs of this learner group. New guidance has recently issued 'Moving Forward Gypsy Traveller Education' which promotes best practice. An all-Wales Forum of Gypsy Traveller Education Co-ordinators is supported for consultation, sharing best practice and mutual support; Save the Children (Wales) are part of this network.

The Gypsy Traveller team worked with Save the Children to produce a DVD "Travelling Ahead" which gave a voice to children and young people from the Gypsy Traveller community in Wales. The DVD provides a platform for young people from the community to discuss their hopes and aspirations for the future and issues that affect them including health, education and accommodation.

In March 2008, the Gypsy Traveller team also funded the EHRC's Croeso project at the Senedd which focussed on Gypsy Travellers. The children and young people who had contributed to the DVD participated in the event and put questions to the Minister.

In 2008/09 the Gypsy Traveller team agreed to part fund a Gypsy Traveller Coordinators post through the Inclusion Grant to be based with Black Voluntary Sector Network Wales to work with the Gypsy Traveller community, including young people, to ensure that the community was involved in the development of Site Design and Site Management Good Practice.

The Gypsy Traveller team will also be consulting the Gypsy Traveller community on the development of the Gypsy Traveller Strategy.

## **22. Sexual Exploitation and Trafficking**

### **Recommendation 25**

The Welsh Assembly Government should:

- a. Provide ring fenced funding to protect and respond to the needs of children and young people up to the age of 18 years who are at risk of or who are abused through child sexual exploitation.
- b. Advise local authorities that the use of secure accommodation is an inappropriate and ineffective response to child sexual exploitation.
- c. Deliver appropriate mechanisms and ensure high quality training of professionals for the identification of trafficked children and provide specific support services for trafficked children who are the victims of child sexual exploitation.
- d. Ensure adequate data collection so we can develop a true picture of the extent of child trafficking in Wales.

### **Response**

There are a range of programmes and policies aimed at providing support for children. Cases of sexual exploitation will frequently require a multi-agency response and this could include non-devolved agencies. Ring fencing is not appropriate as resources may be provided through a number of funding channels.

Work is being taken forward on the preparation of new guidance on safeguarding children who may be abused through sexual exploitation. The Assembly Government will take account of this report in producing that guidance.

The Assembly Government has recently issued guidance on trafficking issues for consultation and is presently preparing a final draft for approval by Ministers prior to publication.

Both sets of guidance will be directed at members of Local Safeguarding Children Boards and professionals working in member agencies. Data collection needs will be considered in the further development of the guidance, but obtaining reliable information/data will be difficult because of the very nature of trafficking.

## **23. Summary and Conclusions**

The Stop, Look Listen report (and the interim report Righting the Wrongs), have identified a wide number of issues to be considered at a UK and Welsh Assembly Government level. The responses provided in this report give an indication of the Welsh Assembly Government's perspective in response to the issues raised by the Recommendations.

The responses to the recommendations provided in this report, indicate that much progress is being made on the implementation of rights under the UNCRC in Wales and that action to address the issues raised is well underway. However, it is clear that although Wales has started on the right road, a considerable amount of further work is required to ensure that the UNCRC is fully realised and embedded in a Welsh context.

The Welsh Assembly Government will continue to work closely with its partners and key stakeholders and with children and young people to address these issues and move the agenda forward. This will build on the firm foundations that have been set in place in Wales and are demonstrated in this report.

A key component of future action will result from the response to the concluding observations of the UNCRC Monitoring Committee to the UK State party. The development of an action plan and agreed priorities for Wales will follow on from a planned conference for partners and stakeholders towards the end of the 2008-09 financial year and will ensure that we are working together to take the agenda forward over the next 5 years.