

Agenda – Children, Young People and Education Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: Thursday, 20 July 2017

Meeting time: 09.30

For further information contact:

Llinos Madeley

Committee Clerk

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Pre-meeting (09.15 – 09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Cabinet Secretary for Communities and Children – general scrutiny session

(09.30 – 11.00)

(Pages 1 – 30)

Carl Sargeant AM, Cabinet Secretary for Communities and Children

Jo-Anne Daniels, Director – Communities & Tackling Poverty

Albert Heaney, Director of Social Services and Integration

Research Brief

CYPE(5)-23-17 – Paper 1 – Welsh Government



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

3 Paper(s) to note

Letter from the Chair to the Minister for Lifelong Learning and Welsh Language – Youth Work

(Pages 31 – 32)

CYPE(5)-23-17 – Paper 2 – to note

Letter from the Minister for Lifelong Learning and Welsh Language – Additional Learning Needs Transformation Programme

(Pages 33 – 34)

CYPE(5)-23-17 – Paper 3 – to note

Letter from the Chair to the Cabinet Secretary for Health, Well-being and Sport – Revised School Nursing Framework

(Page 35)

CYPE(5)-23-17 – Paper 4 – to note

Letter from the Llywydd – Implementation of the Wales Act 2017

(Pages 36 – 38)

CYPE(5)-23-17 – Paper 5 – to note

Statement by the Children's Commissioner for Wales – the Concluding Observations of the UN Committee on the Rights of the Child

(Pages 39 – 41)

CYPE(5)-23-17 – Paper 6 – to note

Letter from the Llywydd and Chair of Business Committee – Programmimg forthcoming legislation

(Page 42)

CYPE(5)-23-17 – Paper 7 – to note

Statement from the Wales UNCRC Monitoring Group – first official anniversary of the United Nations Committee on the Rights of the Child

(Pages 43 – 45)

CYPE(5)-23-17 – Paper 8 – to note

4 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the meeting for the remainder of the meeting.

(11.00)

Break (11.00 – 11.10)

5 Consideration of the Financial Guidance and Claims Bill Legislative Consent Memorandum

(11.10 – 11.20)

CYPE(5)-23-17 - Paper 9 – private

6 Welsh Government draft Budget 2018–19 – consideration of approach

(11.20 – 11.30)

(Pages 46 – 50)

CYPE(5)-23-17 – Paper 10 – private

7 Letters from the Llywydd – Programming forthcoming Legislation and implementation of the Wales Act 2017

(11.30 – 11.40)

CYPE(5)-23-17 – Paper 11 – private

Document is Restricted

Evidence Paper to Children, Young People and Education Committee: General Scrutiny Session, Thursday 20 July 2017

The purpose of this paper is to update the Committee on a number of areas within the Communities and Children's portfolio, including on relevant recommendations made by the Committee during the Fifth Assembly. These are set out below.

In terms of context, my aim for the portfolio is to create safe, cohesive and resilient communities where people can live, work and bring up their children with confidence in their future. We are taking a fresh approach to tackling deprivation by focusing on the root causes of poverty, intervening at an early stage to enable children to lay the basis for lifelong health and prosperity. We will also help increase prosperity by tackling obstacles to employability and sustained employment while improving access to secure, efficient and affordable homes.

The Welsh Government's Response to the UN Committee on the Rights of the Child's Concluding Observations

At the hearing in Geneva last year, the UN Committee on the Rights of the Child took note of Wales' progress, for example with the Together for Children and Young People programme in improving mental health, and efforts on coordinating a better response to child sexual exploitation, and also praised how the right to play is promoted. No formal response has been made to the Committee to date and this is for the UK Government to lead on, as the State Party. However, I issued a press release immediately following the publication of the Concluding Observations and intend to issue a Written Statement on 12 July, highlighting Wales' progress against the recommendations in this first year. Meanwhile, officials meet regularly with colleagues in Northern Ireland, Scotland and England to discuss children's rights and taking forward the 2016 recommendations. Internally, we share the recommendations across government to ensure we keep abreast of developments with each of the recommendations. We also continue to engage with key children's rights stakeholders through the Children's Rights Advisory Group, to develop a plan of action to take forward the Concluding Observations.

For those areas where powers are devolved, progress has already been made. Reinforcing this Government's commitment to positive parenting and to children's rights, we are committed to taking forward legislation that will remove the defence of reasonable chastisement. Last October, the Assembly Commission announced plans to establish a Welsh Youth Parliament and is currently consulting on this. We are also investing in quality childcare as we know this supports families with employment choices. We know that enabling parents to access employment improves families' prospects and reduces poverty. Side by side, we will work with the sector to ensure quality provision which is sustainable and provides children with the best start in life. We continue to work with the UK Government to ensure that the needs and outcomes of children, young people and families in Wales are considered.

The Child Poverty Strategy

We are taking a whole government approach to prosperity for all, where it is no longer the sole responsibility of any single Minister. The Cabinet Secretary for Economy and Infrastructure has overall responsibility for the coordination of cross-cutting measures to promote economic opportunity and individual Cabinet Secretaries lead in their respective portfolio areas. Tackling child poverty is a vital element of the Communities and Children's portfolio.

Our 2015 child Poverty Strategy sets out five strategic objectives which are:

1. To reduce the number of families living in workless households, as children living in workless households are particularly at risk of living in poverty.
2. To increase the skills of parents and young people living in low-income households so they can secure well-paid employment and in-work progression, as in-work poverty is a growing issue.
3. To reduce the inequalities which exist in the health, education and economic outcomes of children and families by improving the outcomes of the poorest. Preventing poverty is fundamental to our long term vision for supporting low income households.
4. To use all available levers to create a strong economy and labour market, which supports the tackling poverty agenda and reduces in-work poverty in Wales.
5. To support families living in poverty to increase household income through debt and financial advice, action to address the "poverty premium" (where households pay disproportionately more for goods and services) and action to mitigate the impacts of welfare reform.

The objectives are based on what the evidence tells us around where we can have most impact, in terms of improving outcomes for low income families. They also reflect the policy levers available to the Welsh Government. The strategy also identifies five key priority areas where we can do more with the levers available to the Welsh Government to improve outcomes for low income households in the here and now. These areas are childcare, housing and regeneration, mitigating the impacts of welfare reform, in-work poverty and food poverty.

Ambition to Eradicate Child Poverty

Last December, we recognised that Welsh Government would not be able to deliver its ambition to eradicate child poverty by 2020. This ambition depended heavily on the actions of the UK Government and wider UK economic circumstances.

The fiscal powers over the welfare system which are needed to bring about any significant change in levels of child poverty, do not sit with Welsh Government, so we need to focus on what we can achieve with the levers we have available. However, our ambition to eradicate child poverty is not in doubt and our 2010 Children and Families (Wales) Measure will continue to provide the legislative framework for tackling child poverty in Wales. As you are aware, this places a duty on Welsh Ministers and named public bodies to set objectives for tackling child poverty.

Both Adverse Childhood Experiences (ACEs) and child poverty can have an impact on outcomes for children, but they are not the same thing. Sometimes ACEs, such as parental conflict and separation, poor mental health and substance misuse, can have an impact on levels of poverty. Dealing with ACEs is therefore a fundamental strand of our approach to tackling child poverty and building the resilience of children and young people. Work on ACEs will be taken forward alongside actions which support the delivery of the objectives of the Child Poverty Strategy. However, ACEs are not limited to those living in poverty, which is why programmes such as Families First are so important, with their universal availability. Early intervention and promoting positive parenting are key to tackling neglect. Our programmes such as Flying Start and Families First, together with our Parenting: Give it Time campaign, are aimed at providing parents with the tools to give their children the best start in life.

The New Approach to Building Resilient Communities

We recognise the many individual success stories attributed to Communities First but it has not had an impact on overall poverty levels in Wales, which remain stubbornly high. Change is difficult but we must take the tough decisions to deliver a new approach which deals with the root causes of poverty and which is not limited by postcode.

We are taking a whole-government approach to building resilient communities. This is focusing on the three key areas of early years, employment and empowerment: developing communities that can offer children the best start in life; communities that are ready and able to work; and communities that are empowered and engaged, as well as being safe and strong.

Prosperity brings security to individuals, families and communities. Resilient communities need to be underpinned by good quality local employment, connected infrastructure and skills for work. Communities for Work and Lift are key employability support programmes targeting our most deprived communities. PaCE complements this by delivering its services to parents across the rest of Wales. To date the Communities for Work, PaCE and Lift programmes across Wales have supported over 11,000 individuals with over 3,500 entering employment, ahead of their targets.

The Work of the Ministerial Advisory Group on Improving Outcomes for Looked After Children

I established the Improving Outcomes for Children Ministerial Advisory Group to improve outcomes for looked after children and identify what early and preventative action could be taken to support families and children at the edge of care. The work of the Ministerial Advisory Group is underpinned by three themes, these are:

- Preventing children entering care and early intervention
- Improving outcomes for children already in care, and:
- Supporting care leavers to successful futures and independent living

The Group is taking forward a number of work strands as part of their wide-reaching work programme covering research, developments and improvements to professional practice.

£1 million St. David's Day Fund

I recently announced a recurrent £1 million St David's Day Fund to help support young people aged 16-25, who are or have been in local authority care, access opportunities that lead them towards independent and successful lives.

The fund is to be administered flexibly and creatively by local authorities, to meet the needs of their young people in the same way that birth parents support their children including the 'bank of mum and dad' role. This could mean providing financial support for setting up home, equipment for education, training or employment, paying for transport, activities which help to remove social isolation and so on.

£8 million Budget Consequential for Looked After Children

In May, I announced around £8 million of new money from the UK Budget social care consequential which further support looked after children and accelerate the continuing work programme of the Ministerial Advisory Group. It has been allocated to:

- Expand Edge of Care Services (£5 million)
- Expand the Reflect project across Wales (£850,000)
- Support Care Leavers by:
 - (i) extending the provision of personal advisers up to age 25 (£1 million); and
 - (ii) supporting local authorities in their provision of work placements/traineeships for young people in their care (£625,000)
- (iii) Implement the National Fostering Framework (£400,000)

A three year change programme is also being developed to maximise the benefits from the UK Budget social care consequential and help deliver our shared vision for looked after children and care leavers in Wales.

The Development of the Childcare Offer for Wales

Development of the Childcare Offer for Wales is progressing well, with early implementation in seven local authorities from September. Gwynedd and Anglesey are working on a joint scheme, and the remaining five authorities are Blaenau Gwent, Caerphilly, Flintshire, Rhondda Cynon Taff and Swansea

The offer will provide 30 hours of combined early education and childcare for three and four year olds whose parents are eligible. For the purposes of early implementation, a 'working parent' refers to parents and guardians who are working and earn, on average, a weekly minimum amount equivalent to 16 hours at national minimum wage (NMW) or national living wage (NLW). Both parents in a two parent family, or the sole parent in a lone parent family, will need to meet this requirement. Our definition of 'working' includes those who are employed or self-employed, and parents on zero hour contracts, where they can demonstrate they meet the minimum

earnings over a three month period. Detailed guidance for the seven early implementer local authorities was published on our website on 12 June.

I can confirm that any childcare provider who is registered with and inspected by the Care and Social Services Inspectorate Wales, or OFSTED in England, will be able to deliver the childcare element of the offer from September. Whilst the parent and child must live within one of the specified areas within the seven early implementer authorities, the childcare element of the offer can be delivered by any registered childcare setting, regardless of location. I have also confirmed providers will receive £4.50 per hour for the childcare provision under the offer. This will be a single funding rate across all seven early implementer local authorities, ensuring clarity and consistency of the childcare offer for every parent and provider.

We expect the offer to be available to around 5,000 children in this first year of early implementation, and all seven authorities open for applications from qualifying parents in June 2017. Blaenau Gwent will be testing the offer across the whole authority, with testing happening in specific locations across the other six.

Learning from these early implementers will be important in helping us fine-tune policies and systems prior to a wider roll-out. We will therefore be undertaking rigorous monitoring and evaluation of the early implementation of the childcare offer across all seven early implementer local authorities. A contract for independent evaluation is currently out to tender and will be awarded in July.

As well as working with our early implementers to begin delivering the offer, we are working on the arrangements for full roll out. The First Minister confirmed I will bring forward a Bill in relation to the offer next year. This Bill will be concerned with the application, eligibility checking and payment processes, ensuring the relevant data collection processing and protection systems are in place.

Updates to Recommendations Made by the Committee During the Fifth Assembly

In respect of the recommendations from the Committee's report into Statutory Advocacy Provision (published in February 2016), a Local Government Technical Group was established (led by ADSS Cymru and the WLGA) to develop an Implementation Plan to progress this work, looking at how best local authorities and regions could be supported and to identify the actions required in order to achieve a national approach. Here, the Welsh Government is funding an Implementation Manager to work with each of the regions.

At a meeting of the Strategic Leadership Group (SLG) on 13 June the WLGA and ADSS Cymru presented the significant progress that has been made by local authorities over recent months. All six regions have now fully committed to implement the National Approach in full and have arrangements in place to enable this. The Welsh Government agreed to provide up to £550,000 to the regions through a regional grant for years 2017/18 and 2018/19 and all regions have received their grant letters.

The approach includes the National Independent Advocacy Standards and Outcomes Framework (NSOF). The Welsh Government has consulted with stakeholders on the outcome statement contained in the NSOF and developed the final draft of the Framework. The Framework will now be updated to reflect the responses. The Strategic Leadership Group agreed to review progress on the national approach in the autumn.

Alun Davies AM
Minister for Lifelong Learning and Welsh Language
Welsh Government

10 July 2017

Dear Alun

Youth Work in Wales

Thank you for your letter of 21 June, in response to the Committee's letter of 25 May. Thank you also for providing an update to the Committee relating to our time bound recommendations.

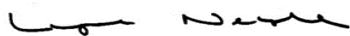
The Committee has noted the Welsh Government's position, and the timescale you have set out in your letter, in relation to review of Extending Entitlement and other matters. The Committee is grateful for this update. We are also aware of other Welsh Government reviews and evaluations related to youth work which are due to report, such as that pertaining to the National Voluntary Youth Organisations Grants Scheme, and the Committee would appreciate being kept informed of developments arising from these works streams.

As you will be aware, it is the Committee's intention to review progress on Youth Work on an on-going basis. The Committee will be monitoring closely the work the Welsh Government is undertaking in relation to Youth Work, and we will seek to arrange a formal scrutiny session with you in the New Year to assess progress.



As part of our approach we will also continue to engage with key stakeholders in this respect. I would be grateful if we could arrange a meeting in the Autumn term to discuss a number of issues that have been raised with me by stakeholders.

Yours sincerely



Lynne Neagle AC / AM
Cadeirydd / Chair



Alun Davies AC/AM
Gweinidog y Gymraeg a Dysgu Gydol Oes
Minister for Lifelong Learning and Welsh Language



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA(L)/KW/0396/17

Lynne Neagle AM
Chair
Children, Young People and Education Committee

Simon Thomas AM
Chair
Finance Committee

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11 July 2017

Dear Lynne and Simon,

I am writing to alert you and your committees to a written statement published today about the additional learning needs transformation programme.

In March, I wrote to you with further information about how the £20m package of support for the transformation programme will be allocated to support the implementation of the Additional Learning Needs and Education Tribunal (Wales) Bill and wider programme. At the time, I said these allocations were subject to change as our work with delivery partners proceeds. This co-development work is ongoing, but I have agreed a significant element of our implementation approach – this is to fund five additional learning needs transformation leads who will support delivery of the programme.

Four of the transformation leads will operate on the regional education consortia footprint and there will be a further education transformation lead who will work on a pan-Wales basis. The leads will play a critical role in our implementation strategy, ensuring delivery partners are prepared, resourced, trained and are working together for the benefit of children and young people with additional learning needs, making sure these learners are at the centre of everything.

Bae Caerdydd • Cardiff Bay
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0300 0604400

Gohebiaeth.Alun.Davies@llyw.cymru
Correspondence.Alun.Davies@gov.wales

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.

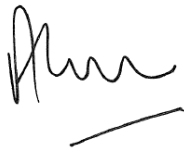
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

We are continuing discussions with the Association of Directors of Education in Wales and the board of Colegau Cymru and I will be in a position to say more about these roles in the autumn.

The written statement also confirms that local authority implementation grants will be pooled on a regional basis. This will ensure our investment is maximised by exploiting economies of scale and facilitating improved regional planning and working. It will also help ensure bureaucracy around the grants is minimised and the focus is on service delivery and value for money. This will address recommendation four in the Finance Committee's stage 1 report into the Bill.

I will provide a revised breakdown of the costs for activities within the transformation programme in the autumn. I will do this at the same time as publishing the revised version of the regulatory impact assessment.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alun', with a horizontal line underneath.

Alun Davies AC/AM

Gweinidog y Gymraeg a Dysgu Gydol Oes
Minister for Lifelong Learning and Welsh Language

Vaughan Gething AM
Cabinet Secretary for Health, Well-being and Sport

12 July 2017

Dear Vaughan

Revised School Nursing Framework

Thank you for sharing a copy of the Revised School Nursing Framework which the Committee [noted](#) with interest at its meeting on 14 June.

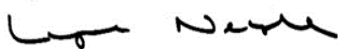
The Committee welcomed the [comment](#) from the Cabinet Secretary for Education, Kirsty Williams AM, which accompanied the Revised Framework's publication in May:

"It's important to emphasise that school nurses are not just responsible for first aid; they're planning and coordinating care for learners with chronic health needs so they can participate in school. They are also facilitators and advocates for lots of children."

As such, we were surprised to see that the Revised Framework did not mention long-term or chronic conditions, or the existing healthcare needs guidance, and would be grateful if you could clarify why these areas have been omitted.

I have copied this letter to Kirsty Williams, and to Alun Davies AM, Minister for Lifelong Learning and Welsh Language.

Yours sincerely,



Lynne Neagle AC / AM
Cadeirydd / Chair



Agenda Item 3.4

Elin Jones AM, Llywydd
Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

Committee Chairs
National Assembly for Wales
Cardiff Bay
CF99 1NA

11 July 2017

Dear Committee Chair

Implementation of the Wales Act 2017

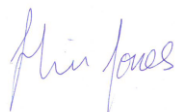
As you will be aware, the Wales Act 2017 provides that the Secretary of State for Wales must appoint, through regulations, a 'principal appointed day' on which the new reserved powers model will come into force. The Act also provides that the Secretary of State must consult me, as Llywydd, before making such regulations.

I enclose a letter from the Secretary of State setting out his intention to appoint **6 April 2018** as the principal appointed day. He also indicates that he intends to commence most of the remaining provisions in the Wales Act at the same time.

You will note from the Secretary of State's letter that he intends to write further in relation to the implications for the Legislative Consent process as a result of the two-year Parliamentary session. I will share this letter with you in due course.

I would be grateful if you could let me know by Friday 28 July whether your committees have any comments to make on the Secretary of State's proposals.

Yours sincerely



Elin Jones AM
Llywydd

Enc

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

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Elin Jones AM
Presiding Officer
National Assembly for Wales
Cardiff Bay
CF99 1NA

Ref: 250SUB 17

10th July 2017

Dear Elin,

I am writing regarding the implementation of the Wales Act 2017. The Act provides for the Secretary of State to appoint, through regulations, a “principal appointed day” (PAD) on which the new reserved powers model comes into force. The Act specifies that I consult the Welsh Ministers and the Assembly’s Presiding Officer before making regulations appointing the PAD. I am therefore writing to seek your views on my proposal to specify **6 April 2018 as the principal appointed day**.

Three key factors have informed my proposed date. Firstly, the need to implement the new reserved powers model of Welsh devolution as soon as practicable, to provide a clearer settlement and a well-defined division between devolved and reserved responsibilities. The lack of clarity that is a feature of the current Welsh devolution settlement continues to hinder our administrations working together as effectively as they might.

The 2017 Act requires the PAD to be at least four months after the regulations appointing the date are made. Making these regulations this autumn would provide Parliament, the National Assembly for Wales and both our governments with sufficient notice to prepare for the new model.

Secondly, as you know the new devolved taxes - the Land Transaction Tax and Landfill Disposals Tax - come on stream on 6 April 2018. Bringing the reserved powers model into force on the same day would deliver a strong message that Welsh devolution has come of age.

Thirdly, we need to be clear about the model of Welsh devolution which applies as we prepare for our exit from the European Union. Implementing the reserved powers model in April 2018 provides us with sufficient time to make the necessary preparations before exit day.

I also propose to commence most of the remaining sections of the Wales Act 2017 in the same order. These sections devolve further powers to the National Assembly and the Welsh Ministers. The devolution of these powers is already reflected in the reserved powers model and so it makes sense to bring these sections into force at the same time.

The current session of Parliament will run until 2019, meaning the new reserved powers model would be brought force mid-way through the session. Clearly this has implications for any Legislative Consent Motions that may be required, and my officials are working to assess the impact. I will write to you once this analysis is completed. You will be aware that under Schedule 7 to the 2017 Act the current *conferred* powers model would continue to apply to those Assembly Bills which have passed Stage 1 by the PAD.

I would be grateful to receive your response by **4 September**, enabling the regulations to be drafted by early autumn. I am happy to share with you the regulations in draft before they are laid.

I am writing in similar terms to the First Minister of Wales.

Yours,


Alun Cairns MP
Secretary of State for Wales
Ysgrifennydd Gwladol Cymru

Comisiynydd Plant Cymru

Children's Commissioner for Wales

Sally Holland

12 July 2017

Concluding Observations: One Year On

12 July 2017 marks one year since the most recent Concluding Observations of the UN Committee on the Rights of the Child were published for the UK.

The UK Government is signed up to the United Nations Convention on the Rights of the Child (UNCRC) and it is also a direct part of the Welsh law making process, through the Rights of Children and Young Persons (Wales) Measure 2011.

The UN Committee on the Rights of the Child monitors whether the UNCRC is having a positive effect in countries that are signed up to it, and they make recommendations or "Concluding Observations" about areas where they believe children's rights could be better protected every five years.

There are some recommendations like raising the age at which a child can be charged with a criminal offence, which sit with the UK Government. Due to devolution, there are other recommendations that sit with the Welsh Government, such as providing support for children in care and care leavers

As Children's Commissioner for Wales I would have liked to have seen a clear response and detailed plan from the UK and Welsh Governments in response to the UN's Concluding Observations. In the absence of these, I am publishing this brief summary of progress made in the last year, and areas still to be tackled.

Young people leaving care

There have been some positive steps taken in the last year by the Welsh Government. There have been recent announcements of increased financial support for care leavers and a commitment to exploring additional support through personal advisors up to the age of 25. There is also work underway aimed at reducing the numbers of children and young people entering care and improving experiences while in care.

Mental health

Some progress has been made on improving access to mental health services for children, with ambitious waiting time targets now in place, although sustained investment and focus will be needed to ensure that children are receiving mental health support and treatment they need, when and where they need it.

Education

The Additional Learning Needs and Education Tribunal (Wales) Bill aims to bring substantial improvements to the educational experiences of children with additional needs.

Participation

Mechanisms for the meaningful participation of children and young people are included in the Committee's observations. Already, proactive steps have already been taken by the National Assembly for Wales in setting up a Youth Parliament and exploring voting reform to allow 16 and 17 year olds to vote. These are important to engage and involve younger people in the political and decision making processes here in Wales.

Despite these positive developments by the Welsh Government and the National Assembly for Wales, there are some key areas highlighted by the UN Committee where children's rights are not being fully implemented in Wales and therefore provide important targets for the Welsh Government to take forward during this Assembly term.

Consideration of children's rights

Giving consideration to children's rights – or due regard to the UNCRC - should not start and end with Welsh Ministers. In order for children to see the difference that due regard to their rights is making in their everyday lives, the duties to actively consider children's rights and promote their best interests should filter down to those working directly with children, through inclusion of the due regard duty into relevant primary legislation such as the Additional Learning Need and Education Tribunal (Wales) Bill. This would comply with the Concluding Observations which calls for all legislation and policy that has an impact on children to integrate the rights of children to have their best interests as a primary consideration.

Equal protection

Children and adults must have equal protection from assault. I note the recently announced consultation on removal of the defence of reasonable punishment in Wales. It remains my view that it is vital that swift progress is made in passing the legislation to remove the defence. As a society there has been a substantial shift in our understanding and acceptance of domestic violence between adults; it is time that the same shift is made for children as there can be no rational justification for hitting a child.

Child poverty

Child poverty is an issue affecting many children in Wales and concerns about Brexit and the removal of community funding sources are a real worry for families and children in Wales. Whilst some levers such as welfare reform sit with the UK Government, the UN Committee expressed concern about the removal of child poverty targets and the statutory child poverty strategies. Concrete targets and a measurable child poverty reduction strategy would maintain focus on this area due to the impact that this can have on a child's development and well-being.

Mental Health

There is a lot of work taking place to reform how mental health services for children are structured and delivered through the T4CYP programme, and alongside this a wholesale reform of the curriculum in Wales. I would like to see greater alignment of these two pieces of work and taking a child rights approach from the outset will ensure that there is a common set of values and language in all of this work, and that children's rights become a reality in their everyday experiences. My recently published guide ["The Right](#)

[Way](#) gives examples of how a children's rights approach to public services can be embedded into all areas of policy, decision making and practice to ensure positive outcomes for children. I look forward to working with partners throughout this Assembly term in order to achieve that.

Non-devolved issues

I urge the Welsh Government and Welsh MPs from all parties to work with the UK Government to progress non-devolved Concluding Observations affecting children in Wales, including raising the age of Criminal Responsibility and reversing tax and benefits changes that will disproportionately affect children.

It is important that children's rights continue to be protected and promoted across Wales. Wales can be proud of its commitments to children's rights to date but the Welsh Government must ensure that laws and policies are developed with these rights to the fore. The routine and systematic use of Children Rights Impact Assessments in all policy areas will ensure compliance with the Concluding Observations but will also bring children's rights to the forefront of policy and practice, fulfilling the ongoing commitment to protecting and promoting those rights for all children in Wales.



Sally Holland
Children's Commissioner for Wales

Lynne Neagle AM
Chair, Children, Young People and Education Committee

12 July 2017

Dear Lynne

Programming forthcoming legislation

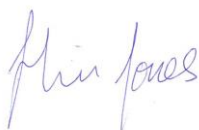
As you may be aware, Business Committee recently considered a paper setting out a range of legislation which is known to be intended for introduction within the next twelve months.

Business Managers considered that it would be appropriate to take 'in principle' decisions on which committees the Bills planned for introduction within the next twelve months would be referred to, to assist committees in their forward planning.

Among these legislative proposals is a forthcoming Bill on Childcare Offer Application Processing, the subject matter of which appears to be within the remit of the Children, Young People and Education (CYPE) Committee.

I would be grateful if you could indicate before the end of term whether you have any view on the referral, in principle, of this forthcoming Bills to CYPE. This will enable Business Managers to confirm in early summer recess their decisions on which committees the Bills planned for introduction within the next twelve months would be referred to.

Yours sincerely



Elin Jones AM
Llywydd and Chair of the Business Committee





Grŵp Monitro CCUHP Cymru

STATEMENT: FIRST OFFICIAL ANNIVERSARY OF THE CONCLUDING OBSERVATIONS OF THE UNITED NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD

To mark the first official anniversary of the United Nations Committee on the Rights of the Child (thereafter 'Committee') issuing their Concluding Observations to the UK and devolved governments, the UNCRC Monitoring Group wish to take this opportunity to give recognition to the advancements made since last July, whilst also reinforcing the need for greater urgency if the Committee's recommendations are to be fully implemented as intended.

The Committee welcomed the positive steps being taken by the Welsh Government towards fully incorporating the UNCRC into domestic law, recognising that good progress had been made to secure and protect the rights of many children and young people, which have since been built upon by the appointment of a Cabinet Secretary with specific responsibility for children's rights and the establishment of a Children's Rights Advisory Group with external representation.

We also recognise the positive actions to address a number of the key concerns raised by the Committee and by the UNCRC Monitoring Group in our [report](#), in respect of action to address children and young people's poor mental health, to improve the outcomes for children in and leaving care and to close the gap in education attainment.

We also welcome more recent announcements of future priorities including the commitment

- To consult on proposals to remove the defence of reasonable chastisement prior to introducing legislation in the third year of the current Assembly term
- To reform the voting system and extend the voting franchise to 16-17 yr olds.
- To review and consult on a new Refugee and Asylum Seeker Delivery Plan as part of a programme of work to deliver the recommendations of the NAFW Equality, Local Government and Communities Committee Report.

The progress being made by the NAFW to establish a Youth Parliament for young people in Wales will also give further affect to children's participatory rights and scrutiny of the democratic process.

The Committee however identified a number of areas which require urgent attention if children's rights in Wales is to be further realised. In particular, we would wish to draw attention to the following priorities where progress could be accelerated.

That the Welsh Government

- Ensure that quality Child Rights Impact Assessments (CRIAs) are consistently undertaken on all proposed policies, budgetary decisions and legislation likely to impact on children and young people, and that these are routinely made available in a timely manner to external stakeholders, and for scrutiny by children and young people who should also be engaged in their preparation.
- Strengthen coordination and evaluation of the implementation of the UN Convention, with sufficient human, technical and financial resources, including ensuring that a high-level strategic implementation group within Welsh Government is in place and which is in line with the arrangements set out in the Children's Rights Scheme to comply with the due regard duty.
- Publish a programme of action for children and young people which sets out how children's rights are being fully integrated into the Welsh Government policy and legislative forward work programme
- Ensure that all new and existing legislation is fully compliant with the Convention, and that the existing due regard duty is consistently adhered to.
- Strengthen the routine analysis of all Government spending on children, and publish CRIAs of budgets.
- Ensure there is a comprehensive national strategic approach, and a permanent structure, for the systematic participation of all children and young people in Wales.
- Increase all efforts to eliminate child poverty and ensure that there is progress being made in the delivery of the Child Poverty Strategy and that this progress is reported on.

That the WG make urgent representation to the UK Government

- in respect of the adverse impact changes to legal aid is having on children
- to ensure that there is no diminution of children's rights protection in the law from the Brexit process
- to support the serious concerns identified by the Committee in respect of child poverty levels, and the adverse impact of welfare reform on some children and their families.

About the Wales UNCRC Monitoring Group

The Wales UNCRC Monitoring Group is a national alliance of non-governmental and academic agencies, tasked with monitoring and promoting the United Nations Convention on the Rights of the Child in Wales. The UNCRC Monitoring Group was established in 2002 and is presently facilitated by Children in Wales, the national umbrella organisation. Since 2002, the Group has worked with the UN Committee on the Rights of the Child and submitted civil society reports to inform successive UK State Party Examinations.

Members of the Monitoring Group are representatives of, and nominated by, non-governmental organisations and academics which are as follows - Barnardo's Cymru, Centre for Welsh legal Affairs- Aberystwyth University, Children in Wales, Children's Commissioner for Wales (observers), NSPCC Wales/Cymru, Play Wales, Save the Children Wales, UNICEF (observers), Wales Observatory on Human Rights of Children and Young People and the Welsh Local Government Association (observers)



Children in Wales
Plant yng Nghymru

12. July. 2017

Agenda Item 6

By virtue of paragraph(s) vi of Standing Order 17.42

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