

Keeping Us Safe

Report of the Safeguarding Vulnerable Children Review

Response of the Welsh Assembly Government

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Foreword

When the First Minister and I announced the setting up of the Safeguarding Vulnerable Children Review in December 2003, a key objective was to assess the extent to which services on the frontline matched up to the policies and guidance the Welsh Assembly Government have set out and the investment we have made.

The Review Team were given a wide remit covering, among other things, the effectiveness of inter-agency arrangements in safeguarding children and the risks and opportunities posed by the Internet and they were asked to recommend to the Assembly Government steps to strengthen policies and practice for safeguarding children. This was by no means a straightforward task and it has involved gathering and analysing evidence from a wide range of organisations and individuals. Of particular importance was the involvement of young people in the task and I am extremely grateful for the time and commitment that they have dedicated to this work.

I and my Cabinet colleagues are particularly grateful to Gwenda Thomas, who chaired the Review, and to the members of the Review Team, all of whom gave up many hours of their time to drive this Review forward. Their report, "Keeping Us Safe", provides a valuable contribution to the Assembly Government's ongoing development of policies that are intended to deliver ever improving outcomes for children and young people in Wales.

We have given very careful consideration to the "Challenges" identified in the Review and our response is set out in this document.

The Welsh Assembly Government continues to place the needs of children and young people amongst its key priorities..... -----

1 Introduction

Background and Terms of Reference:

- 1.1 The Safeguarding Vulnerable Children Review was set up by the First Minister and the Minister for Children in December 2004. Its terms of reference were:

"To undertake a review of current policies and practices for safeguarding children in Wales, including in particular:

 - to consider whether they are sufficiently clear and robust to deliver safe and effective services in authorities and agencies;
 - to identify strengths and areas for improvement;
 - to consider the effectiveness of organisational and cross-boundary arrangements in safeguarding children, including the effectiveness of existing arrangements for the recording and sharing of information, taking into the account the findings of inquiries into the Soham case;
 - to consider the risks and opportunities posed by the Internet and new technology in safeguarding children; and
 - to recommend to the Welsh Assembly Government the actions needed to strengthen policies and practice for safeguarding children."
- 1.2 The review was to consider and take evidence from a wide range of sources; to consider findings from research on safeguarding children, recent inspections and audits of children's services, in particular the findings from the Social Services Inspectorate Wales, Commission for Health Improvement and Police audits of services for children following the Victoria Climbié Inquiry report.
- 1.3 The inquiries into the Soham case referred to in the terms of reference were:
 - a) An independent inquiry, chaired by Sir Michael Bichard.
 - b) Her Majesty's Inspectorate of Constabulary.
 - c) North East Lincolnshire Area Child Protection Committee.
- 1.4 The Review was chaired by Gwenda Thomas, AM, and the members of the Review Team were:
 - Raymond Ciborowski, Barnardo's Cymru;
 - Mike de Val, Torfaen CBC;
 - Andrew Edwards, Dyfed-Powys Police;
 - Dr Carys Graham OBE, National Public Health Service;
 - Ruth Henke, Barrister;
 - Dr Sally Holland, Cardiff University;
 - Joe Howsam, Caerphilly CBC;
 - Meirion Hughes, Denbighshire Local Health Board;
 - Debbie Jones, Voices from Care;

- Ken Sawyers, Neath Port Talbot CBC.
 - Christine Walby OBE, (Advisor)
 - Rhian Davies, Office of the Children's Commissioner (Observer).
- 1.5 The call for evidence produced 58 written submissions, some representing groups, from a very wide range of sources throughout Wales. Following the analysis of the submissions the Review Team identified gaps in the evidence which were explored through oral evidence sessions and research. In all, the Review Team conducted some 25 sessions where oral evidence or presentations were heard followed by questions and discussion.
- 1.6 The Review also commissioned the NSPCC in a piece of work designed to engage children and young people in the work of the Review.

Report Summary

- 1.7 At an early stage in its proceedings the Review Team decided that:
- The Review would place the perspective of children and young people at the heart of the review process
 - The Review would not 'reinvent the wheel' but seek to identify what works and what does not work and how to build upon and sustain success
 - The Review would not make numerous recommendations which repeat what has been said before
- 1.8 The Review concluded that there are 7 key challenges that need to be addressed, covering:
- Children - building upon initiatives to place them at the centre of policy and service developments and to improve arrangements for listening to them and advocating on their behalf.
 - Public attitudes - addressing attitudes to children in our society.
 - Workforce - improving the levels, stability, confidence, competency, support and job satisfaction of people who work with children.
 - Formal systems - making them more child friendly, better and more consistently resourced and fit for purpose.
 - Vision and strategy - developing and implementing a secure long term vision and a strategy for vulnerable children.
 - Finance - reviewing and rationalising the balance of investment in services for children and consolidating and stabilising funding streams.
 - New risks - developing a more effective capacity for identifying and responding to emerging risks to vulnerable children.

What is good about safeguarding children in Wales?

- 1.9 The Review Team identified examples of positive aspects of safeguarding vulnerable children in Wales, including:
- The Commissioner for Children
 - Listening to children - participation and consultation
 - Inter agency working and the focus upon children in joint planning
 - Cabinet Sub Committee on children and young people
 - the Children and Young People's Framework Partnerships
 - Children First
 - the All Wales Child Protection Procedures and Procedures Group
 - the Parenting Action Plan
 - the Child Poverty Action Plan
 - National Service Framework
 - Community Focused Schools
 - Integrated Centres
 - All Wales Youth Offending Strategy
 - All Wales Play Strategy
- 1.10 The Review Team conclude that "there is much to celebrate" and that there is "considerable positive evidence about good and even excellent features of the approach to safeguarding vulnerable children in Wales". But the Review also concludes that there are still significant problems to be overcome.

2 The Welsh Assembly Government's Seven Core Aims

- 2.1 Since the establishment of the National Assembly for Wales in 1999 children have been a key priority in Assembly policies and initiatives.
- 2.2 To take forward its programme for children and young people, the Welsh Assembly Government has therefore adopted the United Nations Convention on the Rights of the Child and this is now incorporated in our seven Core Aims through which we will work to ensure that all children and young people:
- have a flying start in life;
 - have a comprehensive range of education and learning opportunities;
 - enjoy the best possible health and are free from abuse, victimisation and exploitation;
 - have access to play, leisure, sporting and cultural activities;
 - are listened to, treated with respect, and have their race and cultural identity recognised;
 - have a safe home and a community which supports physical and emotional wellbeing; and
 - are not disadvantaged by poverty.
- 2.3 Work is currently underway to establish Priority Outcomes and Measures in relation to the seven Core Aims to inform the Assembly Government of progress in improving outcomes for children and young people and to provide data and to underpin inspection and regulation. The measures should also inform the Assembly Government in seeking to strengthen the Core Aims as a statement of common values and priorities. They should also be valuable in partnership working, moving away from service-based thinking into a focus on the needs of children and young people and to underpin children and young people's plans.
- 2.4 The Assembly Government's approach to local Children and Young People's Partnership planning and delivery, supported by legislation in the Children Act 2004 is entirely consistent with the proposals in "Beyond Boundaries", the report by Sir Jeremy Beecham on public services in Wales. Local partnerships engage all the statutory agencies and engagement with children and young people is a fundamental principle in the development and delivery of services for them and on matters which may impact on them across the functions of the agencies.

- 2.5 The Children First programme, launched in April 1999, has made a valuable contribution towards the core aims. The programme, developed in response to the recommendations of the Review of the Safeguards for Children Living Away from Home (1997) chaired by Sir William Utting, also responds to many of the recommendations made by Sir Ronald Waterhouse in the report "Lost in Care" (2001) on child abuse in north Wales. The programme was aimed at transforming the management and delivery of social services for children. Local authorities were expected to show improvements in management and delivery of services and outcomes for children in need. The programme impacts upon all children in need, including looked after children, children with disabilities, some children with Special Educational Needs and care leavers.
- 2.6 The programme set a number of key objectives for children's services and associated performance indicators related to clear outcomes for children. Targets are set at Wales level and locally against each indicator.
- 2.7 Initially a three-year programme, Children First was extended but in line with the Assembly's commitment to reduce the number of specific grants, 2005/2006 saw the start of a phased exit plan for Children First grant. The transfer of Children First grant into the Local Authorities general revenue support grant (RSG) is being phased over three years. A total of £44.6m is available to local authorities in 2006-2007, i.e. £28.8m in revenue support and £15.8m in Children First grant.
- 2.8 The following outlines some of the work that the Assembly Government has done to date in delivering the Core Aims.

i. A Flying Start in Life

- 2.9 *Children and Young People: Rights to Action*, published in January 2004, set out the Assembly Government's achievements since 2000 and its proposals for future plans to deliver effective services for children. It recognises that the delivery of effective services to children and families in the early years, including pre-birth, can be highly effective in preventing problems in later years.
- 2.10 ***Cymorth – the Children and Youth Support Fund*** aims to provide a network of targeted support for children and young people within a framework of universal provision, in order to improve the life chances of children and young people from disadvantaged families. Cymorth is administered through children and young people's partnerships within each local authority area. The overall aim of Cymorth is to use partnership working and targeted investment to impact positively, in the medium term, on the indicators of well being for children and young people. It supports around 1,000 preventive and supportive projects around Wales, with an overall budget in 2006-7 of £56.7 million.
- 2.11 ***'Flying Start'*** is a new programme which is strongly targeted at 0-3 year olds in the most deprived communities in Wales, recognising the evidence that children within areas of multiple deprivation suffer additional effects of disadvantage. The programme is based upon extensive research demonstrating that it is possible to improve the life chances of disadvantaged children dramatically, through interventions such as quality childcare, parenting programmes and support and extended health visiting. The potential benefits are large and will last well into adulthood, and in the long term we aim for reduced rates of criminal behaviour, truancy and drug use, and higher employment, increased earnings and better qualifications at the end of schooling.

Children's Centre Programme

- 2.12 The Assembly Government has made a commitment to establish at least one integrated centre in every local authority area and to date 38 centres or satellite facilities have opened. An additional 2 centres are scheduled to open in late 2006/early 2007 and a further one is planned for end 2007/early 2008. We are working in partnership with the Big Lottery Fund, which has made £11 million available towards the capital costs of building these centres.
- 2.13 Cymorth provides much of the revenue for developing our programme of integrated centres. Allocations to local partnerships under the Cymorth scheme, which includes revenue support of

integrated centres, are increasing in 2006-07 by £11 million, to almost £55 million.

- 2.14 Our proposed new early years programme, 'Flying Start' makes provision for further capital investment in integrated centres. Approximately £3 million is available in 2006-7 and £3.5 million in 2007-8.
- 2.15 Integrated centres and the valuable services they deliver will make a major contribution to delivery of our Child Poverty Strategy. They have a significant role to play in the delivery of our new Childcare Strategy, providing quality childcare as well as learning experiences for children. We envisage integrated centres, with their multi-functional and multi-agency ethos, playing a key role in delivery of 'Flying Start'.
- 2.16 It is important that the linguistic needs of communities are met. Currently, the centres in Rhondda Cynon Taff and Ceredigion operate through the medium of Welsh. Other centres are committed to bilingual delivery of services.

Children's Commissioning Support Resource (CCSR).

- 2.17 The Social Services Inspectorate for Wales organised a programme of workshops through 2005, including one for Heads of Children's Services, to promote more effective, and more joined up, commissioning of services for children. This has been followed up by the issue of information and tools to commissioners. The Children First event this year concentrated on commissioning.
- 2.18 The Social Services Inspectorate for Wales (SSIW) has met with WLGA to consider the programme to be funded by the Social Services Improvement Agency (SSIA), on improving the commissioning of services for children in need and how SSIW work with local authorities can complement this.
- 2.19 In addition, the strengthening of Children and Young People's Partnerships and (from 2008) the introduction of Children and Young People's Plans, together with powers given to statutory partners under s25 of the Children Act 2004 to pool funding are intended to provide a firm basis for joint commissioning of children's services. Statutory guidance on the duty to cooperate locally issued in August 2006 sets out the elements that should be considered by local partners in improving their joint commissioning arrangements.
- 2.20 The Welsh Assembly Government, WLGA, Local Government Data Unit and ADSS have also developed a Children's Commissioning Support Resource (CCSR). This comprises a national cross sector

database of available care placements with a staff resource in the WLGA Social Services Support Unit, to assist local authorities to make individual placements and to support the development of commissioning skills and collaborative commissioning.

- 2.21 Local authorities and wider stakeholders are kept informed of progress through regular bulletins issued by the WLGA, the most recent of which was issued in early May.
- 2.22 There has been a phased rollout for populating data within local authorities. By the end of April 2006 all 22 authorities had received database training. Individual ongoing support is being planned within Family Placement Teams in targeted authorities over the coming months. Phase 1 of the CCSR project went live in July.

ii. A Comprehensive Range of Education and Learning Opportunities

- 2.23 ***In early years education***, the Foundation Phase, a new curriculum for 3-7 year olds, provides appropriate development and sets high expectations early on that should enable all children to reach their potential. Every child is different and it is vitally important that the opportunities they are given provide a positive attitude to learning.
- 2.24 The Foundation Phase is planned as a progressive framework which spans four years to meet the diverse needs of all children, including those who are at an earlier stage of development and those who are more able. At the centre of the curriculum lies a focus on the holistic development of children and an aim to provide a learning continuum in all areas of learning and development. The Foundation Phase is currently being piloted in 42 schools/settings and is due to be introduced on a phased statutory basis from September 2008. The statutory requirements will be the subject of, and informed by a full public consultation, in the first half of 2007.

The Education of Looked after Children

- 2.25 Guidance on the Education of Looked after Children (Circular 2/2001) stipulates that 'In identifying an appropriate placement for a looked after child, local authorities should take account of the availability of a suitable educational placement. Care placements should not be made unless an appropriate level of education can be provided'.
- 2.26 The Guidance states that every looked after child should have a Personal Education Plan (PEP) which ensures access to services and support; contributes to stability; minimises disruption and broken schooling; signals particular educational needs, including special educational needs; establishes clear goals and acts as a record of achievement.
- 2.27 The PEP has been a catalyst for raising the profile of the child's education. But while the educational achievement of looked after children is improving slowly it lags significantly behind that of their peers.
- 2.28 The appointment of LAC Education Co-ordinators has been instrumental in raising the profile of looked after children and led to improved communication across agencies to meet the educational needs of looked after children.
- 2.29 The duty on local authorities to promote the education of LAC introduced by the Children Act 2004 is a key vehicle for delivering

change. The duty is designed to ensure that local authorities take particular account of education implications in every decision they take regarding the welfare of children they are responsible for looking after. In developing proposals to strengthen placement arrangements for children the Assembly Government will consider what further measures can be taken to ensure that children achieve better educational outcomes.

- 2.30 A recent initiative is the provision of £1m in each of 2006-07 and 2007-08 under the RAISE (Raising Attainment and Individual Standards in Education) programme to support the education of looked after children. The intention is to provide these young people, particularly those in years 10 and 11 with the sort of support which parents normally provide.

Targeting Disadvantaged Pupils

- 2.31 The main RAISE programme provides resources to around one third of schools which have high concentrations of disadvantaged pupils ie schools with 20% or more of pupils eligible for free school meals and more than 50 pupils on roll. The funding of £14.6m in each of 2006-07 and 2007-08 is intended to enable schools to undertake focused interventions to address issues of low attainment by disadvantaged pupils.

iii. The Best Possible Health, Free From Abuse, Victimization and Exploitation

Integrated Children's System

2.32 The Integrated Children's System (ICS) is a conceptual framework to lead work with children and families in need into the twenty-first century. The Integrated Children's System provides the basis for developing an electronic system for recording the interventions of social services and their partner agencies with children. There are three main elements to the system:

- a conceptual framework for assessment, planning, intervention and review;
- core data requirements which set out the information essential for effective practice with children and families and for planning services; and
- exemplars which demonstrate how the essential information needed for effective assessment, planning, intervention and review – at both individual child and strategic levels – can be organized and recorded in a clear and concise manner.

2.33 Although local authorities in Wales are required to implement the Integrated Children's System for all children by 31 December 2006, a number are unlikely to meet this target. The Social Services Inspectorate for Wales have asked these local authorities to submit project plans providing a clear indication of when they expect to implement and will be working with them to ensure this happens.

The National Service Framework for Children, Young People and Maternity Services in Wales

2.34 The National Service Framework for Children, Young People and Maternity Services was launched in September 2005.

2.35 The Framework sets out the quality of health and allied services that children, young people and their families have a right to expect and receive in Wales. It aims to improve quality and equity of service delivery by setting national standards, backed by the key actions that will ensure they are delivered.

2.36 The Welsh Assembly Government began developing the Children's National Service Framework in September 2002. The Framework focuses on health and social care with links to education, housing, leisure and the voluntary sector. Parents, carers, children and young people have all taken part throughout its development.

- 2.37 The overall aim of the National Service Framework is that "all children and young people achieve optimum health and well-being and are supported in achieving their potential".
- 2.38 The scope of the National Service Framework includes all children and young people for whom the National Health Service (NHS) Wales and social services authorities have a responsibility: in other words, all children and young people from before conception to their 18th birthday. For young people requiring support services when they come of age, special consideration will be given beyond their 18th birthday to aid their transition from youth into adult services.
- 2.39 The Assembly Government has based the National Service Framework on its seven core aims for children and young people, and the 42 Articles of the United Nations Convention on the Rights of the Child. It lays down 21 standards, and recommends 203 key actions for the responsible organisations to follow in delivering services to the new standards.

Children and Young People's Specialised Services Project

- 2.40 The Children and Young People's specialised services project was established following a Ministerial Announcement in October 2002. The project commenced in August 2003 with the appointment of a Project Officer. The project scope is based on the Review of Children's Specialist Services carried out by the former Specialised Health Services Commission for Wales (May 2002), now Health Commission Wales.
- 2.41 The remit of the project is:
- To develop service specific standards for an identified group of Children's Specialised services for the children of Wales
 - To enable equity of access for all children in Wales requiring specialised services through effective managed clinical networks
 - To develop effective, high quality and safe service models for Managed Clinical Networks in partnership with Primary, Secondary and Tertiary Health services and working with all stakeholders.
- 2.42 This work is now well advanced with standards and service models being developed by External Working Groups. In the latest stage of the development of standards, four consultation documents covering Respiratory standards, Cardiac standards, Palliative Care standards and Oncology standards were issued in July 2006.

Child and Adolescent Mental Health Services (CAMHS)

- 2.43 In 2001, the Welsh Assembly Government published its 10 year strategy for the improvement of child and adolescent mental health services (CAMHS) in Wales, entitled 'Everybody's Business'. Mental health and psychological well being of children and young people is being addressed as one section of the National Service Framework (NSF) for Children, Young People and Maternity Services. The NSF contains specific and measurable key actions for the delivery of multi-agency services across Tiers 1 to 4 that are closely linked to the CAMHS Strategy '*Everybody's Business*'.
- 2.44 Recurrent money totaling £1.2m was made available for CAMHS from 2004-05 for:
- provision of beds for adolescents who require admission in emergencies,
 - developing a new Forensic Adolescent Consultation Service,
 - developing posts for Primary Mental Health Workers (there are now more than 27 in Wales),
 - assisting local specialist CAMHS teams to implement New Ways of Working in Mental Health. This will allow them to improve services for children and young people in ways that they think are best for their area and allow them to make the best use of resources and relieve some of the pressures on senior staff in all disciplines.
- 2.45 In addition, £1.4m of non-recurrent Waiting Times money was made available in 2005-2006 financial year to assist with:
- Developing regional NHS CAMHS Commissioning Networks; and
 - Achieving Service and Financial Framework (SaFF) targets set for 2005-06 and 2006-07.
- £600,000 on non-recurrent funding will be allocated to the CAMHS Commissioning Networks in 2006-07.
- 2.46 The application the SaFF access monies has been and will be linked to:
- refining the LHBs costed plans;
 - developing the regional CAMHS Commissioning Networks;
 - achieving the first part of the SaFF by the end of March 06; and
 - achieving the 2nd part of the SaFF in 2007.
- 2.47 Funding has also been provided to the University of Glamorgan and the University of Bangor in 2003/04, 2004/05 and 2005/06 to develop a diploma level multi-disciplinary module to meet the needs of nurses and other disciplines working in the field of Child and Adolescent Mental Health Services.
- 2.48 In line with policy set in '*Everybody's Business*' and supported by the NSF and by Ministerial funding initiatives, there are now at least

27 Primary Mental Health Workers (PMHWs) in Wales. This level is broadly comparable with the numbers of posts for PMHWs in England that are reported by the PMHW professional association. It is also above the ratio of posts to population proposed by the Children's Commissioner for Wales in his last report.

- 2.49 Current policy is that the most vulnerable children and young people, including those who are looked after and young offenders, have access to high quality equitable and responsive services on the basis of their needs. Already, this policy has resulted in children who are looked after and young offenders receiving substantially higher levels of access to CAMHS than are available to the general population.
- 2.50 A review of CAMHS at all levels and all agencies will take place over the next 12 months. The Assembly is working closely with the Wales Audit Office and Health Inspectorate Wales in devising the scope of the review. Transition issues are also being reviewed via the adult service review.
- 2.51 This will provide an opportunity to identify in some detail progress made since the launch of Everybody's Business and outcomes achieved. It will reflect new developments and policies and set the future direction for the remainder of the 10-years for which the strategy was set. The proposed review will enable the success of current policy relating to vulnerable children to be evaluated and adjusted as appropriate.

Statutory duties of local authorities and the NHS in relation to looked after children

- 2.52 In a Plenary debate on 7 June 2006 unanimous support was given to measures set out in a Feasibility Report tabled by the Minister for Health and Social Services' on 31 May.
- 2.53 The report recommended strengthening the statutory duties of local authorities and the Health Service in relation to placement and review arrangements and health and education provision for looked after children. This included a proposed amendment to the responsible commissioner arrangements requiring Local Health Boards to resource secondary health service provision where placements are made outside the local authority/LHB area.
- 2.54 The Assembly Government is currently consulting on regulations and statutory guidance until 13 November. Assembly procedures require the Minister for Health and Social Services to make regulations to effect the changes within six months from the debate.

Therefore regulations (and guidance) must be finalised and laid by early 2007.

- 2.55 In developing proposals to strengthen the arrangements the Assembly Government has listened to concerns expressed by Assembly members and has engaged a range of health and other professionals, the Welsh Local Government Association and the Children's Commissioner.
- 2.56 The proposed amendments will draw heavily on the Children Act 2004 to ensure greater multi agency responsibility and accountability for the needs of looked after children.
- 2.57 Further work will be undertaken in the coming year into the further development of Assembly Government policy towards the wider needs of looked after children.

Safeguarding Children

The Children Act 2004

- 2.58 The Children Act 2004 builds on and strengthens the framework set out in the Children Act 1989 in a number of ways. There are a number of provisions in the 2004 Act that are specific to Wales and that relate directly or indirectly to agencies' responsibilities to safeguard and promote the welfare of children and require partner agencies to co-operate in fulfilling their statutory obligations. The key agencies subject to the provisions of the Act in Wales are:
- Local authorities;
 - The police;
 - Local probation boards;
 - Youth offending teams;
 - Local Health Boards;
 - NHS Trusts.
- 2.59 ***Section 25: Co-operation to Improve Well-being*** - places a duty on all local authorities in Wales (referred to in the Act as children's services authorities) to make arrangements to promote co-operation with a view to improving the well being of children in their area, in relation to:
- Physical and mental health and emotional well-being;
 - Protection from harm and neglect;
 - Education, training and recreation;
 - The contribution made by them to society; and
 - Social and economic well-being.
- 2.60 These objectives are reflected in the Assembly's seven core aims.

- 2.61 **Section 26: Children and Young People's Plans** - provides for the Assembly to make regulations that will require local authorities to prepare and publish a plan setting out their strategy for discharging their functions in relation to children and young people. The Children and Young People's Plans will cover all local children's services including education. It will need to be prepared in consultation with children, young people, carers and families and all relevant local organisations including the Local Safeguarding Children Board.
- 2.62 Planning Guidance will be issued in 2007 with the first plans commencing in 2008.
- 2.63 **Section 27: Responsibility for Functions under sections 25 and 26** - requires key agencies to appoint senior officers with responsibility for their functions under sections 25 and 26. Each local authority is required to appoint a lead director for children and young people's services and to designate a lead member for children and young people's services for the purposes of co-ordinating and overseeing arrangements under sections 25 and 26 of the Act. The lead director and lead member will provide, respectively, a professional and political focus for children's services. They have three key roles:
- responsibility for promoting partnership working both corporately across the local authority and, in recognition of its leadership role, between the authority and its partners;
 - providing leadership to drive change;
 - ensuring that the local authority implements the rights of children and young people.
- 2.64 Local Health Boards are required to appoint a lead officer and to designate a non-officer Board member and NHS Trusts must appoint a lead executive and a lead non-executive director to take overall responsibility for their respective arrangements for cooperation in the partnership planning process.
- 2.65 **Section 28: Arrangements to Safeguard and Promote Welfare** - requires statutory agencies to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. The arrangements in individual agencies will be detailed in the forthcoming guidance to Local Safeguarding Children Boards in Wales.
- 2.66 **Sections 31-34: Local Safeguarding Children Boards** - Area Child Protection Committees are replaced by Local Safeguarding Children Boards. The objective of a Local Safeguarding Children Board is:

- to co-ordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area of the authority by which it is established; and
- to ensure the effectiveness of what is done by each such person or body for those purposes.

2.67 Under the Local Safeguarding Children Board (Wales) Regulations 2006 the statutory functions of Safeguarding Boards are:

- fostering a relationship of mutual trust and understanding;
- raising awareness of the need to safeguard and promote welfare;
- developing policies and procedures;
- reviewing the efficacy of the measures taken by Board members;
- co-ordinating what is done for the purposes of safeguarding and promoting the welfare of children;
- undertaking “serious case reviews”;
- monitoring the implementation of any recommendations;
- developing criteria for measuring the performance of the children’s services authority against the children and young people’s plan in so far as the plan relates to safeguarding and promoting the welfare of children;
- disseminating information about best practice;
- undertaking research;
- reviewing training needs;
- providing training;
- co-operating with other Boards; and
- seeking advice or information in relation to its functions.

Allegations against Professionals, Volunteers, etc

2.68 Children can be subjected to abuse by those who work with them and all allegations of abuse by a professional, staff member, foster carer, or volunteer must therefore be taken seriously. Guidance for the new Local Safeguarding Children Boards therefore covers the handling of such allegations.

2.69 The guidance stresses that it is important to differentiate between cases involving issues such as poor professional practice and cases that give rise to child protection concerns (including cases involving abuse of trust). Whilst professional practice issues are more appropriately addressed through disciplinary procedures or other avenues, child protection concerns should always be dealt with through local child protection procedures.

2.70 The guidance to Safeguarding Boards includes advice on:

- Helping children and their parents or carers to understand the process;
- The need for employers to keep the person who is the subject of the allegations informed of the progress of the case, and arrange to provide appropriate support;
- The need to maintain confidentiality and guard against publicity while an allegation is being investigated/considered;
- The importance of keeping a record of any allegations made on a person's confidential file, and also record details of how the allegation was followed up and resolved including details of any action taken and decisions reached;
- The need to resolve cases as quickly as possible consistent with a fair and thorough investigation and to manage cases to avoid any unnecessary delay;
- The need for agencies concerned, including the employer, to share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim;
- Social services adopting a procedure so that any information obtained in the course of enquiries which is relevant to a disciplinary case can be passed to the employer or regulatory body without delay.

- 2.71 School governing bodies have responsibility for implementing staff disciplinary procedures including suspension, against staff employed to work at their school. NAFW Circular 45/2004 'Staff Disciplinary Procedures in Schools' issued to schools in November 2004 contains advice for governing bodies on staff disciplinary procedures.
- 2.72 In light of concerns over the governing body's role in disciplining members of staff where child protection allegations are involved the intention is to review and revise the guidance in Circular 45/2004 and to make the guidance statutory in accordance with the provisions of the Education Act 2002.
- 2.73 Under the Staffing of Maintained Schools (Wales) Regulations 2006, governing bodies are required to include an independent member on staff disciplinary committees when allegations of child abuse are considered; and from 1 September 2006 to appoint an independent investigator to consider such cases and give advice to disciplinary committees.
- 2.74 The Assembly Government is setting up an independent investigation service which governing bodies will be able to use for cases involving allegations of child abuse.

Sexual Exploitation of Children

- 2.75 It is now accepted that children who are being or have been abused through sexual exploitation should be treated primarily as victims of abuse, and their needs carefully assessed. Many of these children are difficult to reach and may also be fearful of any involvement with the police or social services.
- 2.76 In 2000, the Home Office, the Department of Health, the Department for Education and Employment and the National Assembly for Wales jointly published guidance on safeguarding children involved in prostitution. The guidance encourages agencies to work together to:
- recognise the problem;
 - treat the child primarily as a victim of abuse;
 - safeguard the children involved and promote their welfare;
 - work together to prevent abuse and provide children with opportunities and strategies to exit from prostitution; and
 - investigate and prosecute those who coerce, exploit and abuse children.
- 2.77 Local Safeguarding Children Boards have a key role to play in this area and they need to develop inter-agency protocols on action to be taken when there are concerns that a child is being sexually exploited.
- 2.78 The Welsh Assembly Government recognises that the growth in the use of the internet, digital cameras, webcams and mobile phone cameras have contributed to an increase in the production and distribution of child abuse images. These children are victims of serious abuse.
- 2.79 The Assembly Government's guidance to Local Safeguarding Children Boards therefore offers the following advice:
- where somebody is discovered to have placed or accessed child abuse images on the Internet, to have accessed children's chat rooms, or is in possession of indecent photographs/pseudo photographs of children agencies should consider the potential risk that the individual is involved in the active abuse of children; and
 - establish the individual's access to children within the family, in employment and in other settings (e.g. work with children as a volunteer or in other positions of trust);
- 2.80 Local Safeguarding Children Boards are also encouraged to raise awareness about the safe use of the Internet by children both in school and at home, including appropriate training for school staff and guidance on the safe use of the Internet for both children and parents.

- 2.81 An Advisory Group on Child Sexual Exploitation in Wales was set up early in 2004 by Peter Clarke (Children's Commissioner), Julie Morgan MP, Yvonne Rodgers (Barnardo's) and Deborah Jones (Voices from Care) with the aim of establishing a project in Wales to directly address the issue of child sexual exploitation in Wales.
- 2.82 The Group's terms of reference are:
- To promote a co-ordinated and integrated response to the needs of children and young people who are at risk of being sexually exploited.
 - To develop an all-Wales wide influencing and lobbying strategy.
 - To commission research to assess prevalence and scope current needs and services, enabling the development of appropriate resources to meet the identified needs.
- 2.83 In 2005 Barnardo's undertook a scoping study on behalf of the Advisory Group. The findings from the study were presented in the document *Out of Sight, Out of Mind*, which was launched in November 2005. Earlier this year, the Minister for Health and Social Services approved funding for Barnardo's to take work forward in implementing key recommendations in *Out of Sight, Out of Mind*. The work will commence in October and is expected to be completed by January 2007.
- 2.84 There is also a need to work with government departments in England to address the England/Wales and UK dimensions. The recently established Child Exploitation and On-Line Protection (CEOP) Centre is a valuable addition to the resources available to tackle the problem of sexual exploitation of children and the Assembly Government is discussing with CEOP officials how we might promote the work of the Centre in Wales.

The Safeguarding Vulnerable Groups Bill

- 2.85 The Safeguarding Vulnerable Groups Bill, currently going through Parliament, contains strengthened arrangements for vetting those working with children and vulnerable adults and will extend the availability of checks to a wider range of individuals. The Bill contains a number of regulation making powers for the Assembly and also provides for the Assembly to be consulted on a wide range of regulations covering England and Wales to be made by the Department for Education and Skills.
- 2.86 Assembly Ministers will also be involved in the selection and appointment of members of the new Independent Barring Board to be established under the provisions of the Bill.

- 2.87 The Assembly Government will continue to support any strengthening of legislation in this area and will be reviewing Assembly subordinate legislation covering employment of individuals working with vulnerable groups. The Minister for Education, Lifelong Learning and Skills has already indicated she will be bringing forward secondary legislation in the Autumn to make checks with the Criminal Records Bureau a compulsory component of any appointment procedures for all school staff.
- 2.88 Cadw has developed a policy that is designed to protect Children and Vulnerable Adults. Two trained members of staff are available to deal with reports and investigations. All events personnel - re-enactors, show and tell, crafts demonstrators - must be CRB checked before we engage them.

iv. Play, Leisure, Sporting and Cultural Activities

- 2.89 Play is fundamental in a child's emotional, physical, social development and it is vital that every opportunity is taken to support it. Play, leisure and cultural activities allow children to continue their physical and emotional growth through teenage years and adulthood.
- 2.90 The Welsh Assembly Government aims to increase places where children can play while continuing to ensure their safety and is tackling this at national, local and community levels.
- 2.91 **Health Challenge Wales** is a national strategy with a healthier Wales at its heart. The Climbing Higher strategy has grown out of Health Challenge Wales and covers sports and physical activity for health.
- 2.92 **Dragon Sports** aim to give young people positive experiences of sport and physical activity and a positive lifelong attitude to exercise. Assembly Government funded free swimming for children and young people during school holidays has been a very successful scheme.
- 2.93 **The school curriculum** provides children and young people with a chance to explore and develop their own talents and creativity. Beyond school, the Welsh Assembly Government is seeking to ensure that there is community provision and that professional arts organisations are committed to working with the young.
- 2.94 The Cymorth fund (see paragraph 2.9) works to make life better for thousands of children, young people and families across Wales. It has helped to set up projects like the:
- Play support package in Ceredigion
 - Youth and social inclusion programme in Merthyr
 - Mobile family centre/family bus in Carmarthenshire
 - Helping hand sessions in Merthyr Tydfil
 - Summer play schemes in Gwynedd

Play Implementation Plan

- 2.95 The Assembly Government's Play Policy was published in October 2002, followed by the Play Implementation Plan, published on 15 February 2006, which addresses the play needs of children at each stage of their development and gives examples of good practice.
- 2.96 The plan includes a commitment to include in the forthcoming guidance on Children and Young People's Plans a requirement to address play needs. Such needs include consideration of the need for staffed adventure play, that provides children with a rich play

environment to compensate for the loss of natural open space. The Play Implementation Plan also examines the role of schools in creating play environments, and the promotion of managed risk as the alternative to over-protection of children.

Food and Fitness Action Plan

2.97 Three conferences on food and fitness in children and young people were held in March 2004 and a Food and Fitness for Children and Young People Task Group was established and began work in May 2004. The Group's plan – "Food and Fitness: Promoting Health Eating and Physical Activity for Children and Young People in Wales: 5-year Implementation Plan" – was published on 29 June 2006.

Nutrition

- 2.98 School based initiatives include
- The incremental introduction of free breakfasts to primary schools, with the scheme targeted initially at Communities First areas with a subsequent roll out to all primary schools wishing to participate;
 - The encouragement of healthy vending via a pilot programme initially in 3 secondary schools and subsequent guidance to other schools;
 - The provision of water coolers to schools in Communities First areas;
 - The encouragement of fruit tuck shops (through the Welsh Network of Healthy School Schemes); and
 - The 'Gimme 5' computer games and screen savers developed by the Food Standards Agency (Wales).
- 2.99 A further community initiative, targeting action for children and young people, and particularly those in disadvantaged communities, is the Food and Fitness Health Promotion Grant Scheme.

Physical activity

- 2.100 School-based initiatives include
- The Class Moves!, a programme that enables children and teachers to enjoy the benefits of exercise based on activity calendars;
 - Dragon Sport, run by the Sports Council for Wales, focuses on developing extracurricular and community opportunities in seven sports for 7 to 11 year-olds. It also trains volunteers to deliver sporting opportunities;

- The PE and School Sport (PESS) programme involves clusters of schools working together to identify good practice that will raise standards, test new resources and practice and share results.

2.101 Community initiatives targeting children and young people include:

- The Safe Routes to School initiative. As well as tackling traffic congestion caused by the school run, the safe routes initiative is important for the promotion of healthier lifestyles for children;
- Free swimming in school holidays.

v. Listened to, treated with respect, and have their Race and Cultural Identity recognised

Advocacy

- 2.102 The Welsh Assembly Government is committed to strengthening the provision of advocacy services for children in Wales National standards for advocacy in social services setting were issued in 2004 and regulations that allowed all children in need in social care settings a statutory right to access advocacy services were introduced in 2004. The advocacy standards are highly regarded and have been adopted for use in the health service, for children's services and adapted for use in some adult services.
- 2.103 The Assembly Government has reviewed the arrangements for children and young people's complaints and advocacy and is working towards a service that operates under a common framework. We have consulted over 1000 children on complaints and advocacy in health, social services and education. This is in addition to consultation by Cardiff University in their study of future advocacy service for Children and young people in Wales.
- 2.104 The Assembly Government has also encouraged children's advocacy providers to set up an all Wales Group to promote collaboration and facilitate the development and sharing of good practice.
- 2.105 A Task and Finish Group was set up to review the delivery of advocacy services for children and delivered its recommendations in 2005. These recommend a tiered model of advocacy delivery across health, education and social care settings, commissioned by Children and Young People's Partnerships and possible regional partnerships. A review of advocacy services was commissioned from Cardiff University to provide a firm evidence base and consultation was carried out with over 1,000 children and young people. The report recommended regionally based children's commissioning bodies that would connect and integrate advocacy provision across health, education and social services.
- 2.106 This autumn the Assembly Government will consult on proposals to reform advocacy services.

Complaints

- 2.107 The Welsh Assembly Government is committed to the principles of the UN Convention on the Rights of the Child and holds as one of

its core principles that all children and young people should be listened to and treated with respect.

- 2.108 We have completed a comprehensive review of complaints procedures and in April 2006 we issued guidance on complaints procedures in social services. We are now considering the scope for changes to the complaints procedures in health and we have given a commitment to extending the right of children to complain to primary care settings.
- 2.109 We have consulted key partners, including local authority education and social services departments, school governing bodies, the Children's Commissioner and other organisations concerned with children's rights on guidance for governing bodies on dealing with complaints from pupils. The final guidance will contain advice on the legal framework and how to handle complaints made by pupils.

Participation.

- 2.110 The children and young people's Participation Consortium for Wales was set up in 2003 at the request of the Assembly Government and is hosted by Save the Children Cymru to coordinate developments and share practice across non-governmental and voluntary organizations.
- 2.111 Since July 2003 a huge amount of development work has been undertaken. We have:
- Supported the development of Funky Dragon – the children and young people's assembly for Wales
 - Supported the development of the multi-agency children and young people's Participation Consortium for Wales, hosted by Save the Children to co-ordinate participation work and share practice across the statutory and voluntary sector, and established the Participation unit. The consortium has developed a common position statement on participation, run a competition for a soundbite, taken a "snapshot" of current participation activity across Wales to establish a baseline, and is currently working on common standards for practice, QA mechanisms, cross-sectoral training modules etc. WAG is an active member of the consortium.
 - Within the Assembly Government we have set up a Participation Project to advise departments on good practice in involving children and young people in issues that affect their lives, including policy development, consultations, child and young-person friendly documentation and methodologies, staff recruitment, public appointments procurement and service

audits. With European Social Fund support we are developing a pool of young people across Wales with the skills and confidence to be available to assist us and other organisations in these type of activities.

- Run a number of training activities for Assembly Government officials in working participatively with children and young people, including a pilot Senior Civil Service development initiative currently underway with the Carnegie Institute.
- Encouraged Children and Young People's Partnerships to work closely with CHYPS across the whole range of their activities. YPPs who are partners in the Extending Entitlement umbrella project are able to access additional ESF funding to take forward this work. YPPs have been required as a national priority to improve their existing arrangements for working with special interest and hard-to-reach groups; receipt of their young People's innovation grant for 2006-07 is dependent on WAG being satisfied as to how well they have addressed this priority.
- Worked closely with local children and young people's forums to share practice and information across Wales; work planned for 2006-07 includes the development of local participation strategies on the basis of an agreed national model, the identification of funding from within Cymorth to support local implementation and the consideration of the need for a legislative basis for this activity.

2.112 The Welsh Assembly Government is also working with the Carnegie Trust to engage with children and young people, encouraging participation in policy development. Two Directors from within the Department for Social Justice and Regeneration are part of a small working group taking forward this work.

2.113 There is a particular interest in ensuring positive outcomes for children and young people in the most deprived communities and this is a key feature of the Communities First programme. Particular importance has been attached to this in the revised Communities First Guidance which will be published in the near future. Giving children and young people the best possible start and the opportunity to influence the services that effect them are identified as key themes in the Communities First Guidance.

2.114 A review is being carried out of the support provided to Communities First Partnerships at the national level. Communities First Partnerships are being consulted on their support needs – including on involving children and young people in Communities First. When the review is concluded it is anticipated that the national support structure will evolve to meet those needs.

- 2.115 In the Health Services in Wales, the Assembly Government's guidance to the NHS "Signposts 2" gives some examples of how to include children in the development of services and encourage children's participation. There are two junior Community Health Councils in which a "shadow" CHC made up of young people get to consider the same issues as the real CHC.
- 2.116 CAFCASS CYMRU as a child focused organisation is also fully committed to children and young people's participation in policy and service development. CAFCASS CYMRU has a Participation Manager in post and is in the process of developing a Participation Strategy and Framework for children and young people including satisfaction surveys, engagement in recruitment processes, and production of child friendly information leaflets and the supplementation of interactive software such as Viewpoint.
- 2.117 CAFCASS CYMRU also has an engagement with organisations such as Funky Dragon, Schools Councils and other advocacy services across Wales who support children and young people, as it recognises that such organisations can help to ensure that the child and young person remains the central focus of its work.

School Councils

- 2.118 The School Councils (Wales) Regulations 2005 require all maintained primary (except for infant and nursery), secondary and special schools in Wales to establish a school council consisting solely of representatives of registered pupils at the school. The pupils appointed to the school council must be elected and voted for by the pupils. All pupils have a right to vote.
- 2.119 The purpose of a school council is to give pupils a voice on school issues; to involve them in decisions which affects their daily life in school; and to enable them to make representations to the headteacher and governing body. The headteacher and the governing body must consider such issues and provide feedback to the school council. The council may also discuss local community issues especially where they affect the school or its pupils.
- 2.120 The regulations give school councils in secondary schools the opportunity to nominate up to two pupils from years 11 to 13(inclusive) to be 'associate pupil governors' and attend governing body meetings to represent the views of the pupils/school council. The expectation is that associate pupil governors will be able to take part in discussions on most governing body issues, although they will not be able to vote.

2.121 We have published effective practice guidance and materials for schools councils which all schools are able to access. Following a pilot in March, training is being rolled out to local authority and school governor representatives on the effective operation of school councils.

vi. A Safe Home and Community which supports Physical and Emotional Wellbeing

Communities First

2.122 Communities First is a major Welsh Assembly Government programme aimed at reducing poverty and helping to improve the lives of people who live in the poorest areas. The programme will run for at least ten years and local people will themselves decide what is needed and will be helped to make it happen.

2.123 Communities First aims to:

- get local people involved in improving their areas and their own prospects;
- bring in funding and support from a range of sources to make things happen;
- make sure improvements last;
- encourage flexibility, risk-taking and new ways of dealing with problems;
- involve everyone working together to identify and do something about their community's problems.

2.124 The programme brings in funding and support from a number of different sources and is intended to make a long lasting difference to disadvantaged communities.

2.125 Communities First encourages creativity, risk taking and imaginative approaches and involves an integrated approach to addressing poverty and the factors that cause or contribute to it.

2.126 Each area included in the Communities First programme has its own particular problems to deal with. However, these issues are fundamental to the long-term well-being of communities:

- Building the confidence and self esteem of those living in these communities and developing a can do culture.
- Encouraging education and skill training for work.
- Creating job opportunities and increasing the income of local people.
- Improving housing and the surrounding environment.
- Improving health and well being through an active and healthy lifestyle, and by addressing a range of issues that affect people's health.
- Making communities safe and secure places in which to live, work and play.
- Driving forward changes to the way in which public services are delivered.

vii. Not Disadvantaged by Poverty

Child Poverty Strategy

- 2.127 Since 1997, 2.1 million children in the UK have been taken out of absolute poverty. The Policy Studies Institute states that the number of children living in households where the median income is below 60 per cent of the average was 3.6 million in 2002-03, representing a drop of 0.8 million since 1996-97. Thanks to sizeable falls in recent years this is equal to the average for Great Britain. Wales has a lower rate of relative child poverty than London, the North East, the West Midlands, the North West and Merseyside, and Yorkshire and the Humber. The relatively strong performance of the labour market in Wales is likely to be a key cause of this improvement, since it has resulted in a significant reduction in the number of households that are dependent on benefits as a result of unemployment or economic inactivity. So, there has been an improvement but it is vitally important that progress continues.
- 2.128 Poverty continues to impact upon a significant minority of children and young people. It manifests itself in underachievement and social exclusion; in poor health and limited opportunities for children from disadvantaged backgrounds. It is damaging to individual children, to families, to communities and to society as a whole
- 2.129 The Welsh Assembly Government believes that tackling child poverty is a fundamental component of its broader strategy to improve quality of life and extend opportunity to every community in Wales. The Welsh Assembly Government's child poverty strategy, *A Fair Future for our Children*, sets out how the Assembly Government will play a full and active part in meeting our commitment to eradicate child poverty by 2020 and to halve child poverty by 2010, compared with 1997 figures.
- 2.130 The Deputy Social Justice and Regeneration Minister was asked to develop an Implementation Plan for the eradication of Child Poverty by 2020. The Implementation Plan comprises a range of cross cutting proposals building on the work that is already being undertaken to alleviate child poverty.
- 2.131 Cabinet considered and agreed the Child Poverty Implementation Plan, Phase 1 proposals on 3 April 2006 and the papers were subsequently presented to the Social Justice and Regeneration Committee. The Plan comprises a range of proposals, crosscutting targets and milestones to monitor and measure progress towards the aim of eradicating child poverty in Wales by 2020. Proposals ranging from child poverty proofing all Assembly Government

strategic policies, bending resources towards the needs of the poorest children and increasing family income are in the process of being implemented in 2006-07.

- 2.132 During June and July, a series of bilateral meetings were held with relevant Cabinet Ministers to agree the detailed milestones and targets that the Assembly Government will adopt to measure its progress in reducing child poverty. It is intended that the finalised milestones and targets paper will be submitted by the Social Justice and Regeneration Minister for consideration by her Cabinet colleagues in early October.

Child Trust Funds for Looked After Children

- 2.133 The Welsh Assembly Government has established a grant scheme to encourage local authorities, as the corporate parents of looked after children, to make annual contributions to their Child Trust Funds. The aim is to ensure that looked after children are able to share in the asset accumulation that is so vital in providing financially secure futures for other children.

- 2.134 Child Trust Funds are part of a longer term approach to tackling poverty and inequality. It focuses on the long term, thereby widening the definition of poverty beyond the inability to meet current or short-term needs.

Communities First

- 2.135 The Communities First programme, covered in more detail in paragraphs 2.108 to 2.112 above is aimed at reducing poverty and helping to improve the lives of people who live in the poorest areas.

3 Fulfilled Lives, Supportive Communities - A Strategy for Social Services over the Next Decade

Background

- 3.1 In August the Minister for Health and Social Services launched, for consultation, *'Fulfilled Lives, Supportive Communities'*, the Assembly's strategy for Social Services in Wales over the next decade. The draft strategy sets out the important role that Social Services play in their wide ranging work with vulnerable people and proposes a vision for the next 10 years of how social services and social care will contribute to a better Wales.
- 3.2 For Children's Services the strategy is predicated on a vision of child focussed services balanced toward prevention, early intervention and support, and delivered by a highly trained and motivated workforce. Effective assessment and review lie at the heart of this vision.
- 3.3 The strategy complements Designed for Life and reflects the key themes in our response to the Beecham Report "Beyond Boundaries –Citizen-Centred Local Services for Wales" and particularly:
- Developing the capacity to effect change and strengthen the workforce
 - Making the voice of the user and carer really count
 - Strengthening performance management and sharpening scrutiny
 - Promoting stronger partnerships that work across organisational boundaries
- 3.4 The key themes are that:
- Services should put the citizen at the centre of what they do and focus on earlier prevention rather than concentrating with those with the most intense needs.
 - Users and carers will have simpler systems to improve access. The aim is to provide more personalised services which give a real say. There needs to be a greater emphasis on working "with people" rather than just "for people".
 - Social services should have a much higher profile, working across local government to champion the needs of families and vulnerable people.
 - Adults and children's social services should ensure that individuals and families are properly supported by coherent

services that offer continuity of care for those with enduring needs.

- Local authorities should remain both commissioners and providers of services but take a more active role in shaping the mixed market of private, public and voluntary care.

3.5 The draft strategy proposes a more diverse model for using the skills of a better qualified workforce so that we have people with the right skills mix to support the reshaping of services to meet the needs of the next decade.

4 Response of the Welsh Assembly Government to the "Challenges"

CHALLENGE 1: The Children

CHALLENGE 1: The Children - to build upon initiatives to place children at the centre of policy and service development and to improve, expand and rationalise arrangements for listening to and advocating for all children.

1.1. WAG to have a programme for raising the universal services (health and education) for all children to the standards and quality of the best and to eradicate disparities in services across Wales:

- the basic training of professionals in the universal services should include training in the early recognition of vulnerable children and how to make appropriate referral to specialist agencies
- the voluntary youth sector and faith, culture and arts organizations for children and young people should have procedures for checking all adult helpers to ensure that they are not a danger to children and are trained to recognise vulnerable children and make appropriate referral to specialist agencies

Accepted:

The Welsh Assembly Government is committed to providing high standard universal services to all. "Wales: A Better Country" gives a commitment to getting the worst performing schools to catch up with the ever improving performance of the best. The RAISE programme is providing funding to around one third of schools with high concentrations of disadvantaged pupils to enable them to break the link between disadvantage and low attainment.

The Foundation Phase, a new curriculum for 3-7 year olds, provides appropriate development and sets high expectations early on that should enable all children to reach their potential.

The National Service Framework for Children, Young people and Maternity Services, launched on 30 September 2005, sets out the quality of health and associated services that children, young people and their families have a right to expect and receive in Wales.

Professionals working with children in the universal services are already

expected to undergo appropriate training in children's safeguards and the recognition of abuse and risks to children's health and well being. We will ensure that existing guidance is highlighted.

Work is in hand to pilot a Common Assessment Framework (CAF) in Wales. This will enable the collection of information across local agencies on children at risk and help to ensure that referrals are made appropriately. Implementation of the CAF will require that professionals in the universal services are trained to identify risk factors.

In relationship to checks on helpers and volunteers, the Welsh Assembly Government supports the use of comprehensive recruitment, vetting and training procedures. The Safeguarding Vulnerable Groups Bill, currently going through Parliament, will strengthen arrangements for vetting those working with children and vulnerable adults and will extend the availability of checks to a wider range of individuals, including volunteers.

Financial Implications:

There are no immediate financial implications in accepting this recommendation, much of which covers existing good practice, or is already within identified priorities for the Welsh Assembly Government. Subject to the outcome of pilots, widescale implementation of the CAF will have financial implications which would have to be considered in future budget planning rounds.

The delivery of the highest standards for universal services cannot be achieved overnight and will be subject to future funding pressures and priorities. These will be addressed as new or revised programmes are considered.

1.2. WAG to develop a common framework for all arrangements for children's participation in policy and service development and other major decisions which affect them. It should include:

- all activities which facilitate consultation and expression of children's views (such as school councils, consultation forums, questionnaires, children's champions, participation work)
- consideration of developing school councils as a channel for both school and community issues and encouragement of school governors to have regular discussion with school councils
- a co-ordinated approach to establishing principles and standards, methods of monitoring effectiveness and promoting best practice

Accepted:

The Welsh Assembly Government is committed to strengthening the provision of services for children in Wales in the areas of advocacy and participation and has already done much work in these areas. A major plank of the Assembly's work on improving access to advocacy has been a review of advocacy services, built on a firm evidence base.

Regulations to require school councils came into effect on 31 December 2005. This is a distinctive Welsh policy and there is no equivalent requirement in England. The regulations require governing bodies to consider issues raised by school councils.

Financial Implications:

There are no additional financial implications for the Assembly. Initiatives to meet the objectives of this recommendation are already in hand or planned.

1.3. WAG to develop a common framework for all statutory arrangements for providing independent advice to and representation of the interests of individual children (i.e. Advocates, Independent Reviewing Officers (IROs), Complaints Officers, and Personal Advisers). Its component parts should be:

- a system of children's complaints and advocacy across all public services including GP and other independent contractor services
- independent 'one stop shops' in all areas for dealing with children's individual complaints and concerns across all public services
- a common set of principles and standards for independent advocacy
- a set of principles and standards for independent advocacy which will ensure a) prevention of conflict between service provider interests and children's interests in the event of a complaint or challenge, and b) consistent procedures for the resolution of issues raised with service providers on behalf of a child
- independent monitoring of the quality of advice and representation services and appropriate regulation of individuals working in this field

Accepted:

The role and functions of Independent Reviewing Officers (IROs) and Personal Advisors are prescribed in legislation. Current arrangements provide safeguards to ensure independence and quality assurance of the service. As functions of social services, the operation of these services are subject to inspection. IROs are required to hold a social work qualification

and are subject to registration with the Care Council for Wales. In accordance with the Adoption and Children Act 2002, there is provision for IROs to refer matters to CAFCASS CYMRU where they have concerns that children's interests are not being effectively addressed. However, there have been no referrals made to CAFCASS CYMRU since the issuing of the regulations in October 2004. We will be reviewing the effectiveness of the IRO function and will be involving Local Authorities and CAFCASS CYMRU in the review.

The Assembly Government will consult this autumn on proposals to reform advocacy services for children and young people. The consultation will propose arrangements which will tackle some of the recommendations above. Standards already exist for advocacy in social services and we will consider the application of these standards more widely.

The Assembly Government carried out a comprehensive review of complaints procedures and in April issued guidance on complaints in social services. We are now considering the scope for changes to the complaints procedures for children in the health service as part of the work on NHS Redress and reform of the complaints procedure and will consider what changes are necessary, both practically and in legislation, to assist and support children who wish to complain about their health care.

We have consulted on governing body and school procedures for dealing with complaints involving pupils. The final guidance will be published shortly.

Financial Implications:

There are no additional financial implications arising from this recommendation.

1.4. WAG to establish a central unit to lead, co-ordinate, support and monitor the activities described in (2) and (3) above. It should:

- be resourced with the strategic, operational, professional and managerial skills necessary to do the job
- account to and support the Minister for Children as this role is consistent with an unequivocal focus upon advocating for children's rights and representation rather than upon a particular service
- advise upon, develop and monitor the systems and structures needed to ensure a skilled, safe and independent advice and representation service for children throughout the public services in Wales

- establish and monitor the standards of such a service and advise upon and approve the independence and quality of commissioning arrangements for these services

Accepted in principle

The Minister for Children with her 'cross-cutting' responsibilities, the Cabinet Sub Committee for Children and Young People and the Officials' Strategy Group, with support from the inspectorates, can perform the functions to which this challenge refers.

Responsibility for the Participation Unit will remain with the Minister for Education, Lifelong Learning and Skills.

The forthcoming consultation on advocacy arrangements will consider support systems and will further explore the option of central support needed to take forward the proposed reforms for advocacy services.

Financial Implications:

None. Costs of central support for advocacy development can be met from existing budgets.

1.5. WAG to consider restoring the formal link between WAG and the Children's Commissioner through the Minister for Children.

Accepted in principle

This recommendation can be accepted in principle while preserving the Commissioner's ability to deal directly with individual Ministers on topics of portfolio relevance.

Financial Implications:

There are no additional financial implications in taking forward action in relation to this recommendation.

1.6. Local Authorities to develop regional commissioning arrangements for advocacy services to include:

- a regional steering group, including providers of services, with a remit to advise on problems and improvement, identification of emerging issues raised by children, and training and regulation of staff and volunteers

Accepted:

Proposals to reform the commissioning of advocacy services, to be consulted on this autumn will include support tools and capacity building for Children and Young People's Partnerships to assist them in developing effective commissioning arrangements for advocacy services. Proposals will also include the development of regional approaches to commissioning, qualification and registration of the advocacy workforce and possible support by a unit at all Wales level.

Financial Implications:

The financial implications of improving advocacy arrangements will be assessed following the consultation exercise. Accepting this recommendation in itself has no financial impact upon the Assembly.

1.7. WAG to ensure that common standards are introduced for independent advocacy:

- to include standards for the selection, training and monitoring of volunteers (the model developed for CAB voluntary advisers may be a useful example)
- non-social workers with other professional qualifications should be able to demonstrate an identifiable core of required skills and knowledge for advocacy
- the Care Council for Wales and similar bodies to review their position to ensure that consideration is given to the issue of registration and professional discipline for all individuals undertaking the role of advocate, supporter, adviser to or representative of vulnerable children

Accepted:

National standards for advocacy in social services setting were issued in 2004 and have been adopted for use in the health service.

The Assembly Government will also consider the question of registration and professional competence for advocates.

Financial Implications:

The only financial implications in accepting this recommendation will arise from any registration provisions. This will need to be assessed as part of the further consideration of this issue but at this stage there is no commitment to proceed with registration.

CHALLENGE 2: THE PUBLIC

CHALLENGE 2: THE PUBLIC - to address the confused and conflicting attitudes to children in our society the following is required:-

2.1. WAG to develop a public information strategy designed to promote a better informed public image of children with the objectives of:

- raising greater awareness of the needs of children, promoting more sympathetic understanding of how issues affect children and greater acceptance of adult responsibilities towards all children including the shared responsibility to develop safe communities
- promoting more understanding that children who are "sinned against" or "sinning" are at different points on the same continuum
- promoting support for further improvement in the quality, sustainability and equality of standards of universal services for children across Wales
- promoting among all public services, independent providers and the business community a better understanding and acceptance of their wider responsibilities for safeguarding children
- ensuring that all local authority community strategies include strategies for safeguarding children and involving them positively in their communities

Accepted in Principle:

The Welsh Assembly Government recognise the importance of creating a positive image of children and their needs and will take every opportunity to do this. However, raising public awareness is also a matter for others, including local authorities, Local Safeguarding Children Boards, and the Children's Commissioner for Wales.

The Welsh Assembly Government is already doing a great deal to promote a positive image of children; for example, through its participation agenda.

The specific functions of Local Safeguarding Children Boards, set out in Regulations, include taking steps to raise awareness throughout the Board's area of the need to safeguard and promote the welfare of children and to provide information about how this might be achieved.

Financial Implications:

There should be no financial implications in accepting this recommendation, as most costs will be met within existing programmes aimed at, among other things, improving the public image of children.

Should it be decided to launch a specific campaign in addition to existing initiatives the financial implications will need to be addressed separately.

2.2. WAG to promote a strategy for engaging the media in reflecting upon the impact upon children in general and vulnerable children in particular of ways in which issues involving children are handled:

- to consider a joint initiative between government and the Children's Commissioner to engage the media in the public information strategy outlined above
- to promote the strengthening of training programmes for journalists in the understanding of the best interests of children and child protection
- to encourage the media to take account of the child's best interests when covering news stories

Accepted in Principle:

The function of the Children's Commissioner, in safeguarding the rights and welfare of children and young people, is to examine and comment on the actions of government, and in order to do so he must remain independent of any activity which he might wish to consider. If he or his staff play a part in joint action with the Assembly, he risks losing the independence he needs should he wish or be required to examine or comment upon it at some future date.

However the Welsh Assembly Government agrees the need for the media to play a more positive role in addressing issues around children. We will therefore consider how the Assembly Government might engage with the media to promote a positive approach.

Financial Implications:

There are no additional financial implications in further considering this recommendation. If any further action is identified the financial implications will be addressed at the time.

CHALLENGE 3: THE WORKFORCE

CHALLENGE 3: THE WORKFORCE - to improve the levels, stability, confidence, competency, support and job satisfaction of people who work with children the following is required:-

3.1 WAG and employers to action the recommendations in the report “Social Work in Wales: A Profession to Value” as a matter of urgency.

Accepted:

The Report was published on 8 August 2005. Those recommendations which fall to the Assembly Government to implement will be taken forward through the workforce stream of the social services directions paper, “Fulfilled Lives, Supportive Communities”.

However, not all recommendations in the report are addressed to the Assembly Government, and the Association of Directors of Social Services (Wales) are leading an implementation group, which includes representatives of the Assembly, the Care Council for Wales and the WLGA.

Financial Implications:

As work in this area is already underway, there are no additional financial implications in accepting this recommendation.

3.2. WAG to give urgent consideration to the introduction of legal protection for professional staff who make child protection referrals or give expert opinion in good faith (with particular reference to consultant paediatricians).

Accepted in Principle:

The Assembly Government recognise the importance of professionals not being deterred in making appropriate referrals and giving professional advice and will consider how to take this forward. However, the introduction of legal protection for those making child protection referrals or giving expert opinion would require an England and Wales approach and we will therefore raise this with the appropriate UK government departments.

Financial Implications:

There are no additional financial implications in further considering this recommendation.

3.3. The Police, Crown Prosecution Service and public service managers to effect further improvement in developing a more integrated approach to the conduct of investigations of allegations against staff with a view to:

- a quicker and less stressful process for children and staff
- prevention of repetition of evidence gathering, and
- more rapid release of relevant evidence to be made available for the disciplinary process

Accepted in Principle:

This recommendation extends to non-devolved functions and therefore will need further consideration with the Home Office.

The procedures around the investigation of allegations are set out in existing guidance, including "Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses, including Children" - published by the Home Office, the Lord Chancellor, the Crown Prosecution Service, the Department of Health and the National Assembly for Wales in 2001. That guidance will shortly be reviewed and we will take this recommendation into account in discussions with other agencies and government departments.

In addition, joint guidance on the investigation and prosecution of child abuse cases was published in October 2003 by the Welsh Assembly Government and others, covering inter-agency issues in complex child abuse investigations. This guidance was published in response to recommendation 22 of the Waterhouse Report, "Lost in Care" which emphasised the need for guidance to social services departments and to police forces involved in major investigations.

Guidance to Local Safeguarding Children Boards contains a chapter on allegations of abuse or causes of concern about a person who works with children.

Financial Implications:

There are no additional financial implications in further considering this recommendation.

3.4. WAG to implement recommendation 21.7 of the Report of the Children's Commissioner for Wales that guidance should be issued on how allegations of child abuse made against teaching and non teaching staff should be investigated.

Accepted:

School governing bodies have responsibility for staff disciplinary procedures in schools. In November 2004 the Welsh Assembly Government issued Circular 45/2004 'Staff Disciplinary Procedures in Schools' to all schools and governing bodies, LEAs, school staff teaching unions, diocesan authorities and others. Although governing bodies need to follow that locally agreed procedures we expect them to do so in light of the guidance in the circular.

The guidance contains comprehensive advice for governing bodies on the staff disciplinary process, including the legal framework; membership of the staff disciplinary /dismissal committee and the appeal committee; the need for fairness and impartiality; the disciplinary hearing, use of suspension and dealing with child protection allegations against members of staff.

The guidance clarifies the steps a headteacher or chair of governors (if the allegation is about the headteacher) must take when they receive a child protection allegation including immediate referral to the statutory authorities (the police and social services) and Area Child Protection Committees, now Local Safeguarding Children Boards.

It also stresses that the investigation by the statutory authorities takes precedence over any action by the governing body, and advises that the governing body should not commence its own investigation until it has been informed that the statutory authorities have concluded their consideration.

The guidance clarifies that where the statutory authorities or Police do not pursue action, or where a case does not go to Court or goes to Court and there is no conviction, the matter must be referred to the governing body to implement their staff disciplinary procedures as soon as possible following that decision.

In order to strengthen the guidance relating to dealing with child protection allegations the Circular is being reviewed with a view to issuing it as statutory guidance in accordance with the provisions of the Education Act 2002 which came into force in Wales earlier this year.

Financial Implications:

There are no additional financial implications in accepting this recommendation.

3.5. Unions and employers to review their policies and practices with regard to the support given to “whistleblowers”. Specifically:

- where it is not the policy of a Union to provide dedicated support to a member who is a whistleblower the employer should designate a senior member of staff not involved in the investigation to carry out this role

Accepted in Principle:

This recommendation is directed at unions and employers.

Legislation relating to whistleblowing is contained in the Public Interest Disclosure Act 1998. Whilst the Act encourages employers to adopt procedures that promote openness and communication, provide employees with routes for making internal and external disclosures and protects the employee in making such a disclosure, it does not require employers to produce a whistleblowing policy.

Guidance to Local Safeguarding Children Boards contains a chapter on handling allegations of abuse against members of staff and others. This includes advice that "staff, foster carers, volunteers and other individuals about whom there are concerns should be treated fairly and honestly, and should also be provided with support throughout the investigation process as should others who are also involved". This guidance also extends to support for "whistleblowers".

Under the Code of Conduct for local government employees, introduced by the Assembly in 2001, employees that become aware of activities they believe to be illegal, improper, unethical or otherwise should report the matter.

Issues specific to social services are addressed through the Care Council for Wales codes of practice for social care employees and employers. The codes provide a common set of standards that deal with the issues of reporting and acting on abusive or dangerous practice.

Governing bodies of voluntary aided and foundation schools are the employers of the staff in their schools. In community, community special and voluntary controlled schools the governing body has responsibility for employer functions such as appointment, discipline, dismissal, and suspension of staff.

In light of these responsibilities and as part of its response to the Children's Commissioner's recommendations in the Clwyd Inquiry Report the Assembly Government gave a commitment to issue guidance to governing bodies.

Draft guidance will be issued for consultation in Autumn 2006 with a view to issuing the final guidance early in 2007.

Financial Implications:

There are no additional financial implications in further considering this recommendation.

3.6. Relevant Unions and sections of the media to reconsider the content and tone of some public statements made when prosecutions of staff fail or decisions are taken not to proceed with criminal prosecution:

- to appreciate that these circumstances cannot be construed as proof that a false allegation was made

Accepted in Principle:

This recommendation is addressed to the unions and media. However it also needs to be considered alongside recommendation 2.2, "WAG to promote a strategy for engaging the media".

As with recommendation 2.2 we will therefore consider how the Assembly Government might engage with the unions and media to promote a positive approach in public statements.

Financial Implications:

There are no additional financial implications in further considering this recommendation.

3.7. Where staff are alleged to have assaulted a child employers to have in place procedures to ensure immediate decision and action, including the release of relevant papers, about the need for disciplinary proceedings should there be no prosecution or a failed prosecution:

- this should involve taking advice from officers with the necessary expertise in child protection

Accepted:

This is good practice.

Guidance for Local Safeguarding Children Boards covers the issue of handling allegations. This guidance will include advice on the following:

- Helping children and their parents or carers to understand the process;
- The need for employers to keep the person who is the subject of the allegations informed of the progress of the case, and arrange to provide appropriate support;
- The need to maintain confidentiality and guard against publicity while an allegation is being investigated/considered;
- The importance of keeping a record of any allegations made on a person's confidential file, and also record details of how the allegation was followed up and resolved including details of any action taken and decisions reached;
- The need to resolve cases as quickly as possible consistent with a fair and thorough investigation and to manage cases to avoid any unnecessary delay;
- The agencies concerned, including the employer, should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim;
- Social services should adopt a procedure so that any information obtained in the course of enquiries which is relevant to a disciplinary case can be passed to the employer or regulatory body without delay.

In relation to schools, paragraphs 5.4 – 5.17 of Assembly Government Circular 45/2004 'Staff Disciplinary Procedures in Schools' gives guidance on the procedure governing bodies should follow on receipt of a child protection allegation.

The guidance makes it clear that a referral should be made by the headteacher or chair of governors to the LEA designated child protection officer and the statutory authorities. In particular paragraph 5.14 states that:

' Unless the investigation (by the statutory authorities) leads to a criminal conviction and dismissal of a member of staff follows automatically, the staff disciplinary committee will normally need to consider the case. It is not appropriate for the governing body to conclude that because there is no prosecution or a prosecution fails consideration of disciplinary action is unnecessary'.

The Assembly Government intends to review and reissue guidance as described above.

In February 2000 the Assembly issued a *"Practice Guide to Investigate Allegations of Abuse against a Professional or Carer in relation to Children Looked After"*. That guidance is currently being revised and extended to cover health and education settings.

Financial Implications:

This is already good practice supported by existing guidance. There are no additional financial implications in accepting this recommendation.

3.8. Higher Education providers to ensure that the training of staff working in universal services such as education and health has a compulsory component about safeguarding children including the ways in which child abusers operate and when to make appropriate referrals.

Accepted:

This is in line with the Assembly Government's response to Clywch recommendation 21.3. Our revised initial teacher training (ITT) course requirements, [included in the statutory accreditation criteria which all accredited institutions providing courses of ITT must satisfy](#), specify that all providers must ensure that students are familiar with the most recent guidance on children's safeguards.

Similarly training in the NHS contains components on children's safeguards.

Guidance on making appropriate referrals is included in current guidance to Local Safeguarding Children Boards, *"Safeguarding Children: Working Together under the Children Act 2004"*.

Financial Implications:

This is established good practice and there are no financial implications in accepting this recommendation.

3.9. Employers to ensure that the role of giving advice and support in investigations and disciplinary proceedings involving child abuse should be restricted to specialist Human Resources with access to

expert advice and a programme of training in safeguarding children and child protection.

Accepted in principle:

Advice and support in investigations and disciplinary proceedings involving child abuse should be given by appropriately qualified and competent people from a range of disciplines including social workers, the police and human resources professionals.

Guidance to Local Safeguarding Children Boards highlights the need for support for persons who are the subject of allegations. It states that the "employer should ... keep the person who is the subject of the allegations informed of the progress of the case, and arrange to provide *appropriate* support to the individual while the case is ongoing. (That may be provided via occupational health or employee welfare arrangements where those exist.) If the person is suspended the employer should also make arrangements to keep the individual informed about developments in the workplace. If the person is a member of a union or professional association s/he should be advised to contact that body at the outset."

In response to the recommendations in the Children's Commissioner's Clwyd Inquiry Report, and to support governing bodies with their investigation and disciplinary process when dealing with child protection allegations, there are two new provisions in the Staffing of Maintained Schools (Wales) Regulations 2006.

The regulations contain a requirement for governing bodies to appoint an independent investigator to investigate child protection allegations and to appoint a non-governor member with voting rights to the staff disciplinary/dismissal committee and the disciplinary/dismissal appeal committee when these are considering child protection allegations.

The Assembly Government's expectation is that the non-governor member will have expertise in analysing information and evidence and will be able to assist the staff disciplinary/dismissal and appeal committee in reaching a fair and balanced judgement.

The requirement for governing bodies to appoint an independent investigator for child protection cases came into force on 1 September 2006. The Assembly Government is setting up a funded independent investigation service which governing bodies can use.

Financial Implications:

There are no additional financial implications arising from this

recommendation.

CHALLENGE 4: THE FORMAL SYSTEMS

CHALLENGE 4: THE FORMAL SYSTEMS - to make them more child friendly, better and more consistently resourced and fit for purpose the following is required:-

4.1. WAG to consider stronger measures to promote collaborative and partnership working in the event that present measures do not deliver what is required in timescales relevant to the present generation of children.

Accepted:

The provisions of Sections 25, 26 and 27 of the Children Act 2004 considerably strengthen partnership and cooperation in the planning and delivery of services for children and young people. The provisions of sections 25 and 27 came into force on 1 September 2006. They place a statutory requirement on local partners to work together to improve the well-being of children and young people.

Section 27 requires the designation of lead directors and members in local authorities and their equivalents in LHBs and NHS Trusts. Their main responsibility is to make sure that partnership in planning takes place effectively. They must also ensure that the views of children, young people and their families are listened and responded to in decisions taken by partners. They must also ensure that the rights of children and young people are met and that partnership self assessment takes place regularly.

This means that once the guidance is implemented there will be people identified to whom local partners, including children young people and families, can refer if they feel their views are not being listened to.

Statutory guidance on the new Children and Young People's Plan, to be introduced from 2008 in accordance with section 26 of the Act, will require local authorities to produce a plan for children and young people to cover the services provided by the local authority and its partners, including the NHS and the voluntary sector. The Plan will cover 3-yearly periods from 2008 and replace the current Single Education Plan, Children's Services Plan, Adoption Services Plan and the separate Children's and Young Peoples Plans. It will act as a basis for joint commissioning across partners in the provision of services.

Local Safeguarding Children Boards should deliver improved policies and practices in inter-agency collaboration for children's safeguards, in the context of the overall Children and Young People's Plan. Their effectiveness will be monitored and evaluated by the Assembly Government.

Financial Implications:

There are no financial implications in accepting this recommendation. Initiatives to meet the objectives of this recommendation are already in hand or planned.

4.2. WAG to evaluate the concept and application of 'emotional intelligence' and assess its' potential contribution to policy and practice affecting children in Wales.

Accepted:

"The expression emotional intelligence or EI indicates a kind of intelligence or skill that involves the ability to perceive, assess and positively influence one's own and other people's emotions."
(Source: [wikipedia.org](https://en.wikipedia.org))

Extending Entitlement and 14-19 Learning Pathways include significant elements of emotional intelligence as part of their philosophy. Both policies aim to support the development of emotional intelligence as part of a package of learning which covers, formal, non-formal and informal learning experiences. Emotional intelligence competences are also reflected in the competences required by employers in the Future Skills Wales survey, so developing emotional intelligence is genuinely relevant to children and young people's life and future work.

We are currently developing a toolkit as part of the monitoring and evaluation of the impact of Extending Entitlement and 14-19 Learning Pathways which will enable young people themselves and those who work with them to evaluate their progress and development in qualitative areas. This toolkit uses emotional intelligence as a fundamental base (core set of skills) and we believe it will help to enhance the significance and value we place on emotional development.

Financial Implications:

There are no additional financial implications at present in accepting this recommendation. Initiatives to meet the objectives of this recommendation and initial research are already in hand or planned. However, the wider piloting, roll-out and application of such a model will require additional financial support to assess its wider applicability across the range of settings where children and young people access services.

4.3. SSIW, Estyn, HIW and HM Inspector of Constabularies to develop existing collaboration further and to move towards integrated systems for Inspections of joined up services:

- to prioritise the development of integrated Inspection protocols for scrutiny of LSCBs and their capacity to carry out the required functions

Accepted:

The Welsh Assembly Government recognises the value of joint inspections but cannot progress this recommendation alone. Inspectorates have already developed a protocol for working together in the inspection of cross-cutting services. Discussions are proceeding on the best way forward for monitoring the establishment and operation of LSCBs.

Financial Implications:

There are no additional financial implications in further considering this recommendation.

4.4. WAG to ensure that anti bullying strategies are part of the Single Education Plan and the Children's Services Plan. WAG should also consider making a legal requirement of employers of young people to have similar anti bullying measures in place and to exercise a duty of care.

Accepted in Principle:

Local authorities are required to set out in their single education plan strategies for providing advice and support to schools to assist them in promoting positive behaviour including preventing and dealing with bullying. Guidance on successor Children and Young People's Plans is being prepared and will be issued for consultation at the end of 2006.

However the Welsh Assembly Government cannot require employers of young people to have anti-bullying measures in place. There is no specific legislation on bullying although the Health and Safety at Work Act places a general duty on employers to protect the health, safety and welfare of their employees.

Financial Implications:

There are no additional financial implications in accepting the first part of this recommendation.

4.5. WAG to ensure that information and data protection systems in agencies are enhanced to facilitate improved information sharing between agencies and checking of staff. This should include:

- requesting the Information Commissioner to issue clearer guidance and be more proactive in relation to vulnerable children
- ensuring that CRB checks are conducted on all school governors and that formal checks are routinely made on the non criminal exclusions for consideration as a Governor (e.g. bankruptcy and detention under the Mental Health legislation)
- clarifying standards for making recruitment checks and instituting a new standard that CRB checks should be carried out every 3 years in all statutory agencies, pending final proposals from the Bichard working groups

Accepted in Principle:

The Welsh Assembly Government recognises that clearer guidance is required on some aspects of data protection and information sharing. However, the role of the Information Commissioner is limited in this area. The Commissioner can provide general guidance but agencies need to seek their own case specific guidance where clarity is lacking.

Further guidance to agencies on information sharing is provided for Local Safeguarding Children Boards in "*Safeguarding Children: Working Together under the Children Act 2004*". The guidance sets out the key principles with regard to information sharing and highlights the difficult issues that agencies may have to address in sharing information. The guidance also summarises good practice in involving children, young people and parents in discussions on information sharing. Finally, it summarises the key facts that practitioners should be aware of in relation to the Common Law Duty of Confidence, the Human Rights Act and the Data Protection Act.

The Integrated Children's System will provide improved opportunities for appropriate information sharing.

Work is also in hand to pilot a Common Assessment Framework in Wales. This will enable the collection of information across local agencies on children at risk and help to ensure that referrals are made appropriately. The pilots will be developed on IT based systems and will provide valuable experience to support wider development of local databases.

Financial Implications:

There are no additional financial implications in further considering this recommendation. Any financial implications arising from further proposals will be addressed separately.

4.6. WAG to provide guidance to Children and Young People's Framework Partnerships on the development of a comprehensive programme of preventive and supportive measures for vulnerable children and their parents. This should include:

- developing parenting classes in schools and tier 1 support under the Child and Adolescent Mental Health Strategy for vulnerable children and parents and specialist nurture group support in school settings for young children with serious emotional and behavioural difficulties
- developing local family assessment facilities for Welsh families who need, or may be required by a Court to undergo such assessment. Currently families are sent to facilities in England, usually far from their home community

Accepted:

Statutory guidance on local co-operation under the Children Act includes the principles of giving the highest priority to those in greatest need and planning for preventative services. This approach is supported by Cymorth grant and by the new Flying Start programme, as well as by other targeted initiatives such as Communities First. The guidance on Children and Young People's Plans will underline these requirements.

Classes on parenting for parents, based in schools are encouraged both in the Parenting Action Plan and the guidance on community focused schools. Children and young people are taught about being a parent as part of the Personal and Social Education (PSE) curriculum so as to give all people the skills and confidence to be good parents. Development of good practice in delivery of the PSE curriculum is on-going.

Extension of "The Incredible Years" programme across Wales will increase the level of knowledge and capacity of professionals across agencies to engage at tier 1 of CAMHS in supporting the emotional well being and development of children. The developing regional CAMHS commissioning networks will strengthen capacity across all tiers of CAMHS.

We will consider how to take forward issues around court support to families. In 2005-2006, CAF/CASS CYMRU dealt with nearly 4,500 children who were subject to parental dispute following divorce and separation. This points to a need to develop support services and guidance for these parents to help resolve issues. The Children and Adoption Act 2006 requires provision to be made to assist children, young people and families

subject to family dispute court proceedings. The implications for the Assembly Government in developing such services is being considered.

Financial Implications:

There may be additional financial implications arising from work under the 2006 Act. These will be addressed alongside proposals for such action.

4.7. The Education service to provide targeted funding for a strategy to include support tutors, catch up classes and mentors for 'looked after children' in the mainstream school system.

Accepted:

Guidance on the Education of Looked after Children (Circular 2/2001) stipulates that 'In identifying an appropriate placement for a looked after child, local authorities should take account of the availability of a suitable educational placement. Care placements should not be made unless an appropriate level of education can be provided.

The Guidance states that every looked after child should have a Personal Education Plan (PEP) which ensures access to services and support; contributes to stability; minimises disruption and broken schooling; signals particular educational needs and special educational needs; establishes clear goals and acts as a record of achievement.

The educational achievement of looked after children is improving slowly but lags behind that of their peers. The PEP has been a catalyst for raising the profile of the child's education.

The duty on local authorities to promote the education of LAC introduced by the Children Act 2004 is key to securing the changes we want to achieve. The duty is designed to ensure that local authorities take particular account of education implications in every decision they take regarding the welfare of children they are responsible for looking after.

The appointment of LAC Education Co-ordinators in each authority has been instrumental in raising the profile of looked after children and led to improved communication across agencies to meet the educational needs of looked after children.

Under the RAISE programme local authorities are receiving £1m in each of 2006-07 and 2007-08 to provide support for looked after children of the kind parents normally provide. Use of the resource will be evaluated so that effective practice is shared.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Initiatives to meet the objectives of this recommendation are already in hand or planned. If planned work on reviewing the education arrangements for Looked after Children gives rise to a need for additional resources this will be addressed through the budget planning arrangements.

4.8. The Education Service to support the development of emotionally intelligent schools:

- as part of a national agenda on child and adolescent mental health and to include in the curriculum the development of emotional resilience and emotional intelligence in children

Accepted:

"The expression emotional intelligence or EI indicates a kind of intelligence or skill that involves the ability to perceive, assess and positively influence one's own and other people's emotions."

(Source: [wikipedia.org](https://en.wikipedia.org))

Many schools in Wales are already using emotional intelligence as part of the PSE curriculum. Developments in the 14-19 Learning Pathways will also help to establish this as an entitlement for all learners 14-19.

One of the key aspects of our healthy schools work is to develop the mental health and well being of the school population. A key aim is to develop the self esteem of pupils; and a key working method is the active involvement and participation of pupils.

We are currently developing a mental health action plan with schools as a key area and developing guidance for schools on mental and emotional well-being.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Any financial implications arising from the mental health action plan will be assessed separately as part of the process of developing that plan.

4.9. Higher Education providers to include compulsory modules within initial teacher training on child protection and:

- to make specific funding available for raising awareness and skills among serving teachers and for initial teacher training
- LEAs to review and revise governor training and responsibilities with regard to safeguarding

Accepted:

This is in line with the Assembly Governments response to Clywch recommendation 21.3. Our draft revised initial teacher training (ITT) course requirements, [included in the statutory accreditation criteria which all accredited institutions providing courses of ITT must satisfy](#), specify that all providers must ensure that students are familiar with the most recent guidance on child protection.

The Better Schools Fund (BSF) provides funding for all education service staff employed by the LEA or schools to access multi-agency training to promote awareness of the signs of abuse and neglect and knowing how to report concerns or suspicions, within the context of school based child protection measures. The funding can also be used to provide training for school governing bodies. BSF returns show that authorities are providing this training for governors and school staff.

One of the recommendations of the Bichard Inquiry into the Soham murders was that headteachers and at least one governor for each school should receive training in child protection in relation to school staff appointments. Arrangements for achieving this are being considered.

Financial Implications:

There are no additional financial implications in accepting this recommendation. The cost of staff appointment training, recommended by the Bichard Inquiry, will be addressed through the usual budget process once proposals are developed.

4.10. The NHS in Wales to give more prominence to children in management targets and:

- introduce independent advocacy and complaints procedures for children in the health service
- produce legal guidance on the Venereal Diseases regulations in respect of sharing information on vulnerable children and;

- take further steps to review and strengthen children's mental health services

Accepted In Principle:

Service and Financial Framework targets have been set in each of the last two years in relation to CAMHS waiting times and to completion of the NSF Self Assessment Audit Tool. However, there is a degree of difficulty in including children more explicitly in management targets, relating to the way data is captured and analysed. The Welsh Assembly Government will consider how to address this.

Current work on advocacy extends across all key services, including Health. In parallel, we are considering as part of the work on NHS Redress and reform of the complaints procedure, what changes are necessary, both practically and in legislation, to assist and support children who wish to complain about their health care.

The National Health Service (Venereal Diseases) Regulations 1974 imposed on health authorities an obligation to secure that information about sexually transmitted diseases obtained by their officers should be treated as confidential. We will consider the need for further guidance.

The CAMHS strategy 'Everybody's Business', issued in September 2001, sets out a broad and cross-sectoral concept for CAMHS. The strategy sets out the Assembly Government's aims, objectives and principles for CAMHS and establishes a strategic vision for CAMHS in Wales.

A review of the strategy taking place this year will provide an opportunity to identify in detail progress made and outcomes achieved. The review will reflect new developments/ policies and set future direction for remainder of the 10 year strategy. It will also enable a refocusing of policy to ensure that the most vulnerable children and young people will have access to high quality, equitable and responsive services.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Current work on advocacy and CAMHS may give rise to additional cost but these will be assessed separately in taking forward work in those areas.

4.11. The Police Service in Wales to develop a more consistent approach to child safeguarding issues in the context of dealing with domestic violence and anti social behaviour.

Accepted in Principle:

This recommendation is addressed to the police service.

The Welsh Assembly Government will however consider this as part of the Department of Social Justice and Regeneration's work on developing a domestic abuse strategy. There is also growing use of multi agency risk assessment conferences in Wales and more will be done to promote these in the next 12 months.

Police forces should now be using proper risk assessments when they attend domestic abuse incidents and where children are present there should be automatic referral to health and social services. Guidance to Local Safeguarding Children Boards will state that:

" The police are often the first point of contact with families in which domestic abuse takes place. When responding to incidents of violence, the police should find out whether there are any children living in the household. There should be arrangements in place between police and social services, to enable the police to find out whether any such children are on the Child Protection Register. The police are already required to determine whether any court orders or injunctions are in force in respect of members of the household. It is good practice for the police to notify the social services department when they have responded to an incident of domestic abuse and it is known that a child is a member of the household. If the police have specific concerns about the safety or welfare of a child, they should make a referral to the social services department citing the basis for their concerns. It is also important that there is clarity about whether the family is aware that a referral is to be made. Any response by social services to such referrals should be discreet, in terms of making contact with women in ways will not further endanger them or their children. In extreme cases, a child may be in need of immediate protection."

ACPO guidance on investigating child abuse and safeguarding children was published in 2005 and contains further guidance for the police on domestic abuse cases. Earlier ACPO guidance on investigating domestic abuse was published in 2004.

The Welsh Assembly Government guidance to Local Safeguarding Children Boards addresses the needs of the children of substance misusing parents. As part of the development of the Substance Misuse Treatment Framework for Wales, a Framework for Children and Young People is under development.

CAFCASS CYMRU currently requests the 4 Police Authorities in Wales to share information about cases in family courts. A protocol is being

developed with the Association of Chief Police Officers for both CAFCASS England and CAFCASS CYMRU to establish mechanisms across England and Wales for the sharing of information.

Financial Implications:

There are no financial implications for the Assembly Government in this recommendation.

4.12. The Sports Council for Wales to review its present policy regarding child protection and make grant funding to sports organisations conditional upon child protection procedures and routine CRB checks being in place.

Accepted:

Twenty-nine sports in Wales currently have a Child Protection Policy. These policies are comprehensive, many including the following type of information: Policy statement; Anti Bullying Policy; Photographic/Recorded Images; Defining Child Abuse; Responding to concerns/allegations.

On a practical level these sports are working towards:

- Appointment of a Child Protection lead Officer for the National Governing Body – all 29 have this in place
- Child Welfare Officers either on a regional basis or club basis
- Training for Child Welfare Officers
- Coaches to attend Sports coach UK Workshops – child protection awareness training. Throughout the period April 2005-March 2006 94 of these workshops have been held in Wales
- CRB Checks

All are at varying stages in this process and particular examples of good practice are cricket and football who have child welfare officers in place and have conducted a large proportion of CRB checks.

However we recognise that there is scope for strengthening arrangements and will discuss with the Sports Council how this should be achieved.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Any change in Sports Council policy should be cost neutral.

4.13. Members of LSCBs to ensure nomination of the appropriate level of representation and the allocation of sufficient resources to enable the Local Safeguarding Children Boards to carry out their required functions.

Accepted:

Regulations and guidance for Local Safeguarding Boards will require representatives of Board partners to be at an appropriate level. This will include:

- For the local authority—
 - the lead director for children and young people’s services or some other officer who is directly accountable to that person who is of sufficient seniority to represent the authority instead of that person;
 - where the lead director is not the authority’s director of social services, the authority’s director of social services or some other officer directly accountable to that director who is of sufficient seniority to represent the authority instead of that director;
 - where the lead director is not the chief education officer, the authority’s chief education officer or some other officer directly accountable to the chief education officer who is of sufficient seniority to represent the authority instead of the chief education officer; and
 - the person appointed by the authority with responsibility for the discharge of its functions under Part VI or VII of the Housing Act 1996 who is of sufficient seniority to act as the authority’s representative.
- For the police for any police area any part of which falls within the area of the Board, an officer who—
 - (i) holds at least the rank of Inspector; and
 - (ii) whom the chief officer has charged with specific responsibilities in relation to the protection of children;
- For a local probation board for any area any part of which falls within the area of the Board, the Chief Officer or some other officer directly accountable to the Chief Officer who is of sufficient seniority to represent the Board instead of the Chief Officer;
- For a youth offending team for an area any part of which falls within the area of the Board, the team’s manager or some other officer or operational manager directly accountable to the team’s manager who is of sufficient seniority to represent the youth offending team;
- For a Local Health Board (“LHB”) for any area any part of which falls within the area of the Board—
 - (i) The LHB’s lead officer for children and young people’s services or some other officer directly accountable to him or her who is of sufficient seniority to act as the LHB’s representative instead

- of the lead officer;
- (ii) a registered medical practitioner charged with specific responsibilities in relation to the protection of children within the area of the LHB; and
- (iii) a registered nurse charged with specific responsibilities in relation to the protection of children within the area of the LHB;
- For an NHS Trust providing medical services in the area of the authority, other than the Welsh Ambulance Services NHS Trust, the Trust's lead executive director for children and young people's services or some other officer directly accountable to him or her who is of sufficient seniority to act as the Trust's representative instead of the lead executive director;
- For the governor of any secure training centre within the area of the Board (or, in the case of a contracted out secure centre, its director), the governor's (or director's) deputy or an individual of higher rank; and
- For the governor of any prison in the area of the Board which ordinarily detains children (or, in the case of a contracted out prison, its director), the governor's (or director's) deputy or some other officer or operational manager directly accountable to the governor's (or director's) deputy who is of sufficient seniority to represent the prison.

Financial Implications:

This is already being addressed through regulations and guidance. There are no additional financial implications in accepting this recommendation.

4.14.WAG to scrutinise the effectiveness of LSCBs and hold participating departments to account.

Accepted in Principle:

This recommendation needs to be read alongside No. 4.3:

"SSIW, Estyn, HIW and HM Inspector of Constabularies to develop existing collaboration further and to move towards integrated systems for Inspections of joined up services:

- to prioritise the development of integrated Inspection protocols for scrutiny of LSCBs and their capacity to carry out the required functions."

In addition to considering the scope for joint inspections, the Welsh Assembly Government will be monitoring and evaluating the effectiveness of the new structures and procedures over the first year of operation. This will include consultation with individual agencies on the effectiveness of

LSCBs and identifying any perceived weaknesses in the arrangements, including the regulations and associated guidance.

Financial Implications:

This recommendation will be met through existing plans to monitor LSCBs. There are no additional financial implications in accepting this recommendation.

CHALLENGE 5: THE VISION AND STRATEGY

CHALLENGE 5: THE VISION and STRATEGY - to develop and implement a secure long term vision and strategy for vulnerable children the following is required:-

5.1. WAG to establish a long term national strategic plan for children's services which should as far as possible have political consensus and commitment. It should:

- be founded upon research and other evidence, based upon an agreed philosophy, and framed by a conceptual model which can be used nationally and locally
- determine the desired balance of public investment in services for children between universal services, targeted preventive services for children at risk and remedial services for children with serious problems

Accepted:

Children's services have for a number of years been based upon long-term planning. The requirements of the Children Act 2004, particularly for 3 year Children and Young People's Plans in each local authority area, will embed this and should lead to shared local decision-making on the need for universal, prevention and remedial services.

Children First was launched in April 1999 in response to the recommendations of the Children Safeguards Review chaired by Sir William Utting. In line with the Assembly's commitment to reduce the number of specific grants, 2005/2006 saw the start of a phased exit plan for Children First grant. The transfer of Children First grant into the Local Authorities general revenue support grant (RSG) is being phased over three years. A total of £44.6m is available to local authorities in 2006-2007, i.e. £28.8m in revenue support and £15.8m in Children First grant.

The wide range of programmes to support children's services will continue to be based upon need as identified through research and practice.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Initiatives to meet the objectives of this recommendation are already in hand or planned.

5.2. WAG to set up a cross cutting children's Scrutiny Committee with a remit and powers to scrutinise all children's services from a child centred perspective.

Accepted in principle:

The existing Cabinet Sub-Committee on Children and Young People already has a remit covering all children's services and has the responsibility for scrutinising policy development and ensuring a joined-up approach to all aspects of Assembly Government policy in respect of children and young people.

Existing Assembly subject committees, particularly Health and Social Services; Education Lifelong Learning and Skills; and Social Justice and Regeneration already have a scrutiny role and can call representatives of children's interests and children and young people to give evidence should they wish.

Financial Implications:

None.

5.3. WAG to review arrangements for the co-ordination of Ministerial and Civil Servant responsibilities for children with a view to achieving greater co-ordination and harmonisation of planning and operations.

Accepted:

The Welsh Assembly Government recognises the importance of collaborative working both across agencies and within the Assembly Government. Internal arrangements are subject to regular review and we will undertake a further review of these in the period to the end of the year.

Currently the Minister for Children, Jane Hutt, AM, has responsibility for co-ordinating Assembly Government responsibilities for children and young people. This includes chairing the Cabinet Sub-Committee on Children and Young People. The Sub-Committee's terms of reference are:

- to oversee the implementation of the UN Convention on the Rights of the Child in Wales and the Assembly Government's Seven Core Aims for Children and Young People;
- to ensure that the interests of children and young people are given due priority in all Cabinet and Assembly policy-making;
- to promote the health, well-being, educational, social and personal development of all children and young people in Wales;

- to combat social disadvantage arising from poverty, disability or lack of educational opportunity; and,
- to help all children and young people in Wales to maximise their potential in adult life.

In so doing, the Sub-Committee will:

- determine the policy priorities within the context of the Assembly's Framework for Children and Young People in Wales, including *Early Entitlement (0-10's)* and *Extending Entitlement (11-25's)*, and secure their implementation; and,
- identify and ensure coherence in cross-cutting policy initiatives which contribute to the realisation of these goals.

At official level there are arrangements in place to strengthen policy co-ordination and partnership working. These include:

- Cabinet Sub-Committee on Children and Young People - Officials Group;
- Welsh Assembly Government Children's Safeguards Officials' Group - an Assembly wide officials group dealing with children's safeguards.
- Welsh Assembly Government Children's Safeguards Group - a multi-disciplinary group of officials and representatives of key agencies (local authorities, NHS, police, voluntary sector, etc.).

Financial Implications:

There are no additional financial implications in accepting this recommendation.

5.4. WAG to support the initiative to establish a cross party group on children with a view to informing the thinking of all political parties.

(Note: the Westminster model which has existed for several years is a cross party group on children with external servicing arrangements. It holds discussions and receives briefings on a range of issues affecting children).

Accepted in Principle:

The Welsh Assembly Government supports any initiative that will contribute to the development of cross-party co-operation on children's issues. However, this is a matter for Assembly members to decide.

Financial Implications:

None - this is a matter for Assembly members.

5.5. WAG to consider a funded national strategy to address the commercial exploitation of children.

Accepted in Principle:

The Welsh Assembly Government is currently funding work by Barnardo's in the area of sexual exploitation of children and will consider how this might be extended when the current funding comes to an end.

There is also a need to work with Whitehall to address the England/Wales and UK dimensions.

The Assembly Government is discussing with the recently established Child Exploitation and On-Line Protection (CEOP) how we might promote the work of the Centre in Wales.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Any further costs that may arise following the completion of the current Barnardo's project will be assessed separately.

5.6. WAG to employ a limited use of short-term funding to time limited projects and properly evaluated experiments.

Accepted:

The Welsh Assembly Government has always supported and will continue to support research and projects where suitable and appropriate.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Financial support for individual projects will need to be considered in the light of available resources.

CHALLENGE 6: THE FINANCE

CHALLENGE 6: THE FINANCE - to review the balance of investment in children's services and to consolidate funding streams the following is required:-

6.1. WAG to commission a comprehensive analysis and evaluation of the expenditure and cost benefits of investment in children's services including health, education, social care, police, courts and legal services, and young offender services.

6.2. WAG to commission an exercise to gather all available information regarding unit costings of different interventions and use to inform financial assessment of policy decisions in services for children.

6.3. WAG to review whether core funding of services is based upon realistic assessment and placed upon a sustainable basis.

6.4. WAG to develop a strategic financial plan for all services for children in Wales to underpin the plans developed under Challenge 5 above:

- to facilitate working towards planned objectives to change the balance of funding between universal services, skilled intensive early interventions with children at risk and remedial interventions for children with serious problems

Accepted in Principle:

Recommendations 6.1 to 6.4 need to be considered together.

In response to these, pilot work is being undertaken within the Department of Social Justice and Regeneration to identify expenditure on children's services and initiatives, in advance of any wider mapping exercise identifying all children's budgets across the Assembly Government.

Children's budgeting is clearly more than identifying those budgetary allocations which provide direct individual benefits to children and young people. Consideration also has to be given to indirect expenditure which can benefit children and young people in addition to the wider family or community.

Past studies such as 'A Child's Portion' conducted by Save the Children (Wales) in 2003, have found it difficult to make a definitive judgement about the amount of spent on public services for children in Wales

because of problems in attributing public expenditure to individuals, and limitations with the data available.

A wider exercise is being undertaken by the Deputy Minister for Education, Lifelong Learning and Skills on children's budgeting across the Assembly Government. This will take account of the problems identified by the Department for Social Justice and Regeneration and in other studies in securing a comprehensive attribution of spending; and will examine the limitations on the Assembly Government's capacity to track expenditure particularly at local authority level.

At a later date it is intended to relate the outcomes of this exercise to data on children's needs and to the wider child poverty agenda.

Financial Implications:

There are no additional financial implications in further considering this recommendation. Additional commitments in taking forward further work will be addressed separately.

6.5. Local Authorities and the WLGA to work towards the early development of a strong expert commissioning capacity for children's services which can manage the market and obtain better value for money and quality of service from the independent sector, taking account of:

- the need to attract and retain appropriate expertise within the local authorities
- the need to have regard to the importance of continuity and quality in safeguarding children
- the need to retain expert small specialist providers within the competitive arena
- the need to invest in research to inform the quality of commissioning
- the need to take account of the development and infrastructure costs of independent providers of the specialist services needed by children with complex needs
- the need to develop a whole child approach to commissioning services and to commission jointly with partner agencies

Accepted:

The Social Services Inspectorate for Wales organised a programme of workshops through 2005, including one for local authority Heads of Children's Services, to promote more effective, and more joined up,

commissioning of services for children. This has been followed up by the issue of information and tools to commissioners. The Children First event this year concentrated on commissioning.

The Social Services Inspectorate for Wales (SSIW) has met with WLGA to consider the programme to be funded by the Social Services Improvement Agency (SSIA), on improving the commissioning of services for children in need and how SSIW work with local authorities can complement this.

SSIW has met with the WLGA, Social Services Improvement Agency (SSIA) and Heads of Children's Services to develop the programme to be funded by SSIA, on improving the commissioning of services for children in need. SSIA has now issued a tender for this work which will start in 2006 and continue in 2007.

In addition, the strengthening of Children and Young People's Partnerships and the new Children and Young People's Plans, together with powers given to statutory partners under s25 of the Children Act 2004 to pool funding are intended to provide a firm basis for joint commissioning of children's services. Statutory guidance on local duties to cooperate issued in August 2006 sets out the elements that should be considered by local partners in improving their joint commissioning arrangements.

The Welsh Assembly Government, WLGA, Local Government Data Unit and ADSS have also developed a Children's Commissioning Support Resource (CCSR). This comprises a national cross sector database of available care placements with a staff resource in the WLGA Social Services Support Unit, to assist local authorities to make individual placements and to support the development of commissioning skills and collaborative commissioning. Local authorities and wider stakeholders are kept informed of progress through regular bulletins issued by the WLGA.

Phase 1 of the CCSR project went live in July and all local authorities are now using the database.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Initiatives to meet the objectives of this recommendation are already in hand or planned.

CHALLENGE 7: THE NEW RISKS

CHALLENGE 7: THE NEW RISKS – to develop a more effective capacity for identifying and responding to emerging risks to vulnerable children the following is required:-

7.1. WAG to establish a multi disciplinary ‘new risks new opportunities’ standing group of individuals with special expertise and commitment:

- to identify new trends and problems which present new threats to the safeguarding of children and to recommend action
- to monitor worldwide developments in safeguarding children and identify those which would have a valuable application to Wales
- to report regularly to the Minister for Children.

Accepted in Principle:

In 2005 the Welsh Assembly Government established a Children's Safeguards Group (a multi-disciplinary group of officials and representatives from key agencies, including local authorities, the NHS, police, voluntary sector and others). The Group's remit includes:

- The provision of advice and guidance on children's safeguards policy to the Welsh Assembly Government;
- Considering outcomes and lessons of an all-Wales interest from serious case reviews;
- Advice on the commissioning of research;
- Advice on the development of statutory guidance and best practice guidance on safeguards;
- Arranging development events for ACPC/LSCB members on cross-agency issues;
- The promotion of joint working across agencies and ACPCs/LSCBs.

The Welsh Assembly Government will consider whether that group needs to be strengthened and/or whether the terms of reference of the Group need to be amended to take account of this recommendation.

Financial Implications:

There are no additional financial implications in taking forward the spirit of this recommendation.

7.2. WAG to establish a Task and Finish group to examine the extent of criminal exploitation of children and the responses by different police authorities and local authorities.

Accepted in Principle:

An Advisory Group on Child Sexual Exploitation in Wales was set up early in 2004 by the Children's Commissioner, Julie Morgan MP, Yvonne Rodgers (Barnardo's) and Deborah Jones (Voices from Care) with the aim of establishing a project in Wales to directly address the issue of child sexual exploitation in Wales.

The Group's terms of reference are:

- To promote a co-ordinated and integrated response to the needs of children and young people who are at risk of being sexually exploited.
- To develop an all-Wales wide influencing and lobbying strategy.
- To commission research to assess prevalence and scope current needs and services, enabling the development of appropriate resources to meet the identified needs.

Last year Barnardo's undertook a scoping study on behalf of the Advisory Group; the findings from this study were presented in the document "*Out of Sight, Out of Mind*", which was launched in November 2005. Earlier this year, the Minister for Health and Social Services approved funding for Barnardo's to take work forward in implementing key recommendations in "*Out of Sight, Out of Mind*". The work will commence in October and is expected to be completed by January 2007.

The Welsh Assembly Government will consider what further action is required in the light of the work currently being undertaken by Barnardo's and the Advisory Group on Child Sexual Exploitation.

Financial Implications:

There are no additional financial implications in further considering this recommendation.

7.3. WAG to take urgent action to respond more comprehensively to the existing threat posed by the Internet and new technology and specifically to:

- issue new regulations (perhaps under Section 175 Education Act 2002) to ensure a safe and secure infrastructure which includes all computers in all schools (including those used by teachers only), youth clubs and libraries

- require all schools to use only assured provider
- require LEAs to develop E-safety policies covering the range of risks identified in this Report and individual Governing Bodies to have E-safety policies
- require Local Authorities to ensure that similar policies are in place to protect looked after children, whether they live in families or residential care, or are in receipt of services commissioned from another body
- work in conjunction with the Qualifications, Curriculum and Assessment Authority for Wales (ACCAC) to ensure that Internet literacy programmes, critical thinking skills, management of online and mobile phone risks and personal safety online are embedded in the Wales National Curriculum
- ensure that E-safety is included in local child protection procedures and is promoted and monitored by LSCBs, Community Safety and Public Safety policies

Accepted in Principle:

On-line safety is being taken into account in the current review of the National Curriculum in Wales.

The Broadband Wales School packs issued (January 2006) to approximately 1,500 primary schools across Wales include curriculum focused lesson plans, information for the class teacher covering 10 core subject areas and links to subject related online resources. Also included is an A4 booklet providing advice for parents.

Police school liaison officers have attended workshops held recently by the Child Exploitation and On-Line Protection Centre (CEOP) about safe use of IT and its on line reporting system. Over 130 individuals in Wales have been trained and accredited to deliver CEOP's education and awareness programme called "*Think U Know*" in Welsh schools during the Autumn term.

Local healthy schools co-ordinators have attended a national training event on safety: this included e-safety – internet and mobile phones. Resource packs (covering e-safety, developing whole school policies to support effective practice, developing a strategic approach to e-safety and exploring the issues of safe learning on the internet) were made available to all healthy schools co-ordinators.

The Assembly Government has published "*Towards e-Wales – a consultation on exploiting the power of ICT in Wales*" which specifically seeks views on what additional action might be necessary to ensure robust advice and information - including internet security / safety - reaches all citizens and what might be the most effective vehicles for achieving and

sustaining this.

"Promoting Personal Safety in PSE" is scheduled to be launched in the Autumn. This curriculum resource pack based on work undertaken in secondary schools by the NSPCC includes basic information for pupils about the nature and extent of sexual abuse on the Internet in order to help keep themselves safe.

Guidance to Local Safeguarding Children Boards will address the issue of safe use of the internet.

Financial Implications:

There are no additional financial implications in further considering this recommendation.

7.4. WAG to make more use of available initiatives and:

- adopt Home Office initiatives on Internet Safety and issue them in Wales as soon as possible
- adopt the DfES resource packs dealing with online grooming, online bullying and bullying via mobile phones (cost £4) and issuing in Wales as a matter of urgency
- ensure that Wales has a direct and active involvement with the new National Internet Safety Centre

Accepted in Principle:

Home Office initiatives cover England and Wales and therefore automatically apply in Wales. The Welsh Assembly Government will consider whether particular initiatives need to be supplemented by Assembly Government guidance.

We will review the DfES resource packs to determine their applicability to the curriculum in Wales as well as developments in and guidance available from the Child Exploitation and Online Protection Centre and BECTA (British Educational Communications and Technology Agency).

The Welsh Assembly Government also intends to strengthen links with the Child Exploitation and On-Line Protection (CEOP) Centre.

Financial Implications:

There are no additional financial implications in accepting this recommendation. If further work under this recommendation has financial implications, they will need to be addressed separately.

7.5. WAG to seek assurance that procedures for gathering, using and storing video evidence for court purposes will be reviewed to ensure that the material is not used inappropriately or abusively and that consistent standards of practice are applied

Accepted in Principle:

"Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses, including Children", published in 2001, contains clear guidance on the storage, custody and destruction of video recordings.

Under this guidance, local guidelines, developed by the police in conjunction with other relevant agencies, cover the registration, storage and management and disposal of video and audio material.

The master tape of any video recording and all copies should be individually labeled and identified in the logbook, so that copies can be distinguished one from another and the master tape readily identified. The seal should not be broken except in the presence of a representative of CPS and for the purposes of copying and access.

Decisions about copying and access to video recordings prepared under the guidance should be taken individually and with careful regard to the following principles:

- Copying and access to the video or audio tape of an interview should be confined to the absolute minimum consistent with the interests of the child and justice
- No one should access to any tape unless they are able and willing to safeguard it to the standard set out in the guidance, and
- No persons accused or implicated in the alleged offences should have custody or unsupervised access to any tapes made in connection with the investigation.

Applications from other individuals or agencies to view or borrow a recording should be scrutinised carefully. If individuals wish to borrow a tape, they must sign a written undertaking concerning protection and safeguarding of the tape and confirm that it will be returned to the police or local authority at the end of the proceedings.

Consideration should always be given to allowing supervised access in preference to lending a tape; and to a loan in preference to making a

further copy.

Any persons borrowing tapes should have their attention drawn to:

- the precise ownership of the tapes
- the likelihood that such recordings will form part of a criminal trial, and that
- misuse or unauthorised retention of such tapes may constitute contempt of court or other criminal offence.

Video recorded interviews may be used for training or for other official purposes such as audit or research, provided that specific and informed consent has been secured, preferably from the witness, or if the witness is not in a position to provide informed consent, then the adult who discharges the principle duty of care for the witness should be consulted.

Misuse or unauthorised retention of video evidence may constitute contempt of court or a criminal offence.

Achieving Best Evidence is now being reviewed and we will discuss with the Home Office and others whether there is a need to strengthen this area of guidance.

Financial Implications:

There are no additional financial implications in accepting this recommendation. Responsibility for the publication of guidance in this policy area falls to the Home Office.