Y Pwyllgor Cyfle Cyfartal

EOC(3)02-07(p.4): 27 Medi 2007

Ystyried yr opsiynau mewn perthynas â sefydlu pwyllgor i drafod materion yn ymwneud â phlant a phobl ifanc

Cefndir

1. Gofynnodd y pwyllgor am wybodaeth ar rôl posibl pwyllgor i drafod materion yn ymwneud â phlant a phobl ifanc.

2. Mae Atodiad A yn nodi'r dewisiadau posibl a'r manteision a'r anfanteision o ran pob dewis. Papur a baratowyd gan Wasanaeth Ymchwil yr Aelodau yw Atodiad B, sy'n gosod map o feysydd polisi yn ymwneud â phlant a phobl ifanc ar draws bortffolios allweddol Gweinidogion Llywodraeth Cynulliad Cymru. Mae hefyd yn rhoi uchafbwyntiau rhai o'r dadleuon a roddwyd gerbron gan y rheiny sydd o blaid pwyllgor ar gyfer plant.

Amserlen

3. Gofynnodd Aelodau hefyd am wybodaeth ar y goblygiadau o ran llunio amserlen ar gyfer sefydlu pwyllgor i drafod materion yn ymwneud â phlant a phobl ifanc. Mae amserlen y pwyllgorau eisoes yn dynn iawn a heb wybod yr aelodaeth mae'n anodd iawn rhoi unrhyw gyngor pendant o safbwynt yr amserlen. Gan ddibynnu ar unrhyw wrthdaro o ran aelodaeth pwyllgorau, gallai'r pwyllgor gynnal ei gyfarfodydd ar fore dydd Mawrth, bore dydd Iau neu brynhawn dydd Iau. Mae posibilrwydd hefyd i bwyllgorau gwrdd ar brynhawn dydd Llun neu fore dydd Gwener.

Diben

4. Gwahoddir y pwyllgor i ystyried y dewisiadau o dan Atodiad A a phenderfynu a ydyw'n dymuno sefydlu is-bwyllgor o fewn y Pwyllgor Cyfle Cyfartal i drafod materion yn ymwneud â phlant a phobl ifanc.

Gwasanaeth y Pwyllgorau

Medi 2007

In considering the options it is worth noting that all Committees can scrutinise in a cross-cutting way and all will have issues relating to timetabling and membership. It should also be noted that responsibility for children and young people's policy are spread across Welsh Assembly Government ministerial portfolios.

Option 1 – Permanent Sub-Committee of Equality of Opportunity Committee [e.g. Rural Development Sub-Committee model]	
Advantages	**Disadvantages**
- Can scrutinise the Assembly and Commission as well. - Would reflect the truly cross-cutting nature of the parent committee but in the new Assembly any parent committee should be cross-cutting. - If EOC agrees to meet fortnightly would be slots available for the sub-committee to meet.	- Establishing a Children's Committee could set a precedent for other groups to seek their own committee. - Membership would be restricted to members of EOC. - Can only consider issues in the context of equality. - Might have to share slots with the parent committee.

Option 2 – Ad hoc Sub-Committee of Equality of Opportunity Committee	
Advantages	**Disadvantages**
- Would be established to look at a specific issue, with a clearly defined role, remit and lifespan. - Could be established with different membership each time which would relieve pressure on Members.	- Establishing a Children's Committee could set a precedent for other groups to seek their own committee. - Would need to be established each time. - Would fall to the parent Committee to monitor implementation of recommendations as sub-committee would cease to exist after reporting.

Option 3 – Committee in its own right	
Advantages	**Disadvantages**
• Membership could be drawn from the Assembly as a whole, or from those Committees whose remits contain the majority of children's issues (e.g. Health and Communities). • Could consider the full range of issues that affect children not just in the context of equality. • Could be perceived as having more status than a sub-committee. • May be able to devote more time than sharing meetings with a host committee. • Would have its own dedicated slot.	• Establishing a Children's Committee could set a precedent for other groups to seek their own committee. • Capacity of Members – already on several committees. • Timetabling difficulties.

Option 4 – Sub-Committee of a Scrutiny Committee	
Advantages	**Disadvantages**
• Could be established by a Committee whose remit contains a large number of children's issues (e.g. Health, Wellbeing and Local Government – this portfolio includes a number of issues that have been the subject of considerable debate in the previous Assemblies)	• Establishing a Children's Committee could set a precedent for other groups to seek their own committee. • Membership would be restricted to members of parent committee. • Would have to share slots with the parent committee.

Option 5 – Committee of the whole Assembly	
Advantages	**Disadvantages**
• Could include Ministers if that was the will of Assembly. • More Members would be able to contribute than if it were a scrutiny or sub committee.	• Establishing a Children's Committee could set a precedent for other groups to seek their own committee. • Would be difficult to schedule on a regular basis. • May be difficult to handle logistically (would have to meet in the Chamber, how would witness participate?).

Option 6 – Do nothing yet – Review in 6 months	
Advantages	**Disadvantages**
• Members would have a better idea of their workload and capacity. • MRS could produce a paper on how children's issues have been considered by the existing scrutiny committees during that period. This would provide an evidence base on which to judge whether children's issues are being considered in sufficient detail.	• May be more difficult to schedule as committee work programmes will be well established.

Option 7 – Do nothing	
Advantages	**Disadvantages**
• Establishing a Children's Committee could set a precedent for other groups to seek their own committee.	• Sustained pressure from children's organisations to establish cross-cutting committee on issues affecting children. • Establishing a Children's Committee was a recommendation of both the joint meeting of Assembly committees (8 March 2007) and the Report of the Safeguarding Vulnerable Children Review (2006).

Consideration of children's issues across ministerial portfolios

Introduction

There have been calls by children's organisations and by others for the creation of government and parliamentary structures which reflect the cross cutting nature of children's issues. **This paper is intended to assist Members decide if a children's sub committee is desirable and if so, within which of the Assembly's Committees it should be located, or whether other arrangements should be made for scrutinising children's issues.**

The paper maps out children and young people's policy areas across the key ministerial portfolios of the Assembly Government. It also highlights some of the arguments put forward by those advocating a children's committee.

Key points:

■ Responsibility for children and young people's policy are spread across Assembly Government ministerial portfolios.

■ There is now a Minister for Children, Education, Lifelong Learning and Skills and much of children's policy fall within this portfolio, but significant areas fall within other ministerial portfolios.

■ Because committee remits no longer mirror ministerial portfolios, a children's sub committee could be located within a number of Assembly committees e.g. Equality of Opportunity, Health, Wellbeing and Local Government, Enterprise and Learning or the Communities and Culture Committee.

■ There are a number of All Party Groups of the National Assembly which consider children's issues, in particular, the All Party Group on Children, the All Party Group on Looked After Children and the All Party Group on Autism.

The table below maps out responsibility for children's issues by ministerial portfolio and highlights some of the key policy areas which impact most directly on children and young people.[1] The list is not exhaustive and it could be argued that all policy areas affect children and young people, either directly or indirectly. The Children's Commissioner for Wales, for example, has said that the Assembly Government should develop a tool to assess how all its activity affects children.[2]

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[1] For a list of key strategic Assembly Government policies for children and young people, see the Assembly Government document, *Rights in Action: Implementing Children's Rights in Wales* (2007) pp15-18
http://new.wales.gov.uk/topics/educationandskills/publications/reports/rightsinaction?lang=en
[2] Forward written by the Children's Commissioner in Croke, R. and Crowley, A. (2006) *Righting the Wrongs: The Reality of Children's Rights in Wales,* Cardiff: Save the Children

Minister	Responsible for	Some of the key policy areas
Children, Education, Lifelong Learning and Skills	Childcare Children's Commissioner for Wales All aspects of education and schools Safeguarding children in education settings Flying Start for under 3's Play Participation Youth work policy Children and Young People's Partnerships Extending Entitlement	Co ordination of cross cutting policy for children and young people Implementation of the *Children Act 2004* UN Convention on the Rights of the Child Policy on parenting; physical punishment; advocacy and communication. Cymorth (Children and Young People Support Fund) Standards and attainment by pupils in schools; additional learning needs; pupil inclusion and engagement; nutrition in schools; bullying.
Health and Social Services	Children's health and social services The regulation and inspection of residential, foster care and under 8's care provision. Youth justice Child and Family Court Advisory and Support Service (CAFCASS) Supervised contact centres	National Service Framework for Children, Young People and Maternity Services Child and Adolescent Mental Health; Speech and Language Therapy. The Children First programme. Placements for looked after children; care leavers; policy on children in need; advocacy; child protection; adoption and fostering; young carers.

Social Justice and Local Government	Child poverty and anti-poverty initiatives; community safety; drug and alcohol misuse. Non devolved issues e.g. asylum, immigration.	Domestic abuse, youth justice and child poverty strategies. Communities First Coordination of matters relating to gypsies and travellers.
Heritage	Strategy and policy for culture, sport, physical activity and recreation; Welsh language.	
Environment, Sustainability and Housing	Housing	Youth homelessness

Calls for a children's committee

A. On 8 March 2007, a joint meeting of Assembly committees came together to scrutinise the Children's Commissioner for Wales' 2005-06 annual report.[3] The joint committee agreed, without dissent, to the following recommendations:

- That the Children's Commissioner's Annual Report should in future be scrutinised annually by a Committee of the whole Assembly; and

- That, in the Third Assembly, a 'Children's Services Committee' should be established to consider on a regular basis the full range of issues that can affect children.

B. Children in Wales, the national umbrella children's organisation, have argued that the impact of all Assembly Government policies, whether directly or indirectly impacting on children and young people, should be scrutinised by a cross cutting National Assembly committee and be the mechanism for considering the progress made by the Children's Commissioner's office in each of their Annual Reports.[4]

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[3] The meeting comprised Members of the Education Lifelong Learning and Skills Committee, the Health and Social Services Committee, the Social Justice and Regeneration Committee and the Equality of Opportunity Committee.
[4] Children in Wales (May 2007) *A Wales Fit for Children and Young People 2007* http://www.childreninwales.org.uk/policy/news/7260.html

C. The *Report of the Safeguarding Vulnerable Children Review,*[5] which was chaired by Gwenda Thomas AM (2006), found that many managers and staff in children's services experience frustrations which they believe arise from divisions of responsibility at ministerial and civil servant levels. The Review called for a children's scrutiny committee with powers to examine issues affecting children. The Review also called for a strengthened role for a minister for children, which is now in place within the Assembly Government.

D. The 2001 Gulbenkian Foundation report, *Effective Government Structures for Children,*[6] called for a centrally placed cross-cutting National Assembly committee headed by its own Children's Minister and which, at that time, would have drawn its membership from subject and regional committees.

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[5] Welsh Assembly Government *Keeping Us Safe: Report of the Safeguarding Vulnerable Children Review,* May 2006
http://new.wales.gov.uk/docrepos/40382/40382313/childrenyoungpeople/403821/Final_Report_English_pdf_doc.pdf?lang=en
[6] Hodgkin, R. and Newell, P. (Eds) (2001) *UK Review of Effective Government Structures for Children 2001,* Gulbenkian Foundation Report: Calouste Gulbenkian Foundation