

Cynulliad Cenedlaethol Cymru | National Assembly for Wales
Y Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and
Education Committee
Blaenoriaethau ar gyfer y Pwyllgor Plant, Pobl Ifanc ac Addysg |
Priorities for the Children, Young People and Education Committee
CYPE 84
Ymateb gan : Plant yng Nghymru
Response from : Children in Wales

Introduction

Children in Wales is the national umbrella organisation in Wales for children and young people's issues, bringing organisations and individuals from all disciplines and sectors together. One of our core aims is to make the United Nations Convention on the Rights of the Child (UNCRC) a reality in Wales. Children in Wales campaigns for sustainable quality services for all children and young people, with special attention for children in need and works to ensure children and young people have a voice in issues that affect them.

For further information on the work of Children in Wales, please see www.childreninwales.org.uk and www.youngwales.wales

Our Response

Children in Wales welcomes the opportunity to aid the Committee with its planning by sharing our views on both the key overarching priority areas and thematic policy priorities which the Committee may wish to consider including in its programme for the Fifth Assembly term.

Overarching priority areas

United Nations Convention on the Rights of the Child (UNCRC)

On the 3 June 2016, the United Nations Committee on the Rights of the Child issued its Concluding Observations¹ to the UK and devolved governments which set out ways in which governments can better meet their obligations in respect of implementing the UNCRC. The Concluding Observations follow the UN Committee's consideration of the report of the UK State Party², reports from civil society organisations and from young people, as well as the oral

¹ <http://gov.wales/docs/dsjlg/publications/cyp/160727-final-concluding-observations-2016-en.pdf>

² The Welsh Governments contribution to the State Party Report - <http://gov.wales/docs/dsjlg/publications/cyp/131120-cyp-periodic-report-en.pdf>

responses provided from senior Government officials during the two day inquiry which took place on the 23rd & 24th May 2016³.

The Concluding Observations are a series of recommendations which the UN Committee expects the UK and devolved governments to implement. We would suggest that the CYPE Committee give full consideration to the Concluding Observations when initiating **all** future inquiries.

The Welsh Government has adopted the UNCRC as a basis for all policies which impact on children and young people. Children in Wales believes that a key role for the CYPE Committee will be to ensure that the rights, needs and interest of all children and young people are given due priority in policy and legislation throughout this Fifth Assembly term.

The CYPE Committee will have a pivotal role to play in helping to ensure that the focus on children and young people does not waver during this Fifth Assembly term and that the '*due regard*' duty placed on Welsh Ministers through the Rights of Children and Young Persons (Wales) Measure 2011 is being fully met.

The CYPE Committee will also have an important role in maintaining an oversight of the inquiries and work programme of the other NAFW Committees to help ensure that the issues and concerns which matter to children, young people and the professionals that work with and for them, are routinely considered.

We have identified a number of **overarching priority themes**

- ✓ **Allocation of resources** – in order to adequately support children, young people and their families, especially those living in poverty or who are discriminated against, it is crucial that there are adequate, transparent and participatory budgeting mechanisms in place. We hope that the CYPE will scrutinise budget decision making across government and all public bodies to ensure that there is equitability in the distribution of resources so that during these times of financial austerity, services for children and young people are not disproportionately cut.
- ✓ **An emphasis on Prevention** – The CYPE has a major role in scrutinising progress in shifting resources towards preventative services to help ensure problems for children and young people do not escalate and require more

³ All documents submitted can be accessed via the website of the UN Human Rights Office of the High Commissioner - http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=987&Lang=en

costly interventions, whilst also ensuring that acute services remain in place for children who require such services.

- ✓ An emphasis on **Early Intervention** – The CYPE will wish to ensure that children, young people and their families get the necessary help, support and care at the earliest opportunity.
- ✓ **Third Sector** - The sustainability of the Children’s Third Sector, with adequate resources to provide a range of services for children, young people and their families, is critical if we are to achieve the improved health, education and wellbeing outcomes amongst all children and young people in Wales.

Thematic priorities

The Fourth Assembly CYPE Committee published a series of recommendations in its Legacy report which we would suggest is given due consideration when determining the next set of priorities.

In addition, we have identified the following as particular thematic areas which the Committee may wish to consider

- ✓ **Implementation of Children’s Rights** – we would welcome the Committee maintaining an active role in reviewing the implementation of the Rights of Children and Young Persons (Wales) Measure 2011 and the quality and quantity of Child Rights Impact Assessments published. The Committee may also wish to consider the ‘*due regard*’ duties placed on some public bodies through the Social Services and Well-Being (Wales) Act 2014 and whether compliance is being achieved. Whilst we note the initial statement⁴ from the Cabinet Secretary for Children and Communities following publication of the Concluding Observations, we are currently awaiting a more substantive response and a commitment for there to be a national action plan which sets out how the Concluding Observations will be taken forward
- ✓ **Equal Protection** – Children still do not have the same level of protection as adults in Wales. The Welsh Government has made an early commitment to take forward legislation that will remove the defence of reasonable chastisement.
- ✓ **CAMHS** – Following their previous inquiry, we hope that the Committee will wish to monitor changes to the way in which services are being delivered, and

⁴ <http://gov.wales/newsroom/people-and-communities/2016/un-committee-highlights-welsh-progress-childrens-rights/?lang=en>

whether children and young people, including Looked after Children, are able to access services alongside their experience of the service

- ✓ **Mental Health & Emotional Wellbeing** – The Committee may wish to examine the availability and effectiveness of emotional well-being support services for children and young people, including early intervention and preventative mental health services, such as school counselling. This was a priority for some of the young people who attended the scrutiny sessions with the UN as part of the recent reporting round references above.
- ✓ **Curriculum Reform** – There is a need to ensure that the wellbeing of children is embedded throughout the new curriculum following the response from Welsh Government to the recommendations of the Donaldson review. The engagement of children and young people as part of this programme of work is essential, and the Committee may well wish to consider reviewing progress to ensure that the issues raised by children are being fully addressed.
- ✓ **Child Poverty & Statutory Duties** - The Committee will be aware that poverty levels amongst children and young people in Wales are amongst the highest in the UK and have been for some time. Many areas of Wales are reliant on funding from the European Commission, with the implications of the recent EU referendum creating some uncertainty of future funds post 2020. The UK Government announced their intention to repeal significant proportions of the Child Poverty Act. Challenges in respect of in-work poverty, childcare, transport, health and education outcomes amongst children from low income households, financial literacy/debt and the impact of changes to welfare reform (especially for families where there is a disabled child or parent) are typically raised by services working with and for children, young people and their families. The CYPE committee may wish to consider whether the maximum extent of available resources are in place to help prevent and protect families from poverty; whether existing poverty programmes, including the PDG, are delivering the positive outcomes as intended for children, and whether actions in recent legislation, including the child poverty duties in the Wellbeing of Future Generations (Wales) Act 2015 are being met.
- ✓ **Children’s Commissioner** – we would support the Committee taking into account the UN Committee recommendations in respect of the role, function, independence and resourcing of the Children’s Commissioner for Wales.
- ✓ **Additional Learning Needs Bill** – Children in Wales coordinates and chairs the Third Sector Additional Needs Alliance. We endorse the priorities within

the consultation response completed by TSANA and their offer to support the Committee during the Stage 1 scrutiny of the Bill.

- ✓ **Child Health & Obesity** - The previous CYPE Committee published their report following an inquiry into childhood obesity in Wales. We suggest that progress in taking forward the Recommendations from this report is also included as part of any inquiry. The Committee could also include reference to the growing calls, and support amongst some previous Assembly Members, for a 'Sugar tax' with the potential for the Welsh Government to introduce a levy on sugary drinks. Only last month, children and young people called for there to be a sugar tax on fizzy drinks as a means of helping to prevent tooth decay and some diseases, such as diabetes.
- ✓ **Refugee, Asylum Seeking and Migrant Children** - The UN Committee made a number of Recommendations in respect of asylum seeking, refugee and migrant children (pp20-21) which could help inform the basis of an inquiry. There are a number of significant barriers to inclusion that exist here in Wales that the Committee could examine, including the lack of independent guardians. With the commitment to resettle Syrian refugees in Wales through the Syrian Vulnerable Persons Relocation Scheme it is essential that new arrivals, alongside resident asylum seekers and refugees, receive the welcome, support and quality services they deserve, to enable them to be safe and to flourish, and to have their human rights secured. The Committee may also wish to review the current Welsh Government Refugee and Asylum Seeker Delivery Plan to ascertain its efficacy in meeting the needs and universal rights of asylum seekers and refugees arriving and living in Wales.
- ✓ **Independent Advocacy** - The Children in Wales Children and Young People's Advocacy Providers Group have submitted a separate response which identifies a number of specific concerns that the Committee could consider in a much needed follow up to the inquiries undertaken by the CYP Committee during the Third Assembly
- ✓ **Youth Work** - Please see the separate submission from Children in Wales to the call for evidence
- ✓ **Participation** - We hope that the Committee will wish to consider the opportunities for the engagement and participation of all children and young people, including younger children, at a local, regional and national level in Wales. Ahead of the UN Committee review, the following suggestions were put forward for consideration. For there to be i) 'permanent structures to facilitate the systematic participation and involvement of children and young people in all stages of policy making', and ii) 'permanent structures to

facilitate children and young people's participation and involvement in scrutiny, such as child and youth parliaments and other accountability mechanisms'. Of particular importance is what priority are local authorities and LHB's giving to listening to children and young people in reality.

- ✓ **Play** - The UN Committee specifically welcomed the Welsh Government's policy on play. The CYPE Committee may wish to consider the implementation of the duties and the sufficiency of resources at a local level to meet statutory requirements
- ✓ **Looked after Children** - The Committee may wish to review progress in respect of the improving the health, education, housing and general well-being outcomes of children in care and young people leaving the care system⁵

The Fourth Assembly CYPE Committee also published a Legacy report from their engagement with children and young people which is a useful reference point in determining the next set of priorities. Many of the issues which young people raised in that report reflect the priorities identified by young people from across Wales whom we engage with through our 'Young Wales' initiative.

When developing the children and young people's report for the UN Committee from Young Wales⁶, young people reported on a number of their key concerns and key priorities, which included:

- **Online Safety** - Including the need for appropriate information to help improve knowledge and to keep safe; improved teaching in schools; monitoring of websites and education for parents and carers
- **Healthy Relationships** - Including the need for improved learning opportunities in school from an early age; improved PSE; need for age appropriate information and services universally available
- **Bullying & Hate Crime** - Including the need for more awareness amongst teachers, parents and carer about the effects of bullying and hate crime, and for there to be adequate responses, including schools following their anti-bullying policies

⁵ For more details, please see 'A Vision for Looked after Children's Care in Wales 2016-20 - <http://www.childreninwales.org.uk/resource/vision-looked-childrens-care-wales-2016-2020/>

⁶ The report from Young Wales and the response from Welsh Government to that report - <http://www.youngwales.wales/index.php/priority-areas/uncrc>

- **Mental Health & Emotional Wellbeing** - Including the need to improve access to, and monitor the effectiveness of emotional well-being support services for children and young people, including early intervention and preventative mental health services, such as school counselling
- **Substance Misuse** - the need for clear and factual information to be available, and opportunities to discuss these issues in an interactive way with professionals who know and understand the issues
- **Rights, advocacy & participation** - including more opportunities for young people to learn about their rights in schools, and for greater opportunities to be involved in decisions which affect them

Through our engagement work with young people and the local services which work with and support them, Young Wales has identified the following priorities as the focus for this year.

- Children and young people's well-being, which includes mental health
- Climate change
- Anti-bullying work
- PSE and the education developments (incl the Curriculum review)
- Children's rights and the UNCRC

PLEASE NOTE

Children in Wales, and our professionals networks, have also submitted a number of responses to the calls from the following NAFW Committee to help inform their forward work programmes

- **Equality, Local Government and Communities Committee** (See Children in Wales response, and the response from the End Child Poverty Network Cymru)
- **Health, Social Care and Sport Committee** (see Children in Wales response)

Children in Wales has also coordinated and submitted two further responses to the Children, Young People and Education Committee, from the following professional networks

- Children and Young People's Advocacy Providers Group
- Third Sector Additional Needs Alliance

A number of our member organisations have also submitted separate responses to the Committees inquiries.