

## Children and Young People Committee

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Meeting Venue:  
**Committee Room 1 – Senedd**

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Meeting date:  
**9 May 2013**

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Meeting time:  
**09:15**

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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



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### Agenda

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**Pre-meeting (09.15–09.30)**

#### **1 Introductions, apologies and substitutions**

**2 Scrutiny of Welsh Government compliance with section 1 of the Rights of the Child and Young Persons (Wales) Measure 2011 and the updated Getting it Right action plan (09.30–10.15) (Pages 1 – 11)**

Keith Towler, Children’s Commissioner for Wales

**3 Scrutiny of Welsh Government compliance with section 1 of the Rights of the Child and Young Persons (Wales) Measure 2011 and the updated Getting it Right action plan (10.15–11.00) (Pages 12 – 19)**

Pat Dunmore, Child Rights Policy Officer, Save the Children and Wales UNCRC Monitoring Group Coordinator

Dr Simon Hoffman, School of Law, Swansea University and Wales Observatory on Human Rights of Children and Young People

**Break (11.00–11.15)**

**4 Scrutiny of Welsh Government compliance with section 1 of the**

**Rights of the Child and Young Persons (Wales) Measure 2011 and the updated Getting it Right action plan (11.15–12.15) (Pages 20 – 46)**

Huw Lewis AM, Minister for Communities and Tackling Poverty

Martin Swain, Deputy Director Children, Young People and Families

**5 Motion under Standing Order 17.42 to exclude the public for the remainder of the meeting to discuss the key issues (12.15–12.30)**



## Comisiynydd Plant Cymru Children's Commissioner for Wales Keith Towler

### Ymateb i Ymgynghoriad / Consultation Response

Date/Dyddiad

01 May 2013

Subject/Subject

**National Assembly for Wales (NAfW) Children and Young People (CYP) Committee scrutiny of the application of the Rights of Children and Young Persons (Wales) Measure 2011 ('the Measure') and the Welsh Government's report on the compliance (the compliance report) with the duty under section 1 of the Measure.**

- 1 The Children's Commissioner for Wales is an independent children's rights institution established in 2001. The Commissioner's principal aim is to safeguard and promote the rights and welfare of children.<sup>1</sup> In exercising his functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC).<sup>2</sup> The Commissioner's remit covers all areas of the devolved powers of the National Assembly for Wales insofar as they affect children's rights and welfare and they may also make representations to the Welsh Ministers about any matter affecting the rights and welfare of children in Wales.<sup>3</sup>
- 1.1 The UNCRC is an international human rights treaty that applies to all children and young people up to the age of 18. It is the most widely ratified international human rights instrument and gives children and young people a wide range of civil, political, economic, social and cultural rights<sup>4</sup> which State Parties to the Convention are expected to implement. In 2004, the Welsh Assembly Government adopted the UNCRC as the basis of all policy making for children and young people and in 2011, Welsh Government passed the Rights of Children and Young Persons (Wales) Measure.

<sup>1</sup> Section 72A Care Standards Act 2000

<sup>2</sup> Regulation 22 Children's Commissioner for Wales Regulations 2001

<sup>3</sup> Section 75A (1) Care Standards Act 2000

<sup>4</sup> <http://www.assemblywales.org/bus-home/bus-legislation/bus-leg-measures/business-legislationmeasuresrightsofchildren.htm>

1.2 My comments in this paper are aimed at informing the Committee's scrutiny of Welsh Government compliance report and to constructively contribute to the development of the revised Children's Scheme for 2014.

### 1.3 Key recommendations / suggestions by the CCfW

1. The CYP Committee should consider how to formalise the scrutiny of the Children's Rights Scheme and the wider application of children's rights in Wales within the legislature.
2. Welsh Government should formalise the Child Right Impact Assessment (CRIA) process and ensure transparency.
3. Welsh Government should consider reviewing its update of 'Getting it Right' Action Plan, the national UNCRC action plan.

1.4 It is important to note that Welsh Government has raised the bar in the promotion of the UNCRC and I acknowledge the progress made during the short period from when the Measure was introduced. The efforts and activity are to be commended and my focus in this submission is on how to secure a strategic approach which sustains, and indeed progresses, Welsh Government's existing commitment to the UNCRC.

1.5 Bearing in mind the importance of the groundbreaking Measure I believe it would have been appropriate for the Minister, at the very least, to make a statement in plenary, if not allocate further Government plenary time and for a press release to be issued regarding the publication of the first compliance report. This would have been appropriate, particularly given the statement that Welsh Ministers '*are accountable to the NAfW, and to the public*' (p5 of the compliance report).

## 2 The role of the legislature, amending the Children's Rights Scheme and reporting cycles

2.1 The Committee may wish to consider how best to ensure that the application of the Measure is given the appropriate level of scrutiny within the legislature. The Committee has a role to play and may wish to consider securing a set amount of time per year to scrutinise the Measure and the general application of the UNCRC by Welsh Government corporately. The Committee's conclusion from the scrutiny could then be considered within the deliberation of the possible need to amend the Children's Rights Scheme.

One current issue is that there is no clarity on the basis on which a revision of the Scheme would be considered and perhaps a Committee recommendation to this end following a scrutiny session may be

worth considering as a critical leverage mechanism. It could also be possible then to incorporate the role of the legislature into the amended Children's Rights Scheme.

- 2.2 It is clear that Welsh Government is open to discussions regarding the reporting timescales and there is room for negotiation in identifying appropriate timescales which is afforded under section 4 (1)b. Welsh Government should consider identifying the timescales and publishing this in the next Children's Scheme. This is particularly important bearing in mind that the only statutory obligation is to report every 5 years. I would urge this discussion to be initiated to offer clarity on this point.

### 3 Comments on the Report as set out

#### Section 1 – Putting the arrangements in the Children's Rights Scheme into place

- 3.1 The original scheme referred to the role of the Implementation Steering Group. This group has now evolved into the Child Rights Scheme Monitoring Group. It would be useful to clarify the membership and seniority of the officials representing their departments on this group.
- 3.2 I note the different dynamic for the Children's Rights Scheme Monitoring Group presented in the compliance report (the group was called the Implementation Steering Group in the Scheme). There appears less of an emphasis on a 'championing' role as referred to in the Children's Rights Scheme and more of a 'monitoring and steering' role. It would be useful for the role and function undertaken by the Implementation Group to be clarified as well as more fully reflecting the inter-link between the Monitoring Group and the Implementation Team which would enable an examination of how each function reinforces the other.

#### Measure Implementation Team

- 3.3 It is clear that the implementation team has a key role in effective implementation of the Measure and it is positive that there is a discreet group with a clear role in raising awareness and understanding of the UNCRC and the Measure.
- 3.4 It would be useful for further information regarding the training provided for Welsh Government staff. It is clear that there has been a significant amount of activity during the first nine months of the implementation

of the Measure with training being a critical element of the activity. Bearing in mind the considerable commitment in this regard, it would be good to be able to reflect this with specific numbers of staff, staff grades, departmental breakdown and the nature and level of the training provision.

3.5 Whilst evaluation of the effectiveness of training will ultimately be based on a longer term assessment of the degree to which legislation, policies and initiatives have been considered against the requirements of the UNCRC, this element of the children's scheme will enable Welsh Government to outline some statistical outputs including numbers of staff, which departments etc. which may be utilised for reporting purposes in the short term.

#### Welsh Government staff

3.6 The report mentions sampling of Child Rights Impact Assessments (CRIAs) and that data and evidence from the assessments have been analysed. It is not clear how this analysis has informed the compliance report. It would be useful if the report was explicit in identifying which sections of the report are based on the analysis of the CRIA process.

3.7 In the very early days of the CRIA process, I believe it is imperative that the CRIA process is given close attention and this would require structured evaluation and analysis. I welcome Welsh Government activity in this area, however feel that access to further information on this process would be constructive, for instance the numbers of CRIAs that have been undertaken, the policy areas to which they relate, the evaluation method and any recommendations and outcomes from those evaluations. Whilst examples of impact are provided in annex 1, these may be deemed to be anecdotal rather than being samples based on methodology. I expand on my comments regarding the CRIA process later on in the paper.

3.8 This section emphasises the role of the Measure Implementation Team in raising awareness and understanding. It would be useful to afford further clarity in relation to what activity relates to which objective. For instance the report could outline activity in relation to:

- Awareness of the UNCRC
- Understanding of the UNCRC which enables application of the due regard duty (this would require a substantive appreciation of the UNCRC which goes beyond awareness of the UNCRC)

**3.9** The scale of activity within Welsh Government has been significant over the last 9 months. Due to the variety of activity, (training sessions, email, face to face, e-learning, Q &A etc.) being able to categorise these different forms of awareness raising work may offer further clarity on which areas may or may not need further resource and assist in the strategic approach required to capitalise on progress made.

### **Welsh Government Working in Partnership**

**3.10** The report refers to the pre-conference to the 5<sup>th</sup> World Congress on the Rights of Children and Adolescents and how arrangements for compliance with section 1 of the Measure were examined in detail. It also refers to an Academic seminar. It would be worthwhile for Welsh Government to publish further information on the subjects discussed, the points raised and any recommendations made that could be considered further which may inform the development of future Children's Schemes.

**3.11** The report states the role of the 'Getting it Right Implementation Support Network'<sup>5</sup>. It may be worth considering whether there is a need to explicitly identify a role for the network in evaluating the application of the Measure in the group's terms of reference.

**3.12** My office has observer status on the Getting it Right Implementation Support Network and strongly believe that the stakeholder members have a valuable contribution to make. It may however be worth formalising the practical arrangements so that there is clarity regarding the exact role and remit and more importantly what this means in practice. Whilst there are terms of reference, it is unclear how the group has facilitated specific outcomes of benefit for Welsh Government officials and the child rights agenda in Wales.

**3.13** There also appear to have been changes in relation to how Welsh Government utilises the expertise from the network (and changes to the original Welsh Government structures envisaged at the inception of the Measure as mentioned previously). Therefore it may be useful to ascertain whether this has changed the dynamic from the network perspective. Consideration should therefore be given to assessing the terms of reference as well as the nature of the membership of the implementation network so that the engagement process is formalised.

**3.14** The partnership working and cooperation agenda in relation to the progression of the UNCRC agenda in Wales has always been a positive facet of post devolution governance in Wales. The 2008 UNCRC reporting

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<sup>5</sup> The Getting it Right Implementation Group is an opportunity for key strategic partners to contribute to and assist officials in developing and maintaining a strategic overview of progress in implementing the Getting it Right action plan for Wales.

process and development of *Getting it Right*<sup>6</sup> are examples of good practice in this regard. However, as organisations and relationships evolve, it may be timely to examine the nature of the links between various groups and institutions e.g. the relationship between Welsh Government and the UNCRC monitoring group or the Getting it Right Implementation steering group and the UNCRC monitoring group, in order that there are appropriate checks and balances but without losing the effective working relationships that have been established over the years.

#### **4 Arrangements in place to ensure compliance**

**4.1** Due to the importance of incorporating structure into the arrangements for compliance, the development of the Welsh Government process regarding CRIA is very much welcomed. The key question for me however, is whether or not the process is leading to robust assessments being undertaken which can evidence the key aspects of due regard. The principles of due regard were considered in details during the scrutiny of the Measure and included references to *R (Brown) v Secretary of State for Work and Pensions* [2008] EWHC 3158 (Admin) and comparisons with the application of the due regard duty in relation to Disability Discrimination legislation.

**4.2** It is not possible for me to fully conclude either way whether or not the CRIA process is effective or otherwise because there is no formal and consistent arrangement which allows for scrutiny of the CRIAs. Affording this transparency would facilitate improved learning across Welsh Government departments, as well as across Wales more generally, as well as enabling appropriate scrutiny of the application of the due regard duty.

**4.3** Stakeholders need to be able to consider whether or not the processes put in place offer the required rigour in considering the substantive rights enshrined in the UNCRC and if they believe the duty is being complied with. It is positive that a central resource is in place to store all CRIAs, however Welsh Government would doubtless benefit from additional scrutiny of these CRIAs. I shall return to the CRIA process in section 9.

#### **5 Challenging Welsh Ministers**

**5.1** During the scrutiny of the Measure, I, along with others questioned the need to address the unresolved issues of the CCfW statutory remit within the context of the Measure. It is worth examining further whether or not the Commissioner's legislation offers the required provision to effectively challenge Ministers. This is

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<sup>6</sup> <http://wales.gov.uk/docs/dcells/publications/091117gettingitrighten.pdf>



especially relevant given the suggestion in the Children’s Right Scheme that those wanting to challenge Welsh Ministers may seek to do so via the Children’s Commissioner for Wales.

**5.2** I would also recommend examining further if the other mechanisms outlined are adequately provided for in order to undertake the roles envisaged by Welsh Government. If a young person raised issues in relation to the Measure with the organisation / agencies mentioned, are we sure they would be able to respond appropriately and have sufficient knowledge of either the UNCRC or the Measure?

## **6 Section 2 of the compliance report**

**6.1** A section outlining the impact of the Measure is a welcome inclusion, however, in future reports there will be a need to evidence more robustly the way in which the Measure makes a difference and consideration required to develop a sophisticated mechanism for doing so. Greater participation of children and young people and development of children and young people friendly documents are welcome and no doubt the Measure assists in promoting this agenda. These developments however, may not necessarily reflect the requirements to address the obligation to examine substantive rights across the articles of the UNCRC.

In crude terms, you could, in theory involve children in discussions and produce child friendly versions of policies and legislation which fundamentally undermines the application of the UNCRC in all other aspects.

## **7 Children’s budgeting**

**7.1** Whilst I don’t necessarily disagree with its mainstreaming children’s budgeting into the CRIA process, Welsh Government would need to expressly evidence how, in taking decisions regarding policy and law, Welsh Ministers fulfil children’s rights to the maximum extent of their available resources under article 4 of the UNCRC. Ministers may also wish to consider the appropriateness of including such considerations under their regulatory impact assessment process as well as the CRIA.

**7.2** I would reiterate the point that the report’s assertions regarding ‘influencing policy/legislation’ and ‘influencing delivery’ is difficult to evaluate without being able to fully scrutinise how the Measure has influenced the outcomes of the process.

## 8 The Report's Annex

- 8.1 The Annex helpfully illustrates the outcomes of a sample of CRIA processes. The annex does not however afford us an insight into the way in which the relevant articles of the UNCRC were considered and applied in order that the conclusions and recommendations noted were reached.
- 8.2 It is also worth noting that I was critical of one example referred in annex 1 during the consultation process of *Together for Mental Health – A Strategy for Mental Health and Wellbeing in Wales* and have also engaged with Welsh Government on another, *the Framework for Action on Independent Living for Disabled People* because of my particular concerns regarding the application of the due regard duty. I will be pleased to expand on specific examples of my concern in committee.
- 8.3 Without access to the CRIAs it was not possible for me to engage as constructively as I would have liked by understanding what considerations had been made as part of the policy making process for the examples above.
- 8.4 This scenario is also true of the proposed Social Services and Wellbeing (Wales) Bill<sup>7</sup>. The lack of transparency has led to a public exchange between me and Welsh Government, which may not necessarily be conducive to effective legislative scrutiny and good law. I cannot be assured that I have fully understood nor 'fundamentally misunderstood' as per Welsh Government's statement, the provisions within the Bill unless greater clarity is afforded to address my concerns that due regard has not been effectively applied. As the Committee has been made aware, I have committed to sharing my own CRIA to assist in the scrutiny process as well as asking Welsh Government for a copy of the CRIA that they have prepared.
- 8.5 My concern is not that all CRIA lack quality. The publishing of the CRIA on the Active Travel (Wales) Bill as part of the Explanatory Memorandum is a case in point where there has been clear consideration of the substantive rights in relation to the specific elements of the Bill. Again, I would be happy to offer a perspective in Committee as to why I believe this to be the case. I have submitted a paper as part of the scrutiny process which I hope will be considered further within the context of the UNCRC and further examined by the legislature and Welsh Government. Whilst I do not fully agree with the conclusions of the Active Travel (Wales) Bill CRIA and believe there to be other issues to examine, I commend the quality of the CRIA as a constructive basis for discussion.

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<sup>7</sup> <http://wales.gov.uk/topics/health/socialcare/bill/?lang=en>

## **9 The need to formalise the CRIA processes**

**9.1** These processes are in their infancy and it is important to consider this, but I also believe the very early learning is that we need to ensure transparency of the CRIA process as well as formalising the process. This is not an easy task because the CRIA process should be seen as a fluid one throughout the process of policy and legislative development, with responses and evidence being reviewed and the CRIA revisited. Currently however, it appears that publishing a CRIAs at all is at the discretion of departments. Publishing CRIAs consistently, enabling responses to the assessments and affording Welsh Ministers the opportunity to address comments and feedback would help provide assurances that Welsh Ministers are operating with an open mind and with rigour in formulating policy and legislation. That is not to say that Ministers would be bound to accept alternative views and amend their intentions, but merely to constructively address the concerns or alternative perspectives.

**9.2** A possible starting point may be that CRIAs should form part of the initial consultation on the policy or within an explanatory memorandum in the case of legislation. Facilitating a discussion on child rights implications in this manner can only be a positive development and would, I believe, lead to improved policy and legislative developments.

## **10 Review of legislation**

**10.1** Section 6 of the Measure allows the Ministers to make orders changing existing legislation if, following a report on compliance (under section 4), it is decided that it would be desirable to do so with a view to giving greater effect to the UNCRC.

**10.2** The scheme states that Welsh Ministers will consider whether to utilise this power following the publication of the first compliance report, however there is no mention of section 6 in the compliance report.

**10.3** In preparation for the revision of the Children's Rights Scheme, Welsh Government needs to consider how to offer structure to this statutory provision and consideration is required as to how to assess current legislation in order to ascertain whether there are opportunities to give better effect to the UNCRC. The logical approach would be to undertake a review of legislation, perhaps establishing a schedule for review or incorporating this element into the current internal Government mechanisms. This revision of legislation

within a schedule could then allow for an inclusion in the compliance report regarding assessments made as well as options for amending legislation.

## **11 Update of the *Getting it Right* action plan**

**11.1** As well as legislative frameworks relating to the UNCRC, an important element of the general measures of implementation of the convention in Wales is the national action plan. There is a clear link in this regard between the Children's Rights Scheme, the due regard obligations and this national action plan.

**11.2** The Ministerial Statement made on 31 January, 2013 referred to the Welsh Government update on its progress in relation to the recommendations made by the UN Committee on the Rights of the Child in their concluding observations of 2008. The statement refers to the publishing of '*our progress in relation to the recommendations made by the UN Committee on the Rights of the Child in their concluding observations*'. I believe it is questionable whether or not the document does in fact reflect the content of the statement and also whether the UNCRC action plan can be considered fit for purpose in offering a road map for Welsh Government in driving positive change for children and young people in Wales within a rights context.

**11.3** I would be willing to share the specific concerns I have in committee but on a general level, there are issues regarding the coherence of the revised document and how it complies with UN guidance<sup>8</sup> on national strategies and also effectively reflects Welsh Government activity in a number of policy areas.

**11.4** There has been a fundamental change to the format of the action plan, therefore it would have been appropriate to consult widely with the child rights community in Wales and various policy forums and formally requested feedback. I do however, understand that Welsh Government is clear that the action plan is a 'fluid' document and we are hopeful that I can further engage with Welsh Government as well as encouraging others to strengthen the document.

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<sup>8</sup> <http://daccess-ddsny.un.org/doc/UNDOC/GEN/G03/455/14/PDF/G0345514.pdf?OpenElement> & <http://www.ohchr.org/Documents/Publications/training10en.pdf>

Submitted by:

A handwritten signature in black ink that reads "Keith Towler". The signature is written in a cursive style and is underlined with a single horizontal line.

**Keith Towler**

**Children's Commissioner for Wales**

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# Agenda Item 3

## **Response from the Wales UNCRC Monitoring Group to the Children's Rights Scheme: report on compliance with the duty under section 1 of the Rights of Children and Young Persons (Wales) Measure 2011**

### **1. Introduction**

The Wales UNCRC Monitoring Group is a national alliance of non-governmental and academic agencies coordinated and chaired by Save the Children's Wales programme. The group is tasked with monitoring and promoting the United Nations Convention on the Rights of the Child in Wales.

Group membership includes: Aberystwyth University Centre of Welsh Legal Affairs, Barnardo's Cymru, Cardiff University Department of Child Health, Children in Wales, Funky Dragon, Nacro Cymru, NSPCC Cymru, Save the Children Wales (Chair & Coordinator), Swansea University, School of Law.

Observers include: Children's Commissioner Office for Wales, Equality and Human Rights Commission, Welsh Government, Welsh Local Government Association, UNICEF UK.

This report has been produced on behalf of the Monitoring Group by Simon Hoffman, Co-director, Wales Observatory on Human Rights of Children and Young People, both for the Welsh Government and to be used as part of our written evidence to the National Assembly for Wales Children and Young People's Scrutiny committee meeting on 9<sup>th</sup> May 2013, which is scrutinising both the National Action Plan update report and the Children's Rights Scheme compliance report 2013. Written evidence regarding the national action plan is sent separately.

### **2. Background**

The Explanatory Memorandum accompanying the Rights of Children and Young Persons (Wales) Measure 2011 states:

'The proposed Measure will embed consideration of the requirements of the UNCRC and its Optional Protocols into strategic decision making by the Welsh Ministers and the First Minister across all areas of the Welsh Assembly Government's work. The objective is to ensure that those requirements will have an even greater prominence in respect of devolved matters in Wales than has so far been the case.' (para.3.14)

The Measure seeks to address the 'implementation gap' between policy rhetoric, and the practice of children's rights in Wales by embedding the UNCRC in Welsh Government strategic decision-making. It is intended to promote culture change to ensure children's rights are properly taken into account in the policy-making, law-making and, from May 2014, all other decision-making processes of Welsh Ministers.

### 3. The Report

Referring to the sections as set out in the report.

#### *Introduction*

This section expressly recognises the purpose of the Measure, i.e. to promote culture change (p.3). It implicitly acknowledges the need to assess compliance with the due regard duty Measure by examining:

- The processes and arrangements in place to implement the due regard duty.
- The impact of the Measure. (p.4)

Although impact is not further elucidated or explained in the Introduction, it is apparent from later sections of the report that it is seen primarily in terms of outcomes for children and young people. There is however limited sensitivity to the impact of compliance assessed by evaluation of culture change.

#### **Section I: Putting the arrangements in the Children's Scheme into place**

This section deals with institutional arrangements as well as processes. There is welcome recognition of the importance of institutional arrangements to underpin compliance.

There are a number of issues raised by Section I of the report. In summary these are:

- a) There appears to be a drawing back from the notion of 'Champions' under the Children's Scheme (Children's Scheme, p.5), and from the intention that the role of the Implementation Steering Group will be to provide leadership, advice and guidance to promote children's rights across Director General areas (ibid). There is a risk that leadership is being lost as compliance arrangements are reviewed. The Implementation Steering Group has changed to become the Children's Rights Scheme Monitoring Group. Whilst monitoring is an important function it implies a passive, at best reactive role.
- b) The role of the Children's Rights Scheme Monitoring Group includes 'steering', but there is no explanation of how the group will deliver the leadership function identified for its antecedent. It is confirmed that the Children's Scheme Monitoring Group will share best practice, although it is unclear whether the group will take the initiative (for example by confirming and establishing best practice as the norm, nurturing and developing expertise, i.e. Champions, or issuing *de novo* guidance on best practice).

**It is desirable that the leadership role of the Children's Rights Scheme Monitoring Group be more clearly articulated. Including the group's role to determine institutional best practice.**

- c) The Measure Implementation Team is a positive initiative. The report suggests that the team is proactive in providing a range of options for officials to engage with support in order to raise awareness and knowledge of the UNCRC. This is an essential aspect of securing compliance: the work already undertaken by the team is a progressive innovation.

The success of these initiatives will be measured by reference to, *inter alia*:

- Number of staff participating.
- Seniority of staff participating.
- Coverage or take-up of training across departments.
- Take-up of different training/support options.

**This information (or similar) is not available in the report. It is therefore difficult to assess how effective the various initiatives have been to ensure compliance. It would be helpful if future reports could include relevant data.**

- d) The report states that sampling of Child Rights Impact Assessments (CRIA) is being carried out. The effectiveness of this evaluation process will only be fully appreciated once it is known:
- How many CRIA which have been sampled.
  - Which departments have had CRIA(s) evaluated.
  - What criteria were used to assess the CRIAs sampled.
  - The outcome of the evaluation.
  - What steps have been taken to improve CRIA processes as a result.

**This information (or similar) is not available in the report. It is therefore difficult to assess how effective the CRIA processes have been. It would be helpful if future reports could include relevant data.**

- e) The report refers to resources available to Welsh Government staff. This is a positive initiative, as is the requirement on staff to keep written records of impact assessment. The objectives of training and support are identified as increasing ‘awareness’ and ‘understanding’ of the UNCRC. These objectives are occasionally conflated. The due regard duty requires substantive appreciation of children’s rights which goes beyond awareness that rights exist.

**It is stated that there has been evaluation of the support provided. It would be useful if the evaluation of support were further elucidated; in particular to shed light on how (if) this has improved understanding of the UNCRC – and its implications – within the Welsh Government, and how this has influenced practices.**

- f) The report refers to working in partnership, including with the NGO community. Willingness to engage with the child rights community is a positive feature of governance in Wales. Anecdotal evidence suggests that there may be impediments to engagement, these include:
- Lack of clarity about the role of the GIR Implementation Support Network, and how this group inputs to decision-making.
  - Lack of clarity about how Welsh Government relates to the Wales Monitoring group for the UNCRC.
- g) The introduction the Six Steps impact assessment tool is positive and essential innovation. Whilst it is important to recognise the need for ‘convenience’ for officials in day-to-day use, this needs to be balanced alongside the need for a rigorous and effective CRIA process. In order to determine whether the requisite rigour is being applied to consideration of substantive rights, and therefore whether the due regard



duty is being properly applied, the CRIA process needs to be transparent and open to scrutiny. Although officials are told to keep records of CRIA processes, these are not available for consideration by the NGO community. This is an impediment to proper scrutiny and accountability.

**It is strongly recommended that where policy or legislation has been subject to a CRIA the record kept by officials, or an adequate summary, is made available for scrutiny.**

### **Section 2- How it is making a difference to children, young people and families**

This section is arranged thematically and provides a summary of seeming positive impacts for children and young people following implementation of the due regard duty. Consideration of these assertions is beyond the scope of this response, and in any event would require examination of the evidence from which the conclusions are formed.

### **Annex – Examples of legislation/policies that have completed the CRIA**

This section provides examples of the outcome of CRIA processes. It is appreciated that practical constraints limit the number of examples which may be included for discussion. However, it is questionable whether or not such a selective presentation offers any reliable insights into the influence of CRIA processes generally in the Welsh Government, in particular where there is no indication of the criteria used for sampling.

**It would be preferable to have randomised systematic sampling, accompanied by transparency so that relevant CRIA records are available for scrutiny.**

### **Further Comment**

Section 6 of the Measure contains a power for Welsh Ministers to amend legislation to give further or better effect to the rights and obligations in the UNCRC, provided this is within the legislative competence of the National Assembly for Wales. Legislation suitable for amendment to this purpose will be identified in a report published under section 4. The due regard duty under section 1 applies where Ministers review or amend existing legislation. In order to ensure that existing legislation is optimal to give further or better effect to the rights and obligations in the UNCRC it may be necessary to carry out a review of legislation (i.e. legislation which is within the competence of the Welsh Government to amend

**It would be desirable if any further report(s) under section 4 were to include a section commenting on existing legislation and whether any amendments might be desirable in order give further or better effect to the rights and obligations in the UNCRC.**

For more information contact:  
Pat Dunmore  
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07773 429910

# **Response from the Wales UNCRC Monitoring Group to the 2013 update to the Welsh Government National Action Plan for Children's Human Rights 'Getting it Right'.**

## **1. Introduction**

The Wales UNCRC Monitoring Group is a national alliance of non-governmental and academic agencies coordinated and chaired by Save the Children's Wales programme. The group is tasked with monitoring and promoting the United Nations Convention on the Rights of the Child in Wales.

Group membership includes: Aberystwyth University Centre of Welsh Legal Affairs, Barnardo's Cymru, Cardiff University Department of Child Health, Children in Wales, Funky Dragon, Nacro Cymru, NSPCC Cymru, Save the Children Wales (Chair & Coordinator), Swansea University, School of Law.

Observers include: Children's Commissioner Office for Wales, Equality and Human Rights Commission, Welsh Government, Welsh Local Government Association, UNICEF UK.

The Monitoring Group has produced this response both for the Welsh Government and to be used as part of our written evidence to the National Assembly for Wales Children and Young People's Scrutiny committee meeting on 9<sup>th</sup> May 2013, which is scrutinising both the National Action Plan update report and the Children's Rights Scheme compliance report 2013. Written evidence regarding the compliance report is sent separately.

## **2. Overview**

The purpose of this response is to review the national action plan update as a tool for monitoring compliance with children's rights and the improvement of the position of children in Wales. It is not the object of the response to comment on the substance of particular policies. The response is designed as a constructive response which focuses on how to build on what is positive in the national action plan and improve things further. So, it is in that spirit that we make our comments.

In November 2009, just over a year after the Concluding Observations were issued, 'Getting it Right 2009: United Nations Convention on the Rights of the Child' was published. Described as a 5-year rolling action plan, it set out Welsh Government's priorities in responding to the UN Committee's recommendations. It contained 16 priority areas and 90 proposed time-bound actions. The 16 priorities were based on Welsh Government's response to the UN Committee's request (during the reporting process) for its priorities for children, which were developed following some limited consultation with NGOs in summer 2008. In addition to the 16 priority areas, the action plan also included activities relating to breast feeding, Gypsy and Traveller children and health and health services. In 2009, very positively, Welsh Government acknowledged that 'Getting it Right 2009' was only 'the start of the journey' and described it as a base from which to move forward - a 'living document' which would be reviewed regularly. The Monitoring Group views the development of a rolling national action plan as an extremely positive move by the Welsh Government towards addressing the human rights of children in Wales. However, we are now 4 years on and concerns about the

report raised by the Monitoring Group repeatedly since 2009 still do not appear to have been addressed.

### **3. Concerns of the Monitoring Group**

We recognise that the Welsh Government have taken significant steps towards implementing the UNCRC in Wales, not least through the Rights of Children and Young Persons (Wales) Measure 2011. However, the national action plan, though an encouraging first step in the development of such a document, has not progressed over time and in some ways, as a plan, has gone backwards.

In 2010 the Monitoring Group raised the following issues with the Welsh Government regarding deficiencies in the 2009 plan:

- a. the lack of a budget linked clearly to future actions;
- b. an impression that it was sometimes a narrative of current activity;
- c. a lack of clarity as to how it linked to the 'Seven Core Aims', the national well-being monitor or the UK Concluding Observations 2008;
- d. the absence of a clear monitoring framework and clear outcomes for children and young people;
- e. a sometimes inaccurate picture of where Wales was in implementing the UNCRC;
- f. disquiet that 'Getting it Right 2009' was developed in a silo without firm buy-in from all parts of government or an adequate link to other relevant government strategies and proposals.

The Wales UNCRC Monitoring Group is a representative on the Welsh Government Getting it Right stakeholder reference group and consistently since 2010 has advised that the above concerns be addressed. However in the update report published January 2013 it appears that few of these concerns have been addressed. In addition the update report has raised a number of additional concerns:

- g. its format is much less clear and is more difficult to read than the original 2009 document;
- h. it contains no reference at all to the UN Concluding Observations or the Articles of the UNCRC relevant to each priority;
- i. it is no longer a '5-year rolling action plan' and has become a summary of past achievements and an outline of already planned activities for a limited period of 12 months or so.

### **4. Guidance from the UN on developing national action plans**

A national action plan on children's human rights should be a document that helps to increase awareness and understanding of the UNCRC across government and it should provide a useful tool with which NGOs and the Children's Commissioner for Wales can hold Welsh Government to account. Key to the action plan's success is buy-in from local government and other public bodies to reduce the policy implementation gap that was identified by all stakeholders during the UNCRC reporting process 2008 as one of the principal barriers to achieving children's rights.

In section 9 of the Handbook on National Human Rights Action Plans<sup>1</sup>, produced by the Office for the UN High Commissioner for Human Rights in 2002, it sets out that:

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<sup>1</sup> <http://www.ohchr.org/Documents/Publications/training10en.pdf>

## 9.1 General issues

*Determining and expressing the content of the plan are probably the most important parts of the national action plan process. Other elements such as consultation and implementation are of course also important, but it is the content that embodies the government's commitment to take action and that provides the basis for implementation. Moreover, the commitments described will constitute benchmarks by which the degree of success is measured.*

*The plan should have a clear, systematic and logical structure. This will facilitate its acceptance and understanding by the general public, its incorporation in the planning of specific implementing agencies and the process of monitoring and evaluation.*

It goes on in section 9.4 to state that:

*Some of the countries that have adopted plans have found it useful to work on the basis of a set of headings applicable to each area considered, which give a clear indication of the current state of affairs and proposals for change. Such headings may include:*

- *International obligations and national legislation;*
- *What has been done to date;*
- *Present situation (drawing on the baseline study);*
- *Proposed action within various time frames – short, medium and long;*
- *Institutional responsibility for the proposed action and identification of resources;*
- *Monitoring and evaluation.*

*It is important to make clear the commitment of government to the achievement of the plan's objectives. Directions from the head of State or government should be specifically included. To ensure that it can serve as a working document, it may be useful to include relevant contact details of key organizations in each sector. This will enable civil society organizations and the general public to become engaged more readily in implementation of the plan. It may also serve to foster a better partnership between government and civil society. The document should also include appropriate references to international human rights norms and national legislation.*

## 5. Key recommendations

### **Welsh Government should:**

- Consider the advice of the Office of the High Commissioner on Human Rights regarding the development and delivery of National Human Rights Action Plans.
- Review the 'action plan' to ensure it is fit for purpose and includes an improved monitoring framework with clear, resourced, time-bound actions as well as clear outcomes for children and young people.
- Develop better links between "Getting it right" and reporting on children's rights budget information, the data collated as part of the Children and Young People's Wellbeing Monitor, the UK Concluding Observations 2008 and the Rights of Children and Young Persons (Wales) Measure.
- Work with local authorities and other public bodies to effectively implement "Getting it right" as soon as possible.

For more information contact:  
Pat Dunmore  
UNCRC Monitoring Officer  
07773 429910

# Agenda Item 4

## **Welsh Government Evidence on Compliance with the Rights of Children and Young Persons (Wales) Measure 2011 and the Update Report on the Welsh UNCRC Getting it Right Action Plan.**

### **Purpose**

The paper has been prepared to provide information to the members of the Children and Young People Committee on the compliance with the Rights of Children and Young Persons (Wales) Measure 2011 and the Welsh 'Getting it Right' Action Plan Update'2013.

### **Introduction**

The Welsh Government is clear in its continued commitment to improving the lives of children and young people. The introduction of the Rights of Children and Young Persons (Wales) Measure 2011 demonstrated this commitment and we are determined that it will continue to have a positive impact on children, young people and their families.

May 1 2013 will be the first anniversary of the 'due regard' duty becoming law in Wales. We are confident we have made good progress. There is more to do and we will be analysing carefully the results on the impact these new duties have made and will use the lessons learnt in further developing our approaches. Our aim is to develop a culture of consideration of children's rights within all business activity of Welsh Government.

### **The Rights of Children and Young Persons (Wales) Measure 2011.**

Section 1 – Duty to have due regard to the United Nations Convention on the Rights of the Child (UNCRC).

From 1 May 2012, up to and including 30 April 2014, the duty applies to decisions of the Welsh Ministers about any of the following:

- proposed new legislation;
- proposed new policies; and
- a review of or change to an existing policy and/or legislation.

From May 1 2014, the duty will apply to Welsh Ministers when exercising all their functions.

To ensure compliance a number of resources have been developed, to aid and help officials with the understanding of their responsibilities in relation to the Measure. Also, to improve levels of knowledge of the UNCRC, online, desktop training packages are available across Welsh Government.

Other activity has included 'Lunch n Learn' seminars, team specific training and one to one support as requested. A fully dedicated web page carries sources including frequently asked questions, the UNCRC convention in full and summarised versions and other sources of information to access.

Significantly we have introduced a Children's Rights Impact Assessment (CRIA) tool. The tool has been developed to ensure that officials provide evidence of their analysis and consideration to children's rights when providing advice to Ministers.

The CRIA is a six steps guide which clearly defines the process officials must consider when preparing the advice. The CRIA is also included in the briefing and advice template that all Welsh Government officials are required to complete when submitting advice to Ministers.

Another significant development has been the creation of the Children's Rights Scheme Monitoring group. Consisting of representatives from all of the Director General areas within the Welsh Government, it is tasked to oversee the implementation of the Measure and members act as 'champions' in raising awareness within their areas of responsibility.

## Section 2 – The Children's Rights Scheme 2012.

The Children's Rights Scheme approved on March 27 2012 set out the arrangements that Welsh Ministers put in place to ensure that they and their officials comply with the due regard duty.

The scheme set out the roles and responsibilities for specific people and groups:

- The Implementation Steering Group – This group comprises of members from each of the Director General Area within the Welsh Government. NB After the consultation process this became the CRS monitoring group as a result of feedback.
- Implementation Team – This is the team within the Welsh Government who lead on the Implementation of the Measure.
- Welsh Government staff – inclusive of all staff
- External Stakeholders - Working with experts in the field has and will prove invaluable. We have very much valued their feedback on all aspects of the Measure.
- We have also worked closely with internal audit who are currently undertaking their second audit.

Importantly the Children's Rights Scheme provides information on how children or their representatives can challenge Welsh Ministers if they believe that sufficient regard has not been paid to children's rights. To ensure that this

information is available to all, the Implementation Team has produced a children and young person friendly interactive version of the corporate Welsh Government complaints process which is available online.

### Section 3 – Preparation and Publication of the scheme 2012.

As part of this process it was important to be inclusive in our approach and ensure those children that may be marginalised living in Wales at this time would be involved.

Throughout the consultation process approximately 400 children were involved in developing the Children's Rights Scheme. The Implementation Team commissioned workshops throughout Wales and engaged with difficult to reach children and young people in addition to contacting a variety of schools. A young person friendly version of the consultation document was produced and provided the basis for the workshops.

Also Welsh Government officials ran workshops within government offices across Wales.

26 Organisations including Save the Children and the Children's Commissioner for Wales responded to the consultation and provided important feedback to the development of the scheme.

### Section 4 - Reports

The Compliance Report, laid before the National Assembly for Wales in accordance with the requirement of the Measure and was published on 31<sup>st</sup> January 2013.

### Section 5 – Duty to promote knowledge of the Convention.

Under Section 5 Welsh Ministers must take such steps as are appropriate to promote knowledge and understanding amongst the public in Wales, including children of the Convention.

Currently officials have produced:

- Online training for external professionals/volunteers working with children and young people.
- Commissioned train trainers programmes for various organisations such as the Police, Health and Immigration professions.
- Produced a short film on children's rights made by children for children.
- Produced a mobile app which not only describes each of the rights but also has a directory of support services that potentially could assist in issues surrounding children's rights.
- Updated our resources and are currently updating the Let's Get it Right website. The site brings together all our resources and information on children's rights and the UNCRC in one place, for use by and with children, young people and professionals.



All of the above resources are available on the Welsh Government external website.

Section 6 – Power to amend Legislation.

At this moment in time there is no requirement to amend the legislation. This may change if it is required at a future time in relation to the purpose of giving further or better effect to the rights set out in the Convention and its Protocols.

Section 7 – Application to Young Persons aged 18 – 24 years old.

A 12 week consultation process was undertaken in 2012 seeking the views and opinions whether the due regard duty should be applied, and to what extent to 18 – 24 year olds. Following receipt and analysis of all of the responses received a report has been published which concludes that the duty will **not** be extended to this age group.

**United Nations Convention on the Rights of the Child – Getting it Right Update 2013.**

The ‘Getting it Right’ Update is based on the existing 16 Priorities for Wales which were agreed with the then Welsh Assembly Government and representatives of the UNCRC Monitoring group in Wales and submitted to the UN Committee.

*Full details of the update are provided to the Committee as an annex as part of this evidence.*

**Huw Lewis AM,  
Minister for Communities and Tackling Poverty**

# The Getting it Right Update 2013



**Action Plan Addressing the Concluding Observations of the UNCRC committee (2008)**

**What is it?** - 'Getting it Right'(2009-14) is the Action Plan for Wales setting out our key priorities and actions in response to the Concluding Observations of the UN Committee on the Rights of the Child 2008. The Welsh Government has worked in partnership with numerous external stakeholders in developing the action plan.

**Where are we now?** – This report highlights the progress that the Welsh Government have made following the recommendations made by the UN Committee. The report indicates the situation in Wales at the culmination of the fourth periodical report, what actions have been introduced, their impact, and proposed actions to further improve the situation.

In January 2011 the National Assembly for Wales approved the **Rights of Children and Young Persons (Wales) Measure**. On receiving Royal Approval on 16 March 2011, Wales became the first nation in the UK to enshrine the UNCRC in domestic law. The Measure places a duty on Welsh Ministers to have due regard to the UNCRC and its optional protocols and also require Ministers to produce a scheme to ensure compliance with the duty. In March 2012 the **Children's Rights Scheme** was laid and approved by the National Assembly for Wales. This Children's Rights Scheme sets out the arrangements that Welsh Ministers will have in place to make sure that they, and Welsh Government staff, comply with the duty placed on them by the Measure – to "have due regard" to children's rights.

**What about the Programme for Government?** - The Programme for Government is the roadmap for the rest of this Governments term. It represents a real commitment to delivery, and a move away from an approach to measuring success that placed too much emphasis on the amount of money spent, or the number of policies implemented, rather than the impact Welsh Government is actually having on people's lives.

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**NB: A number of actions (completed, current or future) cross over or could sit easily under more than one priority area. To avoid duplication we have placed the actions in where we believe to be the most appropriate place.**

**PRIORITY 1: Tackling poverty for children and young people in Wales.**

**Programme for Government 2011-2016 - Tackling Poverty**  
 'Reaffirm our commitment to eradicate child poverty in Wales by 2020.'

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2006/09</b> - The percentage of children living in absolute poverty rose to 21%.</p> <p><b>2007</b> - The rate of child poverty in Wales in the last two years has maintained at 28%.                      (Source: Joseph Rowntree Foundation report on Poverty in 2005 - July 2007)</p> <p><b>2008</b> - In Wales there is one registered childcare place for every 7.3 children, compared with one place for every 5.7 children in England.                      (Source: Joseph Rowntree Foundation)</p>	<p><b>Child Poverty Strategy for Wales published in 2011.</b></p> <p><b>'Anti - Poverty' action plan for Wales being developed and overseen by the 'Anti - Poverty Programme Board' chaired jointly by Minister for Local Government &amp; Communities and the Deputy Minister for Children and Social Services.</b></p> <p><b>2011 - Launch of 'Nest' – the WG fuel poverty scheme.</b></p> <p><b>Fuel Poverty strategy launched in 2010.</b></p> <p><b>The Housing (Wales) Measure 2011 was passed by the National Assembly on 22 March 2011.</b></p> <p><b>The Skills Growth Wales Scheme (SGW) assists companies who plan to expand their workforce and require funding for training to make this possible.</b></p> <p><b>Following realignment in April 2012, Communities First is a Community Focussed Programme that supports the Welsh Government's Tackling Poverty agenda.</b></p>	<p><b>2009</b> - 32 per cent of children in Wales – 192,000 children live in poverty.                      (Source: Joseph Rowntree Foundation)</p> <p>In Wales 74,720 Crisis Loans were awarded totalling £4.3 million, with an average award of £58.                      (Source WG consultation document)</p> <p>In Wales 18,960 Grants were awarded totalling £7.9 million, with an average award of £435.                      (Source: WG consultation document)</p> <p><b>2010/11</b> - local authorities reported that a total of 2,486 additional affordable housing units had been delivered across Wales. This represents just over 1 per cent of all socially rented dwellings as at 31 March 2010.                      (Source: Affordable Housing Provision in Wales, 2010-11 WG Statistical Directorate)</p> <p><b>2011</b> - Compared with the other UK countries, Wales has the highest rate on the AHC basis (2% higher than England, 5% higher than Northern Ireland and 8% higher than Scotland) and the second highest on the BHC basis.                      (Source Joseph Rowntree Foundation) **                      ** AHC – After Housing Cost                      BHC – Before Housing Cost</p> <p><b>2011</b> - In Wales there is one registered childcare place for every 3.6, compared with one place for every 3.9 children in England.                      (Source: Wales - CSSIW business system, England - Ofsted quarterly registered childcare providers and places statistics. Population ONS 2010 mid year estimates of population)</p>	<p><b>The recession has aggravated poverty, and many of the decisions the UK Government has made on public expenditure and welfare are hitting incomes of the poorest in society.</b></p> <p><b>The downward trend in the % of children in relative income poverty evident until 2006 has been reversed; but since 2009 the % of children living in workless households has fallen 1.2 percentage points to 18.8% and the gap with England narrowed.</b></p> <p><b>The % of 16-18 year olds who are not in employment, education or training (NEET) has remained around 10-12 per cent. In recent years the % amongst 19-24 year olds has increased.</b>                      (Programme for Government Progress Report)</p>

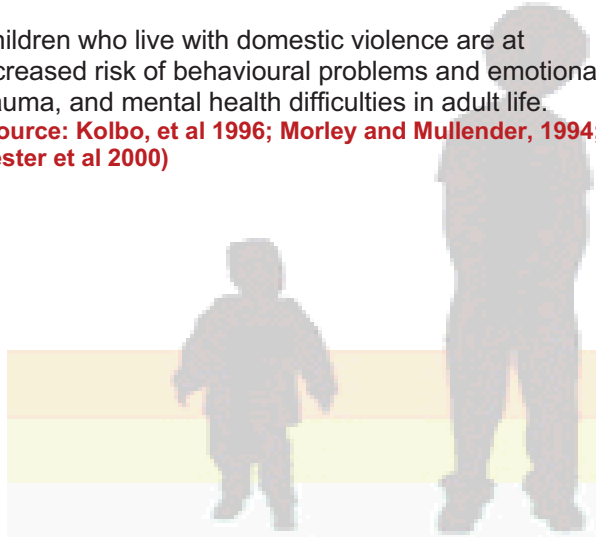
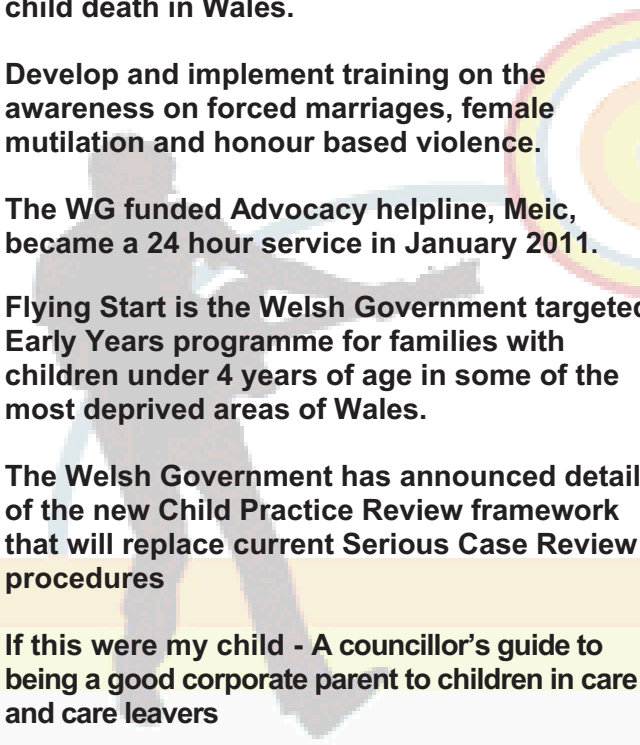


**Current/Future Actions**

- 2013.** Subject UK Parliament, funding for the current Social Fund discretionary payments will be devolved to the WG. Under these proposals, the WG has the flexibility to re-design the provision and delivery of the scheme to replace the Community Care Grants and Crisis Loans in Wales after 2013. (Source: WG Consultation document)
- 2013.** Welsh Ministers to report on the progress made by the introduction of the Children and Families (Wales) Measure 2010.
- 2010 – Current.** Implementation of the **Child Poverty Strategy** and on going monitoring. The Strategy sets out the Welsh Government's (WG) approach to tackling child poverty in Wales. The tackling Poverty Action Plan is updated yearly to highlight the progress in implementing the Child Poverty Strategy.
- 2012/16. Tackling Poverty Action Plan.** This plan outlines the key objectives of our commitment to prevent poverty, helping people out of poverty and mitigate the impact of poverty.
- 2012 – Ongoing. Junior Individual Savings Accounts** (Junior ISAs) scheme for looked after children which will be administered by a third party provider [The Share Foundation] appointed by the UK Government Department for Education (DfE). To support this, and as part of their broader corporate parenting responsibilities, this guidance sets out the requirements on local authorities in Wales to enable the Junior Individual Savings Accounts (Junior ISAs) for eligible looked after children to effectively operate in Wales.

**PRIORITY 2: Delivering positive outcomes for the most vulnerable children and families.**

**Programme for Government 2011-2016 - Safer Communities for All**

**'Save 10,000 lives by ensuring all key health, social care and education workers can detect the early warning signs of domestic abuse and putting in place clear steps to protect women and children'.**

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2002</b> - The WG core budget for domestic abuse and violence against women was £546,000. (Source: WG - The Right to be Safe)</p> <p><b>2002/03</b> - 26,854 domestic abuse incidents were reported in Wales. (Source: WG - Tackling Domestic Abuse: 2005)</p> <p><b>2006/07</b> -1,001 children and young people accommodated in refuges.</p> <p>49% of children in a refuge witnessed domestic violence.</p> <p>10% of children in a refuge on at risk register.</p> <p>41% of children in a refuge had been abused themselves. (Source: BBC website via Stats for Wales)</p> <p>Children who live with domestic violence are at increased risk of behavioural problems and emotional trauma, and mental health difficulties in adult life. (Source: Kolbo, et al 1996; Morley and Mullender, 1994; Hester et al 2000)</p> 	<p><b>Integrated Family Support Service - The IFSS model aims to reform services provided to vulnerable children and families in Wales.</b></p> <p><b>The Violence Against Women and Domestic Abuse Implementation Plan 2010/13 supports the delivery of both the 'Right to be Safe' and the 'Tackling Domestic Abuse: The All Wales National Strategy'.</b></p> <p><b>PHSW commissioned to pilot project to review child death in Wales.</b></p> <p><b>Develop and implement training on the awareness on forced marriages, female mutilation and honour based violence.</b></p> <p><b>The WG funded Advocacy helpline, Meic, became a 24 hour service in January 2011.</b></p> <p><b>Flying Start is the Welsh Government targeted Early Years programme for families with children under 4 years of age in some of the most deprived areas of Wales.</b></p> <p><b>The Welsh Government has announced details of the new Child Practice Review framework that will replace current Serious Case Review procedures</b></p> <p><b>If this were my child - A councillor's guide to being a good corporate parent to children in care and care leavers</b></p> 	<p>The annual Domestic Abuse revenue and capital allocated budget now stands at £4.7m.</p> <p>Domestic abuse incidents = 48,738 Domestic abuse related crimes = 10,946 Domestic abuse related arrests = 11,759 Domestic abuse related homicides = 5</p> <p><b>2009/10</b> Prosecuted Domestic Violence Total cases = 4,622 Total convictions = 3,385 (73%) Unsuccessful convictions = 1,237 (27%) (Source: WG -The Right to be Safe – Violence against women and domestic abuse strategy)</p> 	<p><b>The Programme for Government made a commitment to support vulnerable children through reform the Additional Learning Needs (ALN) process for the most vulnerable children and young people in either a school or Further Education (FE) setting.</b></p> <p><b>WG Ministers are agreed on the principle of having a single assessment process and a single individual development planning process for children and young people with additional learning needs. The Cabinet discussed and approved the overarching principles of reform and the pre-legislative consultation proposals on 1 May 2012.</b> (Programme for Government)</p> 

**Current/Future Actions**

**2014.** WG committed to roll out **Integrated Families First Service** throughout Wales.

**2012 – 14.** The WG commissioned Cordis Bright to undertake an independent evaluation of the Child Death Review pilot project. The results of this evaluation were published in early 2011, and based on its findings and recommendations WG Ministers have agreed in principle to fund the further development of the project in 2012/13 and 2013/14 subject to the introduction of stronger governance arrangements surrounding the project.

**2010 – Ongoing.** Publication of **Child Practice Review Guidance** and commencement of provisions of the Children Act 2004. The Minister for Health and Social Services and the Deputy Minister for Children and Social Services have agreed arrangements for the publication of guidance to support the new Child Practice Review framework that will replace Serious Case Reviews on 1 January 2013.

**2012 – Ongoing.** Consultation on legislation to end violence against women and domestic abuse (Wales). This White Paper consultation outlines the policy and legislative proposals aimed at ending violence against women, domestic abuse and sexual violence.

**PRIORITY 3: Raising Awareness of the UNCRC and the Concluding Observations.**

**Programme for Government 2011-2016 - Supporting People**

**'Ensure that the Rights Measure is given full effect in government policies and programmes throughout the course of this administration.'**

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2004</b> – The WG adopted the UNCRC as part of all planning and policy making for children and young people in Wales.</p> <p><b>2008</b> - UN Committee on the Rights of the Child examines progress made by the UK State Party towards protecting the human rights of children.</p> <p>The WG worked with NGOs, children and young people and other partners to develop a joint action plan ('Getting it Right') based on the concluding observations made by the UN Committee on the Rights of the Child. It includes 16 priorities for Wales.</p>	<p><b>Rights of Children and Young Persons (Wales) Measure received Royal approval in March 2011.</b></p> <p><b>Approval and introduction of The Children's Rights Scheme in March 2012.</b></p> <p><b>Raising Awareness toolkit developed in 2009.</b></p> <p><b>Development of Public Sector Training.</b></p> <p><b>CLIC Project – WG funded National Information and Advice Project for children and young people in Wales aged 11-25.</b></p> <p><b>Online training developed for 5,000 civil servants on the UNCRC and application in relation to their work.</b></p> <p><b>Up to 75 WG lawyers trained on the UNCRC. Full day training with 'Law Society' cpd points awarded.</b></p> <p><b>Universal Training developed on the UNCRC and made available online.</b></p> <p><b>Train the Trainers contract awarded to promote the UNCRC to employees of external organisations with responsibility for training.</b></p> <p><b>Lets Get it Right website re-launched</b></p>	<p><b>2009</b> – The former First Minister, Rhodri Morgan, announced that Wales will introduce a Measure to set the values and rules of the UNCRC into a law.</p> <p><b>2011</b> – Wales became the first administration in the UK, and one of the few places in Europe, who have put the UNCRC into law.</p> <p><b>2011</b> - The development of the Children's Scheme in readiness for consultation.</p> <p><b>2011</b> – The WG commissioned and piloted three train the trainers workshops.</p> <p><b>2011/12</b> - Ongoing development of resources for children and young people, including incorporating the UNCRC into Personal and Social Education lessons.</p> <p><b>2011/12</b> - Professional training for a number of sectors and materials for parents, families and the general public, to educate on the UNCRC and its importance being developed.</p>	<p><b>Wales have made significant strides and became the first country in the UK and one of a few nations in the world to introduce children's rights into domestic law.</b></p> <p><b>The WG is preparing for the next periodic review of the UK's compliance with the UN Convention on the Rights of the Child (UNCRC) through the WG's second report to the UN Committee on the Rights of the Child for January 2014.</b></p>

**Current/Future Actions**

- 2009 – Ongoing.** Development of resources/materials on the UNCRC for use within local and national CLIC projects in partnership with Dynamix.
- 2013.** Working with children and young people the WG is developing a phone app on the UNCRC.
- 2013.** 'YouTube' version of the Children's Rights Scheme launched for all children and young people in Wales developed with children and young people.
- 2013.** WG will develop a children and young people friendly version of the current complaints procedure to enable the potential challenge Ministers when they feel that they have not considered the UNCRC.
- 1st May 2014.** Welsh Ministers must give balanced consideration to the rights in the UNCRC when they use all their legal powers and/or duties.
- 2013.** As required by Legislation in January 2013 the Deputy Minister will publish the first compliance report on the Rights of Children and Young Persons (Wales) Measure 2011.

**PRIORITY 4: Reducing the gap between policy & outcomes for children & young people.**

**Programme for Government 2011-2016 - Growth & Sustainable Jobs**

**We will tackle youth unemployment by creating a young people's jobs and training fund and extend apprenticeship opportunities for young people. Establish a Welsh Jobs Fund offering employment or training for our young people.**

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2003/04</b> – Cymorth invested a total of almost £40 million in providing innovative solutions covering areas such as childcare, healthcare, play, leisure, education and personal development, or in tackling problems such as under-achievement, low self esteem, offending behaviour, bullying, unsafe sex, drugs, teenage pregnancy, or domestic violence.</p> <p><b>2006/07</b> - £15 million was provided to local authorities to fund high quality services for children aged 0 to 3 years in the most disadvantaged communities in Wales.</p> <p><b>2007/08</b> - £31m was provided to local authorities to fund high quality services for children aged 0 to 3 years in the most disadvantaged communities in Wales. <i>(Source: Cabinet Written Statement on Flying Start - July 2006)</i></p>	<p><b>Flying Start programme introduced.</b></p> <p><b>Children and young people's plan 2011/14 introduced.</b></p> <p><b>Cymorth Grant</b></p>	<p>To date the WG has invested £148 million through Flying Start of which £21m has been capital funding. Thanks to this investment we now have over 280 Flying Start childcare settings providing care for our children. We also have 164 health visitors who are funded through the programme which ensures families have easy access to an integrated programme of services from health workers. <i>(Source: WG - Deputy Minister for Children Huw Lewis – Oct 2010)</i></p> <p>£55m granted over the next three years to support expansion of the Flying Start programme. <i>(Source: WG – DM Gwenda Thomas – Nov 2011)</i></p> <p>The Minister for Local Government and Communities and the Deputy Minister for Children and Social Services have agreed to issue statutory guidance on children and young people's participation, as an appendix to the Single Integrated Planning Guidance.</p>	<p><b>The review and rationalisation of funding streams to support those young people who are, or are in danger of being, not in education, employment or training (NEET) will help to refocus resources on the most successful interventions, including more preventative programmes earlier in the individual's life.</b> <i>(Programme for Government)</i></p> <p><b>A duty has been placed on Welsh Ministers to consider children's rights when, initially, making decisions about new policies or legislation or reviewing or changing existing policies and thereafter when exercising any of their legal powers or duties.</b></p>

**Current/Future Actions**

**2012.** Statistical figures of Young People who are NEETS

11% of 16-18 in 2012 - 12.2% in 2009 – SFR\*  
 12.8% of 16-18 in 2012 – 12.3% in 2009 – APS\*\*  
 4.4% of year 11 leavers in 2012 – 5.4% of Year 11 in 2012 – PDB\*\*\*  
*(Source: WG Website)*

\*SFR – Statistical First Release  
 \*\*APS – Annual Population Survey  
 \*\*\*PDB – Pupil Destination Basis

**2012 – 13.** Approach to the development of a **national outcomes framework for Social Services in Wales**. This is a consultation which sets out the proposals for the next three years. The framework gives us the means to describe and measure the well-being of people who need care and support.

**Ongoing.** We work closely with many external organisations – Health Services, the Third Sector, Private Sector, Trade Unions and Higher Education institutions. Every 2 years we ask our stakeholders to complete a survey about working with us. We use the results of the survey to work on improving our relationship and making our partnerships more productive in the future.

**PRIORITY 5: Improving learning achievement for all children and young people.**

**Programme for Government 2011-2016 - Education**

'Revise and expand opportunities to develop teachers' professional skills after they have qualified especially in those areas that we know are critical for all children namely numeracy and literacy'.

Pre 2008	What has been introduced	Post 2008	Analysis																																																		
<p><b>2004</b> - Children of secondary school age were given the right to appeal against their own exclusion.</p> <p><b>2006</b> - 10.0% of 16 – 18 year olds were NEET. (Source: WG Statistical Directorate)</p> <p><b>2006/07</b> - 9.3 per cent of half-day sessions by pupils of compulsory school age in maintained secondary, special and independent schools were missed due to authorised and unauthorised absence. (Source: WG Statistical Directorate June 2011)</p> <p><b>2006/07</b> - 6.9 per cent of half-day sessions by pupils of compulsory school age in maintained primary, special and independent schools were missed due to authorised and unauthorised absence. (Source: WG Statistical Directorate December 2011)</p> <p><b>2008</b> - The Foundation Phase for 3 to 4 year olds introduced. It places great emphasis on children learning by doing. Young children will be given more opportunities to gain first hand experiences through play and active involvement rather than by completing exercises in books.</p> <p><b>GCSE RESULTS: WALES; THE UK, EXCLUDING SCOTLAND</b></p> <table border="1"> <thead> <tr> <th></th> <th colspan="2">Overall Pass A* to C</th> <th colspan="2"></th> </tr> <tr> <th></th> <th>Wales</th> <th>UK</th> <th>Wales</th> <th>UK</th> </tr> </thead> <tbody> <tr> <td>2008</td> <td>98.4%</td> <td>98.4%</td> <td>65%</td> <td>65.7%</td> </tr> <tr> <td>2007</td> <td>98%</td> <td>98%</td> <td>63%</td> <td>63.3%</td> </tr> <tr> <td>2006</td> <td>98.1%</td> <td>98.1%</td> <td>62.3%</td> <td>62.4%</td> </tr> </tbody> </table> <p>(Source: BBC News Website via Joint Council for Qualification Aug 2011)</p>		Overall Pass A* to C					Wales	UK	Wales	UK	2008	98.4%	98.4%	65%	65.7%	2007	98%	98%	63%	63.3%	2006	98.1%	98.1%	62.3%	62.4%	<p><b>School Effectiveness (SEF) grant introduced - April 2011.</b></p> <p><b>21<sup>st</sup> Century Schools.</b></p> <p><b>14 – 19 Learning Pathways.</b></p> <p><b>Better Schools Fund.</b></p> <p><b>The Assembly Learning Grant was introduced to encourage people aged 19 or over and living in Wales to continue with their education.</b></p> <p><b>Student Loans.</b></p> <p><b>Foundation Phase.</b></p> <p><b>Behaving and Attending: Action Plan Responding to the National Behaviour and Attendance Review launched March 2009.</b></p> <p><b>The Welsh Legislative Programme announced by the First Minister for 2011/12 included Schools and Standards (Wales) Bill. To improve standards and performance in education in Wales. It will change the way in which schools are organised, put in place actions to drive up school improvement, make provision for statutory Welsh in Education Strategic Plans, and streamline the payment of certain grants to Local Authorities.</b></p> <p><b>The Quality and Effectiveness Framework for post-16 learning will help ensure that the education and training that it funds is of high quality and meets the needs of learners</b></p> <p><b>Education Bill 2012 White Paper sets out the Welsh Government's legislative proposals in relation to further education and higher education reform and seeks your views on these proposals.</b></p>	<p><b>2009</b> - 12.2% of 16 – 18 year olds were NEET.</p> <p><b>2010</b> - 11.0% of 16 – 18 year olds were NEET.</p> <p>The proportion of 16-18 year olds who are NEET has ranged between 10-12 per cent over the years 1996 to 2010. (Source: WG Statistical Directorate)</p> <p><b>2009</b> - Foundation Phase introduced for 4 to 5-year-olds.</p> <p><b>2010</b> - Foundation Phase introduced for 5 to 6-year-olds.</p> <p><b>2010/11</b> - 8.6 per cent of half-day sessions by pupils of compulsory school age in maintained secondary, special and independent schools were missed due to authorised and unauthorised absence. (Source: WG Statistical Directorate June 2011)</p> <p><b>2010/11</b> - 6.7 per cent of half-day sessions by pupils of compulsory school age in maintained primary, special and independent schools were missed due to authorised and unauthorised absence. (Source: WG Statistical Directorate December 2011)</p> <p><b>2010/11</b> - The final amount of student support awarded was £407.5m, an increase of 3 per cent on £396.2m in 2009/10. (Source: WG Statistical Directorate (based on SLC data) November 2011)</p> <p><b>GCSE RESULTS: WALES; THE UK, EXCLUDING SCOTLAND</b></p> <table border="1"> <thead> <tr> <th></th> <th colspan="4">Overall Pass A* to C</th> </tr> <tr> <th></th> <th>Wales</th> <th>UK</th> <th>Wales</th> <th>UK</th> </tr> </thead> <tbody> <tr> <td>2011</td> <td>98.7%</td> <td>98.8%</td> <td>66.5%</td> <td>69.8%</td> </tr> <tr> <td>2010</td> <td>98.7%</td> <td>98.7%</td> <td>66.4%</td> <td>69.1%</td> </tr> <tr> <td>2009</td> <td>98.5%</td> <td>98.6%</td> <td>65.5%</td> <td>67.1%</td> </tr> </tbody> </table> <p>(Source: BBC News Website Aug 2011)</p> <p><b>2011</b> - Foundation Phase introduced for 6 to 7-year-olds.</p> <p><b>2011</b> - Assembly Learning Grants (ALGs) awarded to Welsh domiciled students in Further Education (FE) - Successful applications in 2010/11 equated to £7.7 million. This is an increase to the £7m awarded in 2009/10. (Source: WG Statistical Directorate October 2011)</p> <p><b>2011</b>- Education Minister, Leighton Andrews, has announced an investment of nearly £1.4 billion in our schools over seven years as part of the 21<sup>st</sup> Century Schools Capital Funding Programme.</p> <p>Schools Effectiveness Framework (SEF) Capacity Building Grant - £ 150,000 - To facilitate accelerated implementation of shared servicing arrangements and</p>		Overall Pass A* to C					Wales	UK	Wales	UK	2011	98.7%	98.8%	66.5%	69.8%	2010	98.7%	98.7%	66.4%	69.1%	2009	98.5%	98.6%	65.5%	67.1%	<p><b>Educational attainment at key stages 2 and 4 has been steadily rising since 2006/07 but there are unacceptable levels of variation across Welsh schools and achievement by pupils entitled to Free School Meals (FSM) has tended to increase more slowly.</b></p> <p><b>International comparisons (PISA) suggest that a big change in the educational attainment of pupils in Wales is required if we are to compete globally. The development of children in their early pre-school years is crucial. (Programme for Government)</b></p>
	Overall Pass A* to C																																																				
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standardised working across the four consortia.

Additional Funding for School Transport - £750,000 -  
To provide initiatives that help local authorities improve home to school transport.

21<sup>st</sup> Century Schools Capital Programme - £750,000 -  
to ensure the delivery of a large-scale capital programme which aims to make education facilities across Wales fit for the 21st century.

(Source: WG FOI request relating to grant funding received by WLGA 2010 - 11, Sept 2011)

The Minister for Education and Skills has made raising standards of literacy and numeracy in schools a priority. In his keynote address 'Raising Schools Standards' on 29 June 2011, to the Institute of Welsh Affairs, he announced the intention to introduce a new National Literacy and Numeracy Framework for all learners aged 5 to 14

**2012** – Consultation opened on the National Literacy Programme and National Numeracy Programme opened. The recently published National Literacy Programme and the soon to be published National Numeracy Programme set out the actions the Welsh Government intends to implement to improve literacy and numeracy standards in Wales. The plans for a statutory national framework and for a system of national testing are integral to both programmes.

**2012** - Child's Right to Make Special Educational Needs Appeals and Claims of Disability Discrimination to the Special Educational Needs Tribunal for Wales (SENTW) The Education (Wales) Measure 2009 (Measure) is a pioneering piece of legislation that makes provision for children in Wales to have a right to appeal in respect of special educational needs (SEN) and the right to make a claim in respect of disability discrimination in schools, to the SENTW themselves.

#### Current/Future Actions

**2014.** The WG has allocated an additional £27 million to schools in 2014-15, on top of increases in previous budgets. By 2014-15, schools funding will be nearly £100 million higher than in 2010-11. (Source: WG Website)

**2012 – Ongoing.** *School Standards and Organisation (Wales) Bill* - The Bill was introduced on 23 April 2012 by the Minister for Education and Skills. The Bill sets out proposals that will strengthen school standards, enhance local determination and reduce complexity. The Bill was agreed by the Assembly in accordance with SO 12.36 on 15 January 2013. The Bill is now in the four week period of intimation (16 January 2013 – 12 February 2013).

**2012 – 13.** Following work with local authorities and others on our Youth Engagement and Progressions Framework between now and next summer we intend issuing revised guidance on Youth Support Services and a new Youth Service Strategy in September 2013.

**PRIORITY 6: Supporting emotional well-being for all children and young people.**

**Programme for Government 2011-2016 - 21<sup>st</sup> Century Health Care**

Continue our work in schools and colleges which aims to develop self-esteem and self awareness, while empowering young people to explore the many aspects of sexuality and healthy personal relationships.

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>1995/2008</b> - cases of Chlamydia among 15 to 24 years olds increased from 192 to 758 per 100,000 population.</p> <p><b>2003/2005</b> - Hospital admissions for self harm among 15 to 17 year old girls - approximately 700 incidents per 100,000 people.</p> <p><b>2006/2008</b> - Hospital admissions for self harm among 15 to 17 year old girls - approximately 850 per 100,000 people.</p> <p>Fewer than one in three adolescents report eating fruit or vegetables daily, while less than half of older girls report eating breakfast daily. <i>(Source: WG – 2011 Children and Young People’s Wellbeing Monitor for Wales)</i></p>	<p><b>Mental Health First Aid Training.</b></p> <p><b>School Based Counselling.</b></p> <p><b>Strengthening Families Programme.</b></p> <p><b>Meic is the helpline service for children and young people up to the age of 25 in Wales.</b></p> <p><b>Together for Mental Health - A Strategy for Mental Health and Wellbeing in Wales - A 10-year strategy for improving the lives of people using mental health services, their carers and their families.</b></p> <p><b>Thinking Positively: Emotional Health and Well-being in Schools and Early Years settings.</b></p>	<p><b>2010</b> - The number of hospital admissions of babies born with foetal alcohol syndrome in Wales rose by 20% from 2009.</p> <p>The death rate among 0 -19 year olds in Wales in 2010 was 38.7 per 100,000 population. Death rates have generally decreased since 1990 when there were 68.4 deaths per 100,000 population, but rates have fluctuated in recent years. <i>(Source: European age standardised death rates, Office for National Statistics, with additional calculations by NHS Wales Informatics Service (ehealthshow))</i></p> <p>The proportion of 16-18 year olds who are NEET has ranged between 10-12 per cent over the years 1996 to 2010. <i>(Source: WG Statistical Directorate)</i></p> <p><b>Sept 2011</b> - Every secondary school now has access to professional, qualified counsellors.</p> <p><b>2012</b> - The Children and Young People’s Continuing Care Guidance (the Guidance) is designed for use by all those planning and providing children’s continuing care services in Local Health Boards (LHBs) and local authorities and their partners.</p>	<p><b>99% of maintained schools are actively involved in the Welsh Network of Healthy School Schemes and the scheme has been extended to pre-school settings via the Healthy and Sustainable Pre-School Scheme which commenced in September 2011. Practitioners are working with pre-school settings to implement actions addressing health topics such as nutrition and oral health, physical activity/active play and mental and emotional health and wellbeing, over 440 settings will be involved by March 2014.</b> <i>(Programme for Government)</i></p>

**Current/Future Actions**

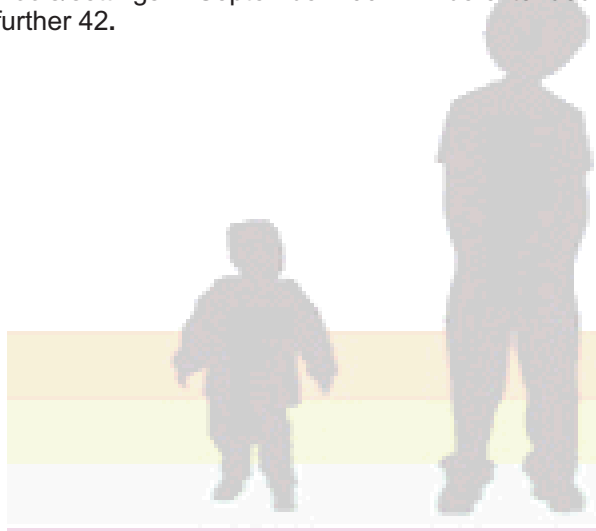
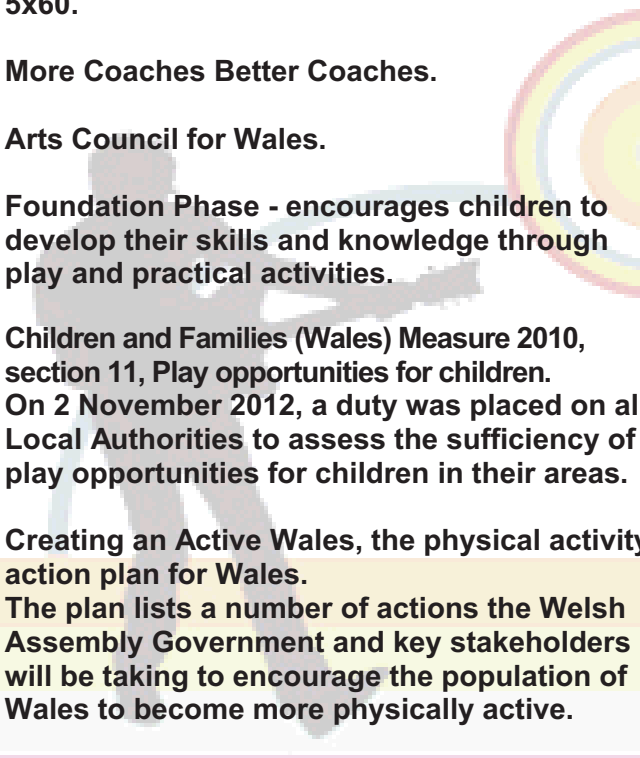


**2013/14.** Health Minister Edwina Hart has announced £1.678m funding for child and adolescent mental health (CAHMS) and learning disabilities services. *(Source: WG Newsroom Website)*

**2012 – Ongoing.** *When I am ready* - Planning transition to adulthood for care leavers. This new scheme offers continuity for care leavers. A 12-week consultation has been launched into a new scheme which aims to support looked-after children as they move into adulthood and independent living. The proposed scheme “When I Am Ready” will offer eligible children the opportunity to stay with their foster carers beyond the age of 18.

**PRIORITY 7: Improving opportunities for all children and young people to play in safety.**

**Programme for Government 2011 – 2016 – Culture & Heritage of Wales**

**'Sporting Opportunities: We remain committed to ensuring all children and young people are able to access a range of sporting opportunities as part of the school formal curriculum, after school and in the community.'**

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2002 &amp; 2006</b> - Play Strategy published. It has been produced to reflect the value that the Welsh Assembly Government (WAG) places on play and the importance of children in our society. <i>(Source: WG Website)</i></p> <p><b>2004</b> - Children's Act - sets out how organisations and individuals should work together to safeguard and promote the welfare of children. <i>(Source: WG Website)</i></p> <p>WG fund independent charity - Play Wales.</p> <p><b>2007</b> - The WAG granted funds to establish a national centre for education and training in playwork - Playwork Wales. <i>(Source: Play Wales Website)</i></p> <p><b>2007</b> - The Foundation Phase pilot started in 41 schools/settings in September 2004 will be extended to a further 42.</p> 	<p><b>Children's and Families Measure.</b></p> <p><b>Cymorth Grant.</b></p> <p><b>Free swimming initiative.</b></p> <p><b>Sport Wales is the national organisation responsible for developing and promoting sport and active lifestyles. It is a WG Sponsored Body.</b></p> <p><b>5x60.</b></p> <p><b>More Coaches Better Coaches.</b></p> <p><b>Arts Council for Wales.</b></p> <p><b>Foundation Phase - encourages children to develop their skills and knowledge through play and practical activities.</b></p> <p><b>Children and Families (Wales) Measure 2010, section 11, Play opportunities for children. On 2 November 2012, a duty was placed on all Local Authorities to assess the sufficiency of play opportunities for children in their areas.</b></p> <p><b>Creating an Active Wales, the physical activity action plan for Wales. The plan lists a number of actions the Welsh Assembly Government and key stakeholders will be taking to encourage the population of Wales to become more physically active.</b></p> 	<p>The Children's and Families Measure places a statutory duty upon local authorities within Wales to sufficiently provide for children's play.</p> <p>The WG is funding free swimming in Wales for children and young people aged 16 and under during all school holidays and at the weekend. £3.5m invested per year in the Free Swimming initiative. <i>(Source: WG Website)</i></p> <p>The Sports Council report that 99% of Wales's mainstream secondary schools have signed up to the 5x60 scheme.</p> <p>The 5x60 programme receives £4.9m from WG. <i>(Source: WG Website)</i></p> <p>£1.4M invested per year for the development of coaching through our Coaching Plan for Wales. <i>(Source: WG Website)</i></p> <p><b>2010/11</b> - Sport Wales received £26.64m from the WG.</p> <p>The WG provides an annual grant to the Arts Council.</p> <p><b>2012</b> – Sport Wales develop their Child Poverty Strategy 2012 – 2015</p> 	<p><b>The Programme for Government has made a commitment to continually improve opportunities for all children and young people to play in safety and in particular we will support improved access to play for children with disabilities.</b></p> <p><b>This commitment is further enhanced by a Measure which will place a duty on local authorities to ensure that play &amp; recreational provisions are available. (Programme for Government)</b></p> 

**Current/Future Actions**

**2012.** A new National Assembly for Wales inquiry will examine what effects budget cuts have had on the number of people participating in the arts in Wales.


**2009 – Ongoing.** Arts Council for Wales published Young Creators Strategy and Child Poverty and the Arts Agenda.

**2010 – Ongoing.** Youth Engagement and Employment Division has been established to ensure joined up approach to enabling young people to overcome the barriers to learning and employment. **Jo Banks** leads on behalf of WG

**PRIORITY 8: Increasing opportunities for all children and young people in Wales to participate in decision-making on issues which affect them.**

**Programme for Government 2011-2016 - Supporting People**

**‘Continue to improve opportunities for all children and young people in Wales to participate in decision making on issues which affect them’.**

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2002</b> - Children and Young People: Rights to Action. This addresses policy and provision of services for children and young people in Wales.</p> <p><b>2003</b> -Participation Consortium was initiated by the WAG.</p> <p><b>2004</b> - Participation was implemented in Wales under Children Act guidance on Children and Young People’s Partnerships and statutory 3-year strategic Children and Young People’s Plans.</p> <p><b>2005</b> - The Schools Council (Wales) Regulations – Wales became the first country to make this law. It decrees that it is a statutory requirement for all maintained schools in Wales to have a school council.</p> <p><b>2006</b> - Wales has introduced a legal requirement for all maintained primary, secondary, and special schools to have a school council. In secondary schools two members from years 11/13 inclusive to be associate pupil governors on the school’s governing body.</p>	<p><b>Rights of Children and Young Persons (Wales) Measure 2011.</b></p> <p><b>Children’s and Families (Wales) Measure 2010.</b></p> <p><b>Funky Dragon.</b></p> <p><b>Pupil Voice Wales website launched.</b></p> <p><b>Local Participation Strategies Guidance</b></p> <p><b>School Councils in Wales: Best Practice Guide.</b> This was published to recognise the role of staff and governors who have stood up for children and young people.</p> <p><b>Revenue Support Grant</b> (£250,000 per local authority) to enable Children and Young People’s Partnerships to support central functions, including participation.</p> <p><b>National Independent Advocacy Board (NIAB)</b> Established to advise Ministers on all matters relating to advocacy services for Children and Young People in Wales.</p> <p><b>2010 – MEIC -</b> National advocacy and advice helpline for children and young people 0-25yrs in Wales ‘Meic’ was launched.</p> <p><b>2012 - The Rights of Children and Young Persons (Wales) Measure’ 2011</b> places a duty on Welsh Ministers to have due regard to the rights and obligations within the UNCRC and its optional protocols. The Children’s Rights Scheme sets out the arrangements the WG will be putting in place to make sure that we comply with the duty placed on us by that Measure.</p>	<p><b>2009</b> - “When I started thinking about how Wales will play a part in the run-up to the United Nations Climate Change Conference in Copenhagen in December, I was determined that the views of young people should be heard”. <i>(Source: Jane Davidson, Environment Minister on conference held on Climate change in Swansea, July 2009)</i></p> 	<p><b>WG statutory guidance [on participation] has been consulted on and will be issued in July 2012 to local authorities. Each local authority will be expected to have a Youth Forum in place to support the participation agenda, in particular including children and young people in decisions that affect them.</b> <i>(Programme for Government)</i></p> <p><b>As the Rights Measure continues to embed into the Welsh Government policy and/or legislation changes, there will be more involvement and engagement of children in the decisions potentially impacting on their rights.</b></p>

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**Current/Future Actions**

**2012 – Ongoing.** The Welsh Government has developed amended guidance to help Schools in Wales establish **effective complaints procedures**. Section 29 of the Education Act 2002 requires the governing bodies of all maintained schools in Wales, including nursery schools, to establish procedures for dealing with complaints from parents, pupils, members of staff, governors, members of the local community and others.

**2012 – Ongoing.** The Deputy Minister for Children and Social Services, Gwenda Thomas, has emphasised that the rights and voices of children must be at the heart of the family justice system in Wales. “We are working towards a Family Justice system which delivers an effective service to children and families in a timely and responsive way. The rights and voices of children must be at the heart of this.”

**2013.** We are currently appointing an Independent Chair to Welsh Government Expert Group on Advocacy for Children and Young People. This Group will replace NIAB and provide expert advice to Welsh Ministers on the provision, development, implementation and delivery of advocacy services for children and young people.

**2013.** We will shortly be issuing Statutory Guidance for Children and Young People’s Participation. This will be issued in accordance with Section 12 of the Children and Families (Wales) Measure 2010 which places a statutory duty on Local Authorities to publish information about their arrangements to promote and facilitate participation by children and young people in decisions of the authority which might affect them.

**PRIORITY 9: Working to eliminate discrimination against children and young people with disabilities; improving their access to services & support.**

**Programme for Government 2011 – 2016 – Tackling Poverty**

Maintain a distinct focus on the circumstances of disabled children as part of our Child Poverty Strategy and our Families First Programme

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2004/05</b> - Pupils with statements of special needs attending special classes/units within mainstream schools - 3,655</p> <p><b>2004/05</b> - The number of pupils with statements at maintained special schools - 3,596 (Source: National Statistics on Pupils with Statements of Special Educational Needs (SEN), produced by the Welsh Government Statistical Directorate 2011)</p> <p><b>2007</b> - £1.54m drive to help support disabled children and their families to access more short break services was launched. (Source: WG Website)</p>	<p><b>2008/09</b> each Local Authority appoint lead for <b>Autistic Spectrum Disorder</b>.</p> <p>£1.8M of further funding allocated.</p> <p><b>Unlocking the Potential of Special Schools</b> programme provided £1.1M of funding in 2010.</p> <p><b>2 year funding granted to undertake pilots in two LA under the Education (Wales) Measure 2009.</b></p> <p><b>Autistic Spectrum Disorder Strategic Action Plan</b> sets the direction to improve the commissioning and delivery services to support people with ASD.</p> <p><b>2009</b> A new pilot project to help families with disabled children claim the benefits they are entitled to is being announced today by Minister for Social Justice and Local Government, Dr Brian Gibbons. (Source: WG Newsroom Website)</p> <p><b>2012</b> Breaks for Carers of Disabled Children (Wales) Regulations 2012. Under Section 25 of the Children and Young Persons Act 2008, the Government introduced a new statutory duty on local authorities (LAs) to assist individuals who care for disabled children to continue to do so, or to do so more effectively, by giving them a break from their caring responsibilities.</p>	<p><b>2010/11</b> -Pupils with statements of special needs attending special classes/units within mainstream schools - 2,925.</p> <p><b>2010/11</b> - The number of pupils with statements at maintained special schools - 3,887. (Source: National Statistics on Pupils with Statements of Special Educational Needs (SEN), produced by the Welsh Government Statistical Directorate 2011)</p> <p><b>2011</b> - Young disabled people are more likely to be NEET than young non-disabled people (Source: Equality and Human Rights Commission)</p> <p><b>2011</b> – Four pilot projects to test alternatives to the Special Educational Needs statutory framework were completed in 2011.</p> <p><b>2012</b> - Around 500,000 people in Wales are deaf or hard of hearing but, at the moment, there are very few qualified lip reading tutors in Wales. The £202,000 funding will train 12 tutors from across Wales and support a programme of classes at low or no cost to those wishing to learn to lip read.</p>	<p><b>Provision for families with children with disabilities is a key focus of the WG's Families First programme, and specific funding has been allocated for this purpose as part of our Child Poverty Strategy and our Families First programme.</b> (Programme for Government)</p>

**Current/Future Actions**

**2009 – Ongoing.** Pilots to test alternatives to the Special Education Needs statutory framework were completed in 2011 and in June 2012, the Minister for Education and Skills agreed an extension and expansion of the robust trialling for a further academic year (September 2012 until August 2013). The pre-legislative consultation document was launched by the Minister for Education and Skills on 26 June. In a written statement on 26 September, the Minister for Education and Skills advised that that legislative reform will be delayed to enable the implications of the proposals to be worked through in more detail.

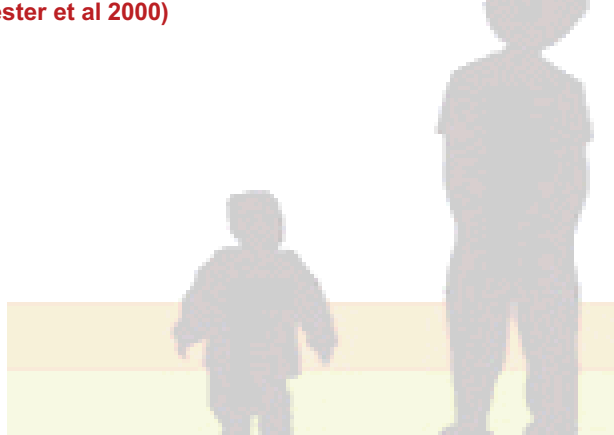

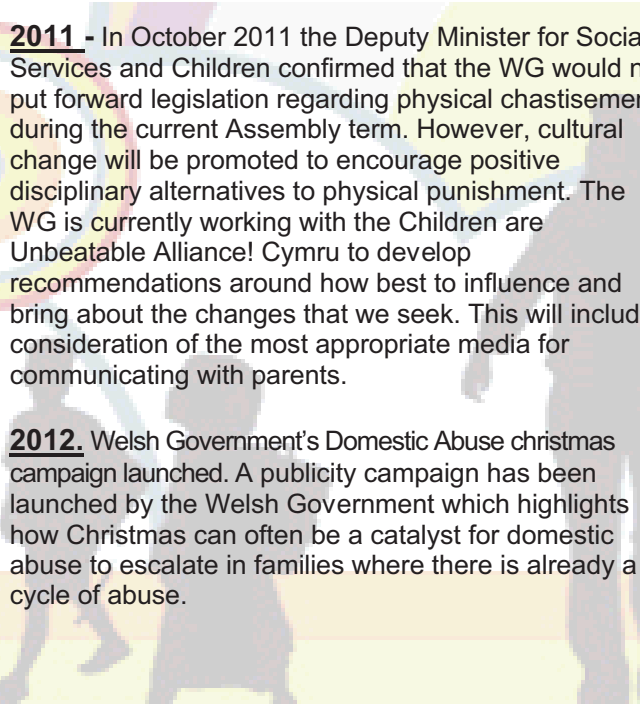

**2012 – 2015.** The Education (Wales) Measure 2009 (Pilot) Regulations 2012 have come into force allowing the new rights and duties to be piloted in the local authority areas of Carmarthenshire and Wrexham from 6 March 2012 to 30 June 2015. This period will allow policy officials to assess and evaluate the pilot. It will also enable the Welsh Ministers to bring forward any necessary legislation as a result of the pilot, under section 18 of the Measure, prior to the rights and duties automatically applying to the whole of Wales.

**2012 – Ongoing.** Social Services (Wales) Bill. The proposed Social Services (Wales) Bill will provide us with the legislation required to take forward the change programme outlined in the Welsh Government's white paper, 'Sustainable Social Services for Wales: A Framework for Action'. This consultation sets out our legislative proposals for the Social Services (Wales) Bill in areas including adoption and transitions for disabled children and young people.

**PRIORITY 10: Working to make physical punishment of children and young people illegal in all situations.**

**Programme for Government 2011-2016 - Supporting People**

**'Work to make physical punishment of children and young people unacceptable through the promotion of positive alternatives'.**

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>1998/99</b> - childhood experiences of being beaten up or hit over and over again - 6.6%</p> <p><b>1998/99</b> coerced sexual acts under age 16 - 6.8% (Source: <b>Child abuse and neglect in the UK today NSPCC research 2011</b>)</p> <p><b>1992</b> - In over 90% of domestic abuse incidents, a child is present or in an adjacent room.</p> <p>Domestic abuse accounts for almost 25% of all recorded violent crime. (Source: <b>Welsh Women's Aid website 2011</b>)</p> <p><b>2008</b> - Attorney General rules out ban on physical punishment of children in Wales. (Source: <b>Children in Wales Website</b>)</p> <p>Children who live with domestic violence are at increased risk of behavioural problems and emotional trauma, and mental health difficulties in adult life. (Source: <b>Kolbo, et al., 1996; Morley and Mullender, 1994; Hester et al 2000</b>)</p> 	<p><b>Ban on corporal punishment contained in Education Act 1996.</b></p> <p><b>Families First programme encouraging positive parenting.</b></p> <p><b>Production of three booklets – Raising Children Confidently.</b></p> <p><b>Production of action plan to address violence against women and children.</b></p> <p><b>Parenting Action Plan.</b></p> 	<p><b>2009</b> - childhood experiences of being beaten up or hit over and over again - 4.3%</p> <p><b>2009</b> - coerced sexual acts under age 16 - 5% (Source: <b>Child abuse and neglect in the UK today NSPCC research 2011</b>)</p> <p>The National Assembly for Wales debated a motion urging the WG to bring forward legislation to end the availability of the defence of "lawful chastisement" for an offense of assaulting a child. The motion was passed by 24 votes to 15. (Source: <b>Children in Wales Website</b>)</p> <p><b>2011</b> - In October 2011 the Deputy Minister for Social Services and Children confirmed that the WG would not put forward legislation regarding physical chastisement, during the current Assembly term. However, cultural change will be promoted to encourage positive disciplinary alternatives to physical punishment. The WG is currently working with the Children are Unbeatable Alliance! Cymru to develop recommendations around how best to influence and bring about the changes that we seek. This will include consideration of the most appropriate media for communicating with parents.</p> <p><b>2012.</b> Welsh Government's Domestic Abuse christmas campaign launched. A publicity campaign has been launched by the Welsh Government which highlights how Christmas can often be a catalyst for domestic abuse to escalate in families where there is already a cycle of abuse.</p> 	<p><b>In partnership with stakeholders and partners, a WG review is being undertaken of current parenting programmes. Consideration is being given to how positive parenting messages can be taken forward.</b> <b>(Programme for Government)</b></p> 

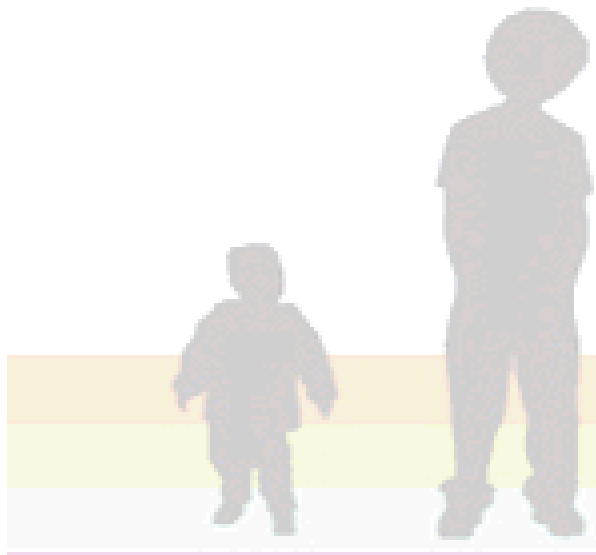

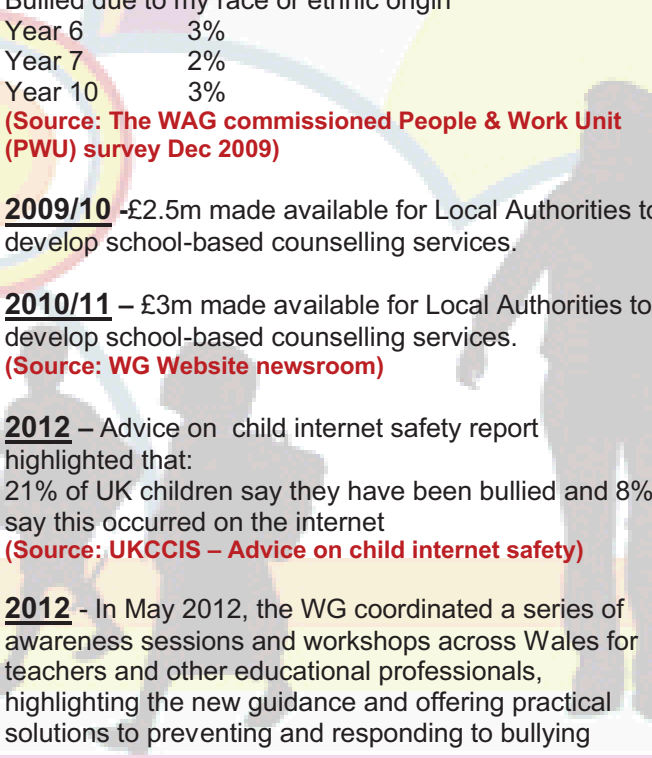
**Current/Future Actions**

**2012 – Ongoing.** The Minister for Health and Social Services and Deputy Minister for Children and Social Services have approved the development of a **Positive Parenting Policy** within a Family Support Framework for Wales. This initially comprises of an attitudinal survey on child discipline and parenting practices. Ministers have also agreed scoping work for a publicity campaign to raise awareness of positive parenting techniques.

**PRIORITY 11: Working to eliminate bullying including homophobic bullying.**

**Programme for Government 2011-2016 - Equality**

**'Work with partners to reduce the incidence of domestic and sexual violence and reduce homophobic, transphobic, disability-related and religiously motivated bullying and hate crime'.**

Pre 2008	What has been introduced	Post 2008	Analysis																		
<p><b>2003</b> - Anti-bullying guidance for schools in Wales (Respecting Others) was issued in September 2003. This required all schools to have bullying policies, drawn up in consultation with staff, pupils, parents, and governors.</p> <p><b>2005/06</b> - A survey of pupils in Wales, found that 36% of pupils aged 11, and 24% of pupils aged 15 had been bullied within the last two months. <i>(Source: HSC data for Wales, published by the WHO (2008) Inequalities in Health)</i></p> <p><b>2008/09</b> - Funding of £1m made available for Local Authorities to develop school-based counselling services. <i>(Source: WG Website newsroom)</i></p> 	<p><b>Promotion of Anti Bullying Week.</b></p> <p><b>Guidance commissioned on anti bullying, including homophobic bullying.</b></p> <p><b>Launch of bilingual DVD on cyber bullying.</b></p> 	<p><b>2009</b> – 32% of pupils in year 6 and 15% of pupils in year 10 had been bullied within the last two months</p> <p>Homophobic bullying</p> <table border="0"> <tr><td>Year 6</td><td>22%</td></tr> <tr><td>Year 7</td><td>19%</td></tr> <tr><td>Year 10</td><td>9%</td></tr> </table> <p>Bullied due to my learning difficulties</p> <table border="0"> <tr><td>Year 6</td><td>9%</td></tr> <tr><td>Year 7</td><td>7%</td></tr> <tr><td>Year 10</td><td>4%</td></tr> </table> <p>Bullied due to my race or ethnic origin</p> <table border="0"> <tr><td>Year 6</td><td>3%</td></tr> <tr><td>Year 7</td><td>2%</td></tr> <tr><td>Year 10</td><td>3%</td></tr> </table> <p><i>(Source: The WAG commissioned People &amp; Work Unit (PWU) survey Dec 2009)</i></p> <p><b>2009/10</b> -£2.5m made available for Local Authorities to develop school-based counselling services.</p> <p><b>2010/11</b> – £3m made available for Local Authorities to develop school-based counselling services. <i>(Source: WG Website newsroom)</i></p> <p><b>2012</b> – Advice on child internet safety report highlighted that: 21% of UK children say they have been bullied and 8% say this occurred on the internet <i>(Source: UKCCIS – Advice on child internet safety)</i></p> <p><b>2012</b> - In May 2012, the WG coordinated a series of awareness sessions and workshops across Wales for teachers and other educational professionals, highlighting the new guidance and offering practical solutions to preventing and responding to bullying</p> 	Year 6	22%	Year 7	19%	Year 10	9%	Year 6	9%	Year 7	7%	Year 10	4%	Year 6	3%	Year 7	2%	Year 10	3%	<p><b>This WG work in schools and colleges which aims to develop self-esteem and self awareness, while empowering young people to explore the many aspects of sexuality and healthy personal relationships is supported by the WG Sexual Health Action Plan, and by Welsh Network of Healthy School Schemes (WNHSS).</b></p> <p><b>Counselling is available in all secondary schools and anti-bullying guidance has been issued.</b> <i>(Programme for Government)</i></p>
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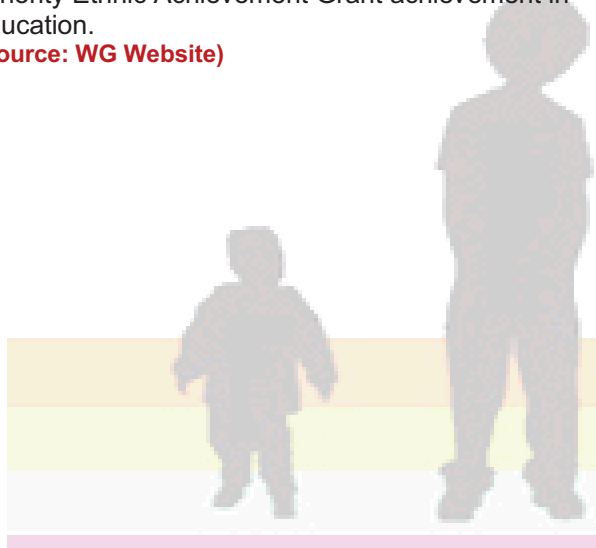

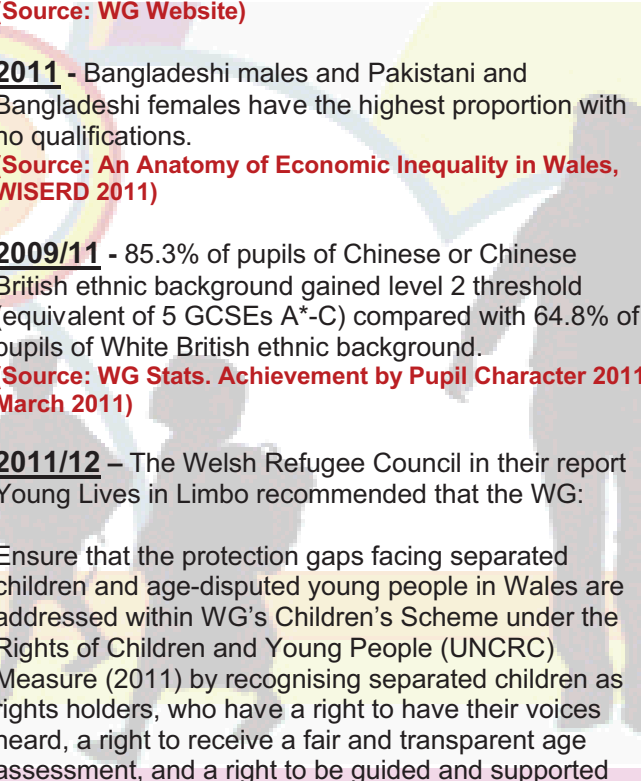
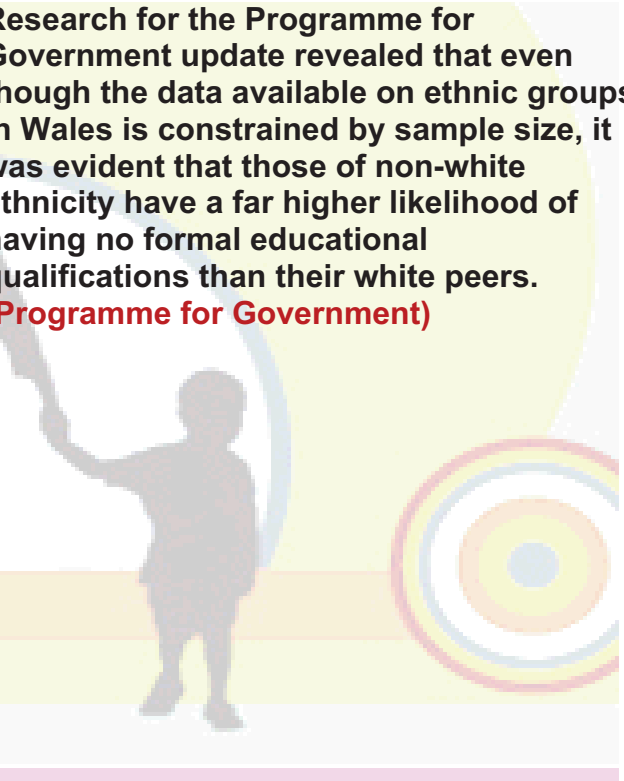
**Current/Future Actions**

**2012 – Ongoing.** 'Respecting others' is a series of anti-bullying materials that provide guidance and practical solutions on preventing and responding to incidents of bullying in schools.

**PRIORITY 12: Working to ensure that refugee and asylum seeking children and young people in Wales can claim their UNCRC and human rights.**

**Programme for Government 2011-2016 - Equality**

**'Commit to maintaining the Ethnic Minority Achievement Grant to at least current level and will not diminish our commitment to ensuring equality of opportunity for all Black, Asian and Ethnic minority children in Wales'.**

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2001</b> - the percentage of people in Wales from minority ethnic groups - 2.1% (Source: <b>WG Statistical Directorate Population Estimates by Ethnic Group, 2001-2009 May 2011</b>)</p> <p><b>2001</b> - Grant for Asylum Seeker Education introduced - £700,000 in support of local authorities providing education and associated support to asylum seekers coming to Wales. (Source: <b>WG Website</b>)</p> <p><b>2006/08</b> - 80.2% of pupils of Chinese or Chinese British ethnic background gained 5 or more GCSE passes at A*-C compared with 56.2% of pupils of White British ethnic background. (Source: <b>WG Stats Dir. Academic Achievement by Pupil Characteristics 2005/08 March 2009</b>)</p> <p><b>2007</b> - £8.1million made available to LA through Minority Ethnic Achievement Grant achievement in education. (Source: <b>WG Website</b>)</p> 	<p><b>Community Cohesion Strategy published.</b></p> <p><b>£3.5m granted to support aims and objectives.</b></p> <p><b>£9.6m in grants awarded in 2012 to support local authority ethnic minority achievement services.</b></p> <p><b>Annual Children in Need census includes information on Refugee and Asylum Seekers.</b></p> <p><b>Refugee Inclusion Strategy Action Plan launched. It includes the actions that the WG and its partners will take to meet the objectives outlined.</b></p> 	<p><b>2009</b> - The percentage of people in Wales from minority ethnic groups - 4.1 %.</p> <p><b>2009</b> - The largest minority ethnic group in Wales is Asian or Asian British. This group made up 1.8 per cent of Wales' population. (Source: <b>WG Stats Dir. Pop. Est by Ethnic Group, 2001-2009 May 2011</b>)</p> <p>Failed asylum seekers in Wales will be able to get free health, as a result of changes to the National Health Service (Wales) Act 2006. (Source: <b>WG Website</b>)</p> <p><b>2011</b> - Bangladeshi males and Pakistani and Bangladeshi females have the highest proportion with no qualifications. (Source: <b>An Anatomy of Economic Inequality in Wales, WISERD 2011</b>)</p> <p><b>2009/11</b> - 85.3% of pupils of Chinese or Chinese British ethnic background gained level 2 threshold (equivalent of 5 GCSEs A*-C) compared with 64.8% of pupils of White British ethnic background. (Source: <b>WG Stats. Achievement by Pupil Character 2011 March 2011</b>)</p> <p><b>2011/12</b> – The Welsh Refugee Council in their report Young Lives in Limbo recommended that the WG:</p> <p>Ensure that the protection gaps facing separated children and age-disputed young people in Wales are addressed within WG's Children's Scheme under the Rights of Children and Young People (UNCRC) Measure (2011) by recognising separated children as rights holders, who have a right to have their voices heard, a right to receive a fair and transparent age assessment, and a right to be guided and supported through the process by an independent advocate. (Source: <b>Welsh Refugee Council Young Lives in Limbo</b>)</p> 	<p><b>The WG Ethnic Minority Achievement Grant level has remained consistent with previous years however it was increased from £9.6million to £10 million for 2012-13. During 2011-12 the grant was reviewed with recommendations to improve its effectiveness and introduce more outcomes focus implemented throughout 2012-13.</b></p> <p><b>Research for the Programme for Government update revealed that even though the data available on ethnic groups in Wales is constrained by sample size, it was evident that those of non-white ethnicity have a far higher likelihood of having no formal educational qualifications than their white peers. (Programme for Government)</b></p> 

**Current/Future Actions**

Ministers have invested a further £20 million to support the most disadvantaged pupils, through the Pupil Deprivation Grant. (Source: **WG Website**)

**2012/2015.** The Minister for Health and Social Services has agreed funding of £4,000 to support a programme of training to implement the **all Wales trafficking protocol**. The Minister for Health and Social Services has also agreed that ECPAT –UK should continue to host and maintain the child trafficking on-line training resource in 2012/13 at a cost of £480 and in principle similar arrangements to 2015



**PRIORITY 13: Working to eliminate discrimination / inequality against children and young people.**

**Programme for Government 2011-2016 - Supporting People**

‘Continue to promote positive images of young people wherever possible to counteract negative portrayals in the media and elsewhere.’

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2004</b> - Mori research studied 17 tabloid, broadsheet, and local papers which ran a total of 603 "youth" related articles between 2 August and 8 August 2004.</p> <p>Negative articles accounted for 71% of the total, with 14% positive and 15% neutral. <i>(Source: BBC Website)</i></p> <p><b>2006</b> - Modern Apprenticeship Awards launched by WG.</p> <p><b>2006</b> - British adults 'fear youngsters.' <i>(Source: headline BBC Website 2006)</i></p>	<p><b>Marketing and communications plan drafted to support promotion of positive images of children and young people.</b></p> <p><b>CLICzine, a quarterly magazine, has been distributed through schools, colleges, training centres, youth clubs and cafes.</b></p> <p><b>Annual awards ceremonies, Training Awards, Modern Apprenticeship, and Youth Work Awards, held to recognise achievements.</b></p> <p><b>CLIC annual awards night held.</b></p>	<p><b>2009</b> - Launch of media toolkit by Deputy Minister during the 20th anniversary of the UNCRC being adopted at Y Senedd.</p> <p>Youth Work Awards launched by WG.</p> <p><b>2011/12</b> - BBC Headline Many adults think children are 'feral', survey finds.</p> <ul style="list-style-type: none"> <li>• 49% agreed children are beginning to behave like animals.</li> <li>• Almost 47% thought youngsters were angry, violent, and abusive.</li> <li>• One in four said those who behaved badly were beyond help by the age of 10.</li> <li>• Whilst 36% thought children who get into trouble need help, 38% disagreed.</li> </ul> <p><i>(Source: Barnardos)</i></p>	<p><b>The WG has developed and will be further promoting the "Tell it Like It Is" media guide to help organisations to support children and young people and to maximise media opportunities for them to tell their positive stories in print, on air or on the internet. This will also include sharing good practice, working with the Children's Commissioner and other key partners, and use of websites and social networking.</b></p> <p><i>(Programme for Government)</i></p>

**Current/Future Actions**

**2010 – Ongoing.** The promotion of universal Children's Day, the UNCRC, and the updating of both the Let's Get it Right website and Pupil Voice Wales website has taken place.

**Ongoing.** WG working with the Children's Commissioner for Wales to promote positive images have asked organisations to sign up and display their logos and utilise the tools to promote good news stories. This has been shared with Third Sector organisations and Local Authorities as a tool for working with the press..

**2010 – Ongoing.** An independent review of CLIC is currently being undertaken. The draft version has been completed; the final report is due December 2012. The current CLIC contract has been extended until the end of February 2013.

**2010 – Ongoing.** *Carers Strategies (Wales) Measure 2010* The Measure places a duty on the NHS and Local Authorities in Wales to work jointly to prepare, publish and implement a joint strategy relating to Carers. The strategy focuses on the provision of information and advice to carers and engagement with them in decisions about the provision of services to them or the person they care for.

**2012 – 2013.** *Young Carers Network and Carers Officers Learning and Improvement Network 2012-13.* The Welsh Government has provided an annual grant to support the Young Carers Network since 2007. The Network brings together young carers representatives from each of the young carers projects across Wales

**PRIORITY 14: Working to ensure that children and young people in the most deprived areas of Wales (e.g. Communities First areas) can enjoy all of their UNCRC and human rights.**

**Programme for Government 2011-2016 - 21<sup>st</sup> Century Health Care**

'Require LHBs to target health inequalities within their own areas, including a targeted campaign on the most deprived communities within the populations they serve'.

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>1997/2003</b> - The proportion of children living in poverty in Wales fell to 28% (Source: BBC website)</p>	<p><b>Production of guidance on tackling child poverty in the context of the UNCRC for Communities First Partnerships.</b></p> <p><b>Anti Poverty Programme supersedes Communities First Programme focusing on health, economy, and education.</b></p> <p><b>Training events run in conjunction with Save the Children highlight child poverty.</b></p> <p><b>Programme will now use Result Based Accountability to demonstrate contribution.</b></p> <p><b>180 young people provided with 60 months paid work and training.</b></p> <p><b>Fund provided for Communities First areas to support StreetGames project.</b></p> <p><b>Learning through Culture and Creativity project developed in partnership with the National Museum.</b></p>	<p><b>2010</b> – 33% of children in Wales are affected by poverty, going without essentials or living in homes which are cold and damp.</p> <p>Nearly 15% live in severe poverty – the highest proportion of any UK nation. (Source: Save the Children)</p> <p><b>2011</b> - The current figure of children who live in poverty stands at 33%, the highest in the UK. (Source: BBC website)</p> <p><b>2012</b> - Following the establishment of an independent group to develop a three year strategic framework for health, social services, and social care a consultation document has been published. Views are sought on the WG aim to provide a service that will satisfy needs of Welsh speakers and their families or carers.</p>	<p><b>From April 2012, Communities First will be a Community-Focused Tackling-Poverty Programme. It will build on the achievements of Communities First and preserve the best of the current programme. The delivery of tackling poverty outcomes through the new Communities First Outcomes Framework will focus on prosperous communities, learning communities and healthier communities. The WG commitment is to work closely together to support the most deprived communities in Wales.</b> (Programme for Government)</p>

**Current/Future Actions**

**2010 – Ongoing.** Strategic planning for public services now lies with single plans, guidance *Shared Purpose-Shared Delivery* issued May 2012 that integrate former health, community safety, community strategy and CYP Plans. First plans due March 2013, led in each area by the Local Service Board (LSB). Outcomes basis, requirements for evidence, analysis and scrutiny strengthen delivery and accountability.

Focus on the UNCRC and outcomes for cyp are key requirements (Guidance Chapter 5: Principles of Planning) and cyp must be involved in citizen engagement activity. **Bethan Bateman** leads on behalf of WG

**2012 – Ongoing.** Tackling Poverty Action Plan aims to tackle the impacts of poverty now and prevent poverty in the future. The Welsh Government's commitment to social justice makes it essential in the current climate that we continue to tackle poverty. It focuses on three actions:

- Actions to prevent poverty
- Enabling people to get out of poverty
- Action to improve the lives of people living in poverty

**PRIORITY 15: Improving the transparency of budgeting for children and young people at Welsh Assembly Government level.**

**Programme for Government 2011-16 - Supporting People**

‘Continue to improve the transparency of budgeting for children and young people at Welsh Government level’.

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2006/07</b> - an estimated 28% of the WAG's expenditure was allocated to children. This equates to £4.4 billion.</p> <p><b>2005/06</b> - expenditure per child - £5,600</p> <p><b>2006/07</b> - expenditure per child - £5,900 (Source: WG Financial Provision For Children Within The Welsh Assembly Government Budget. In 2006, work was undertaken to identify the proportion of the Welsh Assembly Government budget spent on children)</p> <p><b>2007</b> - These showed that, overall, of the Welsh Assembly Government and Local Authorities' budgets for 2005/06, around 30 per cent was used to the benefit of children.</p>	<p><b>Development of two projects with young people to improve financial knowledge both within the community and in schools.</b></p> <p><b>Financial Education programme developed to equip learners to manage their finances in both primary and secondary schools.</b></p> <p><b>Establishment of Task and Finish group to consider and make recommendations on CYP rights and budgets.</b></p> <p><b>Estyn has produced Money Matters: the provision of financial education for 7-19 year olds in primary and secondary education.</b></p>	<p><b>2010/11</b> - Based on spending plans the proportion of Assembly budget allocated to children is projected to remain around 28%.</p> <p><b>2010/11</b> - expenditure per child is projected to rise to £7,100 (Source: WG Financial Provision For Children Within The Welsh Assembly Government Budget. In 2006, work was undertaken to identify the proportion of the Welsh Assembly Government budget spent on children)</p> <p><b>2012</b> - Children and young people's budgeting has been identified as a priority within 'Getting it Right', our UNCRC Action Plan for Wales. It is a key component in taking forward the UNCRC in Wales. As part of this commitment, we have developed two new resources -financial capability and participatory budgeting. (Source: WG Website)</p>	<p><b>Children and Young people's Budgeting has been identified as a priority within 'Getting it Right', our UNCRC Action Plan for Wales. It is a key component in taking forward our progress towards the full realisation of the UNCRC in Wales.</b></p> <p><b>As part of our commitment to the UNCRC, we have also developed toolkits on financial capability and participatory budgeting for children and young people's organisations and services to use. (Programme for Government)</b></p>

**Current/Future Actions**

**2013/14.** The spending plans published on 2 October 2012 reflect the Government's commitment to do everything it can in the current economic climate to foster economic growth and create and sustain jobs. The Budget proposals also reflect the Government's continuing commitment to safeguard and improve frontline services and to protect the vulnerable in these challenging times. The WG also produced a children and young person version of the budget - **Our Draft Budget 2013-14 - a leaflet for children.**

**Ongoing.** As a result of the Rights of Children and Young Persons (Wales) Measure 2011 all new and revised policy and legislation must have due regard to the UNCRC. All budgetary decisions will in turn reflect children's rights. This is a much more effective and meaningful way of considering children's rights alongside Welsh Government budgets.

**PRIORITY 16: Working to ensure that children and young people from Wales in the Criminal Justice System can claim their UNCRC and human rights.**

**Programme for Government 2011-2016 - Supporting People**

'Continuing to provide education and training services to young people from Wales incarcerated in Wales and elsewhere as though such young people were formally 'looked after', as defined by the 1989 Children Act'.

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2003</b> - The Safer Communities Fund is the main vehicle for implementation of the All Wales Youth Offending Strategy. Under this scheme we provide funding to the 22 Community Safety Partnerships in Wales to facilitate local projects aimed at the prevention and reduction of youth offending. (Source: <a href="#">WG Website</a>)</p> <p><b>2004</b> - young people from Wales in custody - 185</p> <p><b>2004</b> - the number of secure places in Wales - 43 (Source: <a href="#">WG All Wales Youth Offending Strategy Delivery Plan 2009 - 2011</a>)</p> <p><b>2004</b> - All Wales Youth Offending Strategy developed between WG &amp; Youth Justice Board.</p> <p><b>2006/08</b> - £4.5m made available by WG to implement the Policy and for the purposes of facilitating local projects aimed at youth crime prevention and diversion.</p>	<p><b>Programmes to support young people in the criminal justice system implemented through Reach the Heights.</b></p> <p><b>Raising awareness and develop training of SEN.</b></p> <p><b>Development of All Wales Youth Offending Strategy.</b></p> <p><b>Prevention of Youth Offending (Wales) Bill announced.</b></p> <p><b>£4.4m distributed to 22 Community Safety Partnerships in Wales.</b></p> <p><b>Establishment of juvenile secure places in Wales has been increased.</b></p> <p><b>Focus now on preventative methods to decrease the juvenile custodial population.</b></p> <p><b>Learning for Children and Young People in a youth custody setting in Wales (statutory guidance for local authorities in Wales).</b></p>	<p><b>2008</b> - the number of secure places in Wales - 79</p> <p><b>2009</b> - the number of children and young people from Wales in custody - 143</p> <p>The number of first-time entrants to the youth justice system in Wales has fallen by 14.14% between 2005/06 and 2007/08. (Source: <a href="#">WG All Wales Youth Offending Strategy Delivery Plan 2009 - 2011</a>)</p> <p>'the boy would be unable to converse in Welsh with another Welsh boy even during leisure time as staff were concerned that they might be planning an escape or arranging other dubious activities.....'</p> <p>'.....extended to speaking to their family on the telephone and/or receiving mail in Welsh.' (Welsh offender housed in Manchester) (Source: <a href="#">Report to the Welsh Assembly Government on the question of Devolution of Youth Justice Responsibilities by Rod Morgan</a>)</p> <p><b>2009</b> - WG Youth Justice Branch Strategic Delivery Plan published in 2009.</p> <p><b>2012</b> - The WG propose to hold a national conference on pupil referral units. The conference will help shape developments and improvements in the PRU sector, and will include discussion around comprehensive new guidance on the constitution and role of PRU management committees.</p>	<p><b>The youth justice system is not devolved in Wales. However, responsibility for policies in relation to education, housing, substance misuse, health, and social services and the needs of looked-after children are all devolved to Welsh Ministers. Strengthening these arrangements would ensure greater accountability of all partners so children and young people in the youth justice system can access a range of welfare, educational and other services.</b></p> <p><b>The WG will consult on a Prevention of Youth Offending (Wales) Bill in the Summer of 2012. The outcome of this consultation will determine if legislation is required to take any changes forward. (Programme for Government)</b></p>

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**Current/Future Actions**

**2009 – Ongoing.** Development and implementation of pilot projects supporting young people in the criminal justice system through Reach the Heights undertaken. Of the 453 project participants, 75 have received a formal diagnosis of special educational needs; this represents 17% of all project participants. Many of the project participants have experienced disruptive and chaotic lifestyles: 130 (29%) disclosed alcohol and substance misuse; 17 (4%) young people had been homeless or slept rough; and 11 (2%) had experienced mental health problems. 35 (8%) of the young people have been looked after children at some point in their lives, compared to a national Welsh average of 0.9% in 2011.

The majority of the participants improved their skills and recorded positive outcomes; 26 went onto employment and 82 to further learning.

**2009 – Ongoing.** The Minister for Local Government & Communities launched a Green Paper consultation on proposals to improve services in Wales to better meet the needs of children and young people who are at risk of entering, or are already in the youth justice system, on 18<sup>th</sup> September 2012. The consultation sets out current legislation and the framework for youth justice provision, together with the options for improvement, including whether there is need for a Bill. It will close on 11<sup>th</sup> December. Consideration of responses will determine the way forward for youth justice services in Wales and the future direction of the Delivery Plan.

**Ongoing.** The Minister for Local Government and Communities agreed the proposed allocations for the [Safer Communities Fund](#); the grant aid to NACRO Cymru, the joint costs of the Youth Justice Board (YJB) Seconded, the proposed grant to YJB Wales in support of the regional settlement pilot projects and the consultation events.

**2012 – Ongoing.** [Green Paper Consultation](#) on Proposals to improve services in Wales to better meet the needs of children and young people who are at risk of entering, or are already in, the Youth Justice System. This consultation seeks to consider what more can be done to strengthen those services for which the Welsh Ministers have policy responsibility to ensure greater accountability of all partners for those children and young people who are at risk of entering or who are in the youth justice system.

**PRIORITY Breastfeeding.**

**Programme for Government 2011-2016 - 21<sup>st</sup> Century Health Care**  
 'Place the needs of the mother and family at the centre of maternity care'.

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2002</b> - Grants totalling £65,000 to help promote breastfeeding in Wales have been approved These grants will help to support 37 local community projects, which will receive up to £2,000 each, to promote breastfeeding.</p> <p><b>2005</b> - breastfeeding rates in Wales was 67%                      (Source: NHS Infant Feeding Survey 2010: Early Results June 2011)</p> <p>The proportion of babies' breastfed at birth in Wales is .53 per cent.                      (Source: WG Breastfeeding Statistics, Wales 2004)</p>	<p><b>All Maternity Units to participate in Baby Friendly Initiative (BFI).</b></p> <p><b>Health Visiting Services progressing to participate in BFI.</b></p> <p><b>Grant awarded to ensure Breastfeeding co-ordinators are in post.</b></p> <p><b>Breastfeeding Welcome Scheme</b></p> <p><b>The Breastfeeding Welcome Scheme - has been established by the WG to identify premises that understand and support the needs of breastfeeding mothers and their babies.</b></p> <p><b>2012 Details of establishments registered under the Breastfeeding Welcome Scheme made available online.</b></p>	<p><b>2010</b> - Initial breastfeeding rate was 71% in Wales.                      (Source: NHS Infant Feeding Survey 2010: Early Results June 2011)</p> <p>The Assembly Government's national breastfeeding programme is to deliver 'a programme of activities that incorporate work within the NHS, the community, in schools and the voluntary sector. It aims to address the unequal rates of breastfeeding among the population in Wales'.                      (Source: WG Our Healthy Future Progress report 2009)</p>	<p><b>To support delivery, and help improve young children's' health across Wales, the WG has launched:</b></p> <p><b>A National Programme to address the unequal incidence of breastfeeding amongst the population.</b></p> <p><b>The programme targets support at three levels: the NHS; the community; and families and it aims to raise public awareness of the importance of breastfeeding.</b>                      (Programme for Government)</p>

**Current/Future Actions**

**Ongoing.** - All maternity and health visiting / public health nursing services are now committed to working towards UNICEF UK Baby Friendly accreditation. Since realignment of the breastfeeding programme to Public Health Wales: a national coordinator has been appointed the breastfeeding programme is being reviewed as part of the Health Improvement Review to ensure that it has a robust evidence base and delivers best value.

**PRIORITY Gypsy and Travellers.**

**Programme for Government 2011-2016 - Welsh Homes**

'Improve services and opportunities for groups within the community who experience discrimination/ require particular attention: lesbian, gay and bisexual people, people in black and ethnic minority groups, and the needs of gypsy-travellers'.

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2007/08</b> - WG grant supported 1,414 eligible children. The grant meets 75% of the cost of projects which improve the opportunities for children of Gypsy and Traveller families to access education, sometimes by providing tuition on sites, and to fulfil their potential. (Source: WG Travelling to a Better Future' Gypsy and Traveller Framework for Action and Delivery Plan September 2011)</p> <p><b>2007</b> - Grant for the Education of Travellers made available through Minority Ethnic Achievement Grant (MEAG) amounted to £900,000 in 2007.</p> <p><b>2008/09</b> - WG makes an annual grant available to Local Education Authorities (LEAs) for the education of Gypsy Traveller pupils. The grant scheme amounted to £900,000 in 2008-09.</p>	<p><b>Launch of Travelling to a Better Future - a Gypsy and Traveller Framework for Action and Delivery Plan.</b></p> <p><b>LA able to access The Gypsy Traveller Refurbishment Grant Programme.</b></p> <p><b>LA able to access New Sites Grant Programme.</b></p>	<p><b>2010/11</b> - the WG grant supported 1,770 eligible children.</p> <p>£2.3 million has been allocated to local authorities to refurbish 11 sites since Refurbishment Grant was launched in 2007/2008. (Source: WG Travelling to a Better Future' Gypsy and Traveller Framework for Action and Delivery Plan September 2011)</p> <p>774 Gypsy and Traveller caravans were reported in Wales by the 20 local authorities that responded to the survey in January 2012.</p> <p>These 20 local authorities reported 71 sites were reported across Wales. (Source WG Gypsy and Traveller Caravan Count, January 2011)</p> <p><b>2009/11</b> – Percentage of Gypsy or Traveller pupils achieving at least the expected level in teacher assessments:                      KS1 – 40% (82%)                      KS2 – 22.8% (78.5%)                      KS3 – 10.7% (64.6%)                      KS4 – NA (49.2%)                      Bracketed figures = average                      (Source: WG Stats Schools &amp; Teachers)</p> <p><b>2012</b> - The latest statistics on the number of Gypsy and Traveller caravans in Wales produced by the WG were released on 14 March 2012 according to the arrangements approved by the UK Statistics Authority.</p>	<p><b>By helping to provide Gypsy and Traveller sites that are fit for purpose, the WG are helping not only to improve living conditions on sites but also improve equality of opportunity and equal access to services.</b></p> <p><b>The WG offers funding to local authorities in Wales to refurbish or build new Gypsy and Traveller sites. In 2011/12 the Grant was extended to cover 100% of project funding (previously 75%). Funding can be used to support the refurbishment of amenity blocks, resurface pitches and roads, improve drainage and sanitation facilities, install bathroom facilities and play areas and upgrade electrics. (Programme for Government)</b></p>

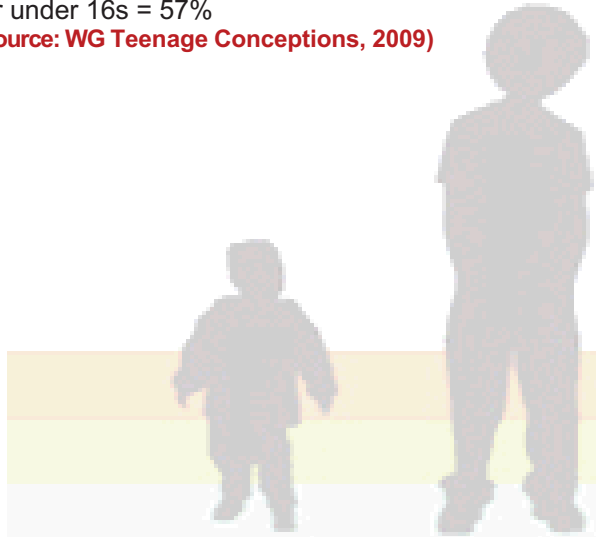
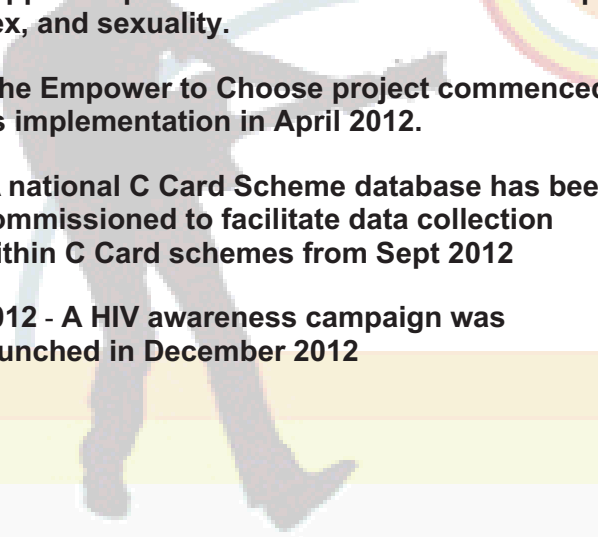

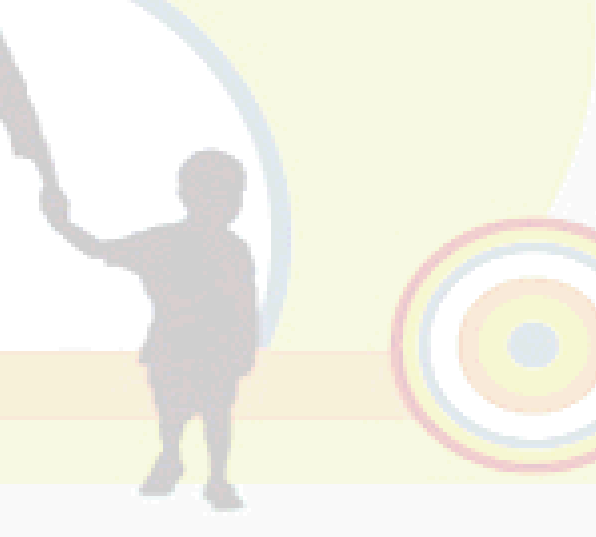
**Current/Future Actions**

**Ongoing.** There is a capital grant (£1.75 million in 2012-13) available to help local authorities build new sites or refurbish existing sites. The WG has also announced that it will legislate to introduce greater security of tenure for Gypsies and Travellers living on local authority sites.

**PRIORITY Sexual Health.**

**Programme for Government 2011-2016 - 21<sup>st</sup> Century Health Care**

'Continue our work in schools and colleges which aims to develop self-esteem and self awareness, while empowering young people to explore the many aspects of sexuality and healthy personal relationships'.

Pre 2008	What has been introduced	Post 2008	Analysis
<p><b>2000/07</b> the teenage conception rate fell by 6.5% in under-18s and by 3.4% in under-16s. (Source: FPA Teenage pregnancy factsheet August 2010)</p> <p><b>2006</b> - Figures record 5,754 episodes of all STI cases in Wales. 78 cases of diagnosed HIV infected patients under 24 in Wales. (Source: NHS Wales report on HIV &amp; STI trends in Wales March 2009)</p> <p><b>2008</b> - conception rate for girls aged 13-15 per thousand girls = 8.3</p> <p><b>2008</b> - conception rate for girls aged 15-17 per thousand girls = 44.3</p> <p><b>2008</b> - conceptions in Wales terminated by abortion for under 16s = 57% (Source: WG Teenage Conceptions, 2009)</p> 	<p><b>Sexual Health and Well Being Action Plan for Wales 2010/15 developed.</b></p> <p><b>£450k allocated to teenage pregnancy scheme. Grant available to improve education in schools and access sexual health services.</b></p> <p><b>The Minister for Health and Social Services has agreed to the allocation of £55,203 match funding in 2010/11 for Sexual Assault Referral Centers in Wales.</b></p> <p><b>The WG Sexual Health and Well-being Action Plan for Wales, 2010-2015, outlines actions to improve the sexual health and wellbeing of the population, reduce inequities in relation to sexual health, and to develop a society that supports open discussion about relationships, sex, and sexuality.</b></p> <p><b>The Empower to Choose project commenced its implementation in April 2012.</b></p> <p><b>A national C Card Scheme database has been commissioned to facilitate data collection within C Card schemes from Sept 2012</b></p> <p><b>2012 - A HIV awareness campaign was launched in December 2012</b></p> 	<p><b>2009</b> - Figures record 6,370 episodes of all STI cases in Wales. (Source: NHS Wales report on HIV &amp; STI trends in Wales March 2011)</p> <p><b>2010</b> - conception rate for girls aged 13-15 per thousand girls = 7.8</p> <p><b>2010</b> - conception rate for girls aged 15-17 per thousand girls = 37.7</p> <p><b>2010</b> - conceptions in Wales terminated by abortion for under 16s = 59% (Source: WG Teenage Conceptions, 2010)</p> <p>The UK has the highest teenage birth and abortion rates in Western Europe. (Source: FPA Teenage pregnancy factsheet August 2010)</p> 	<p><b>Teenage conception rates have generally been falling in Wales in recent years, but remain an important focus in the WG's Sexual Health and Wellbeing Action Plan and key policies addressing child poverty and health inequalities. The pregnancy rate for girls aged under 16 fell slowly from the late 1990s, but increased slightly from 7.3 in 2009 to 7.8 in 2010. For girls aged under 18 the most recent rate continued to fall from 40.1 per thousand in 2009 to 37.7 in 2010, the lowest rate recorded since 1992.</b> (Programme for Government)</p> 

**Current/Future Actions**

**Ongoing.** Contraceptive services and GUM services - Evening and Saturday clinics are now available and school nurses are a source of support and advice, providing a link with sexual health services. The access to services within 48hrs is universally over 98%. The services are continuing to evolve, with LARC information now being provided through sexual health services and venues accessed by young people such as C card schemes, youth centres and via school nurses.

The Standards for Condom Card C Schemes in Wales have been developed by PHW to support quality and consistency across Wales' C Card Scheme management; monitoring and evaluation, delivery; publicity and promotion and training. The standards will encourage consistency on the delivery of C Card schemes across Wales and strengthen their role in providing good quality sexual health information to young people across Wales.

PRIORITY Smoke Free Legislation Health Bill.

Programme for Government 2011-2016 - 21<sup>st</sup> Century Health Care

'Build on our programme of measures to discourage young people from starting to smoke, support smokers who want to give up, and lobby UK Government on non devolved issues such as reducing tobacco imagery to young people'.

Pre 2008	What has been introduced	Post 2008	Analysis																																																								
<p><b>1996-2006</b> - Smoking by 15 to 16 year olds,</p> <table border="1"> <thead> <tr> <th></th> <th>Boys</th> <th>Girls</th> <th>All</th> </tr> </thead> <tbody> <tr><td>1986</td><td>16.0</td><td>19.8</td><td>17.8</td></tr> <tr><td>1988</td><td>12.1</td><td>19.2</td><td>15.5</td></tr> <tr><td>1990</td><td>14.1</td><td>22.3</td><td>18.1</td></tr> <tr><td>1992</td><td>18.3</td><td>24.5</td><td>21.3</td></tr> <tr><td>1994</td><td>17.7</td><td>26.3</td><td>21.9</td></tr> <tr><td>1996</td><td>23.0</td><td>28.9</td><td>25.8</td></tr> <tr><td>1998</td><td>21.4</td><td>29.0</td><td>25.1</td></tr> <tr><td>2000</td><td>19.5</td><td>29.1</td><td>24.2</td></tr> <tr><td>2002</td><td>15.4</td><td>26.9</td><td>20.9</td></tr> <tr><td>2004</td><td>19.0</td><td>27.5</td><td>23.4</td></tr> <tr><td>2006</td><td>12.2</td><td>22.6</td><td>17.4</td></tr> </tbody> </table> <p>(Source: HBSC data, published in WG Health Trends in Wales 2011)</p> <p><b>2004</b> - Regular smoking was reported by 19% of 15-year-old boys and 28% of 15-year-old girls. (Source: WG Smoking in Wales – Current Facts 2007)</p> <p><b>2007/08</b> - A study commissioned by ASH Wales and the British Heart Foundation Cymru indicates that treating smoking related diseases cost NHS Wales an estimated £386 million.</p>		Boys	Girls	All	1986	16.0	19.8	17.8	1988	12.1	19.2	15.5	1990	14.1	22.3	18.1	1992	18.3	24.5	21.3	1994	17.7	26.3	21.9	1996	23.0	28.9	25.8	1998	21.4	29.0	25.1	2000	19.5	29.1	24.2	2002	15.4	26.9	20.9	2004	19.0	27.5	23.4	2006	12.2	22.6	17.4	<p><b>Dec 2012</b> WG ban the display of tobacco products at the point of sale in supermarkets and other large shops.</p> <p><b>February 2012</b> - A WG ban on the sale of tobacco from vending machines came into force.</p>	<p><b>2009</b> - Smoking by 15 to 16 year olds</p> <table border="1"> <thead> <tr> <th></th> <th>Boys</th> <th>Girls</th> <th>All</th> </tr> </thead> <tbody> <tr> <td>2009</td> <td>11.0</td> <td>16.0</td> <td>13.5</td> </tr> </tbody> </table> <p>(Source: HBSC data, published in WG Health Trends in Wales 2011)</p> <p>The Health Behavior in School Aged Children survey suggests that around 20 per cent of 11-16 year old school children in Wales report being exposed to smoke the last time they travelled in a car. (Source: WG Website July 2011)</p> <p>10% of regular smokers aged 11 to 15 reports that cigarette vending machines are their usual source of tobacco. (Source: WG – October 2011)</p> <p><b>2011</b> - Wales could be the first European country to ban smoking in vehicles carrying children the First Minister Carwyn Jones has announced.</p> <p><b>2012</b> - 2 April marks five years since Wales banned smoking in public places, protecting workers and the public from the dangers of second-hand smoke.</p> <p><b>2012</b> - The Fresh Start Wales Summer Promise was launched ahead of the school holidays, when families are getting set to spend more time together. The Promise centres on parents' commitment to keep their cars free from smoke and potentially putting children in danger of breathing in poisonous toxins. Fresh Start Wales will be taking the Promise out to Welsh communities across the holidays as part of its summer road show.</p>		Boys	Girls	All	2009	11.0	16.0	13.5	<p>The WG continues to build on our programme of measures to discourage young people from starting to smoke, support smokers who want to give up, and lobby UK Government on non-devolved issues such as reducing tobacco imagery to young people. This work is supported by the current tobacco control programme and the draft Tobacco Control Action Plan, and also by the Young people's smoking prevention programme – Assist, Smoke free Class Competition and Smoke Bugs! (Programme for Government)</p>
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Current/Future Actions

**2012/13.** The Minister for Health and Social Services has agreed to approve data collection for the HBSC survey in Wales in autumn 2013 and a programme of engagement activities with young people. The survey is school-based, with countries and regions working to a standardised research protocol to collect internationally comparable information for 11-15 year-olds. The survey meets a range of important needs.