

Agenda – Children, Young People and Education Committee

Meeting Venue:	For further information contact:
Committee Room 1 – Senedd	Llinos Madeley
Meeting date: 6 November 2019	Committee Clerk
Meeting time: 09.15	0300 200 6565
	SeneddCYPE@assembly.wales

Private pre-meeting

(09.15 – 09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Inquiry into Children's Rights in Wales – evidence session with the Deputy Minister for Health and Social Services

(09.30 – 10.30)

(Pages 1 – 58)

Julie Morgan AM, Deputy Minister for Health and Social Services

Karen Cornish, Deputy Director, Children & Families Division – Welsh Government

David Pearce, Head of Children's Branch – Welsh Government

Attached Documents:

Research Brief

CYPE(5)–30–19 – Paper 1 – Welsh Government

CYPE(5)–30–19 – Paper 2 – ‘Meeting in a box’ – analysis of results

CYPE(5)–30–19 – Paper 3 – Note from Lleisiau Bach on the engagement event with children on 10 October



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Break

(10.30 – 10.45)

3 Scrutiny of the Children's Commissioner for Wales Annual Report 2018 – 19

(10.45 – 12.00)

(Pages 59 – 77)

Sally Holland, Children's Commissioner for Wales

Rachel Thomas, Head of Policy and Public Affairs – Office of the Children's Commissioner for Wales

[Children's Commissioner for Wales Annual report](#)

Attached Documents:

Research Brief

4 Papers to note

12.00

4.1 Additional information from the Minister for Education regarding curriculum reform following the evidence session on 18 September

(Page 78)

Attached Documents:

CYPE(5)–30–19 – Paper to note 1

4.2 Inquiry into Children's Rights in Wales – Additional information from the Equality and Human Right Commission following the meeting on 16 October

(Pages 79 – 81)

Attached Documents:

CYPE(5)–30–19 – Paper to note 2

4.3 Letter from the Minister for Education and the Minister for Health and Social Services – Update on Committee's 'Mind over Matter' report

(Pages 82 – 88)

Attached Documents:

CYPE(5)–30–19 – Paper to note 3

4.4 Letter from the Deputy Minister for Health and Social Services – Amended Directions for the delivery of the National Adoption Service for Wales

(Page 89)

Attached Documents:

CYPE(5)–30–19 – Paper to note 4

4.5 Letter from Qualifications Wales – Discontinuation of the Foundation (Post–16) and National (Post–16) Skills Challenge Certificate (SCC) qualifications

(Pages 90 – 93)

Attached Documents:

CYPE(5)–30–19 – Paper to note 5

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

(12.00)

6 Inquiry into Children's Rights in Wales – consideration of the evidence

(12.00 – 12.10)

7 Scrutiny of the Children's Commissioner for Wales Annual Report 2018 – 19 – consideration of the evidence

(12.10 – 12.20)

**8 The Emotional and Mental Health of Children and Young people –
Follow-up – consideration of the response from the Minister for
Health and Social Services and the Minister for Education**

(12.20 –12.40)

(Pages 94 – 172)

Attached Documents:

CYPE(5)-30-19 – Private paper – Welsh Government

Document is Restricted

CYPE(5)-30-19 - Paper 1

National Assembly for Wales CYPE Committee Inquiry on Children's Rights, Autumn 2019

Evidence Paper from the Deputy Minister for Health and Social Services, Welsh Government

Introduction

The Welsh Government welcomes the Children, Young People and Education Committee's Inquiry on Children's Rights in Wales and its scrutiny of the impact of The Rights of the Children and Young Persons (Wales) Measure 2011. The Welsh Government is delighted to see children's rights featured so prominently in the important work of the Committee.

Where sections of this evidence paper do not follow the order of the terms of reference for the Committee's inquiry, we have highlighted which of the objectives they correspond to.

The Centrality of Children's Rights in the work of the Welsh Government

The Welsh Government has a proud tradition and an enduring commitment to raise awareness and embed children's rights in policy and practice in Wales.

Children's rights are the fundamental basis for our development of policy, legislation and services in Wales and they underpin our ambition for every child in Wales to have the best possible start in life. The Welsh Government was the first nation in the UK to appoint a Children's Commissioner in 2001 and we adopted the UNCRC as the basis of policy making for children in 2004. Children's rights are the driving force behind key programmes and policies in Wales.

The nature and scope of the Legislation

Wales has led the way in children's rights by enshrining them in law through The Rights of the Children and Young Persons (Wales) Measure 2011¹ (referred to as 'the Measure' in the rest of this Evidence Paper). Wales was the first UK nation to make such significant legislative arrangements to ensure the centrality of children's rights.

The Measure places a duty on Welsh Government Ministers to have due regard to the United Nations Convention on the Rights of the Child (UNCRC)² when exercising any of their 'functions' including when making:

¹ <http://www.legislation.gov.uk/mwa/2011/2/contents>

² <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

- Proposed new legislation;
- Proposed new policies; and
- A review of, or change to, an existing policy and/or legislation.

Rights of Children and Young Persons (Wales) Measure 2011

Under the Rights of Children and Young Persons (Wales) Measure 2011, Welsh Ministers have four duties:

- To have **due regard** to the UNCRC when exercising Ministerial functions
- To produce a **Children's Rights Scheme** setting out arrangements for complying with the due regard duty
- To publish a **Compliance Report** on how Ministers have complied with the due regard duty, at a minimum of every five years (we're currently committed to reporting every two-and-a-half years)
- To take appropriate steps to **promote public understanding** of the UNCRC

The Explanatory Note to the Measure explains that:

*"The due regard duty requires the Welsh Ministers to **give the weight that is appropriate** in all the circumstances of the case to Part I of the Convention and the Protocols, **balancing them against all the other factors** that are relevant to the decision in question".³*

This means that Welsh Government Ministers are required to give appropriate consideration to the UNCRC, balancing the UNCRC against all the other factors that are relevant to the decision in question.

The rest of this evidence paper sets out the comprehensive arrangements the Welsh Government has put in place that flow from The Measure. These arrangements ensure children's rights and the UNCRC are at the heart of our policy and practice.

³ <http://www.legislation.gov.uk/mwa/2011/2/notes/division/2/1>

Section 1: The Measure's influence on the Welsh Government's decision making⁴

The Welsh Government has demonstrated its commitment to children's rights by leading the way in enshrining them in law through the Measure. Wales was the first country in the UK to take such a legislative approach.

The Measure places a duty on Welsh Ministers to give due regard to the UNCRC, it is not intended to prescribe policy outcomes. The application of due regard to the UNCRC has deliberately been set at a national level and provides a robust framework for all decisions – including policy and legislation. This means that all government activity is captured within this framework and therefore precludes the need to replicate the due regard duty on the face of subsequent pieces of legislation. The Welsh Government is currently undertaking a significant piece of work to examine future options for bringing together Government responsibilities to ensure human rights for all population groups, thus avoiding the need for a piecemeal approach across multiple separate pieces of legislation.

Ministers are aware of their duty to give balanced consideration to children's rights and the UNCRC. Guidance on advising Ministers is available to officials, including on their obligations related to giving due regard to the UNCRC as part of the policymaking process. This requirement applies right across Welsh Government, not just to areas that might be considered to have an obvious link to children's policy.

The importance and impact of Children's Rights Impact Assessments (CRIAs)

Children's rights are enshrined in Welsh law. This means that whenever we use any of our powers to make a decision, we are required to consider the impact on children and young people.

To ensure that officials support Ministers to comply with their duty to have due regard to the UNCRC, Welsh Government has developed a Children's Rights Impact Assessment (CRIA). CRIAs support Ministers to comply with the duty to have due regard to the UNCRC as set out in the Measure.

The CRIA clearly sets out the process which officials should follow to ensure compliance with the CRIA process of due regard and how to provide advice, which allows Ministers to give balanced consideration of issues, including how the articles of the UNCRC have been considered.

⁴ Please note that this section of the paper covers the following issues identified the terms of reference from the Committee's inquiry: financial allocations, general measures of implementation, the due regard being implemented in practice, CRIAs being used as a meaningful tool, effective embedding across portfolios.

CRIAs are carried out in order to advise Ministers about the impact policies, programmes or legislation might have on children and young people, so this can be taken into account when decisions are made. They help to guide officials and support Ministers in their making decisions about policy, resource allocation and implementation. The CRIA may highlight areas that might not have otherwise considered and where identified impacts on children and their rights can be mitigated. The CRIA process is relatively new so the Welsh Government welcomes feedback on the CRIAs done to date. Our aim is to implement a proportionate approach that supports high quality CRIAs.

The impact of children's rights on financial allocations

In recent years, the Budget process has adopted an integrated approach to impact assessments, which includes consideration of children's rights. This enables Welsh Government to fulfil its responsibility to consider strategic spending decisions through a number of lenses to understand their impact.

This year's Budget preparations have been shaped by our eight cross-cutting priority areas of early years, social care, housing, skills and employability, better mental health, decarbonisation, poverty and biodiversity.

Each of these areas has been led by a Minister – who has no direct portfolio responsibility for the immediate priority area - to work across government to ensure that we are maximising all the work that we do across different departments, with the resources we will have available to us in the 2020-21 Budget. We recognise these areas as having the greatest potential contribution to long-term prosperity and well-being, including the impacts on children's well-being.

Our aim is to support young people to make the most of their potential. We know an individual's experiences during their early years will play a significant part in shaping their future and are critical to their chances of going on to lead a healthy, prosperous and fulfilling life.

General Measures of implementation

The Measure is a progressive piece of legislation that integrates the UNCRC into Welsh law. We agree with the submission to the inquiry from the Equalities and Human Rights Commission (EHRC) that Wales "has gone further than the UK Government and any other devolved authority in the UK to integrate the Convention in domestic law".

The Measure fulfils the expectations of the UN Committee on Integration of the Convention into domestic law as a general legislative measure of implementation. EHRC research concludes:

“The Measure has added a new basis for judicial review. This means that the Convention may be relied on before a UK court to challenge a decision taken by a Welsh Minister.”⁵

The Welsh Government is satisfied that the Measure and the supporting arrangements are influencing and impacting policymaking and decision making at the right level and provide a robust and appropriate framework for embedding children’s rights.

⁵ The impact of Legal Integration of the UN Convention on the Rights of the Child in Wales, EHRC, Dr Simon Hoffman, Wales Observatory on Human Rights of Children and Young People and Sean O'Neill, Children in Wales, August 2018

Section 2: A Comprehensive System of Support and Challenge to Underpin the Measure

The Measure requires Ministers to have due regard to the UNCRC when exercising any of their functions. The Measure is radical and far-reaching in its scope and nature. But the Measure should not be seen in isolation: it does not operate alone. It is a key part of a wider, comprehensive offer of support and challenge to ensure that children's rights are embedded in Welsh policy and practice.

Support

Policy makers and practitioners are able to access significant support through training, information and resources to help them develop policy and deliver services that embed children's rights:

1) Training

As well as the training available internally to Welsh Government officials, the Welsh Government continues to fund support for professional organisations through expert training from the University of Wales, Trinity St David (UWTSD). Training by UWTSD is provided free-of-charge to organisations such as local authorities (including elected members), health boards, police liaison officers and Sport Wales. The Welsh Government also funds open access awareness raising training through the grant funding of Children in Wales.

2) Information and Resources on Children's Rights

Information and resources are provided free-of-charge to professionals and the public through the recently-updated Welsh Government's Children's Rights website⁶ and social media activity. The Welsh Government has updated the website and resources, in light of the 30th anniversary of the UNCRC, particularly focussing on learning resources, which are accessible to every school and youth organisation in Wales.

3) Participation – the voice of children and young people

Article 12 of the UNCRC recognises the rights of children and young people to have a say in decisions which affect them. The Welsh Government is committed to ensuring children and young people are full and active citizens in Wales whose views are taken into account and has taken positive steps to facilitate this approach. We have funded Children in Wales to develop Young Wales, which works with existing youth groups, forums and councils to bring together their collective voice. This is invaluable to the Welsh Government when considering new legislation or developing new programmes and policies.

The Welsh Government also works closely with Children in Wales and Young Wales on the promotion of the National Participation Standards for Children and Young

⁶ <https://gov.wales/childrens-rights-in-wales>

People which reflect the rights-based ethos that is integral to working with children and young people. The new participation kite mark recognises public bodies and public service boards who are excelling in involving children and young people in policy development, decision making and delivery of these services.

Wales is the only country in the UK so far to consult children and young people on their views on Brexit. The new Youth Parliament is providing a focal point for the views of young people in Wales – supporting views to be expressed and influence political debate and decision making.

External Advice and Challenge

As well as this support to embed children's rights, the Welsh Government recognises the value of expert external advice and welcomes challenge from the sector in supporting world class policy making and service delivery. We provide the sector with significant funding and wide ranging access to Ministers and lead policy makers to help drive progress on children's rights:

1) Children's Commissioner for Wales

The Welsh Government was the first UK nation to appoint a Children's Commissioner (2001). The Children's Commissioner plays a crucial role as an independent champion of children's rights in Wales and helps to hold the government to account in a range of ways, including by publishing an annual report. The 2017-18 report⁷ made 15 recommendations for the Welsh Government. The Welsh Government was pleased to accept or accept in principle all of the Commissioner's recommendations⁸. The government's response demonstrates how seriously children's rights are being taken across the Welsh Government, as does the comprehensive Memorandum of Understanding between the Children's Commissioner and the Welsh Government.

The Commissioner has a significant range of opportunities to offer advice, expertise and challenge to the Welsh Government and public bodies funded by the Welsh Government. In addition to the annual report, the Children's Commissioner also publishes quarterly reports setting out her view of the progress that the Welsh Government is making against her recommendations.

The Commissioner has a range of regular meetings with Welsh Government Ministers to follow up issues of interest and concern. At official level, the Commissioner and her office engage in a significant number of task and finish groups that help to develop Welsh Government policy and practice.

⁷ <https://www.childcomwales.org.uk/wp-content/uploads/2018/09/Annual-Report-2017-18.pdf>

⁸ <https://gov.wales/childrens-commissioner-wales-annual-report-2017-2018-welsh-government-response>

The Commissioner also submits formal written responses and policy statements in response to formal consultations.

The Commissioner's framework for working with children, *The Right Way*⁹, contains helpful information about ways to embed children's human rights and the benefits of doing so. *The Right Way* is about placing the UNCRC at the core of planning and service delivery and integrating children's rights into every aspect of decision-making, policy and practice. The Welsh Government seeks to share and promote the use of *The Right Way* with sector partners.

2) Children's Rights Advisory Group (CRAG)

The Children's Rights Advisory Group is comprised of a range of experts from across the sector with membership from the Office of the Children's Commissioner for Wales, Wales Observatory on Human Rights of Children and Young People, UNICEF UK and Children in Wales.

CRAG meets on a quarterly basis to advise the Welsh Government about children's rights. CRAG is able to give advice to individual policy teams and offer support and challenge on CRIAs. CRAG has also been particularly engaged in working with the Welsh Government to develop a revised Children's Rights Scheme and co-produce plans to celebrate the 30th anniversary of the UNCRC.

⁹ The Right Way: A Children's Rights Approach in Wales - <https://www.childcomwales.org.uk/resources/childrens-rights-approach/right-way-childrens-rights-approach-wales/>

Section 3: Progress in developing children's rights and better outcomes in Wales

This evidence paper has set out the scope of the Measure and the comprehensive arrangements in place to support it. The focus of this paper will now turn to the outcomes for children and young people which flow from these arrangements.

This combination of expert support and challenge means the Welsh Government has a comprehensive approach to embedding children's rights and ensuring better outcomes for children and their families. The Equalities and Human Rights Commission (EHRC) recently commissioned a report about the impact of the 2011 Measure¹⁰. It concluded that the 2011 Measure and the supporting arrangements had led to a significant, positive impact on policy in Wales:

"We have no reservations in concluding that the Measure has achieved its objective of embedding the Convention in policy-making in Wales.

The due regard duty has established a new framework for policy development, which in turn has resulted in greater attention to, and visibility for, children's rights in policy processes undertaken by Ministers and their officials.

In our assessment, the Measure has had a significant impact on the way policy is undertaken by the Welsh Government: it has clearly established the Convention as a reference framework for policy decision-making in Wales."

The Welsh Government agrees. It is clear that this approach is bearing fruit. There is tangible evidence of this, meaning real improvements in the rights and wellbeing of children and young people in Wales. Some of the most significant recent examples of progress include:

- The Children (Abolition of the Defence of Reasonable Punishment) (Wales) Bill which takes our commitment to help protect children's rights a step further and, if passed, will help end the physical punishment of children in Wales;
- The Curriculum for Wales 2022 framework will provide guidance to support a rights based approach and human rights education; and
- Our commitment to extend the voting franchise to 16 and 17-year-olds. This means that 16 and 17-year-olds will be eligible to vote in 2021 Assembly elections and 2022 local government elections.

Looking forward, protecting Wales' future generations was a fundamental principle of our groundbreaking Well-being of Future Generations Act. This requires public bodies to consider people's wider well-being (including children and young people), when providing services and to think more about the long-term impact.

¹⁰ The impact of Legal Integration of the UN Convention on the Rights of the Child in Wales, EHRC, Dr Simon Hoffman, Wales Observatory on Human Rights of Children and Young People and Sean O'Neill, Children in Wales, August 2018

Section 4: Effectiveness of the Children's Rights Scheme and last Compliance Report that demonstrates the action taken by the Welsh Government to fully implement the Measure

Children's Rights Scheme

Section 2 of the Measure requires Welsh Ministers to produce a Children's Rights Scheme. The Children's Rights Scheme¹¹ (referred to as "the scheme" in the rest of this document) sets out the arrangements in place to ensure that Welsh Ministers comply with the duty of due regard when exercising any of their functions.

It is designed to help officials to understand and carry out their responsibilities to support Ministers to comply with the due regard duty and ensure that children's rights are considered in undertaking their work. It is an important document, which helps operationalise the Welsh Government's commitment to children's rights¹².

We are currently working closely with our expert advisory group on children's rights (the CRAG¹³) to develop a new version of the scheme. We value the expert opinion of the CRAG and the wider sector and we are committed to taking a collaborative approach, working with stakeholders both inside and outside Welsh Government to ensure that the new scheme is as effective as possible. Section 3 of the Measure requires Welsh Government to consult with:

- Children and young people;
- The Children's Commissioner (who is represented on the CRAG); and
- Other persons or bodies as the Welsh Ministers consider appropriate.

We are also required to seek the agreement of the National Assembly before we publish a new scheme and we look forward to receiving the committee's report following this short inquiry and considering its recommendations to help shape the final draft of the Children's Rights Scheme for consultation. The plan to update the scheme includes developing a children and young persons' version. We expect the new scheme to be in place by spring 2020.

Compliance Reporting

Section 4 of the Measure requires Welsh Government to produce a compliance report¹⁴. The requirement is for Ministers to publish a report, at least every five years,

¹¹ <http://www.assembly.wales/Laid%20Documents/GEN-LD9732%20-%20Children%27s%20Rights%20Scheme%202014-22042014-255569/gen-ld9732-e-English.pdf>

¹² It should be noted that the Children's Rights Scheme is a key part of a wider, comprehensive offer of support and challenge to ensure that children's rights are embedded in Welsh policy and practice (set out in Section 2 of this Evidence Paper).

¹³ The membership of CRAG comprises sector experts from the Office of the Children's Commissioner for Wales, Wales Observatory on Human Rights of Children and Young People, Unicef UK and Children in Wales.

¹⁴ <https://gov.wales/sites/default/files/publications/2019-06/rights-of-children-and-young-people-compliance-report.pdf>

about how they and the First Minister have complied with the due regard duty. In keeping with our wider commitment to the UNCRC, Ministers have demonstrated the importance of children's rights to the Welsh Government by requiring mid-term reports, which increases the reporting cycle to once every two-and-a-half years. The compliance report sets out how Ministers have complied with their obligations under the Measure, how they have put in place the arrangements relating to Section 1 of the Measure, the way in which the Welsh Government applies the duty to have due regard to the UNCRC generally, and what impact it has had.

We published the third compliance report in February 2018. We are confident this evidences the actions taken by the Welsh Government to implement the Measure. Producing the report provided an opportunity to move beyond the words on the statute book to think about what the Measure means in practice. Welsh Government welcomed the opportunity to use the guidance issued by the Children's Commissioner's office in *The Right Way*¹⁵ to review our work and commitment to the UNCRC over the last few years.

The compliance report was structured around the five principles of a children's rights approach¹⁶, demonstrating the Welsh Government's continuing commitment to children's rights and to encourage other public bodies to make use of this framework. In particular, the compliance report provides information about Welsh Government activity designed to support children's rights. The report details how the CRIA process is underpinned by a range of activities to promote knowledge and understanding of the UNCRC. This includes training provided to Welsh Government officials and Welsh Government-funded training for practitioners working with children and young people.

External Training Provision

The evaluation report about the University of Wales Trinity Saint David's provision of training on the UNCRC showed that 1,627 people from eight different workforces engaged in the training between October 2015 and October 2018.

¹⁵ The Right Way: A Children's Rights Approach in Wales

<https://www.childcomwales.org.uk/resources/childrens-rights-approach/right-way-childrens-rights-approach-wales/>

¹⁶ The guide is intended to offer a practical framework, grounded in the UNCRC, to help public bodies integrate children's rights into every aspect of decision making, policy and practice. The five principles of a children's rights approach are:

- Embedding - integrating the UNCRC in decision-making through procedures and actions.
- Equality and non-discrimination - ensuring that every child has an equal opportunity to make the most of their lives and talents, and that no child has to endure poor life chances because of discrimination.
- Empowering children - enhancing children's capabilities as individuals so they are better able to take advantage of rights, and to engage with, influence and hold accountable individuals and institutions that affect their lives.
- Participation - listening to children and young people and taking their views meaningfully into account.
- Accountability - authorities being accountable to children for decisions which affect their lives. It includes giving children and young people information and giving them access to procedures which enable them to question and challenge decision makers.

Evaluation of the training has been extremely positive - 91% of participants judged the training to be of an excellent or very good standard. The evaluation found that participants' understanding and awareness of the UNCRC had increased. Attendees reported that they felt able to implement and put that knowledge into practice as well as sharing their knowledge with their own colleagues and organisations.

The Welsh Government has extended the contract with UWTSD to provide training and the Welsh Government is continuing to work in partnership with UWTSD to provide free training on the UNCRC and children's rights to public sector partners.

Section 5: How effectively the Welsh Government responds on a strategic basis to the Concluding Observations

The 2016 Concluding Observations report

The UN's Concluding Observations report was published on 12 July 2016¹⁷. Some of the key areas identified in the report were:

- Introducing a statutory obligation to conduct a child rights impact assessment when developing laws and policies affecting children;
 - Votes for 16 and 17 year olds;
 - Establishing national youth parliaments;
 - Changing the law to give children and young people equal protection from assault as adults;
 - The reduction of funding for childcare and family support;
 - Tackling child poverty;
 - Investing in child and adolescent mental health services, and developing strategies at national and devolved levels
- Extending the voting franchise to 16 and 17 year olds. This means that 16 and 17 year olds will be eligible to vote in 2021 Assembly elections and 2022 local government elections;
- The Children (Abolition of the Defence of Reasonable Punishment) (Wales) Bill which takes our commitment to help protect children's rights a step further and, if passed, will help end the physical punishment of children in Wales;
- Practical action to tackle poverty. This includes measures like debt and welfare benefit advice, helping people into or back work and increasing skills to support in work progression. The Welsh Government also supports the delivery of a more generous social wage – cash equivalent services which have the effect of leaving money in the pockets of Welsh citizens - through programmes such as Pupil Development Grant access scheme, which helps parents afford everyday items their children need at school; our childcare offer and the Council Tax Reduction Scheme.

¹⁷ <https://www.unicef.org.uk/babyfriendly/wp-content/uploads/sites/2/2016/08/UK-CRC-Concluding-observations-2016-2.pdf>

Section 6: Extent to which Welsh Government ensures its duties within the Measure are translated into work of public bodies we fund

Article 12 of the UNCRC relates to the participation rights of children and young people. Article 12 is deemed a “general principle” as it plays a fundamental role in realising all the rights in the Convention for all children. UNICEF summarises Article 12 as follows:

‘Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.’

Participation is about listening to children and young people and taking their views meaningfully into account. It includes supporting them to freely express opinions and taking their views seriously when decisions or actions are taken which affect their lives, either directly or indirectly.

Participation

As a nation, Wales has been at the forefront in the UK of promoting the importance of children’s rights in legislation, policy and practice. Wales is also recognised internationally, particularly for its work on children’s participation under Article 12 of the UNCRC, which ensures children and young people are consulted and involved in decisions that affect them.

Improvements include progress towards lowering the voting age in Wales to 16, the establishment of a Youth Parliament and the formal consultation of children and young people about Brexit - Wales was the only nation to consult young people.

Young Wales

We fund Children in Wales to deliver Young Wales - a national participation-platform for young people to engage with government about policies and decisions, which affect them. The Welsh Government wants all children and young people to have opportunities – for example in school councils, youth forums and Cymru Ifanc Young Wales - to actively participate in decision making at local, regional and national levels in Wales.

Young Wales works with existing youth groups, forums and councils to gather the collective voice of children and young people to influence legislation, policies and programmes. It also uses social media to reach children and young people who are marginalised, shy, disadvantaged, unconfident, or secluded.

The National Context – supporting participation across Wales

The Welsh Government issued statutory guidance to local authorities to promote and facilitate participation by children and young people in decisions, which might affect them. In 2015, this statutory guidance was updated to take account of the Well-being of Future Generations (Wales) Act 2015, which puts the effective involvement of

people and communities at the heart of improving well-being, in addition to being one of the five ways of working set out in the Act.

The Welsh Government is clear that statutory guidance must be implemented across Wales and the participation of children and young people in decision making is to be embedded into mainstream delivery. Since 2014, officials from the Welsh Government have regularly visited local authorities to get a picture of participation by understanding how this duty is being delivered locally. A further programme of visits is being planned for spring 2020.

National Children and Young People's Participation Standards.

The participation standards were reviewed and refreshed in 2017 by a partnership of youth forum workers and Young Wales members and informed by consultations with young people. The national task and finish group developed a new kite mark and self-assessment process and a new Charter mark. The standards identify the key issues that all workers should be aware of when working with children and young people in Wales. The standards are underpinned by the UNCRC and the Well-being of Future Generations (Wales) Act 2015.

The All Wales Participation Workers Network.

The network provides a pan-Wales forum to support the development and sharing of policy, research, expertise and best practice of children's rights and participation across Wales. The network's membership consists mainly of children and young people's participation workers from local authorities in Wales. It also engages in critical dialogue with policy makers and decision makers to contribute and influence the strategic implementation of participation and children's rights in Wales.

The network provides a forum to, among other things:

- Share practical resources and promote best practice that supports the effective implementation of participation and children's rights in Wales;
- Share expertise and best practice of children's rights and participation in Wales;
- Be an independent voice for professional stakeholders and strategically influence policy development and decision-making relating to children and young people in Wales; and
- Support continuous professional development of practitioners and to share information / good practice of children and young people's participation across Wales.

The Welsh Government has supported the network for many years by hosting the meetings and contributing and leading on discussion about participation and how the network can influence the development of Welsh Government policy.

30th Anniversary of the UNCRC

The 30th anniversary of the UNCRC is a major milestone and we will be celebrating it with key partners in the children's sector to highlight the importance of children's rights and our commitment to them.

In addition to raising awareness of children's rights and the UNCRC, we are working with the children's sector to listen to the views of children and young people by launching a campaign to celebrate the 30th anniversary of the UNCRC. As part of the awareness raising campaign, we have organised #childrentakeoverwales - children and young people will have the opportunity to "take over" a variety of activities and events in different settings across Wales.

This will happen in the lead-up to a celebratory event on the 20 November 2019. The event will also celebrate the organisations who have achieved the participation standards kite mark award.

Corporate Procurement

Welsh Government officials are working with the commercial team to strengthen procurement processes to ensure all relevant contracts let give due regard to children's rights.

The Well-being of Future Generations (Wales) Act

The Well-being of Future Generations (Wales) Act provides a governance framework for public bodies to improve how they serve the interests of children and young people. The Act supports commitments such as the UNCRC and provides for better decision making by ensuring public bodies look to the long-term; help prevent problems occurring or getting worse; take an integrated and collaborative approach; and involve people of all ages – including children and young people.

Section 7: Extent to which the Welsh Government has implemented its duty to promote knowledge and understanding of the UNCRC amongst the public, including children and young people

Article 42 of the UNCRC requires governments to actively work to make sure children and adults know about the Convention. This is because the public, including children and young people, need to know about their rights in order to exercise them.

Section 5 of the Measure requires that “Welsh Ministers must take appropriate steps to promote knowledge and understanding amongst the public (including children) of the UNCRC.”

Raising awareness of the UNCRC and children’s rights is a significant priority for the Welsh Government and its sector partners.

The Welsh Government will use the 30th anniversary of the UNCRC to update the current information and resources¹⁸ provided to the public, including children and young people, and will launch a national awareness raising campaign about children’s rights.

We have been working with the Children’s Rights Advisory Group¹⁹ to develop and promote the campaign and we are developing new branding and material to raise awareness of children’s rights and the UNCRC. A series of events have been arranged and new social media accounts on Facebook and Twitter have been created. Children and young people will be directly involved in the campaign through #childrentakeoverWales.

Children and young people are involved in the design and running of the 30th anniversary celebration event, chairing, co-chairing, leading or co-leading presentations and workshops. Prior to the event children and young people will be involved in a number of activities, including contributing short film clips to show at the conference.

As part of the awareness-raising campaign, a number of music workshops have been held with schools, to help make children’s rights real and relevant to children. Children and teachers, including the chief executive of the Urdd, the largest children’s movement in Europe, have also met with the Deputy Minister to discuss Children’s Rights.

The Welsh Government website about children’s rights²⁰ has been refreshed and went live in October 2019. It contains links to all CRAG members’ sites. It also contains links to training resources which can be used in schools or other youth settings. Further training is available from the Children’s Commissioner and Children in Wales.

¹⁸ ¹⁸ <https://gov.wales/childrens-rights-in-wales>

¹⁹ The membership of CRAG comprises sector experts from the Office of the Children’s Commissioner for Wales, Wales Observatory on Human Rights of Children and Young People, Unicef UK and Children in Wales.

²⁰ <https://gov.wales/childrens-rights-in-wales>

Children's Rights in Wales:

Meeting in a Box – Engagement summary

October 2019

Background

Thirty years since the United Nations Convention on the Rights of the Child (UNCRC) opened for signatories, the Committee is undertaking a short inquiry to review the impact of the Rights of Children and Young Persons (Wales) Measure 2011.

The 2011 Measure placed a duty on Welsh Ministers to have due regard to the UNCRC and its optional protocols. The Measure means that the Welsh Government should ensure that any legislation, policies and decisions which impact on children comply with their human rights.

As part of the inquiry, the Committee wanted to hear from children and young people across Wales, specifically:

- How well children know their rights;
- If children think they have access to these rights; and
- Which rights are most important to them.

The Committee agreed to use the method set out below.

Approach to engagement

Using a method titled “Meeting in a Box” the Citizen’s Engagement Team developed a resource for teachers, youth workers and youth activity leaders to facilitate a workshop session about children’s rights and gather the views of the



participants. The tool was designed to be used in the participant's setting and included activities for all levels of understanding of children's rights, the Committee's work and the National Assembly for Wales.

45 sessions were held involving **866** participants from all five Assembly regions. Evidence from the workshops was gathered via a survey that activity leaders could complete online or return via freepost.

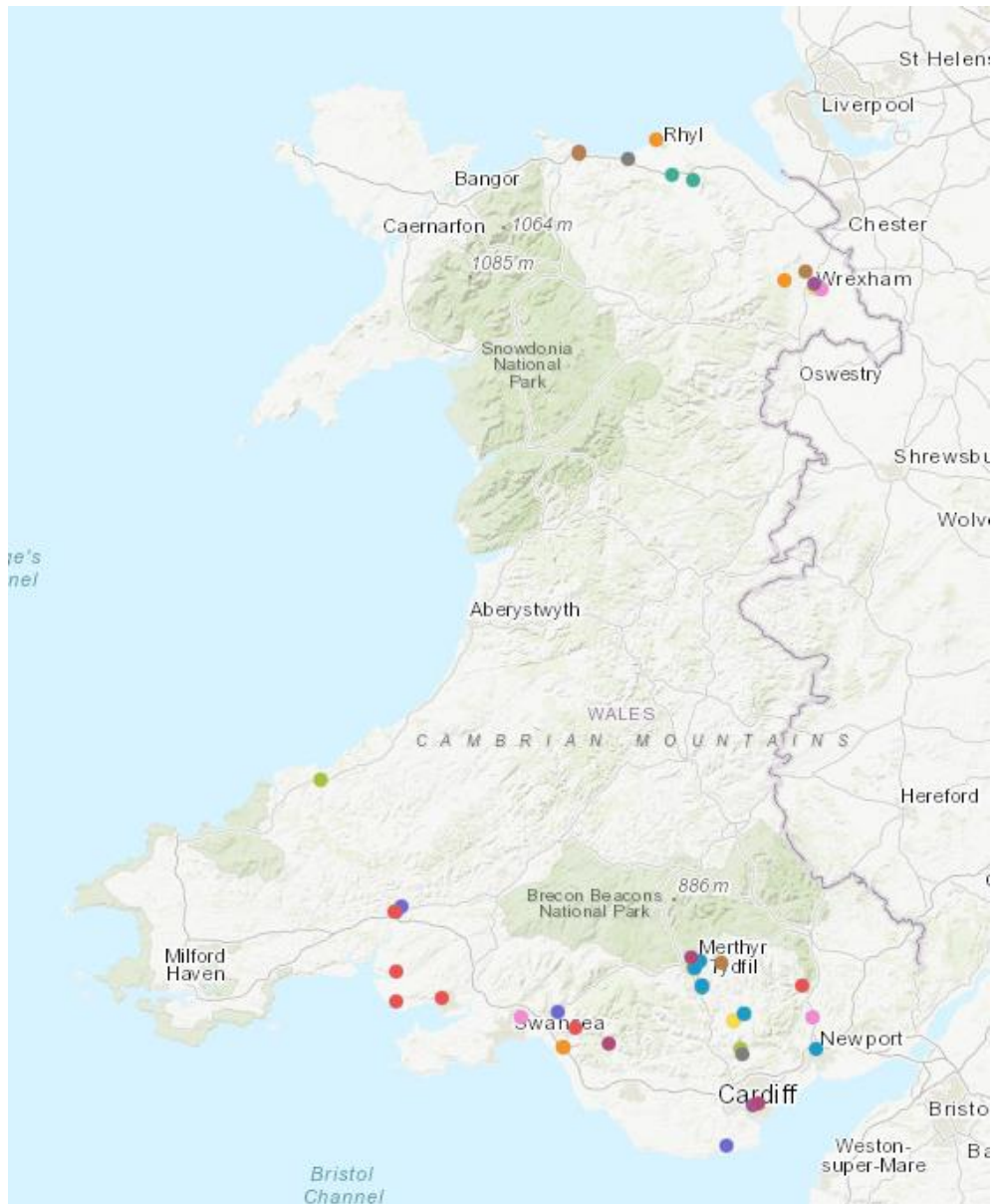
Map of engagement

The aim of the resource was to hear from as diverse a range of Welsh citizens as possible and ensure we weren't only asking groups already familiar with children's rights. The resource was designed and promoted as a workshop session for all levels of understanding of children's rights to ensure respondents weren't self-selecting on the basis of their prior knowledge.

The resource was shared with stakeholders already involved in the inquiry and it was available on the Committee website for anyone to access and take part. Organisations were contacted through the education and outreach teams and included youth services, young people taking part in Assembly education and youth engagement visits, outreach sessions and visits to the Senedd and Pierhead.

The map below highlights the regional spread of groups that conducted at least one Meeting in a Box workshop session. Several groups ran sessions with participant across Wales including the Children's Commissioner for Wales and the Welsh Youth Parliament. You can view an interactive version of this map here:

<http://nawresearch.maps.arcgis.com/apps/webappviewer/index.html?id=0e913fef0f6d4bdea95c82852de535ae>



- | | | |
|--|--|---|
| ● Carmarthenshire Youth Council | ● LLamau | ● Wrexham 1st Girl Guides |
| ● Stephens & George Charitable Trust | ● Learning for Life | ● Wrexham Senedd yr Ifanc |
| ● 2nd Cardigan Guides | ● PeoplePlus Cymru, Port Talbot | ● Wrexham Youth Justice |
| ● Bawso-EYST 'Cultures' Youth Club | ● PeoplePlus Cymru, Port Talbot 2 | ● Y5BBPS |
| ● CTW | ● Police Cadets | ● YGC |
| ● Caerphilly Youth Forum | ● Representatives from all of Wrexham High School Councils | ● YoVo |
| ● Children's Commissioner for Wales' advisory panels of young people | ● St Asaph Youth Forum | ● Youth Support |
| ● Conwy Youth Council | ● The Vale of Glamorgan Right's Ambassadors Project | ● Ysgol Emrys ap Iwan Yr 8 (Enrichment day) |
| ● Cyngor Ysgol Cwm Rhymni | ● Together 4 Children and Young People (T4CYP) | ● Ysgol Gyfun Gwynllyw |
| ● FutureMinds | ● WYP Mid and West Wales | |
| ● Garth | ● WYP North Wales | |
| ● Grwp Gwyndy | ● WYP South East Wales | |
| ● Infinity Explorer Scout Unit | ● WYP South West Wales | |
| ● Islwyn Constituency | ● Willows Youth Club - Merthyr Tydfil | |

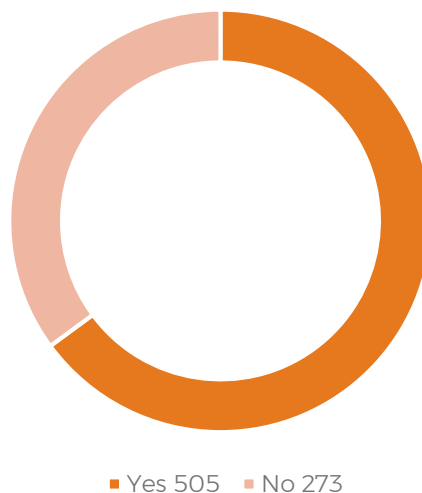
Results

To compile this engagement summary an analysis of a complete data set was conducted; all data can be sourced to individual responses and further analysis can be undertaken by reviewing the initial results.

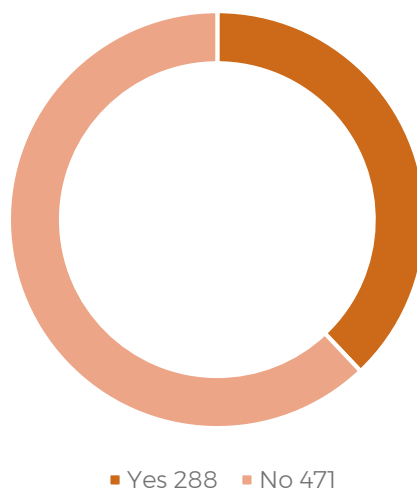
Key findings and overall themes have been extracted using specific questions asked in the survey. Quotes have been selected on the basis that they illustrate reoccurring themes and therefore summaries the overall comments from the responses or if they demonstrate key issues the Committee need to be aware of.

Results have be calculated from the number of respondents who answered the specific question and not the overall number of respondents to the survey.

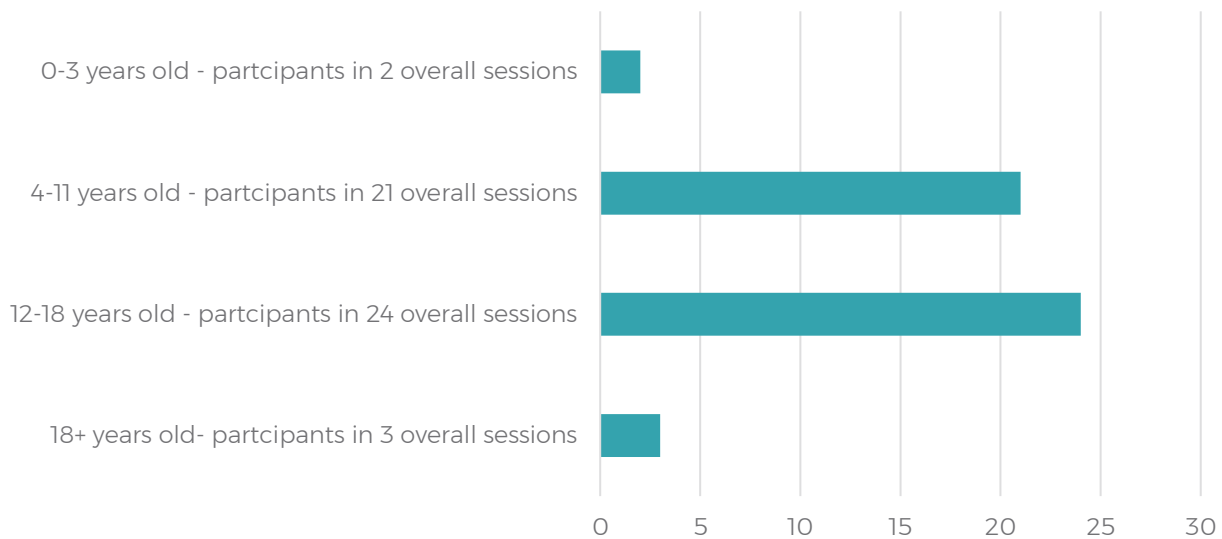
1. How many of the participants said they had heard of children's rights?



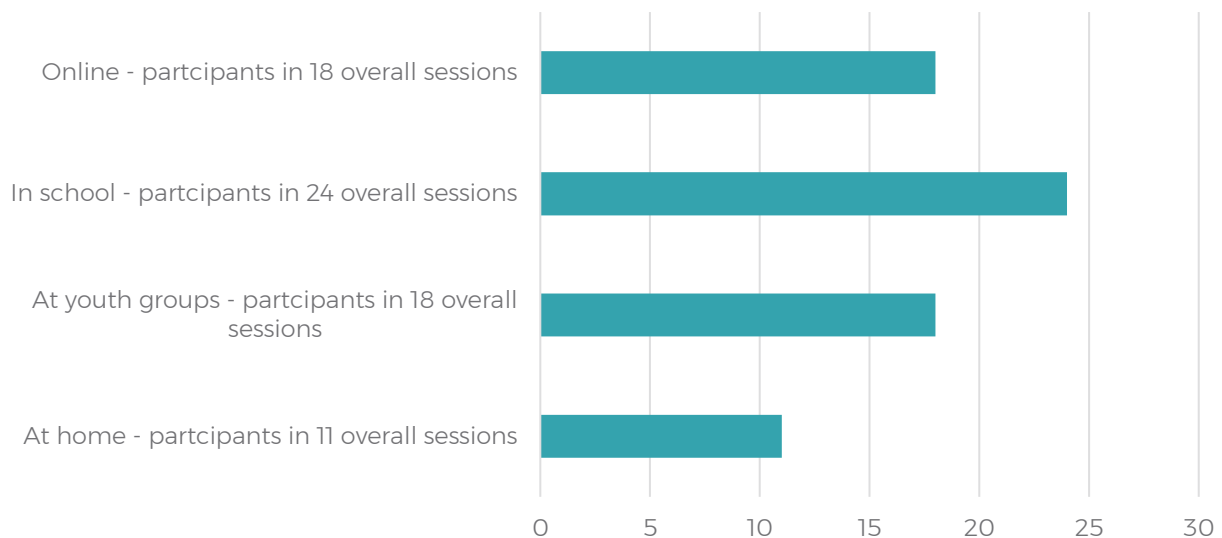
2. How many of the participants said they had heard of 'United Nations Convention on the Rights of the Child'?



3. How old were the participants when they first found out about their rights?

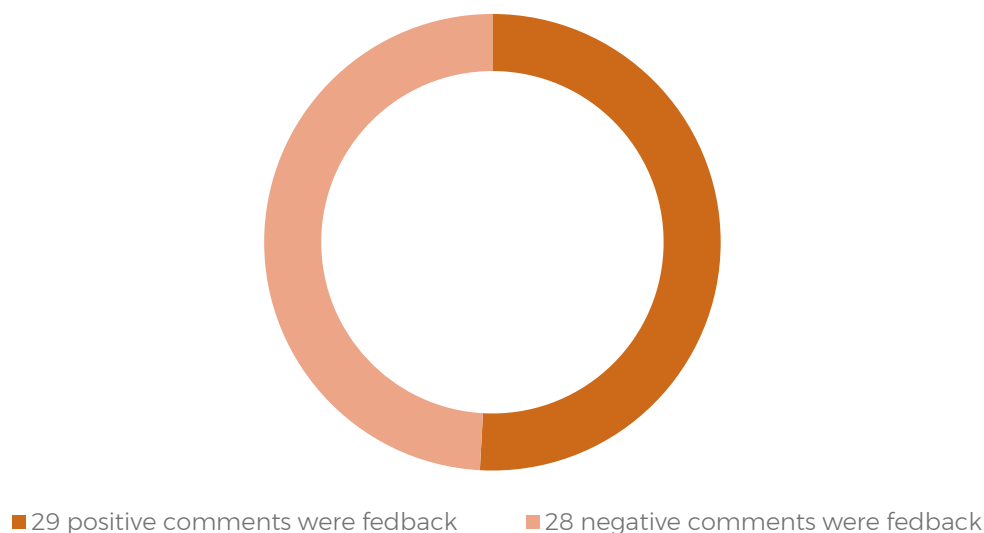


4. Where did the participants find the best information about their rights?



Also, at least one participant found the best information from the Children's Commissioner for Wales, when at a uniformed group session or in the news.

5. Participants were asked if they thought their rights had improved or not, and which areas they felt were worse or better. Comments were coded as negative or positive.



Selection of comments from the children and young people who participated:

"I didn't understand rights when I was in year one but when I went up to juniors we talked more about them. Being older helps you understand the rights more."

"They are better now but there's always room for improvement."

*"Worse: Travel, Education, Support for the Disabilities and to be listen to/
Better: Physical & Mental Health, Safe in my neighbourhood and safe at home."*

Selection of comments from session leaders:

"Fel grwp cyfa oeddent yn teimlo fod rhan fwyaf o'r hawliau yn cael eu bodloni. Soniodd un aelod o'r grwp yr hoffem mwy o gefnogaeth i unigolion yn ysgol sydd yn cael trafferth adref - As a group they felt that most of the rights were being met. One member of the group mentioned that we would like more support for individuals in a school struggling at home."

"I first found out about my rights in nursery. I remember they used puppets to explain them to me."

"Schools still not promoting children right so not as many young people know about them, awareness has improved, laws now look at children right,

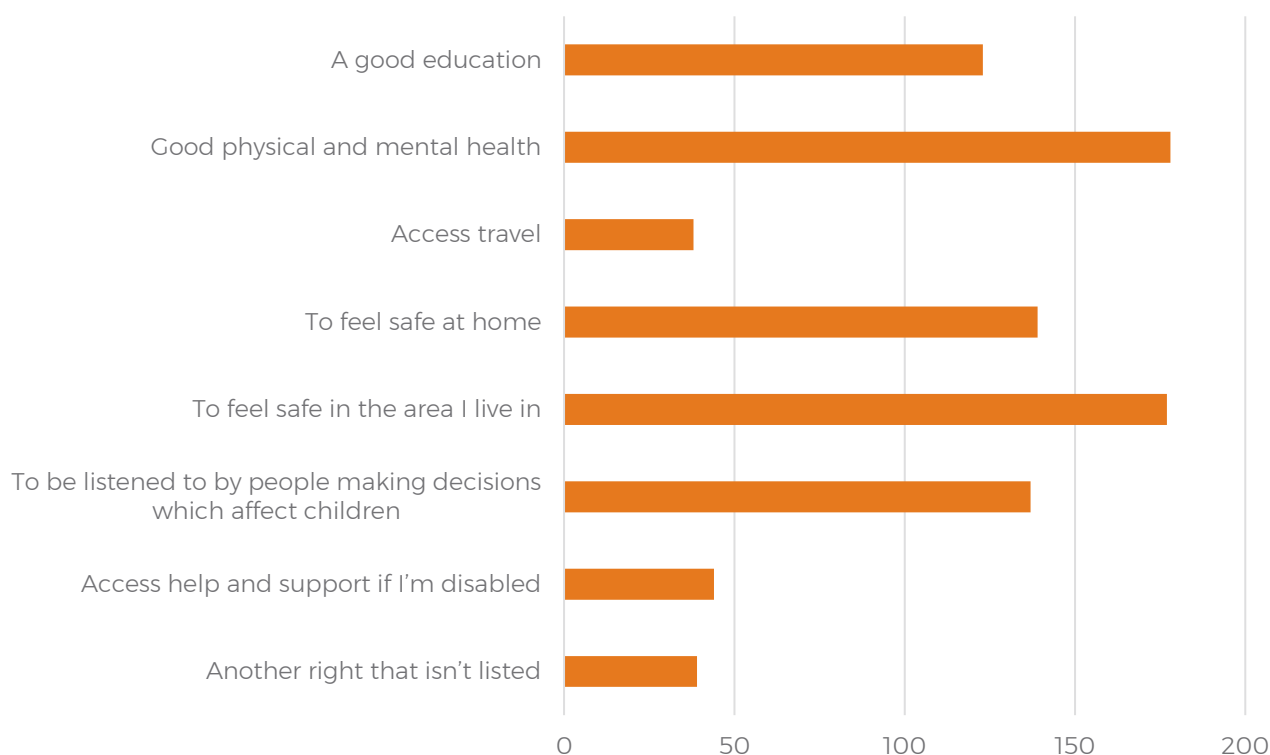
smacking law helps children rights, primary schools need to know more to educate about children rights."

"8 young people said the session was the first time they had heard of their rights."

"This was their first time learning about their rights so they had no concept of improvement."

"Pupils felt that their rights were being met ok but more could be done. The main overall issue was the feeling that adults were not listening to them and respecting their views."

6. Participants were asked to vote for which right they thought the Welsh Government should do more about. They were given the options below:



Their right to **Good physical and mental health** gained the most votes (179) with **To feel safe in the area I live in** narrowly second (178). They were closely followed by their right **To feel safe at home** (139), **To be listened to by people making decisions which affect children** (137) and **A good education** (123).

The numbers of young people choosing **Access help and support if I'm disabled** (44) and **Access to travel** (38) were similar to **Another right that isn't listed** (39).

Rights which participants didn't feel were covered by the options fell into the following themes:

- Respect from others;
- Support to build their confidence;
- Support if something had happened to them including having someone they trusted to speak to;
- Privacy; and
- Access to their preferred language.

Comments from participants suggesting another theme or specific right:

"Hawl i bod diogel ar lein - Right to be safe online"

"Diogelwch economaidd - economic security"

"Do not bully: Article 23"

"To be happy we need to try to stop bullies"

"The right to a clean environment"

"Your right to use your own language and celebrate your own culture and religion"

"Encourage rights in school"

"Rights should be a set subject in school"

"Access to post-16 education"

"Transport is a big issue"

"Improve the whole curriculum so it's more like the curriculum they have in Sweden and Norway"

"Article 40 - your right to legal help if have been accused of a crime"

"lgbt - article 2 relating to not being treated differently because of who they are"

"The right to practice my own religion"

"Seeing family if they do not live with you"

"Right to have fun"

7. Was there anything else the participants said the Welsh Government should do for them?

Comments from participants:

"Maybe Welsh Government could use a mascot to promote rights because our school mascot Rico the Raccoon helped me learn so much more about rights."

"Improving transport because some children are missing school and appointments".

"Better policing."

"We need the right to vote (article 12). You should introduce the UNCRC and rights into the school curriculum. "School trips - I can't afford to go to trips and I am missing out."

"I think you shouldn't be charged to go on a school trip since you have the right to have a break from working in school."

Comments from session leaders:

"Roedd rhai aelodau wedi derbyn hyfforddiant hawliau plant trwy'r fforymau ac eraill heb glywed am hawliau plant o gwbl- amrywiad eang o ran dealltwriaeth - Some members had received training on children's rights through the forums and others had not heard of children's rights at all - a wide variety in understanding."

"Our pupils felt that the welsh government should make it compulsory for all schools to be rights respecting school and the teaching of rights should be in the curriculum."

"The group felt that generally there was a lack of information available to them about their rights in any tangible sense, and that they didn't really feel part of the community."

"Make them more aware of these rights at an early age."

"The government should involve young people from low income backgrounds in decisions effecting them and their community. Provide more money for schools to provide a better education and to stop cutting the funding on youth centres."

"They were amazed at the amount of rights and what they covered."

"The group believe that the Welsh Government and Assembly are doing their best to ensure children know their rights, and they found the session very beneficial."

"A number of the group highlighted the issue of being protected from exposure to drugs. They felt that not enough was being done. One young person mentioned about a local shop knowingly selling Vapes to underage children. Also more work need to be done to educate adults on children's rights."

"Improve the right to be safe because feeling safe is important."

"Many pupils talked about how poverty affected them and they felt that money shouldn't be a barrier to learning. They suggested all school trips be free."

"Welsh Government should reach out to young people more. For decision makers to attend groups such as the T4CYP mental health forum to meet with and listen to young people's views along with sharing their work in young person friendly language."

"YP felt that bullying was a major issue in and out of school."

"They didn't feel safe and would like more children and youth provisions in place to report to."

8. Was there anything else session leaders wanted us to know about the participant's thoughts on children's rights:

Comments from participants:

"We have the right to speak Welsh or English in our country"

"We have the rights to be proud of who we are"

"100% in school - my mother does not understand"

"Boys and girls shouldn't be split up because it's sexist"

"The right to special help if you have been abused, hurt or neglected, or lost a parent"

"We have the right to be looked after properly if we don't live with our family. We have the right to stand up for ourselves and say no to things we don't like"

"No-one care's about young people aged 16-17 ... only my YJS (Youth Justice Services) Officer listened to me, Children's Services didn't"

“Police stations have closed, so police not there unless there is a problem. Drugs openly being sold - dealers don't bother to hide it - more people carrying knives to feel protected - more police presence needed”

Comments from session leaders:

“A few of the students voiced concerns over Brexit and that recent behaviour of UK politicians and world leaders is putting them off taking an interest in politics.”

“Angen mwy o waith i hysbysebu'r ffairth bod yna hawl iau i bobl ifanc. Mwy o waith gyda rhieni i annog nhw i drafod gyda'u phlant - More work needed to publicise the fact that there are rights for young people. More work with parents to encourage them to have discussions with their children.”

“The group are part of a resilience programme for low confidence / young people with social / emotional needs. They felt their rights were sometimes adhered to but not always with respect for them, particularly in schools.”

“Our group YoVo which stands for “your voice matters” are Children's Rights Ambassadors for the looked after community in Neath Port Talbot. The Ambassadors' champion the UNCRC within this community and the wider community. They would like more to be done for children in care especially when receiving information and having their views listened to and acted upon. They would like to see a focus on their right to see their family and more support to complain if they aren't getting their rights.”

“More session to know about your rights, more should be done in schools to promote young people rights.”

“Young people thought that not being able to speak to each other in class or use the toilet can be against their rights. Disabled children are not supported due to cuts, they felt this was unfair.”

“This was an excellent resource and well worth participating in. We need more opportunities to respond to the Welsh Government. By far the Right our group wanted the Government to work more on was listening to young people.”

“Free or VAT free sanitary protection; more on rights under Articles 10 (contact with parents) and 15 (freedom of association), right to privacy.”

“YP have many concerns, biggest growing drugs problem and groups of youth.”



Children's Voices Being Heard



Young reSearchers from
Awel Y Mor Primary School, Neath Port
Talbot and Ysgol Pant Y Rhedyn,
Llanfairfechan met with Members of
the National Assembly for Wales' Children, Young People and Education
Committee as part of the Committee's
short inquiry into the impact of the
Rights of Children and Young Persons
(Wales) Measure 2011.



How have rights helped you...?

Home

I have the right...

To be fed properly
To Speak
To play and have fun
To go outside
To do my homework
For my parents to look
after me
To relax

'Helping the
future
survive'

Community

I have the right...

To be safe
To play outside
To have friends
Speak out and stay safe
Our voices are heard and
taken to mind
I get a say
Regular meetings
The teachers have helped
me notice how important
rights are to everyday life

'They have helped
me notice the right
things I should do in
life or be protected
from'

Pack Page 57

School

I have the right...

To have friends
To Speak to pupil voice
To be healthy
To have fun
To be listened to by
teachers
To learn
To run around
Do homework
Go outside for fresh air

'Rights have
helped me a
lot.'

What can help you make sure you are able to receive your rights?

Home

If you are worried tell
Someone you trust
Parents can listen to you
By helping
Talking to people that
don't know your rights
To make people aware
Parents are getting
involved and teachers

School

Follow the school rules
By teachers and friends
Supporting you through
Friends to help you get
through life easier Putting
posters up about children's
rights
Make sure adults know about
them
Teachers can help with
anything in school or at home
Teachers and computers

Community

Police help keep you safe
The town or area we can
put posters or spread the
word and community can
teach rights
Help the environment
To make people aware with
posters and voices
Teach children's rights to
businesses

How have rights helped you
achieve the changes you have
made/trying to make in your
Lleisiau Bach projects?

- People are now listening to us
- It's a change to be listened to
- People listen to us and let us make an impact
- Parents and teachers are getting involved
- Teachers and parents are now getting involved
- Older people or general people will get involved and parents and teachers are a big help as well
- I have the right to be listened to Article 12
- I have the right to learn information Article 13

Why is it important
to be involved in a project like
this?

- Because young people adapt to changes better and listen and stand out
- You learn new things
- They can have fun and they will learn more and work together
- Share your ideas
- Have fun
- Time with your friends
- They listen to what you say
- They all have a go and work together
- To help the project get noticed
- To make an impact
- So we can help the environment

The Rights of Children and Young Persons (Wales) Measure 2011 brought the United Nations Convention on the Rights of the Child into Welsh law, requiring Welsh Ministers to pay 'due regard' to children's rights when making decisions.

The National Lottery Community Funded Lleisiau Bach Little Voices team at Swansea and Bangor Universities uses the Convention to underpin their work with empowering 'Children as Researchers'

In successive projects over 10 years the Lleisiau Bach Little Voices team have been supporting children as researchers in communities throughout Wales.

We have developed a unique way of enabling children to explore and choose their own issues and engage, on a basis of mutual respect, with adult decision-makers to bring about change.

Document is Restricted

Agenda Item 4.1

CYPE(5)-30-19 – Paper to note 1

Additional information from the Minister for Education following the curriculum reform scrutiny session on the 18th September.

During the session the Minister for Education agreed to provide a list of Innovation Schools.

The Schools are listed on the blog at:

<https://curriculumforwales.gov.wales/2019/04/11/thank-you-now-lets-take-this-forward/>

Examples of different models of National Mechanisms for Implementation, Reporting and Follow-up (NMIRF) [See OHCHR Guide on NMIRFs](#)

- **Portugal:** The inter-ministerial National Human Rights Committee created in 2010 is responsible for intergovernmental coordination with the aim of promoting an integrated approach to human rights policies. The Committee coordinates all governmental action on human rights including implementing the international and regional reporting obligations of Portugal to treaty bodies, special procedures, UPR and the Council of Europe. The Committee is chaired by the Ministry of Foreign Affairs. The Human Rights Division within the Ministry acts as the Committee's permanent secretariat. All ministers are represented on the Committee, in some cases at Secretary of State level. The National Statistics Office is also a member. The Committee is supported by a network of human rights focal points in ministries. It meets at least three times a year at plenary level and as needed at working group level. At least one of these three plenary meetings must be open to civil society.
- In **Belgium**, a team based within the Ministry of Foreign Affairs coordinates all treaty reporting and provides oversight on follow-up to recommendations, which are clustered. It brings together human rights focal points in all government departments and throughout devolved administrations. The Group meets every six months.
- **Scotland:** The Scottish Equalities and Human Rights Committee's report (November 2018) called on the Scottish Government to urgently establish a Scottish NMIRF. In December 2018, the First Minister's Advisory Group also recommended a Scottish NMIRF. It specified the 'body would contribute to national dialogue on the promotion of best practice including with parliaments, the judiciary, civil society and the general public. Best practice would be for the National Mechanism to be a Scottish Government body with its own separate structure, staffing and budget and accountable to the relevant Scottish Government Minister...' Core functions include:
 1. Coordinating Scottish Government engagement with European and UN human rights systems, including reporting and implementation of recommendations in the devolved context.
 2. Monitoring the UK Parliament and reporting to the Scottish Government, Parliament and the public on any developments as regards the continued effect of rights "returned" from the EU to the UK Parliament.
 3. Monitoring the EU and reporting relevant rights developments to the Scottish Government, Scottish Parliament and the public for

consideration of adapting any such developments within devolved areas of competence.

A taskforce taking the recommendations forward is currently being established and we have advocated for the Commission to sit on it.

- **Georgia:** The Georgian ‘Human Rights Council’, set up to adopt and oversee the implementation of Georgia’s two-year human rights action plans, is a high-level ministerial inter-agency coordination structure chaired by the Prime Minister. It consults with five local human rights NGOs, UN representatives, Council of Europe, the EU, and the Office of the Public Defender of Georgia (Georgia’s NHRI). It meets annually to discuss priority human rights concerns for the year ahead, and considers and adopts progress reports on the implementation of the action plans. It is accountable to the Georgian Parliament and submits annual progress reports. During a parliamentary hearing, the Government presents its update. The parliament’s Human Rights and Civil Integration Committee prepares a resolution with recommendations addressed to each branch of Government. Implementation of this parliamentary resolution is mandatory. The Council has a permanent secretariat, which coordinates implementation, monitoring and reporting between the designated focal points in all responsible ministries and agencies. It is considering introducing a new software system for NMIRFs developed by OHCHR. This online database will automatically download and cluster recommendations from the UPR, Treaty Bodies and Special Procedures, and enable the Government to set priorities and implementation deadlines.
- **Mexico:** The Directorate for Human Rights and Democracy in the Ministry of Foreign Affairs is responsible for coordinating reporting to UN human rights mechanisms and to the inter-American human rights system. It includes two deputy directorates, each divided into units that have responsibility for producing specific monitoring reports. These units undertake intergovernmental coordination and coordination with parliament, the NHRI, the judiciary and to a lesser extent civil society. The Ministry of Foreign Affairs provides the budget for the Directorate and the activities of the specialised units.
- **Morocco:** The Interministerial Delegation for Human Rights (70-80 staff members), established in 2011, is appointed by the King and reports directly to the Head of Government. The Delegation is responsible for coordinating national human rights policies and for ensuring interaction with international human rights mechanisms. It proposes measures to ensure the implementation of international human rights obligations, prepares periodic national reports to treaty bodies and the UPR, and follows up the implementation of their recommendations, as well as those of special procedures. The Delegation provides support to national

NGOs working on human rights and promotes dialogue with international NGOs.

- **Samoa:** The Samoan Government is currently setting up a NMIRF, an inter-ministerial body to coordinate all reporting and implementation activities related to Samoa's Treaty Body obligations, UPR and UN Special Procedures visits. It is also responsible for coordinating activities related to the signing of further human rights treaties. The NMIRF's terms of reference provide that it consists of a Chair (CEO of the Ministry of Foreign Affairs and Trade), a Working Group (made up of representatives from different ministries), at least four Focal Points, Consultative Members (representatives from CSOs, the NHRI and the Bureau of Statistics) and is serviced by a Secretariat. The NMIRF's responsibilities include:
 - Clustering Treaty Body recommendations and translating into Samoan;
 - The drafting of an implementation plan for each set of recommendations, within three months of receipt;
 - Consultations on each implementation plan with Government, CSOs and the public, leading to adoption of the implementation plan within six months of receipt of the recommendations;
 - Appointing a drafting committee for each report six months before the deadline.

Agenda Item 4.3

CYPE(5)-30-19 - Paper to note 3

Vaughan Gething AC/AM

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Kirsty Williams AC/AM

Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Lynne Neagle AM

Chair, Children, Young People and Education

Committee National Assembly for Wales

Cardiff Bay

CF99 1NA

22 October 2019

Dear Lynne,

Follow-up work on the Committee's inquiry into the Emotional and Mental Health of Children and Young People in Wales – Mind over Matter

Following our attendance at the Children, Young People and Education Committee on 20 June and follow-up letter of 15 July, we committed to write with further information for the Committee on a number of areas.

In our update of 7 May, we outlined the intention to prioritise investment to improve the mental health and well-being of children and young people with an additional £7m of funding. This includes £3.2m to improve services that support children and young people's mental health; £1.4m for Regional Partnership Boards to improve support in the community; and £2.5m to support the whole school approach to emotional mental health and wellbeing. Now that funding allocations have been agreed, following the agreement of all Local Health Boards (LHBs) wider mental health investment plans, I am pleased to be able to inform the Committee that LHBs have invested an additional £1m from the wider increase in mental health support. This is a significant investment that demonstrates our continued commitment to ensure that the mental health and well-being of our children and young people remains a priority.

The investment above includes support for health boards to make improvements to primary care CAMHS following the review by the NHS Delivery Unit. All health boards were requested to develop improvement plans which were subsequently reviewed both by officials and the NHS Delivery Unit to ensure that the actions align with the recommendations in the individual report received by health boards.

We are separately providing for the Committee's information the NHS Delivery Unit's national report prepared for the Welsh Government and the summary of the funding proposals received from health boards. The Committee should note that the summaries

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Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

reflect the original bids and approaches may have been adjusted following feedback from officials and the NHS Delivery unit. As you will be aware from the letter to health boards of 15 July, each health board has been asked to prepare a report for their Board, or appropriate subcommittee, which will be shared with the Committee.

In terms of support for children and young people with more complex needs, we agreed to provide further information following a meeting of key stakeholders including the Children's Commissioner, Welsh Health Specialised Services Committee (WHSSC), Healthcare Inspectorate Wales and officials from the Health and Social Services Group which took place in June. Following the meeting, it has been agreed that a task and finish programme of work should be established to develop and implement solutions for the small cohort of children who have complex needs which cannot be met solely in in-patient mental health or secure / residential settings. This new work programme recognises that there are a number of work streams which are already being taken forward in this area but all stakeholders agreed that there is a need for a shorter term, focused programme of work to accelerate actions to better integrate commissioning arrangements for the small cohort of children most at risk.

Additional resource has been allocated to ensure that this work is driven at pace and a steering group is being convened to bring together the existing work streams and to support the delivery of this new work. The group will be jointly chaired by senior officials in health and social care and will include WHSSC, HIW, Care Inspection Wales, local government, and the Children's Commissioner. We anticipate that the work will take no longer than six months from the date of the first steering group meeting and my expectation is that this programme of work will identify and drive forward solutions – we have been clear that this is not about producing another report for consideration.

With a view to extending capacity in our current tier 4 CAMHS units, WHSSC has launched a 4 week consultation on two new service specifications. The service specifications are intended to more clearly define the requirements of the current model of care and to allow the service to safely and effectively extending its capacity to care for young people with higher levels of clinical complexity. These new service specifications also include a comprehensive set of quality metrics to provide an overview of the safety, effectiveness and service-user experience of in-patient CAMHS. WHSSC will use these quality indicators to inform future service improvement and development and to facilitate benchmarking against other services.

We are also able to confirm the capital works in Ty Llidiard are completed.

Since our appearance at Committee in June, we have agreed an additional £2m investment in 2019-20 to support neurodevelopment services. We are also exploring options to undertake an in depth analysis of demand and capacity for ND services across health boards to support improvement planning now that new service has been operational for 2 years. This work will build upon the NHS Delivery Unit's review of primary care CAMHS.

In terms of the legacy of T4CYP, significant work has been undertaken over the summer as planned by the programme and officials. I recognise the progress made by the programme and the impact this has had on services. On that basis, as you know, I have agreed 'in principle' to support a refocused programme but I am awaiting a final proposal from the Programme. The response, which I am expecting to receive at the end of October will include the contributions from the Expert Reference Group and the wider Programme Board. I will then be in a position to agree the detail of the final programme.

In the meantime, the following table outlines the **draft** legacy arrangements including each of the previous T4CYP areas.

Area of Work Extended T4CYP Programme	Responsible (subject to agreement with Programme Board and stakeholders)	Accountable
Early Help and Enhanced support	T4CYP Chair of work stream	Programme Board T4CYP Joint Ministerial T&F Group <i>Linked also/updates reporting to Outcomes for Children MAG</i>
Regional Partnership Boards	T4CYP RPB Chair TBA Children's Commissioners team	Programme Board T4CYP Welsh Government – Social Services <i>Linked also/updates reporting to Joint Ministerial T&F Group and Outcomes for Children MAG</i>
Neurodevelopmental services that fall below "current thresholds"	T4CYP Clinical Leaders Group	Programme Board T4CYP <i>Linked also/updates reporting to Joint Ministerial T&F Group</i>
Area of Work Joint WG and T4CYP	Responsible (subject to agreement with Programme Board and stakeholders)	Accountable
National Youth Stakeholder Group	Joint - Welsh Government (Whole School Approach Team) and T4CYP	Welsh Government - Education
sCAMHS	Led by All Age mental health Network board sub group Supported by T4CYP	Chair - CAMHS & ED network Welsh Government <i>Linked also/updates reporting to Joint Ministerial T&F Group</i>
Workforce, education and development	Led by HEIW Supported by T4CYP	HEIW / Welsh Government <i>Linked also/updates reporting Joint Ministerial T&F Group</i>
Neurodevelopmental Services (within the current threshold) including ALN, LD, IAS	Clinical Leaders Group Welsh Government – Led jointly by Mental Health and Social Services	Welsh Government (Health and Social Services)
Area of work Welsh Government	Forward Look Responsibility	Accountable
Whole school approach	Welsh Government – Whole School Approach Team)	Joint Ministerial T&F Group
Care transitions including age, cross sector and cross boundary	Welsh Government – Mental Health and Vulnerable Groups	Welsh Government (Mental Health and Vulnerable Groups Directorate) <i>Linked also/updates reporting Joint Ministerial T&F Group</i>
Cross sector secure care blueprint (including complex care)	Welsh Government – Led jointly by Mental Health and Social Services	Directors (Health and Social Services) and overseen by Outcomes for Children MAG <i>Linked also/updates reporting Joint Ministerial T&F Group</i>

I anticipate the T4CYP extension will be agreed until March 2021. However, this will include a provision to continue through to March 2022, subject to agreement by a new government.

The refocussed programme will need to have clear governance and reporting arrangements including for instance to the Ministerial Task and Finish Group for Whole School Approach. I will consider these arrangements when agreeing the final detail of the extended programme.

In relation to part 2 of your follow-up letter and the recommendations regarding the whole school approach, we believe we are making good progress in this area and in the specific areas raised in your letter – progress regarding training of school staff; development of the schools framework and implementation of the suicide and self-harm guidance.

As part of the £2.5m funding agreed in the current year to support the whole school work, we are working with local authorities to target support on a number of priority areas which supports the whole school work programme. This includes improving the provision of statutory counselling services; training existing teachers and other school staff on own and child good mental health; and delivering specific mental wellbeing interventions in schools. In total £1.5m of the available funding has been made available to local authorities for this work.

In relation to training, the focus will be on improving teachers and wider school staff (from senior management to junior staff) understanding of their own emotional and mental wellbeing and the emotional and mental wellbeing of children. Public Health Wales are developing good practice guidance to support local authorities and schools based on the delivery of training under the CAMHS school in-reach pilots. The guidance will include intelligence on what teachers and wider school based staff are saying they need to know, learning outcomes and the evidence based interventions and programmes that may address these.

In addition, you are aware from our evidence to Committee in June, that we are progressing discussions with universities over the potential to develop initial teacher training modules on child development, emotional and mental wellbeing. Universities have been very receptive to this approach and as indicated in the evidence, the intention is to have these modules available for the September 2020 student teacher intake. As the work progresses we will examine the extent to which the modules can also be adopted by existing teachers as part of their continuous professional development.

In relation to the schools framework, we indicated at Committee that we would have a draft available for consultation towards the end of the year. Over the course of the summer officials have been working to draw all the evidence and comments provided by stakeholders together into a first draft of the document. This includes comments from the Stakeholder Reference Group, on which you sit and which considered an outline of the framework at its last meeting. A draft has now been circulated to the Reference Group and other key stakeholders, including teacher representatives. The Stakeholder Group meeting on 7 October considered the document and has been invited to submit comments and suggested amendments, with a view to the second iteration being provided to Ministerial Group members for comment, prior to finalising the document for formal consultation.

As for our work in relation to suicide and self-harm prevention in schools, we want to thank you and the Committee for your commitment to this important issue. The guidance for schools was warmly received when it was launched on World Suicide Prevention Day on 10 September at the Samaritans' offices in Cardiff, which you also attended. As indicated in our evidence to Committee, we are keen to develop this area to support teachers, students and others working with children. Officials are in discussion with Professor Ann John and Swansea University, to develop work on better understanding bystander interventions, and also empathetic responses to distressed posts and cyber bullying on social media. This work will be coproduced with children and will lead to a toolkit, specifically aimed at young people to improve their knowledge, understanding and support them on this important issue. We are currently waiting on some further information from Professor John to support the proposal and hope to formally announce the work before the end of the year.

We will continue to report progress through the Joint Ministerial Group which next meets on 4 November.

Finally, the Committee will be aware that we have positioned improving mental health and well-being of children and young people as a key priority in the third and final *Together for Mental Health Delivery Plan*. The consultation on the plan closed on 31 August and the overwhelming feedback from stakeholders supports the plan's emphasis on improving the mental health of children and young people. I expect to publish the plan later this year.

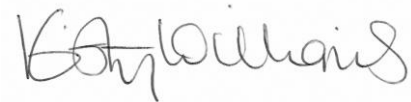
We note the further recommendations made by the Committee in its letter of 8 August 2019, many of which relate to existing recommendations. We hope that this additional information, along with our previous updates, assure the Committee of the progress being made to implement the Welsh Government's response to the Committee's Mind over Matter report.

Yours sincerely,



Vaughan Gething AC/AM

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Kirsty Williams AC/AM

Y Gweinidog Addysg
Minister for Education

Agenda Item 4.4

CYPE(5)-30-19 - Paper to note 4

Julie Morgan AC/AM
Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol
Deputy Minister for Health and Social Services

Our ref: MA-L/JM/0747/19

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



Llywodraeth Cymru
Welsh Government

24 October 2019

Dear Lynne,

This letter alerts you to the issue of amended Directions for the delivery of the National Adoption Service for Wales.

The Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) (Amendment) Directions 2019 have been issued under the Adoption and Children Act 2002, as amended by Part 9 of the Social Services and Well-being (Wales) Act 2014, and came into effect on 1 October 2019.

These Directions amend the principal Directions (The Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015) to require local authorities in Wales to refer

- (i) the details of prospective adopters once they are approved; and
- (ii) the details of children whom the local authority has been authorised to place for adoption

to the Wales Adoption Register within one month, rather than three months as previously.

This gives effect to the relevant elements of Welsh Government Consultation WG36071 (Regulations to introduce a two-stage approval process for adopters), which was issued on 3 October 2018.

Yours sincerely

Julie Morgan AC/AM
Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol
Deputy Minister for Health and Social Services

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Agenda Item 4.5

CYPE(5)-30-19 - Paper to note 5

Sent by email to:
Lynne Neagle AM
Children, Young People and Education Committee
National Assembly for Wales



24 October 2019

Dear Lynne

Discontinuation of the Foundation (Post-16) and National (Post-16) Skills Challenge Certificate (SCC) qualifications

I am writing to let you know that Qualifications Wales has decided, in agreement with WJEC and Welsh Government, that two of the four available Skills Challenge Certificate (SCC) qualifications will be discontinued next year.

As a reminder, the four SCC qualifications currently available are:

SCC qualification	When and where studied (typically)
Foundation/National SCC	Alongside GCSEs, by learners in years 10 and 11 in schools.
Foundation (Post-16) SCC	Alongside other level 1 qualifications by post-16 learners in sixth forms and colleges.
National (Post-16) SCC	Alongside other level 2 qualifications by post-16 learners in sixth forms and colleges.
Advanced SCC	Alongside A levels and other level 3 qualifications in sixth forms and colleges.

The two qualifications being discontinued are the Foundation (Post-16) SCC and the National (Post-16) SCC.

We will continue to work with stakeholders to develop proposals for improving the design of the remaining two Skills Challenge Certificate qualifications. We will consult on proposed changes to these qualifications in 2020.

We do not consider that discontinuing the Post-16 SCC qualifications will put the reasonable needs of learners at risk. Learners who do not achieve one or more component of the Foundation / National SCC qualification in school may, if they so wish, retake components of that qualification in post-16 settings.

Reducing the number of different SCC qualifications will make it simpler to raise awareness and explain the benefits of the remaining two SCC qualifications and the overall Welsh Bacc.

We are communicating this decision today via a blog (attached) on our website. We are also writing to key stakeholders to inform them of the decision.

I hope you find this information helpful. If you require any further information, please do not hesitate to contact me (emyr.george@qualificationswales.org).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Emyr George', is written over a light grey grid background.

Emyr George

Director Qualifications Policy and Reform

SCC blog - autumn 2019

Future Skills Set for a Boost

Over recent months we've been working with stakeholders to consider how we can improve the Advanced and Foundation/National Skills Challenge Certificate (SCC) qualifications. We've also been thinking about the range of Skills Challenge Certificates (the qualifications at the heart of the Welsh Baccalaureate) that are available.

Something many people aren't aware of is there are currently four different Skills Challenge Certificate qualifications available. This can make it harder to explain what the Welsh Bacc is and how the Skills Challenge Certificate fits into it, especially as the SCC is only one of a number of qualifications that make up a Welsh Bacc award.

The four SCC qualifications currently available are:

SCC qualification	When and where studied (typically)
Foundation/National SCC	Alongside GCSEs, by learners in years 10 and 11 in schools.
Foundation (Post-16) SCC	Alongside other level 1 qualifications by post-16 learners in sixth forms and colleges.
National (Post-16) SCC	Alongside other level 2 qualifications by post-16 learners in sixth forms and colleges.
Advanced SCC	Alongside A levels and other level 3 qualifications in sixth forms and colleges.

There is a big difference in the numbers of learners that take each of these four qualifications. For example, the Advanced SCC is taken by around 12,000 learners each year, that's about three quarters of all the learners studying A levels and other level 3 qualifications in colleges and sixth forms. The Foundation/National SCC is taken by more than double the number taking the Advanced, with nearly all Year 11 learners in Wales completing the qualification in schools. That's why we are taking the time and effort to make them as good as they can be.

On the other hand, the Foundation (Post-16) SCC and National (Post-16) SCC are taken by very few learners. There may be many reasons for this, but one could be because learners are now able to re-sit components of the key stage 4 version when in post-16 settings.

We have decided, with agreement from WJEC and Welsh Government, that the Foundation (Post-16) SCC and the National (Post-16) SCC will be discontinued next

year (from 31 August 2020). This means that the learners who started on their courses for these qualifications in September this year will be the last cohort to take these two qualifications. We have written to key stakeholders to notify them of this decision.

Reducing the number of Skills Challenge Certificate qualifications from four to two will help make the overall Welsh Bacc simpler to understand and to explain. And it will also allow us to focus our efforts to strengthen the design of the Advanced and Foundation/National Skills Challenge Certificate qualifications.

We are making steady progress on developing ideas for possible changes. This year we will continue to work in collaboration with practitioners and wider stakeholders to further test our thinking. We will consult on proposals for possible changes in 2020. As always, we'll continue to keep you posted through our regular blog.

Agenda Item 8

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

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