Children’s Rights in Wales 2013

Introduction:

The United Nations Convention on the Rights of the Child (UNCRC) is an important agreement that lists and protects the rights of children.

The Welsh Government is determined to make sure that all children and young people across Wales are aware of and can access their rights as this will have a positive impact on their lives. Since May 2011 it has been in law that we must consider children’s rights when we develop or review all our legislation and policies and from May 2014 it will be at the heart of everything we do.

In January 2014 the UK Government will report to the UN Committee on the Rights of the Child on how Wales, Scotland, England and Northern Ireland are working to the UNCRC and how we’ve addressed the recommendations from the Committee in 2008.

Since 2008, we have taken a lot of action to address the recommendations for Wales. It is not possible for us to do everything that we want to because some laws and policies are still under UK Government control.

This is a summary of the report that we as the Welsh Government have sent to the UK Government. It gives a snapshot of the real impact and difference Wales is making to children and young people’s lives. We expect the UK Government to reflect the positive achievements in Wales in the final UK report that is submitted to the UN Committee on the Rights of the Child.

If you want to read the full report with more detail on the actions taken to address the recommendations for changes that the UN committee highlighted in 2008 you can find it here: http://wales.gov.uk/topics/childrenyoungpeople/publications/?lang=en

This report is divided into the seven chapters set by the UN:

1: General Measures of Implementation 3
2: General Principles 5
3: Civil Rights and Freedoms 7
4: Family Environment and Alternative Care 8
5: Basic Health and Welfare 10
6: Education, Leisure and Cultural Activities 12
7: Special Protection Measures 14
Conclusion 15
How?

We have placed children’s rights in legislation and policy.

We’re the first country in the UK to put children’s rights into law with the ‘Rights of Children and Young Persons (Wales) Measure 2011’.

This Measure has changed the way we work.

Welsh Ministers now consider children’s rights when making any new policies or laws.

In 2012 we produced ‘The Children’s Rights Scheme’ that:

• explains the processes that we have in place to consider children’s rights;
• defines the roles and responsibilities everyone has in making sure children and young people enjoy their rights;
• shows how that role should be carried out; and
• puts in place steps to challenge a minister if it’s thought that they’ve not considered children’s rights when making decisions.

When developing or reviewing policy or legislation that impacts on children and young people in Wales, we complete a Children’s Rights Impact Assessment (CRIA).
We promote, raise awareness, share good practice and provide training on the UNCRC.

We have:
- various on-line UNCRC training resources;
- funded and managed a ‘Train the Trainer’ programme so that the wider workforce are trained in children’s rights;
- a film with children and young people to promote the UNCRC;
- a children and young people’s version of the complaints procedure so they can have a voice if they think a minister has not considered their rights;
- developed our UNCRCletsgetitright.co.uk website; and much more.

We have also produced Wales’ first mobile app on Children’s Rights ‘Ein Hawliau - Cymru / Our Rights- Wales’.

We work with others to make sure everyone is working together to implement children’s rights.

We work to make sure that all legislation, regulations and statutory guidance we issue consider children’s rights. This has made a big difference when delivering services.

We continue to develop the way we collect data, monitor and review so we can see the impact these changes are making.

This raises awareness and knowledge of children’s rights which improves outcomes and wellbeing for children and young people.

We collect and analyse data that tells us if there is a positive impact on children and young people’s lives.

The Children and Wellbeing Monitor pulls together statistics and research from different sources and reports on a range of different child wellbeing indicators.

We have a National Action Plan for Children’s Rights.

The ‘Getting it Right Action Plan 2009’ was developed to bring together all plans that impact on children and young people, show how they are progressing and highlight any priority areas that need support.

We have a Children’s Commissioner for Wales.

We were the first country in the UK to appoint a Children’s Commissioner.

The Commissioner is a champion for children and young people in Wales and is separate from the Welsh Government. He has powers to challenge those who deliver services for children and young people.
We have made sure that children and young people do not face discrimination.

We have many different strategies in place to make sure this happens for example the Strategic Equality Plan (SEP) and the Gypsy and Traveller Framework for Action and Delivery Plan.

We have developed ‘The Welsh Language (Wales) Measure 2011’.

This puts in place standards so that services are now expected to be available bilingually so that there’s a choice.

We have a ‘Framework for Action on Independent Living’.

This framework sets out an action plan to promote the rights of disabled people and supports them to have independent lives.

We focus on a child’s right to life, survival and development.

There are some great projects and plans that support this across Wales for example the ‘Building a Brighter Future: Early Years and Childcare Plan’ and the ‘Strategic Vision for Maternity Services in Wales’.

We have a way to review serious child protection cases.

In January 2013 the Child Practice Review Framework was introduced.
The Children’s and Families (Wales) Measure 2010 focuses on the rights that children and young people have to participate. It placed a duty on every local authority to promote participation and make sure that there are ways for them to get involved.

The Children and Young People’s Participation Guidance made it clear to local authorities that all children and young people should be given opportunities to participate as an individual in the day to day running of services as well as through forums.

We respect the views of children and young people.

We have advocacy support for children and young people who need it.

 Sometimes children and young people need the support of an advocate to help them have their say.

We have:
• launched Meic an information and advocacy helpline available 24/7;
• consulted on a National Standards and Outcomes Framework for Children and Young People’s Advocacy Service in Wales;
• established a Ministerial Expert Group on Advocacy for children and young people (MEGA);
• established a young people’s expert group on advocacy; and
• contributed to the development of a National Qualification in Independent Advocacy.

We have increased other opportunities for children and young people to participate, including through the media.

To celebrate the 20th anniversary of the UNCRC we launched the ‘Tell it like it is’ media toolkit that gives information to promote positive images of children and young people, shares good practice and shows how to use social media better.

We help children and young people to participate with national support.

As well as government departments supporting participation, we have funded Funky Dragon to run youth forums and have elected representatives to engage with organisations, decision-makers, promote children’s rights, and raise awareness of the UNCRC.
3: Civil Rights and Freedoms

The UNCRC says that children and young people are entitled to the freedom to form an opinion, freedom to participate and take part in decision-making, freedom of expression, freedom of association, freedom of religion and freedom of information.

We support children and young people so they can enjoy these rights and freedoms.

How?

We have focused on community safety.

Although the criminal justice system is controlled by the UK Government, we have action plans, approaches to policing and youth service provision that have reduced the use of Anti-Social Behaviour Orders in Wales.

An example of a programme that has helped this is the All Wales School Liaison Core Programme (AWSLCP) that is in 98.5% of schools.

We have encouraged positive images in the media.

We have produced media toolkits and endorsed ‘See me - Dyma Fi’, a website that challenges stereotypes of young people.
http://seeme-dymafi.org.uk

We have promoted positive parenting and highlight alternatives to physical punishment.

We want to continue to support families with advice and information on how to gain the skills to promote positive parenting through support services like Flying Start, Families First, and Communities First.

The Birth to Five Booklet is free to all mothers in Wales and has a section on dealing with challenging behaviour.
4: Family Environment and Alternative Care

The UNCRC recognises the family as the best way to protect and provide a healthy lifestyle. It also recognises that the government has some responsibilities for a child’s wellbeing. This is because not every parent is capable or willing to provide positive parenting and not every child can benefit from being with family.

We support children and young people to have a healthy family environment or alternative care.

How?

We know that early intervention is best for children and young people so we aim to step in early to give them the support they need.

The Families First Programme is designed to do this and make sure that all services work together to support the whole family in a Team Around the Family (TAF) approach.

We have a Flying Start Programme.

This programme offers free childcare, health visiting, and support to families with young children.

We have new models of working like our Integrated Family Support Service (IFFS).

This has changed the way that services are organised and delivered to vulnerable children and young people.

We have a new way of delivering social services.

The Social Services and Wellbeing (Wales) Bill focuses on stepping in early to support families so that issues are dealt with quickly. It also has safeguarding structures.

We protect the rights of children of prisoners.

We have a number of programmes that do this including making sure there is a lead person on the National Offender Management Service Children and Family Pathway.
We have focused on tackling domestic abuse.

The ‘10,000 Safer Lives Project’ helps to make sure that services are able to identify the signs of domestic abuse and support those who need help. Going forward we have a new law aimed at ending violence against women, domestic abuse and sexual violence.

We have a Childcare Policy in Wales.

Childcare plays an important part in families and it also helps tackle child poverty. In 2012-2013 we invested £150 million in early education and childcare through our ‘Building A Brighter Future - Early Years and Childcare Plan’.

We continue to support adoption.

The Social Services and Wellbeing (Wales) Bill will place a duty on local authorities and Local Health Boards to assess the services they have to support adoption. This will simplify the process and create one single adoption agency.

We support children through the court process.

Children and Families Court Advisory and Support Service (CAFCASS) Cymru support and safeguard children in family proceedings, making sure that they have a voice in decisions that affect their lives.

We have focused on Youth Engagement and Progression so we have better outcomes for young people.

The Tackling Poverty Action Plan (2012) is our commitment to reduce the number of young people who are not in education, employment or training (NEET). The Youth Engagement and Progression Framework sets out how we will do this.
We have improved services for disabled children.

We have done this by having a National Service Framework for Children and Young People and Maternity Services (NSF) that gives us a framework for children’s services and sets standards for improving delivery and coordination of services to disabled children.

We have improved health and health services.

A Vision for Health Visiting Services in Wales sets out goals to maximise the difference health visitors and good health services can make in a child’s life.

The Social Services and Wellbeing (Wales) Bill will change how social services are provided and will help make sure children and young people get their rights.

We have a school nurse in every secondary school.

This helps schools promote health and wellbeing and improve the health of pupils.

We support and fund counselling services.

School based counselling is really important. Through the School Standards and Organisation (Wales) Act 2013 we have placed a duty on local authorities to have counselling services. We have also supported them by having a School Based Counselling Toolkit.
We launched a programme to promote breast-feeding.

Two grants have been made available to local hospitals to make them more baby friendly, raise awareness of the benefits and encourage and support breast-feeding.

We have provided sexual health education in schools.

Wales has seen a decrease in teenage conceptions but we want it to be lower so we have the Sexual Health and Wellbeing Plan (2010/2015) and the Empowering to Choose project.

We have addressed issues on substance misuse.

Our Working Together to Reduce Harm Strategy is a ten-year plan to tackle drug, alcohol and other substance misuse.

We published guidance through the All Wales School Liaison Programmes (AWSLCP) for schools so young people know how to stay safe and free from crime.

We have programmes to discourage children, young people and parents from smoking.

These discourage smoking and support young people who want to give up smoking. The Fresh Start Wales Campaign helps to raise awareness with parents who smoke.

We have a Child Poverty Strategy.

This shows how we will improve outcomes for children and families on low incomes. It also sets out the need for Welsh Ministers to report on the progress they are making to reach these goals.
6: Education, Leisure and Cultural Activities

Children and young people have the right to an education, access recreational activities and a strong sense of their own cultural history and traditions.

We support children and young people to have their right to an education, leisure and cultural activities.

How?

We have strengthened pupil participation.

The School Councils (Wales) Regulation (2005) requires all schools to have a school council. Estyn reports (2011-2012) that in all schools it inspected, pupils and school councils contributed to decisions about school life.

We have made education, including vocational training and guidance, relevant to the needs of the child.

The national curriculum for 3-19 year olds was revised in 2008. This included:

- starting the ‘Foundation Phase’ for early years education;
- the School Effectiveness Framework (SEF); and
- the National Support Program to help raise the level of literacy and numeracy.

We have passed the School Standards and Organization (Wales) Bill 2012.

This sets out proposals to:

- drive up school improvement through statutory guidance;
- establish school based counselling;
- establish free school breakfasts; and
- make local authorities accountable for planning Welsh-medium provision.

We are going to improve the provision for children and young people with Special Educational Needs (SEN).

We have consulted on a proposal called Forward in Partnership for Children and Young People with Additional Needs to replace the way SEN are delivered.
We are improving educational attainment.

Educational attainment is gradually improving and we have seen improvements in the percentage of pupils achieving five grade A* to C GCSE’s.

We are promoting positive behaviour and inclusion.

The Behaving and Attending Action Plan (2011) and its update help to make sure teachers and staff have the skills to promote positive behaviour so that children and young people do not face exclusion.

We are reviewing activity for children and young people educated outside schools.

We recently reviewed Education Otherwise than at School (EOTAS) and exclusions so we know how best to move forward with future policies.

We have funded training on positive behaviour management.

This enabled over 3,600 teachers and staff to receive training.

We have made funding available to improve school attendance.

The All Wales Attendance Toolkit is a practice resource for Education Welfare Offices in Wales.

We are continuing to challenge bullying in schools.

Headteachers have to have a policy on why and how their school deals with bullying. We carried out a survey that pupils filled in themselves and found some positive results. The survey also uncovered gender differences in bullying as well as information on ‘cyber-bullying’.

We have become the first nation in the world to put the right to play in law.

All local authorities have a duty to assess the play opportunities in their area and have a three-year action plan.

We have given funding to the Sports Council for Wales so that more children and young people can take part in sports and launched programs like Change 4 Life and Start 4 Life.

We support learning through the arts and we continue to support the Arts Council for Wales.

We are building on the important role of the Youth Service.

We are currently consulting on a New Youth Work Strategy in Wales to ensure the youth service becomes more involved in the education system and impacts more on young people’s lives.
We support children and young people to have their rights protected.

How?

We continue to safeguard children and young people at risk of Sale, Trafficking and Abduction.

Safeguarding Children who may have been trafficked was published in 2008 and put a responsibility on Local Service Children’s Boards to support and account for the needs of children who have been trafficked.

The All Wales Child Protection Procedure Group produced an action guide so that all services know what to do if they think a child has been, or is in danger of being trafficked.

Wales is the first country in the UK to appoint an Anti-Trafficking Co-ordinator. This role supports making Wales a hostile place for human trafficking. We have also developed training around forced marriages, genital mutilation and honour-based violence.

We will continue to safeguard against sexual exploitation.

The ‘Safeguarding Children and Young People from Sexual Exploitation’ is guidance that supports local authorities and those working in services to identify children at risk, take steps to protect them and take action against perpetrators.

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 means that a child in youth detention accommodation must be treated the same as any other child who is looked after. This means that they must get the support they need in custody and have a plan for their release.

We support Gypsy, Traveller and Roma children in having their rights.

We have many different strategies in place to support them getting the services they need.
Conclusion

The Rights of Children and Young Persons (Wales) Measure 2011 shows our commitment to children’s rights. It has changed the way we work and we are aware that because it is still in the early stages there are lessons we are learning in implementing it.

We are excited to be leading the way in implementing the UNCRC and to have this opportunity to report on the great work we are doing in Wales.

You can read the full report here:
http://wales.gov.uk/topics/childrenyoungpeople/publications/?lang=en

We support Asylum-seeking, migrant and refugee children in having their rights.

Wales is changing and although Immigration and Asylum Seeking/Refugee is the responsibility of the UK Government we want all children and young people who live here to have their rights. As part of this we have:

- The Refugee Inclusion Strategy;
- The Community Cohesion Strategy;
- The Many Voices, One Wales DVD; and
- The new Minority Ethnic Achievement Grant (MEAG).

We have an age assessment of unaccompanied asylum seeking children (UASC).

The Wales Migration Partnership (WMP) will carry out research on age assessment so that we can help support and safeguard unaccompanied asylum seeking children.

We support young carers to enjoy their rights.

The Carers Strategy For Wales gives a framework on how services work together to support carers. Young Carers have specific needs and need support to have their rights to enjoy childhood.