



Llywodraeth Cymru
Welsh Government

Report on the compliance with the duty under section 1 of the Rights of Children and Young Persons (Wales) Measure 2011

June 2015 – January 2018



Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

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Ministerial Foreword

This report is an opportunity for me, and colleagues in the Welsh Government, to reflect on how we have acted on our commitment to the United Nations Convention on the Rights of the Child over the last few years; and just as importantly, to consider how we can continue to reap the benefits of placing children's and young people's rights at the heart of our work in years to come.

Since my appointment as Minister for Children and Social Care in November 2017, I have had the opportunity to find out about some of the excellent work being carried out by so many dedicated people and organisations across Wales, working with children and young people to help them develop and attain their true potential. I am sure that I have, so far, only scratched the surface, and look forward to many further opportunities to find out more by speaking to children and young people and the adults who work with them.

I have already seen that children and young people can benefit enormously from a better understanding of their rights: that they, and other children, are entitled to feel safe and nurtured and have the opportunity to develop to their full potential; and that they have the right to speak up to make sure their own, and other children's, rights are respected.

In legislation, the duty on Welsh Ministers is to have due regard to the requirements of the UNCRC when we exercise our functions. I would like to move beyond the words on the statute book to think about what this really means in practice. I have therefore looked at our work and commitment to the UNCRC over the last few years in the light of guidance which has been issued by the office of the Children's Commissioner for Wales: *The Right Way: A Children's Rights Approach in Wales*¹.

The Right Way explains how the rights set out in the UNCRC cover the three main themes of Participation, Provision and Protection, and provides a framework of five principles which underpin a children's rights approach.

¹ <https://www.childcomwales.org.uk/wp-content/uploads/2017/04/The-Right-Way.pdf>

I have found it helpful to look at our work under these themes, and we will continue to review our work in these terms to ensure that we are giving proper consideration to children's rights in what we do.

Time does not stand still, and there has been so much progress since the first compliance report was published in 2013. I would like to pay tribute to my predecessors who have made this possible, and I look forward to the progress we can make in the future.

A handwritten signature in black ink, consisting of a large, stylized 'H' followed by a horizontal line and a flourish.

Huw Irranca-Davies

Minister for Children and Social Care



Introduction

The United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (UNCRC) brings together children and young people's human rights, up to the age of 18, into one international convention. The 54 articles of the Convention recognise children's basic human rights and provide them with additional rights to protect them from harm, as one of the most vulnerable social groups. The UNCRC covers many areas in a child's life and it sets out the civil, political, economic, social and cultural rights which all children are entitled to. The rights set out in the Convention fall under the three themes of Protection, Provision and Participation. The Welsh Government's approach to children's rights is based on its commitment to the UNCRC.

On 12 July 2016, the United Nations Committee on the Rights of the Child published its report on the United Kingdom's progress in implementing children's rights since it had last reported in 2008. Some of the Committee's Concluding Observations were specifically directed at, or relevant to, the Welsh Government. The former Cabinet Secretary for Communities and Children issued a written statement² on the Welsh Government's response to the Committee's Observations on 12 July 2017.

There has been progress since this statement was issued. For example, the Welsh Government has announced its intention that 16 and 17 year olds will be able to vote at the next local elections, as part of its proposals to reform electoral arrangements in local government³. We are also consulting on our legislative proposal to remove the defence of reasonable punishment⁴. The National Assembly for Wales Commission has confirmed the establishment of a Welsh Youth Parliament, and announced that its first elections will be held in November 2018.

The UN Committee's Concluding Observations covered a wide range of issues which we continue to consider and address. We are assisted and scrutinised in doing so by the UNCRC Monitoring Group for Wales, and the National Assembly for Wales and its Children Young People and Education Committee.

The Welsh Government recognises the UN Committee's concerns about the two general principles of non-discrimination and child participation. These principles are discussed under the relevant headings below.

² The written statement can be found at:

<http://gov.wales/about/cabinet/cabinetstatements/2017/anniversaryuncrcobservationreport/?lang=en>

³ The Cabinet Secretary for Local Government and Public Services' oral statement on reforming electoral arrangements in local government can be found at:

<http://gov.wales/about/cabinet/cabinetstatements/2018/electoralreform/?lang=en>

⁴ The Welsh Government is committed to bringing to an end the corporal punishment of children by removing the defence of reasonable punishment in Wales. The consultation on the Welsh Government's legislative proposal can be found at <https://beta.gov.wales/legislative-proposal-remove-defence-reasonable-punishment>

Compliance Report

This report sets out how the Welsh Government has complied with Welsh Ministers' duty to have due regard to the requirements of the UNCRC⁵.

It also covers some of our wider work related to children's rights, and promoting awareness of them outside the sphere of our own organisation.

The revised Children's Rights Scheme⁶, published in 2014, sets out the arrangements that the Welsh Ministers have in place to make sure that they have due regard to the UNCRC when exercising their functions.

This third compliance report covers the period 1 June 2015 to 31 January 2018.

Structure of the report

In March 2017 the Children's Commissioner for Wales published a guide called *The Right Way: A Children's Rights Approach in Wales*.⁷ The guide is intended to offer a practical framework, grounded in the UNCRC, which can help public bodies to integrate children's rights into every aspect of decision-making, policy and practice. To demonstrate the Welsh Government's commitment to children's rights, and encourage other public bodies to make use of the framework, we have structured this Compliance Report around the five principles of a Children's Rights Approach.

The Children's Rights Scheme

The current Scheme reflects the arrangements which were in place in 2014 to implement the Measure. It has provided a valuable framework for the Welsh Government's work in implementing the duty to have due regard to the UNCRC.

We believe it is now time to reflect on the progress made in relation to children's rights, and review the Scheme to bring it up to date. Overall, we believe the Welsh Government's focus should increasingly be on outcomes – the change brought about for children and young people – rather than just on outputs. Measuring data such as levels of activity or numbers reached is justified in some instances, but we need to think carefully about the purpose of collecting this data, and what it tells us about improving outcomes for children and young people. We will give full consideration to this over the coming months, in consultation with children and young people, the Children's Commissioner for Wales and other stakeholder groups, before proposing any changes or seeking the National Assembly for Wales' approval. Our aim will be to complete this work by the end of 2018.

⁵ The due regard duty is set out in section 1 of the Rights of Children and Young Persons (Wales) Measure 2011. The requirement to publish a compliance report is set out in section 4 of the Measure.

⁶ <https://documents.hf.wales.gov.uk/id:A7178802/document/versions/published>

⁷ <https://www.childcomwales.org.uk/wp-content/uploads/2017/04/The-Right-Way.pdf>

1. Embedding Children's Rights

This is about integrating the UNCRC in decision-making through procedures and actions.

Internal structures

Children's Branch

Within Welsh Government, the Children's Branch leads on the implementation of the Measure, supporting the due regard duty across the organisation, and taking the lead in promoting children's rights both within and outside Welsh Government. The responsibilities of the Children's Branch in respect of children's rights are set out on pages 19 and 20 of the Children's Rights Scheme.⁸ In addition, the branch has a cross-government overarching role leading on children's issues, working to ensure all children and young people in Wales have the best possible start in life and are able to achieve their potential.

The branch's work in relation to children's rights includes:

Raising awareness of children's rights and the duties in the Measure

- Advice to Welsh Government officials on children's rights and Welsh Ministers' duties in relation to the UNCRC.
- Maintaining the Children's Rights Wales website and Twitter account.
- Developing materials for raising awareness of children's rights, making these available on the Children's Rights Wales website and providing resources free of charge to groups, organisations and schools who wish to use them.
- Commissioning, co-ordinating and supporting training: e-learning for Welsh Government staff; training provided to the children's workforce by Children in Wales under grant funding from the Welsh Government; and a contract with University Wales Trinity St David and Eliesha Cymru to develop and deliver sector specific training to professionals working with or for children and young people.

Welsh Ministers' duty of due regard to the UNCRC

- Promoting and advising on the use of CRIAs across Welsh Government, including proposals for an integrated impact assessment encompassing the CRIA.
- Maintaining and managing the CRIA database and newsletter.

⁸ At the time the Children's Rights Scheme was agreed, the team leading on children's rights was known as the Measure Implementation Team. The responsibilities remain the same, but are now within the remit of the Children's Branch.

Participation by children and young people

- Promoting participation by children and young people in decisions which affect them, particularly across Welsh Government but also liaising with local authorities and others on wider participation.
- Managing grant awarded to Children in Wales to establish and run Young Wales, to promote wider participation by children and young people across Wales.

UNCRC monitoring

- Considering and monitoring the Welsh Government's response to the recommendations of the UN Committee on the Rights of the Child.

Liaising with stakeholders

- Liaising and consulting with organisations and groups with a focus on children's rights, including the Children's Commissioner for Wales, Children in Wales, Unicef UK, Wales Observatory on Human Rights of Children and Young People, Children in Wales, and the Participation Workers' Network.

Internal Children's Network

On a strategic level, an Internal Children's Network, which includes representation from those with an interest in children's issues across the government, meets on a regular basis to discuss children's issues, policies and programmes, including children's rights, and to identify opportunities for joint working across government and with external stakeholders. Children's rights and the application of the due regard duty are an integral focus of the Network's discussions. The Network meets regularly for roundtable discussions to ensure consistency of policy, and has received a series of awareness-raising presentations on topics including Unicef UK's work in Wales, the ACE Support Hub for Wales, and CAF/CASS Cymru on parental conflict and separation.

External stakeholders

The Children's Rights Scheme refers to the Getting It Right Network, which had a broad membership across a range of stakeholders. The network played a key role in advising on the Programme for Children and Young People, which provided a government plan of action for children and young people in the last Assembly term, and was referenced by the UN Committee on the Rights of the Child in their Concluding Observations.⁹

⁹The Welsh Government has not published a separate Programme for Children and Young People for this Assembly term. We consider that our programme for children and young people is an integral part of the Welsh Government's National Strategy: Prosperity for All, and does not need to be represented separately.

The Getting It Right Network has now been replaced by the Children's Rights Advisory Group (CRAG), which has been established to provide advice and expertise on children's issues to the Welsh Government lead officials on children's rights. It has a standing membership drawn from Welsh Government, Children's Commissioner for Wales' office, Children in Wales, Unicef UK and Wales Observatory on the Human Rights of Children and Young People, with the option to draw on others to provide advice or expertise on specific policies, legislation or CRIAs. The CRAG's terms of reference were reviewed and agreed in December 2017, and meetings to facilitate the CRAG's advisory role are planned for 2018.

Effectiveness of the Children’s Rights Impact Assessment (CRIA)

Process

The CRIA is part of the Welsh Government’s procedures for ensuring that due regard is given to children’s rights when policies, programmes or legislation are being developed.

During the period of this report, 66 CRIAs have been completed. It is not possible to provide a clear departmental breakdown of the CRIAs for this period, as the organisational structure and composition of departments changed part way through. Therefore, the data is set out according to department in two separate charts: the first of these covers the period from May 2012 (i.e. prior to the beginning of this report period) to April 2016; the second covers the period from May 2016 to end January 2018.

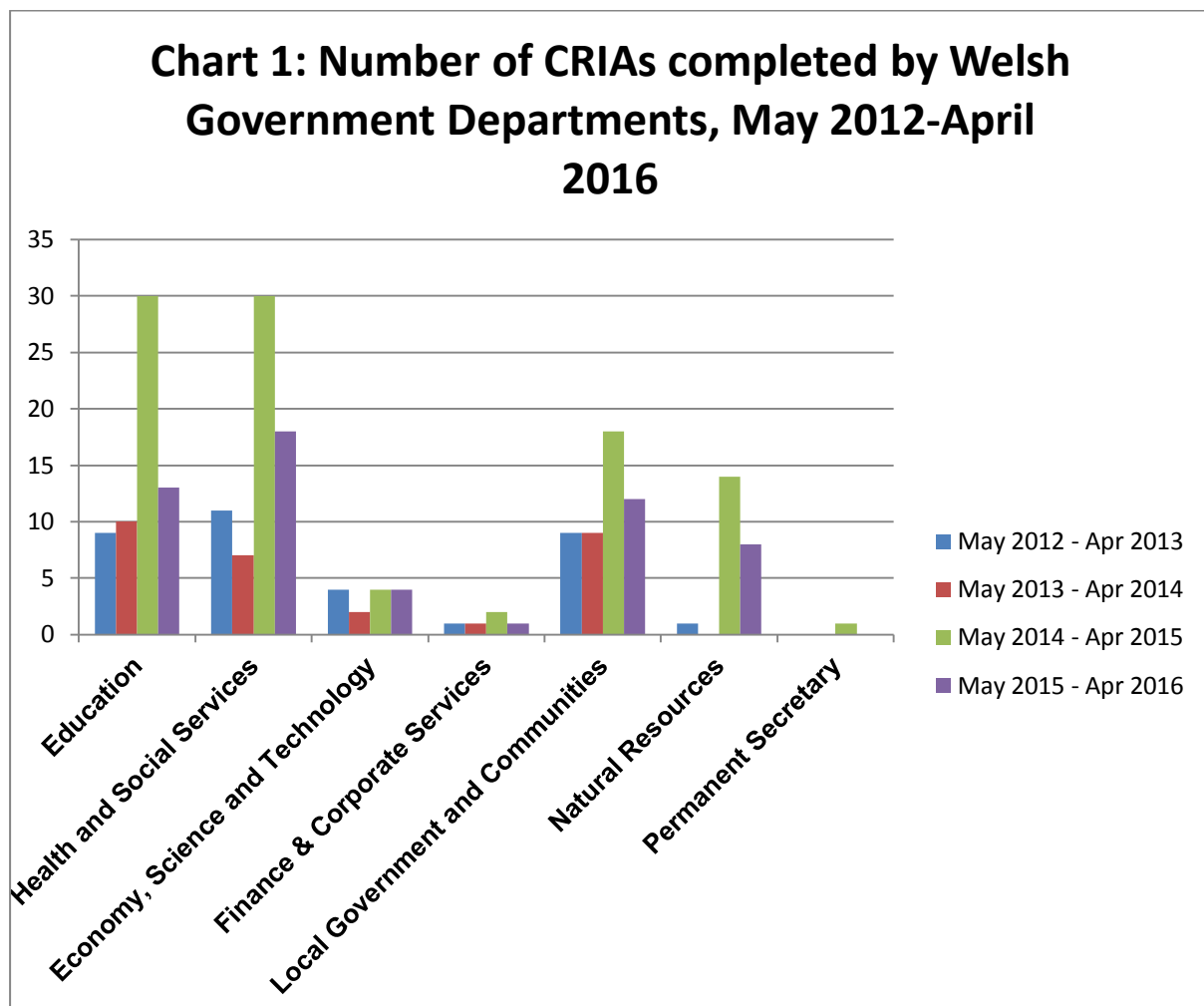
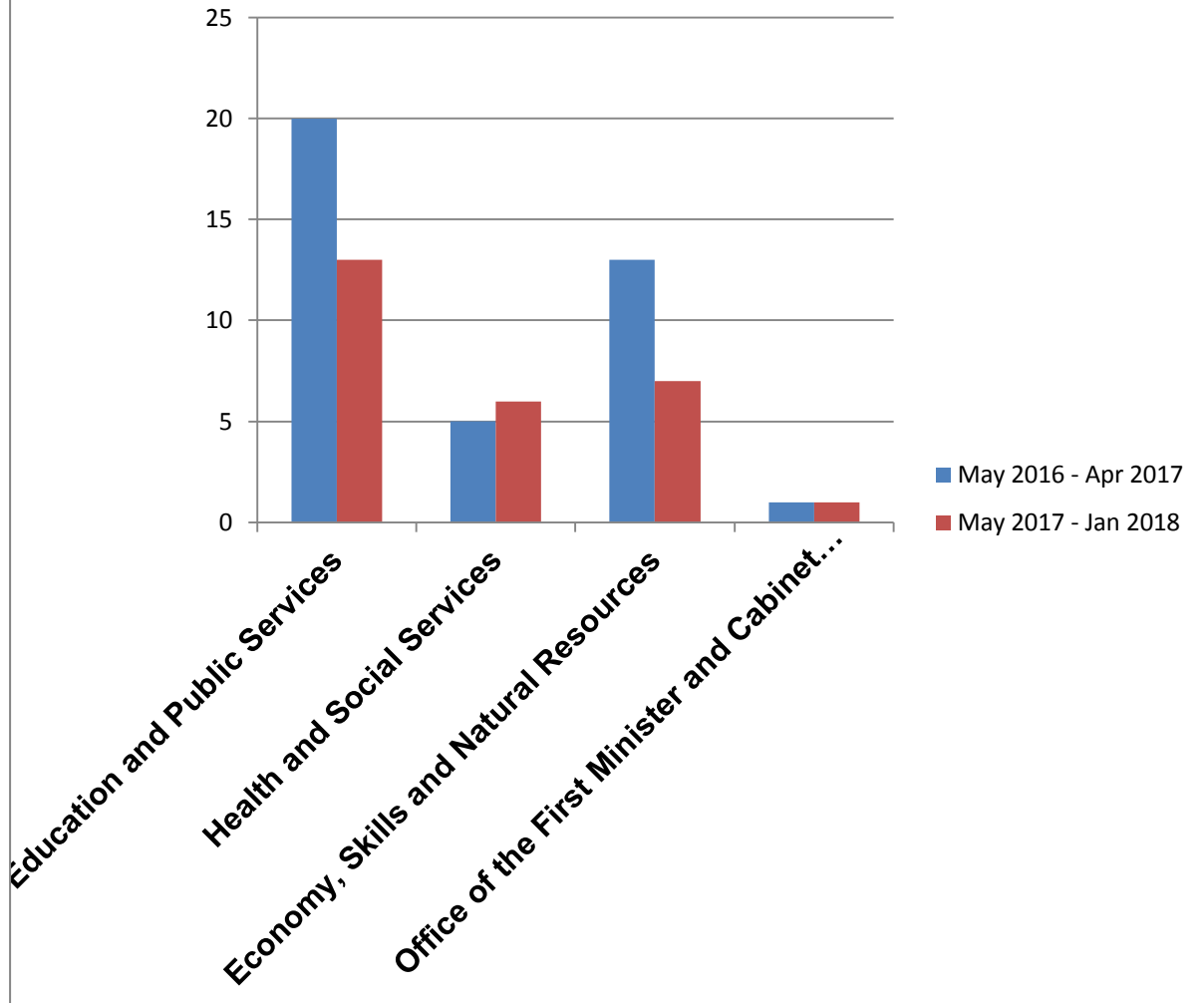


Chart 2: Number of CRIs completed by Welsh Government Departments, May 2016-January 2018



The CRIA is now an intrinsic part of policy making process within the Welsh Government. Information about the CRIA process, and our CRIA newsletter, is published on the Welsh Government website at <http://gov.wales/topics/people-and-communities/people/children-and-young-people/rights/childrens-rights-impact-assessments/?lang=en>.

In 2015, an evaluation of the Welsh Government's CRIA procedure was carried out, with a final report published in November 2015¹⁰. This made a number of recommendations, and a streamlined CRIA has been piloted within Welsh

¹⁰ Hoffman, S and Morse, C(2015), Evaluation of the Welsh Government's Child Rights Impact Assessment Procedure under the Children's Rights Scheme pursuant to the Rights of Children and Young Persons (Wales) Measure 2011. Swansea: Wales Observatory on Human Rights of Children and Young People <https://cronfa.swan.ac.uk/Record/cronfa30963>

Government in response to the recommendations. We are collecting views on how the streamlined CRIA was received, and will take account of this as we consider how the CRIA could be incorporated in an integrated impact assessment (see below for more on the proposal for an integrated impact assessment).

In September 2017, Unicef UK published a briefing on Strengthening Child Rights Impact Assessment in Wales¹¹. This referred to the 2015 Evaluation, and also made a number of recommendations.

The National Assembly for Wales' Children, Young People and Education Committee¹² and Committee for the Scrutiny of the First Minister¹³ have undertaken extensive scrutiny of the Welsh Government's approach to Children's Rights in recent months, with a particular emphasis on the effectiveness of the CRIA process in Welsh Government.

Key features of our approach to the CRIA process are:

- Availability of training on the UNCRC and CRIA process for all staff, with regular reminders to staff to undertake the training, through bulletins on staff news pages and poster campaigns;
- Availability of advice on CRIAs from officials advising on children's rights within the Children's branch; and
- Openness and transparency: CRIAs are either published as a matter of course (for example alongside the explanatory memorandum for legislation), or are listed in a regular newsletter and available on request.

For examples of recent CRIAs and how they have impacted on policy development, see the First Minister's response to additional queries raised by the Committee for Scrutiny of the First Minister¹⁴.

Our vision for policy making in Welsh Government is that all potential impacts, including those on children's and young people's rights, are identified and considered at the earliest possible stage, and are regularly reviewed after that as the policy is developed. Officials have, therefore, been working on an integrated impact

¹¹ https://www.unicef.org.uk/wp-content/uploads/2017/09/Unicef-UK-Briefing_Child-Rights-Impact-Assessment_Wales_September-2017.pdf

¹² The Cabinet Secretary for Health and Social Services and the Minister for Children and Social Services' letter to the Chair of the Children, Young People and Education Committee dated 1 December discussed the situations in which a CRIA or an integrated impact assessment would be carried out. A copy of the letter can be found here <http://senedd.assembly.wales/ieListDocuments.aspx?CId=443&MId=4320&Ver=4>

¹³ The Committee for the Scrutiny of the First Minister held a Ministerial Scrutiny session on the rights of children and young people on 27 October 2017. The transcript of this Ministerial Scrutiny session can be found at: <http://senedd.assembly.wales/documents/s68146/27%20October%202017.html?CT=2>

¹⁴ The First Minister's response to additional queries raised by the Committee for Scrutiny of the First Minister can be found here: <http://senedd.assembly.wales/ieListDocuments.aspx?CId=450&MId=4925&Ver=4>

assessment, which will encourage early and continual consideration of all potential impacts, including the detailed consideration which should be given to the assessment of the impact on children’s rights, and the mitigation of any possible adverse effects. The recommendations from the 2015 Evaluation of CRIA and the Unicef UK briefing are being considered as part of the process of developing the integrated impact assessment process.

Children’s Rights Training for Welsh Government Staff

Online training on children’s rights is available to all staff within Welsh Government, and is regularly advertised to staff through staff news pages and poster campaigns. The Minister for Children and Social Care has recently agreed funding to refresh and update the training, and to ensure that it meets current accessibility standards.

Over the period covered by this report (1 June 2015 – 23 January 2018), 648 staff members completed the online training. Table 1 below, provides a breakdown of the numbers of staff who have completed the training according to Welsh Government department.

Table 1: Numbers of Welsh Government staff completing online children’s rights training by department

Department	Number
Education and Public Services	155
Economy, Skills and Natural Resources	329
Health and Social Services	68
Office of the First Minister and Cabinet Office	96
TOTAL	648

This number is appreciably lower than the 1,049 members of staff who completed the training in the last year of the period covered by the 2015 Compliance Report. We cannot say for certain why the numbers completing the training have reduced, although it may be reasonable to expect lower numbers, once a core cohort of staff involved in development of policy and legislation have completed the training.

The key issue is to ensure, as far as practically possible, officials involved in developing policy, programmes and legislation are sufficiently aware of the Welsh Government’s commitment to children’s rights and the need to consider them at an early stage and throughout policy development. Often, officials will gain this awareness through direct interaction with Children’s Branch officials as well as through the online training; however we will consider the issue further in the next six to nine months, as we update the online training to improve its accessibility.

The update of the training, together with the work on an integrated impact assessment, will provide further opportunities to encourage staff to complete the training, if they have not done so already, or undertake refresher training if necessary.

Training for practitioners working with children and young people

The Welsh Government supports training for practitioners through a contract awarded to University Wales Trinity St David (UWTSD) and Eliesha Cymru to develop sector specific training, and through funding provided to Children in Wales.

Sector specific training contract

This is a contract to develop and deliver sector specific training over three years from October 2015 to October 2018.

The project aims to produce the following outcomes:

- to increase awareness of the UNCRC and children's rights in Wales;
- to increase understanding of how the sectors impact on children's rights; and
- to enable the sectors to realise their importance in enabling children and young people to access their rights and subsequently take ownership and integrate the training into their own workforce planning.

In years 1 and 2 of the contract, training was developed and delivered to practitioners in education, childcare, social care, police, youth justice and local authority sectors. In year 3, the target sectors are sport, health and media.

310 practitioners received training in year 1, and 238 in year 2. In year 1, 99% of participants, and in year 2, 100% of participants, rated the training as good, very good or excellent.

Over the next six months, we will consider whether there is a continuing need for sector specific training, bearing in mind its reach and potential impact on awareness of children's rights, and ultimately on positive outcomes for children and young people.

Children in Wales

Welsh Government provide grant funding to Children in Wales for a number of purposes, including to deliver learning and training sessions for a broad range of professions who work with, and for children and young people, on the UNCRC, children's participatory rights and methods of participation. Using this funding, Children in Wales develop and deliver eight training opportunities per year. In 2016-17, for example, they delivered 8 training events, in Rhyl, Wrexham, Cardiff, Swansea and Neath, reaching 160 professionals who work with children and young people.

Other activities to raise awareness of children's rights

We also raise awareness of children's rights through the following:

- A range of resources which we have developed to explain children's rights – we provide these free of charge upon request to organisations who wish to use them to raise awareness with children and young people, their families and those who work with them;
- A Children's Rights website which provides information on children's rights, including our range of resources;
- Children's Rights Twitter account;
- Attending events to distribute resources and raise awareness of children's rights.

In 2017, Unicef ambassador Michael Sheen agreed to support our work on promoting children's rights.

We will be reviewing our strategy for raising awareness of children's rights over the next year, including liaising with other organisations whose role involves raise awareness of children's rights, to ensure that our work is complementary, and to avoid duplication.

The role of Research and Evaluation: informing our approach to embedding and raising awareness of children's rights

The Welsh Government recognises the important role played by research and evaluation in supporting our implementation of a Children's Rights approach. This section of the report provides information on the 2015 Children and Young People Wellbeing Monitor and an analysis of findings from questions included in the Beaufort Children's Omnibus Survey on children's rights.

Children and Young People Wellbeing Monitor: 2015

The latest edition of the Children Young People Wellbeing Monitor for Wales¹⁵ was published in December 2015. The Monitor is published as a Government Social Research report, and includes input from Welsh Government social researchers, statisticians, economists and policy officials. The aim of the series is to provide a multi-dimensional picture of children and young people's wellbeing (aged 0 to 25) in Wales, using a variety of wellbeing indicators and other statistical and research sources. It comprises a key resource for those working on policy and programme development.

Previous editions have provided useful context to policy making relating to children and young people, such as child poverty and children's rights, and have helped work on measuring children and young people's wellbeing. The series has also served as a means of highlighting to the wider research community where information is currently missing. In addition, the series has been used by a number of Local Authorities/Local Service Boards for their Single Integrated Plans and outcomes analysis, as well as by other European countries developing their own indicator systems.

The aim of the 2015 edition was to produce an updated version of the 2011 Monitor. The new edition included new introductory and concluding sections on recent policy developments, improvements in the measurement of child wellbeing and international comparisons.

In terms of the key findings on children and young people's participation in decision making, there is a lack of Welsh specific data available on children and young people's views on participation in decision-making. There is no available data on the views of children aged under 16 on the extent to which they feel able to have a say on their local areas and communities. Evidence from the National Survey of Wales indicates that fewer young people aged 16 to 24 felt that they could influence decisions in their local area in 2013/14 compared to the previous year. There is also some evidence that fewer young people in this age group had had a personal experience of discrimination. However, the differences are relatively small and longer-term trend data would be needed to draw any firm conclusions.

¹⁵ <http://gov.wales/statistics-and-research/children-young-peoples-wellbeing-monitor-wales/?lang=en>

Figures from the 2013/2014 Health Behaviour of School-aged Children Survey¹⁶ suggest that 69.9% of year seven children (aged 11 to 12) feel their ideas are taken seriously in their school. However, by Year 11 (aged 15 to 16) this has dropped to 39.5%. These findings suggest that as pupils get older, the less control they feel they have over the tasks they complete and in decision making of the school.

Beaufort Children’s Omnibus Survey: Questions on Children’s Rights

The Welsh Government has included four questions on children’s rights in the Beaufort Children’s Omnibus Survey, covering the years 2015 to 2017. The survey is designed to be representative of the child and young adult population resident in Wales, aged 7-18 years old. The survey also uses sampling points to ensure a broadly representative geographical spread across Wales, each region and to cover a mixture of urban and rural areas.

The survey findings provide a useful indication of trends in children’s awareness of their rights during the three years, but they do not aim to identify the reasons for any of the trends observed.

Tables 2 to 5 setting out the data for 2015 – 2017 at a national level are included below. A summary of trends from the latest 2017 Beaufort Omnibus Survey, using the breakdowns for the regions, gender, socio-economic background and age are presented in Annex 1 (tables 6 to 9).

Children and young people’s awareness of children’s rights

Children and young people were asked whether they were aware that children up to the age of 18 have specific rights, in addition to the ones that adults have. Although we only have data for three years, the figures presented in Table 2 have remained at a broadly similar level, with a slight drop from 61% of children and young people reporting that they were aware of children’s rights to 58% in 2017.

Table 2: Children and young people’s awareness of children’s rights

	2015	2016	2017
Yes	61%	57%	58%
No	38%	41%	40%
Don’t know	2%	2%	1%
Base	500	507	530

Source: Beaufort Children’s Omnibus Survey 2015-2017, question ‘Do you know that children up to the age of 18 have specific rights which are in addition to rights that adults have? By rights, we mean being treated fairly, with respect and the opportunity to achieve what you want’

¹⁶ The Health Behaviour of School-aged Children (HSBC) Survey is an international survey of children in secondary school (aged 10 to 13). In Wales, the survey has a sample size of 9,055 pupils.

Children and young people’s awareness of the United Nations Convention of the Human Rights of the Child and where they find information on the Convention

Table 3 indicates that there has been a slight increase in the percentage of children and young people reporting that they have heard of the UNCRC. In both 2017 and 2016, over one in five young children have heard of the UNCRC (22%), an increase from 12% in 2015. Of the group of children and young people who are aware of the UNCRC, the trend has been for most to be aware through information they have received at school or university.

Table 3: Children and young people’s awareness of the United Nations Convention of the Human Rights of the Child and where they find information on the Convention

	2015	2016	2017
At school/university	12%	20%	20%
On the internet	3%	1%	2%
From reading a leaflet	1%	-	1%
At home	-	-	1%
Other	0%	5%	-
Heard of UNCRC	16%	22%	22%
No – never heard of UNCRC before today	84%	77%	77%
Don’t know	0%	0%	1%
Base	500	507	530

Source: Beaufort Children’s Omnibus Survey 2015-2017, question ‘The United Nations has a list of all the rights that children and young people have. The list is called the UNCRC. Before today, had you ever seen anything or heard anything about the UNCRC in any of the following places?’

Extent to which children and young people agree with the statement: Adults usually listen to the views of children and young people before making decisions that affect them

There has been a slight decrease in the percentage of children and young people who report that adults listen to them before making important decisions that affect them, during 2015 to 2017. In 2015, 74% of children and young people felt that they were listened to, which fell to 71% in both 2016 and 2017. However, 2017 did see a slight increase in the percentage of children who reported that they ‘agreed a lot’ that they were listened to (32%), up from 28% in both 2015 and 2016.

Table 4: Extent to which children and young people agree with the statement: Adults usually listen to the views of children and young people before making decisions that affect them

	2015	2016	2017
Agree a lot	28%	28%	32%
Agree a little	46%	43%	39%
Disagree a little	15%	17%	17%
Disagree a lot	8%	10%	7%
Don't know	4%	2%	5%
Base	500	507	530

Source: Beaufort Children’s Omnibus Survey 2015-2017, question ‘How much do you agree with the following statement: adults usually listen to the views of children and young people before making decisions that affect them?’

Who children and young people report they would talk to if they felt that adults weren't listening to their views before making important decisions that affect them

Table 5 indicates that most children and young people in Wales report that they would talk to their parents if they felt that adults weren't listening to them before making important decisions that affect them. However, there has been a substantial fall from 90% of children and young people reporting that they would speak to their parents in both 2016 and 2015 to 60% in 2017. During this time, there has also been a marked growth in the percentage of children and young people who report that they would talk to their friends (22% in 2017, from 2% in 2015).

Table 5: Who children and young people report they would talk to if they felt that adults weren't listening to their views before making important decisions that affect them

	2015	2016	2017
Parents	90%	90%	60%
Friends (including boyfriend/girlfriends)	2%	4%	22%
Teacher/School council	16%	14%	15%
Other relatives	11%	9%	7%
Grandparents	15%	13%	3%
Childline		1%	1%
Youth worker	2%	0%	1%
Counsellor/social worker	2%	0%	1%
Children's Commissioner for Wales	1%	-	-
Online bulletin board or forum	1%	-	-
Other	1%	1%	1%
None of these	2%	2%	-
Don't know	0%	-	4%

Source: Beaufort Children's Omnibus Survey 2015-2017, question 'who would you talk to if you needed to talk to an adult about something that was important to you?'

Overall, therefore, the results from the Beaufort research show that children and young people's awareness of children's rights and of the UNCRC has remained broadly the same over the last three years.

Next steps for us now are to consider:

- What further social research is required to assess levels of awareness, so that we can get behind the questions about children's rights and understand what makes children's rights "come alive" for children and young people?
- How we can work with others who also promote and raise awareness of children's rights, including the Children's Commissioner for Wales, Children in Wales, the Wales Observatory on the Human Rights of Children and Young People and Unicef UK, to have a greater impact on awareness levels.
- The relationship between awareness of children's rights and improving outcomes for children and young people, by giving them the best start in life and enabling them to reach their full potential.

2. Equality and Non-discrimination

This is about 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.

The UNCRC recognises that children and young people are a vulnerable social group and contains a series of Articles around the protection of their rights. The UNCRC makes it a duty for governments to protect children and young people and to provide rehabilitation for them, where necessary. This includes protection from: exploitation of children and young people at work; physical, sexual and psychological abuse; and discrimination and other treatments.

A key aspect of the Welsh Government's application of the due regard duty is to ensure that Wales' most vulnerable children and young people receive their rights. This commitment is set out in Prosperity for All, with the early years as a cross-cutting priority in this strategy. The Welsh Government's vision is for children from all backgrounds to have the best start in life.

We share the Children's Commissioner for Wales' ambition, as set out in the 'Right Way' guidance, for all children to have the opportunity to reach their full potential. This is central to the Welsh Government's Ambitious and Learning strategy, which aims for education to be the foundation for a lifetime of learning and achievement. Our central ambition of creating prosperity for all is underpinned by reducing inequality. The Welsh Government is committed to providing support for all children, particularly those from deprived backgrounds, to break the poverty cycle.

This commitment is also reflected in the housing cross-cutting priority which recognises that good quality homes enable individuals and families to flourish. There is evidence that shows links between cold, damp homes and respiratory disease and asthma. These health problems can contribute towards Adverse Childhood Experiences and negatively impact upon children's learning.

Some examples of Welsh Government policies, programmes, legislation or legislative proposals to promote equality or reduce discrimination

Transgender Action Plan

The Welsh Government is committed to driving forward actions to address discrimination, improve access to public services and tackle social stigmatisation, harassment and bullying for transgender people in Wales. The Welsh Government Action Plan to Advance Equality for Transgender People¹⁷ was published in March 2016 and set out positive examples of actions to advance equality for trans people. The Welsh Government consulted directly with trans young people in the development of the action plan and produced a children and young people's summary of it¹⁸.

Trans*Form Cymru

The Welsh Government provided Equality and Inclusion grant funding (2014 – 17) for Youth Cymru's Trans*Form Cymru project. The project empowered and supported trans people to access their rights, and provided support to youth-facing organisations to address the discrimination and exclusion often experienced by trans young people. The work was led by a steering group of young people who all identified on the trans spectrum.

Trans*Form Cymru produced a toolkit¹⁹ containing guidance for youth work organisations and a range of resources to use with young people to promote awareness of equality and diversity.

Additional Learning Needs and Education Tribunal (Wales) Act 2018

This Act received Royal Assent on 24 January, and is the cornerstone of the Welsh Government's Additional Learning Needs (ALN) Transformation Programme. This will transform the separate systems for special educational needs (SEN) in schools and learning difficulties and/or disabilities (LDD) in further education, to create a unified system for supporting learners from 0 to 25 with ALN.

The transformed system will:

- ensure that all learners with ALN are supported to overcome barriers to learning and can achieve their full potential
- improve the planning and delivery of support for learners from 0 to 25 with ALN, placing learners' needs, views, wishes and feelings at the heart of the process
- focus on the importance of identifying needs early and putting in place timely

¹⁷ <http://gov.wales/docs/dsjlg/publications/equality/160314-transgender-action-plan-en.pdf>

¹⁸ <http://gov.wales/docs/dsjlg/publications/equality/160314-transgender-action-plan-youth-en.pdf>

¹⁹ <http://youthcymru.org.uk/transform-cymru/> (English) and <http://youthcymru.org.uk/cy/trawsnewid-cymru/> (Cymraeg)

and effective interventions which are monitored and adapted to ensure they deliver the desired outcomes.

Children's and young people's rights were central to the development of the Act, and will be central to the Transformation Programme. The Act ensures that the child's and young person's voice is at the heart of decisions made about their ALN. The Act provides that the views, wishes and feelings of children and young people are taken into account, requiring that they are enabled to participate in a fully informed way, for example when preparing an individual development plan and reviewing it. The Act also places duties on local authorities, Local Health Boards and NHS trusts to have due regard to the United Nations Convention on the Rights of the Child in exercising their functions under the Act.

Legislative proposal to remove the defence of reasonable punishment

The Welsh Government is currently consulting²⁰ on a legislative proposal to remove this defence. The overarching objective of this proposed legislation is to support children's rights by prohibiting the use of corporal punishment, through the removal of the defence of this defence. This would remove the current anomaly whereby children have less protection with regard to physical punishment than adults.

The consultation will close on 2 April 2018. A child and young person's version of the consultation is also available²¹.

²⁰ Welsh Government consultation on Proposal to Remove the Defence of Reasonable Punishment: <https://beta.gov.wales/legislative-proposal-remove-defence-reasonable-punishment>

²¹ <https://beta.gov.wales/sites/default/files/consultations/2018-02/180109-legislation-young-persons-en.pdf>

3. Empowering Children

This is about enhancing children's capabilities as individuals so they are better able to take advantage of rights, and to engage with, influence and hold accountable those individuals and institutions that affect their lives. It includes giving children information to increase their understanding about human rights, and enabling them to make choices and affect outcomes for themselves and their families.

Some examples of programmes or policies through which the Welsh Government has sought to empower children and young people are set out below:

Eco-Schools programme

This programme is funded by Welsh Government's Rural Development Division, and delivered by Keep Wales Tidy.

Eco-Schools is a voluntary international programme covering 95% of schools and over 430,000 pupils. Schools start at Bronze and Silver levels and 800 schools have achieved the Green Flag Award. The programme is pupil-led and involves children and young people at all attainment levels in practical projects on eight topics (energy, water, transport, biodiversity, global citizenship, healthy living, waste minimisation and litter). High regard is paid to the Rights of the Child legislation as demonstrated by the case studies below carried out by Eco-Schools.

Garth Primary School, Bridgend County Borough

Global Citizenship Project to show the children in year six the differences between their and other children's lives, particularly the hardships that other children face. The project reminded the year six children of the promise that world leaders have made to get every child into education. The children made puppets/models of what makes a good world leader that were delivered to a local MP's office, who personally delivered them to Downing Street, to remind our leaders of the promise made. As an outcome pupils, who were sometimes quite negative about school, began to realise how fortunate they were to have an education and how they took school for granted. They showed empathy with the children speaking in the DVDs and the pictures in the posters. The project provided the children with a wider view of the world.

Manifesto for Change – Pupil Voice (covering Bridgend/Neath Port Talbot/Swansea) gives pupils an opportunity to express their thoughts on why they want to join the Eco-Committee and explain why their peers should vote for them. The project encourages the pupils (at all levels) to formalise their opinions on why they want to represent the school on the Eco-Committee. Pupils produced a manifesto and communicated it through speeches to their peers, or they produced posters. Whole school assemblies were used with parents invited to get the message out to the wider community. An additional outcome is the pupils are introduced to the democratic process, increasing their levels of understanding and participation.

Animations on Welsh Government legislation and topic areas

The Welsh Government has developed animations for an audience of any age group, including children and young people on the following Acts and topics:

- The New School Curriculum being developed for all settings and schools:
<http://gov.wales/topics/educationandskills/schoolshome/curriculuminwales/curriculum-for-wales-curriculum-for-life/?lang=en>
- Natural Resource Management
<http://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/find-out-more/natural-resources-management-in-wales-video/?lang=en>
- Environment (Wales) Act
<http://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/environment-act/environment-wales-act-video/?skip=1&lang=en>
- Well-being of Future Generations (Wales) Act 2015
<http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>
- National Development Framework <http://gov.wales/topics/planning/national-development-framework-for-wales/?lang=en>

Child and young person versions of Welsh Government publications

There are a number of examples of child and young person versions, including:

A child and young person's version of the Securing Wales' Future White Paper is available on the Welsh Government website at:

<https://beta.gov.wales/sites/default/files/2017-04/170424-securing-wales-future-yf-en.pdf>

A child and young person's version of the consultation on legislative proposals to remove the defence of reasonable punishment has been published alongside the main consultation document at:

https://consultations.gov.wales/sites/default/files/consultation_doc_files/180109-legislation-young-persons-en-v1.pdf

4. Participation

This 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.

The Welsh Government wants all children and young people to have opportunities to actively participate in decision-making at local, regional and national levels in Wales. Opportunities are presently provided through mechanisms such as school councils, youth forums and Cymru Ifanc Young Wales.

Young Wales

The Welsh Government provides funding for the Young Wales project, facilitated by Children in Wales, an umbrella organisation for children's organisations. 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 in order to reach children and young people who are marginalised, shy, disadvantaged, unconfident, or secluded, enabling them to also have a voice.

The National Context

Under Section 12 of the Children and Families (Wales) Measure 2010, the Welsh Government issued statutory guidance to Local Authorities to promote and facilitate participation by children and young people in decisions that might affect them. In 2015 this statutory guidance was updated to take account of the Well-being of Future Generations (Wales) Act 2015. The Act 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 the expectation is that the statutory guidance is to 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 each Local Authority to get a 'picture of participation' by understanding how this duty is being delivered locally. These visits have informed the Good Practice Guides for Children and Young People's Participation in Wales²², which provide examples of good practice found in Local Authorities.

National Children and Young People's Participation Standards

The Participation Standards have been reviewed and refreshed by a partnership between Youth Forum workers and Young Wales, and informed by consultations

²² <http://gov.wales/topics/people-and-communities/people/children-and-young-people/rights/ParticipationforChildrenandYoungPeople/?lang=en>

with young people. During 2017, the National Task & Finish Group worked on developing a new kite mark and self-assessment process and a new Charter mark.

The working group met in October to sign off this work allowing the refreshed Standards, Kite mark and Charter to be re-launched on 20th November²³ – United Nations Universal Children’s Day. The Standards identify the key issues that all workers should be aware of when working with children and young people in Wales. All the work was supported by grant funding from the Welsh Government. The Standards are also underpinned by the United Nations Convention on the Rights of the Child (UNCRC), and the Well-being of Future Generations (Wales) Act 2015, which puts the involvement of children at the heart of improving well-being.

Participation is an important part of the development of the Welsh Government’s policy and programme development, so that we can find out what children think and give serious consideration to that when we are making decisions. The following are some examples of how we have encouraged participation and engaged with children and young people.

CAFCASS Cymru

Following an inspection of Cafcass Cymru by CSSIW in November 2013, it was recommended that Cafcass Cymru should ‘develop and implement a children’s participation strategy’. The ‘Your Voice’ participation plan²⁴ was produced by Cafcass Cymru, after a period of research, engagement and consultation. The plan sets out a three year programme of projects to benefit the children and young people Cafcass Cymru works with. To date, ‘Your Voice’, has facilitated: young person-lead inspections of Cafcass Cymru’s offices, a rebranding of Cafcass Cymru, a rolling programme of staff induction and training delivered by local young people and new ways for young people to communicate with the judges and magistrates involved with their cases.

The Cafcass Cymru website has a dedicated section for children and young people, including information on the UNCRC, informational videos designed by young people themselves and areas of additional help and support²⁵.

International Green Growth Forum

Welsh Ministers working with the Climate Group hosted the International Green Growth Forum (IGGF) in Cardiff on 3 March 2016. The IGGF enabled discussions to take place on the future of the economy in Wales. Children and young people had an important stake in these discussions. A group of young people aged 16-18 were invited through the Welsh Government’s Young Entrepreneurship Strategy, from St David’s College, Cardiff. Speakers and delegates were drawn from regional

²³ Children in Wales press release 20 November 2017 <http://www.childreninwales.org.uk/news/news-archive/launch-refreshed-national-participation-standards-201117-w/>

²⁴ <http://gov.wales/docs/cafcass/publications/03022016YourVoiceparticipationplan2016en.pdf>

²⁵ http://cafcass.gov.wales/children_and_young_people/?lang=en

governments across the world, global businesses and companies and green growth 'influencers' from Wales. The students were pleased to be able to contribute through discussions with Ministers, business leaders and other influences they met. Following the IGGF, the students set up a Go Green Society to share key messages from the conference and to look at how they can encourage others to be involved in the agenda.

Budgeting workshops

Young Wales facilitated two participatory budgeting workshops with young people. The workshops ran during the half term holidays in October 2017, one in the Children in Wales office in Cardiff and a second in the Welsh Government Offices in Llandudno. Both workshops were led by Welsh Government Treasury officials and delivered using interactive technology. Fifteen participants, including 12 young people, attended the North Wales event. Participants came from the Conwy Youth Forum, Anglesey Llais Ni, Digartref Ynys Mon (Homelessness project) and Denbighshire Youth Forum. Twelve participants including eight young people attended the South Wales event, with participants coming from a Barnardo's service in Swansea, and the Vale of Glamorgan and Rhondda Cynon Taff youth forums. Youth participation workers were also offered the opportunity to join the discussions at both events. The Welsh Treasury produced a summary sheet from each workshop that was sent to the participants.

Trialling online assessments for the National Tests Consortium

The National Test Consortium, led by AlphaPlus Consultancy sought schools to agree to take part in informal trialling and 'pre-testing' of online adaptive testing for national reading and numeracy tests. Online adaptive tests are being introduced as a replacement for the existing paper based tests, these are able to adjust the difficulty level of questions to suit the test taker. Regional Consortia encouraged schools to be part of this process.

Currently the National Tests Consortium is working with around 150 schools across Wales, with representation from all regions. The work is guided and informed by an advisory group of world-renowned experts in e-assessment design and analysis. Trialling the new online assessments in schools and gathering feedback on assessment reports from children and young people through focus groups and other means is essential to the success of the programme and schools are encouraged to participate.

5. Accountability

This is about 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; and it is about authorities being transparent and giving reasons for their decisions and actions.

Accountability is, in our view, closely related to the principles of empowerment and participation. Some of the examples of Welsh Government activity we have given in relation to those principles also show accountability: for example, the budgeting workshops with Welsh Treasury officials facilitated by Young Wales; and the young person-led inspections of CAF/CASS Cymru's offices.

Transparency and being open about reasons for decisions is a key consideration for the Welsh Government for all its policies. We want all people living in Wales, including children and young people, to have information about what we are doing, and why. In relation specifically to children and young people, we will consider whether we could strengthen the principles of empowerment, participation and accountability through the CRIA process.

Next steps

Having reviewed what we do to fulfil our commitment to children's rights, we have identified the following next steps:

- Consider and consult on revisions to the Children's Rights Scheme, and propose a revised Scheme for the Assembly's approval.
- Take forward work to incorporate the CRIA in an integrated impact assessment, giving full consideration to the recommendations from the 2015 evaluation of CRIAs and the 2017 Unicef briefing as part of this process.
- Consider whether there is a need to provide further funding for sector specific training on children's rights, when the current contract to develop and deliver this training comes to an end.
- Awareness of children's rights: consider the findings from the Beaufort Children's Omnibus Survey, and what this tells us about our future strategy for raising awareness of children's rights; how we can work with others to increase awareness; and whether further research is required to understand the relationship between awareness of children's rights and improving outcomes for children and young people.
- Participation: review our strategy to support and highlight the importance of participation by children and young people in decisions which affect them.

Annex 1: Trends from the Breakdowns in the 2017 Beaufort Children's Omnibus Survey

Awareness of Children's Rights

- Table 6 indicates that in 2017, Children and young people in Mid/West Wales (70%) and West South Wales (67%) reported the most awareness of children's rights
- In 2017, children and young people from ABC1 backgrounds (64%) reported a higher level of awareness of children's rights than those from C2DE backgrounds (54%)
- The 2017 data also indicate that females (62%) had a slightly higher awareness of children's rights than males (55%)
- 11-15 year olds (71%) reported the highest levels of awareness of children's rights, whilst only 41% of 7-10 year olds were aware.

Awareness of the UNCRC

- Table 7 indicates that in 2017, children and young people in Mid/West Wales (44%) reported the highest awareness of the UNCRC, the Valleys (7%) reported the least awareness, followed by North Wales (10%)
- Females (24%) reported a slightly better awareness of the UNCRC than males (20%)
- Children from ABC1 backgrounds (25%) had a slightly higher awareness of the UNCRC than those from C2DE backgrounds (20%)
- Young people aged 16-18 (29%) reported a higher awareness of the UNCRC than children aged 7-10 years (15%).

Table 6: Children and young people’s awareness of children’s rights

		Region					Gender		Social Class		Age		
	Total	North Wales	Mid/West Wales	West South Wales	The Valleys	Cardiff & S.E. Wales	Male	Female	ABC1	C2DE	7-10	11-15	16-18
Yes	58%	54%	70%	67%	48%	56%	55%	62%	64%	54%	41%	71%	58%
No	40%	46%	30%	31%	51%	42%	44%	37%	36%	44%	58%	29%	39%
Don't know	1%	-	-	3%	2%	2%	1%	1%	1%	2%	1%	1%	3%

Base: 530 respondents

Source: Beaufort Children’s Omnibus Survey 2017, question ‘Do you know that children up to the age of 18 have specific rights which are in addition to rights that adults have? By rights, we mean being treated fairly, with respect and the opportunity to achieve what you want’

Table 7: Children and young people’s awareness of the UNCRC and where they have found information on the UNCRC

	Region						Gender		Social Class		Age		
	Total	North Wales	Mid/West Wales	West South Wales	The Valleys	Cardiff & S.E. Wales	Male	Female	ABC1	C2DE	7-10	11-15	16-18
At school/uni	20%	10%	40%	32%	7%	18%	19%	21%	23%	18%	13%	22%	26%
On the internet	2%	2%	5%	5%	-	2%	2%	3%	3%	2%	1%	2%	4%
From reading a leaflet	1%	1%	2%	4%	-	1%	0%	2%	2%	1%	-	1%	3%
At home	1%	-	-	1%	-	1%	0%	1%	0%	1%	1%	0%	1%
HEARD OF UNCRC	22%	10%	44%	34%	7%	21%	20%	24%	25%	20%	15%	23%	29%
No – never heard of UNCRC before today	77%	89%	56%	63%	90%	79%	79%	74%	75%	78%	84%	76%	70%
Don’t know	1%	1%	-	3%	2%	0%	1%	2%	-	2%	2%	1%	1%

Base: 530 respondents

Source: Beaufort Children’s Omnibus Survey 2017, question ‘The United Nations has a list of all the rights that children and young people have. The list is called the UNCRC in any of the following places?’

Feeling listened to by adults when important decisions are being made

- In Table 8, 79% of children and young people in Cardiff & South East Wales report that they feel listened to by adults before making important decisions that affect them, followed by 74% of children and young people in Mid/West Wales. In contrast, 64% of children and young people in West South Wales felt that they were listened to by adults under the same circumstances
- Young people aged 16-18 (48%) are less likely to report that they feel listened to by adults, whilst young children aged 7-10 are substantially more likely to report that they feel listened to (82%).

Who children and young people report that they would talk to if they felt that adults weren't listening to them

- Table 9 shows some interesting regional differences in the percentages of children and young people who report that they would talk to their parents if they felt that adults weren't listening to them.
- Children in Mid/West Wales report the strongest preference for speaking with their parents (97%), whilst those in North Wales are least likely to speak to their parents (47%), followed by those in Cardiff (50%) and the Valleys (51%)
- Children aged 11-15 report the strongest preference to speak with their parents (67%), whilst only 52% of 16-18 year olds report that they would speak with their parents
- Slightly more females report that they would talk with their parents (63%) than males (58%).

Table 8: Extent to which children and young people agree with the statement: Adults usually listen to the views of children and young people before making decisions that affect them

	Region						Gender		Social Class		Age		
	Total	North Wales	Mid/West Wales	West South Wales	The Valleys	Cardiff & S.E. Wales	Male	Female	ABC1	C2DE	7-10	11-15	16-18
Agree a lot	32%	24%	56%	25%	23%	36%	32%	32%	35%	30%	45%	32%	19%
Agree a little	39%	45%	19%	39%	45%	42%	37%	42%	36%	42%	37%	48%	29%
Disagree a little	17%	24%	18%	19%	17%	9%	19%	14%	18%	15%	9%	12%	32%
Disagree a lot	7%	3%	5%	12%	12%	6%	7%	8%	6%	8%	4%	5%	15%
Don't know	5%	5%	3%	5%	2%	6%	5%	4%	4%	5%	5%	4%	5%
AGREE	71%	69%	74%	64%	69%	79%	69%	74%	72%	71%	82%	80%	48%
DISAGREE	24%	26%	23%	31%	29%	15%	26%	22%	24%	24%	13%	17%	47%

Base: 530 respondents

Source: Beaufort Children's Omnibus Survey 2017, question 'How much do you agree with the following statement: adults usually listen to the views of children and young people before making decisions that affect them?'

Table 9: Who children and young people report they would talk to if they felt that adults weren't listening to their views before making important decisions that affected them

	Region						Gender		Social Class		Age		
	Total	North Wales	Mid/West Wales	West South Wales	The Valleys	Cardiff & S.E. Wales	Male	Female	ABC1	C2DE	7-10	11-15	16-18
Parents	60%	47%	97%	71%	51%	50%	58%	63%	60%	61%	59%	67%	52%
Friends (including boyfriend/girlfriend)	22%	35%	-	13%	25%	26%	26%	17%	25%	19%	17%	22%	27%
Teacher/school council	15%	15%	5%	17%	21%	18%	12%	19%	13%	17%	15%	18%	12%
Other relatives	7%	12%	-	4%	7%	8%	7%	6%	7%	6%	9%	8%	2%
Grandparents	3%	1%	-	-	10%	5%	2%	4%	3%	3%	5%	2%	4%
Childline	1%	1%	-	2%	-	2%	1%	1%	1%	1%	0%	2%	-
Youth worker	1%	-	-	2%	-	1%	0%	1%	1%	1%	-	1%	2%
Counsellor/social worker	1%	1%	-	1%	-	2%	1%	1%	1%	1%	0%	0%	2%
Meic Cymru	0%	-	-	1%	-	-	0%	-	0%	-	-	0%	-
Other	1%	3%	-	1%	3%	-	1%	2%	1%	1%	2%	0%	2%
Don't know	4%	6%	-	5%	6%	3%	5%	3%	4%	4%	5%	3%	5%

Base: 530 respondents

Source: Beaufort Children's Omnibus Survey 2017, question 'who would you talk to if you needed to talk to an adult about something that was important to you.'

