



Children's Rights Impact Assessment (CRIA) Template

Title / Piece of work:	Raising The Ambitions And Educational Attainment of Children who are looked after in Wales.
Related SF / LF number (if applicable)	SF/HL/4030/14
Name of Official:	Jonathan Jones
Department:	For Education and Skills. Prepared jointly with the Department for Health and Social Services.
Date:	11 December 2014
Signature:	

Six Steps to Due Regard



Step 1. What's the piece of work and its objective(s)?

A brief description of the piece of work

The Welsh Government is committed to raising the aspirations and ambitions of children who are looked after children and care leavers, it has identified that the educational attainment of children who are looked after and care leavers continues to be considerably lower when compared to the mainstream school population. The Welsh Government has introduced policies targeted at improving their outcomes but progress to date has been slow and we recognise that more needs to be done to redress this inequity.

The draft strategy: *Raising the ambitions and educational attainment of children who are looked after in Wales* is a co-production between the Welsh Government's Departments for Education & Skills and Health & Social Services. Both Departments have agreed this CRIA.

The broad aims of the strategy are to help schools and their key partners to ensure that children who are looked after and care leaving learners are better supported to achieve their educational potential. This reinforces the Ministerial commitment to improve educational outcomes for children who are looked after and care leavers as part of their wider well-being and social development.

Wales' Children in Need Census 2013 (published in February 2014) shows that the attainment gap between children who are looked after and all pupils widens as they progress from Foundation Phase to Key Stage 2 and Key Stage 3.

At the Foundation Phase the difference in the proportion was 30 percentage points. This increases to 31 percentage points for Key Stage 3. In Key Stage 4 (Level 2 threshold including a GCSE

grade A* - C in English or Welsh first language and maths) the difference was 40 percentage points.

Overall, performance is unacceptably low but anecdotally there are successful approaches in place which help individual children who are looked after achieve their ambitions. We have asked for a thematic review by Estyn to draw these out and identify the strategies that might be applied more consistently across Wales to better support children who are in education.

Our objectives are to:

- Increase aspirations and ambition by raising the educational attainment of children who are looked after and care leavers and promote the needs of education for those who care for them (article 28)
- Reinforce the collective accountability and effective leadership across Welsh Government, local authorities, schools, further and higher education institutions for the educational outcomes of children who are looked after and care leavers (article 3)
- Ensure education remains a priority and point of focus even during the periods of upheaval and uncertainty that can happen in the life of a child who is looked after or care leaver (article 28)
- Consider what further data will aid practice, policy making and monitoring of the educational outcomes for children who are looked after and care leavers (article 3)
- Ensure good practice is identified, promoted and shared where it exists. (article 13)

What the time frame for achieving it is?

The consultation will commence in January 2015, and will close in May 2015.

In summer 2015, the consultation analysis will be completed and results of the report prepared.

In early autumn 2015, Ministerial clearance – Education and Social Services will be sought and publication of strategy underway (subject to any potential pre-election limitations).

Who are the intended beneficiaries?

Children who are looked after (also known as children in care) and care leavers. This strategy does not include the cohorts known as children in need and adopted children.

Is it likely that the piece of work will affect children?

Yes – completely. The piece of work is targeted at a specific issue affecting children who are looked after and those that are leaving or have left care i.e. their educational attainment. The piece

of work aims to have a positive impact by improving the performance of children who are looked after in all key stages of their education.

Will the piece of work have an affect on a particular group of children, if so, describe the group affected?

Yes – Children who are looked after and care leavers are the specific target group. The Welsh Government is aware from data collection under both personal social services and the children in need census that children who are looked after and care leavers have a lower educational attainment than their peer group in the general school population. In turn this affects outcomes for them in later life. The Welsh Government wishes to raise aspiration and ambitions for children who are looked after and care leavers by raising their educational attainment in order to give them the same opportunities that are available to their peer group.

Step 2. Analysing the impact

We believe that the recommended actions contained within the strategy will deliver a positive impact for children who are looked after and care leavers. The aims of the strategy are to improve leadership and accountability of all bodies who have a responsibility for children who are looked after and care leavers, build better partnership working arrangements to ensure all services are developed around the child and delivered accordingly, improve the way in which schools and colleges support looked after learners, improve the collection of data about children who are looked after and care leavers and how it is shared and review how funding is directed towards children who are looked after and care leavers to make sure there are tangible improvements in education for this cohort.

We will monitor and measure success through the annual Wales Children in Need Census and we will publish an annual update setting out progress made against the delivery of the commitments contained within the strategy.

We will expect to see considerable improvements in all key stages for children who are looked after and care leavers by 2018.

Did you need to engage with children and young people and / or stakeholders to seek their

views using consultation or participatory methods?

Some early engagement with stakeholders who have a direct or indirect responsibility for children who are looked after and care leavers, for both their education and social well-being. The forthcoming consultation exercise will capture additional and wider views and will be supported by two consultation seminars for key stakeholders to attend. Working through Voices From Care we will engage directly with children who are looked after through the consultation process, and an easy read version of the strategy will be published.

Do you need to produce child friendly versions of proposals/consultations?

Yes, we have made plans to produce a child friendly (easy read) version of the strategy.

Step 3. How does your piece of work support and promote children's rights?

The articles below are all in relation to work regarding raising the ambitions and educational attainment of children who are looked after and care leavers in Welsh schools:-

Article 3 (Best interests of the child): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Article 12 (Respect for the views of the child): When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.

Article 13 (Freedom of expression): Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.

Article 20 (Children deprived of family environment): Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

Article 25 (Review of treatment in care): Children who are looked after by their local authorities, rather than their parents, have the right to have these living arrangements looked at regularly to see if they are the most appropriate. Their care and treatment should always be based on “the best interests of the child”.

Article 28 – Children have the right to an education. Discipline in schools must respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries to achieve this.

The strategy strengthens the approach to school inclusion and support for attendance. Children who are looked after and care leavers are a vulnerable group of children and the strategy reaffirms the provision to support their school attendance and learning / behavioural needs.

Article 29 – Education must develop each child's personality, talents and abilities to the full. It must encourage children to respect their parents, and their own and other cultures.

The strategy reaffirms that as part of the conditions of teaching and learning that a healthy ethos is created in schools to improve children's self esteem and well-being. This is linked to the social and health education in the curriculum.

Step 4. Advising the Minister and Ministerial decision

When giving advice and making recommendations to the Minister, consider:

The advice to the Minister for Education & Skills and the Minister for Health and Social Services confirms that this CRIA has been completed. No conflict with the UNCRC articles has been identified.

Step 5. Recording and communicating the outcome

Final version to be retained on i-share

This CRIA will be published at the same time and alongside the consultation document on the Welsh Government website.

Step 6. Revisiting the piece of work as and when needed

This impact assessment will be reviewed following the close of the consultation period.

Budgets

As a result of completing the CRIA, has there been any impact on budgets?

It is important that where any changes are made to spending

No

plans, including where additional allocations have been made, that this has been assessed and evidenced as part of the CRIA process.	
Please give any details:	

Monitoring & Review

Do we need to monitor / review the proposal?	Yes
If applicable: set the review date	February 2015



THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

www.uncrcletsgetitright.co.uk

The United Nations Convention on the Rights of the Child is an international agreement that protects the human rights of the children under the age of 18. On 16 December 1991, the United Kingdom of Great Britain and Northern Ireland formally agreed to make sure that every child in the UK has all the rights as listed in the convention. The Welsh Government has shown its commitment to the convention by adopting it as the basis for policy making for children in Wales.

Altogether there are 54 articles in the convention. Articles 43-54 are about how adults and governments should work together to make sure all children are entitled to their rights. The information contained here is about articles 1-42 which set out how children should be treated.



Llywodraeth Cymru
Welsh Government

www.cymru.gov.uk

Article 1

Everyone under 18 years of age has all the rights in this Convention.

Article 2

The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.

Article 3

All organisations concerned with children should work towards what is best for each child.

Article 4

Governments should make these rights available to children.

Article 5

Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.

Article 6

All children have the right of life. Governments should ensure that children survive and develop healthily.

Article 7

All children have the right to a legally registered name, the right to a nationality and the right to know and, as far as possible, to be cared for by their parents.

Article 8

Governments should respect children's right to a name, a nationality and family ties.

Article 9

Children should not be separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.

Article 10

Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact or get back together as a family.

Article 11

Governments should take steps to stop children being taken out of their own country illegally.

Article 12

Children have the right to say what they think should happen, when adults are making

decisions that affect them, and to have their opinions taken into account.

Article 13

Children have the right to get and to share information as long as the information is not damaging to them or to others.

Article 14

Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should guide their children on these matters.

Article 15

Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

Article 16

Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Article 17

Children have the right to reliable information from the mass media. Television, radio and newspapers should provide information that children can understand, and should not promote materials that could harm children.

Article 18

Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.

Article 19

Governments should ensure that children are properly cared for, and protect them from violence, abuse and neglect by their parents or anyone else who looks after them.

Article 20

Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.

Article 21

When children are adopted the first concern must be what is best for them. The same rules should apply whether the children are adopted in the country where they were born or taken to live in another country.

Article 22

Children who come into a country as refugees should have the same rights as children born in that country.

Article 23

Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

Article 24

Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.

Article 25

Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

Article 26

The Government should provide extra money for the children of families in need.

Article 27

Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.

Article 28

Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.

Article 29

Education should develop each child's personality and talents to the full. It should encourage children to respect their parents, and their own and other cultures.

Article 30

Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.

Article 31

All children have a right to relax and play, and to join in a wide range of activities.

Article 32

The Government should protect children from work that is dangerous or might harm their health or their education.

Article 33

The Government should provide ways of protecting children from dangerous drugs.

Article 34

The Government should protect children from sexual abuse.

Article 35

The Government should make sure that children are not abducted or sold.

Article 36

Children should be protected from any activities that could harm their development.

Article 37

Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.

Article 38

Governments should not allow children under 15 to join the army. Children in war zones should receive special protection.

Article 39

Children who have been neglected or abused should receive special help to restore their self respect.

Article 40

Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences.

Article 41

If the laws of a particular country protect children better than the articles of the Convention, then those laws should stay.

Article 42

The Government should make the Convention known to all parents and children.

For further information on the United Nations Convention on the Rights of the Child please visit: The Welsh Government's UNCRC Website: www.uncrcletsgetitright.co.uk/

Cic - The National Information and Advice Service for Young People www.ciconline.co.uk/news/

