



Llywodraeth Cymru  
Welsh Government

PUBLICATION

# Children's rights impact assessment

Assessment on the deployment of the funding for post-16  
education.

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**Title of proposal:** Deployment of the funding for Post 16 Education in Wales 2021 to 2022

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**Department:** SHELL

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**Head of Division/SRO (name):** Alan Woods

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**Cabinet Secretary/Minister responsible:** Minister for Education

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**Start date:** January 2021

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## **1. Describe and explain the impact of the proposal on children and young people.**

The allocation of the FE Provision BEL is specifically targeted at delivering the statutory duty under section 31 of the Learning and Skills Act 2000 ("LSA") that Welsh Ministers must secure the provision of proper facilities for education

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(other than higher education) and training suitable to the requirements of persons who are above compulsory school age but under 19. Facilities are proper if they are sufficient in quantity and adequate in quality to meet the reasonable needs of individuals.

This is in keeping with Article 28 and 29 of the UNCRC relating to the Right to Education. In addition, the allocation of funding takes into account and targets specific issues affecting young people. Within the allocations:

- **There is a specific formula which allocates funding in support of a ‘deprivation uplift’ which is specifically provided to enable providers to target provision at and support learners from more deprived backgrounds to increase participation and attainment; and**
- **The sparsity uplift targets the delivery of provision in rural areas to ensure learners have access to opportunities to learn across Wales.**

Included in the deployment of the funding is a commitment to provide supplementary funding to support learners with Additional Learning Needs (ALN). The total quantum has also increased by 7.1% when compared to 2020-21 allocation.

Included in the funding is a £2m fund to directly support the provision of Mental Health services for learners and staff within the sector.

## **2. Explain how the proposal is likely to impact on children’s rights.**

The provision of post-16 education and training affects learners of all ages, and as such the impacts stretch much further than those of children and young people. However, the majority of the funding provides support for full time provision of young people aged 16-18 and as such supports the purposes of the UNCRC, and directly relates to the following Articles:

*Article 3 (best interests of the child)*

*The best interests of the child must be a top priority in all decisions and actions*

*that affect children.*

The uncertainty and unstable circumstances of the Lockdown and virus pandemic have caused significant difficulties for all learners. Providing funding that will enable providers to continue to deliver provision will provide stability and structure to young people and ensure they can continue their learning.

*Article 12 (respect for the views of the child)*

*Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.*

Learners have been directly engaged in providing evidence that will inform future policy making as a result of the impacts of Covid 19. The results of this survey are currently being analysed for publication in the near future, and will inform ongoing policy development in response to the pandemic.

*Article 28 (right to education)*

*Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.*

Young people have a right to an education and our statutory duty ensures that we provide this. This funding ensures that we can continue to fulfil this duty.

*Article 29 (goals of education)*

*Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.*

This funding enables post-16 providers to deliver a range of different education and training that enables young people to develop the skills and confidence they need to thrive.

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