



Children’s Rights Impact Assessment (CRIA)

Title / Piece of work:	Part 2 of the Social Services and Wellbeing (Wales) Act 2014 Policy to introduce a series of regulations and a code of practice under Part 2 of the Social Services and Well-being (Wales) Act (general functions)
Department:	Department for Health and Social Services
Date:	June 2015

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

• **A brief description of the piece of work**

The Social Services and Well-being (Wales) Act 2014 (the Act) provides a single act that brings together local authorities’ duties and functions in relation to improving the well-being of people who need care and support, and carers who need support. The Act provides the statutory framework to deliver the Welsh Government’s commitment to integrated social services departments with a strong family orientation.

Part 2 of the Act contains provisions relating to the general functions of a local authority, including:

- how persons exercising functions under the Act must ensure they meet their duties to promote the well-being of people who need care and support and carers who need support;
- how local authorities must assess the needs of it’s population and provide a range of preventative services;
- how local authorities must promote social enterprises, co-operatives, user led services and the third sector; and
- how local authorities must discharge their duties in relation to the provision of a service for providing people with information and advice relating to care and support; and assistance in accessing care and support.

Part 2 of the Act contains a number of regulation-making powers relating to the general functions of a local authority. Section 14 of the Act requires local authorities and local health boards to jointly assess the needs for care and support and preventative services for people in the local authority’s area. Section 16 of the Act imposes a duty on local authorities to promote social enterprises, co-operative organisations and third sector organisations to provide care and support and preventative services in their area.

The code of practice in relation to Part 2 (General Functions) of the Act includes chapters on well-being and overarching duties, population assessment, prevention, promotion of social enterprises and provision of information, advice and assistance.

Well-being and overarching duties

The Act puts a duty on any persons exercising functions under the Act to seek to promote the well-being of people who need care and support and carers who need support. In addition, it requires any persons exercising functions under the Act to comply with the overarching duties set out in the Act, including the United Nations Principles for Older Persons and the United Nations Convention on the Rights of the Child.

The Act sets out the definition of well-being and places a duty on Welsh Ministers to issue a statement of well-being outcomes to be achieved. This statement sets out people's rights and responsibilities in law; this includes children, adults and carers. The social care sector will use the statement of well-being to design and deliver services with people. This will be an important driver in the shift to an approach which puts people at the centre, focuses on the outcomes they wish to achieve, and gives them greater voice and control.

Population assessment

Section 14 of the Act requires local authorities and Local Health Boards to jointly undertake an assessment of the local population's care and support needs, including the support needs of carers. This assessment, the 'population assessment report', will ensure that local authorities and Local Health Boards jointly produce a clear and specific evidence base in relation to care and support needs and carers' needs to inform various planning and operational decisions. Regulations and code of practice will set out the requirements for undertaking this population assessment. Section 15 of the Act requires that local authorities provide or arrange for the provision of preventative services. The population assessment must identify the range and level of services required to deliver the preventative services required.

Promotion of social enterprises, co-operatives, user led services and the third sector

Section 16 of the Act imposes a duty on local authorities to promote the development, in their area, of not-for-profit organisations to provide care and support and support for carers, and preventative services. These types of organisations include social enterprises, co-operative organisations, co-operative arrangements, user led services and the third sector.

The section 16 general duty is intended to grow the range of not-for-profit models in the social care sector. The regulations and statutory code of practice provide clarity and direction. Underpinning practice guidance will be developed to provide more detail for local authorities in carrying out this duty. The local authority must also promote the involvement of people for whom these care and support or preventative services are to be provided, in the design and operation of that provision. Local authorities must take a proactive approach to planning and delivering service models that will meet the well-being needs of all people – including children, young people and adults.

Information, advice and assistance (IAA)

Section 17 of the Act requires local authorities to provide people with information and advice relating to care and support, and assistance in accessing care and support. The overall aim of the policy is to provide an Information, Advice and Assistance Service. The service will be the first point of contact available locally that must help all people to access relevant, accurate, high quality and timely information, advice and assistance. The code of practice will outline the responsibility of local authorities to provide an Information, Advice and Assistance Service to all of its citizens, increasing their knowledge about what care and support options there are, and supporting them to find what care and support is right for them, and those they care for.

• What the time frame for achieving it is?

The Social Services and Well-being (Wales) Act received Royal Assent on 1 May 2014. The Act and its associated codes of practice and regulations will come into effect in April 2016.

The statement of well-being outcomes to be achieved will be laid before the National Assembly for Wales in April 2016.

Key milestones in advance of April 2016 are:

April 2013: Draft well-being statement for people who need care and support and carers who need support published;

June 2014: National outcomes framework for people who need care and support and carers who need support – working document published;

November 2014 – February 2015: Public consultation on the Implementation of the Social Services and Well-being (Wales) Act, including the code of practice in relation to Part 2 (General Functions);

February 2015 – April 2015: Public consultation on the code of practice in relation to measuring the performance of local authorities in relation to their social services functions under the Social Services and Well-being (Wales) Act;

June 2015: Regulations under Part 2 of the Act laid before the National Assembly for Wales:

- The Care and Support (Partnership Arrangements for Population Assessments) (Wales) Regulations 2015
- The Social Services and Well-being (Wales) Act 2014 (Social Enterprise, Co-operatives and Third Sectors) (Wales) Regulations 2015
- The Care and Support (Population Assessment) (Wales) Regulations 2015

June 2015: The code of practice for part 2 will be published as a working document on Welsh Government website;

June 2015: Outcome indicators from the national outcomes framework published on the My Local Health and Social Care website;

July 2015: Plenary debate on the Partnership Arrangements for Population Assessments (Wales) Regulations 2015;

Autumn 2015: The code of practice in relation to Part 2 of the Act will be laid before the National Assembly for Wales;

April 2016: Commencement of the Social Services and Well-being (Wales) Act 2014: Regulations under part 2 (sections 14, 15 and 16) of the Act will come into effect on 6 April 2016.

Beyond April 2016:

April 2017: The first population assessment reports will be published and submitted to Welsh Ministers by April 2017.

May 2017: National monitoring of well-being outcome indicators.

- **Who are the intended beneficiaries?**
- **Is it likely that the piece of work will affect children?**

The Social Services and Well-being (Wales) Act takes will benefit all people who need care and support and carers who need support. This will include children (defined in the Act as people who are aged under 18).

A strong voice and real control is central to the legislative framework. This optimises everyone's opportunity for well-being and an appropriate level of independence. Everyone, child or adult, can be given a voice – an opportunity – a right – to be heard as an individual, as a citizen, to have control over their day to day lives.

Directly involving children is central to all the approaches outlined under part 2: the requirement to assess the local population's care and support needs states that local authorities and local health boards should consider how they will directly engage with children; the provision of an Information, Advice and Assistance service must be accessible in a variety of formats provided especially for

children and young people to ensure they receive high quality and timely information: and the inclusion of people who need care and support and carers who need support, including children, in the design and delivery of services including those provided by not for profit organisations.

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

This work will have an affect on children who need care and support.

Step 2. Analysing the impact

- **What are the positive impacts for children, young people or their families?**

Working with people will be key to delivering well-being and unlocking the potential for creativity which will make better and more effective use of all of the available resources. People are best placed to determine the well-being outcomes they wish to achieve based on their own values and what matters to them. Local authorities will be expected to work in partnership with children and young people, and their carers, to build on their strengths and understand their needs. Local authorities must ensure that people, including children, have greater voice and control over the care and support that they receive by actively involving them in making decisions about their lives.

In relation to children, local authorities must have regard to the importance of promoting the upbringing of the child by the child family, and to the views, wishes and feelings of the persons with parental responsibility for the child, in so far as doing so is a) consistent with promoting the well being of the child and b) reasonable practicable.

In relation to a child, a duty on any person exercising functions under the Act to have regard to the UN convention for the rights of children has been placed on the face of the Act. This will ensure that all children – without discrimination in any form – continue to have their human rights protected established by the UNCRC in law.

The population assessment required by section 14 of the Act will include ‘children and young people’ as one of the ‘core themes’ which must be considered as part of the report. This will have a positive effect on children by ensuring their needs are fully considered in the reports as they are developed.

In addition, preventative services, as required by section 15 of the Act, will have a positive impact in meeting the needs of children, including looked after children Section 15 of the Act sets out that a local authority must provide or arrange for the provision of a range and level of services which contribute preventing or delaying the development of people’s needs for care and support. This must include children.

In addition, the Part 2 code of practice chapter on preventative services reinforces the importance of existing Welsh Government programmes which have had a positive impact on children, young people and families. For example, the preventative services chapter states that Welsh Government funded programmes such as Families First can contribute to the discharging of local authority statutory duties in relation to providing preventative services to children and families.

Families First is designed to improve outcomes for families, including children by ensuring that families receive appropriate help at the earliest possible opportunity to stop them escalating towards crisis. Programmes such as this can provide evidence of providing the preventative services required by section 15 of the Act.

The section 16 duty to promote the development of not-for-profit organisations to provide care and support and support for carers and preventative services supports a strong voice and real control and a co-productive approach. Local authorities must promote the involvement of people, including children, for whom these care and support or preventative services are to be provided in the design and delivery of that provision. Involvement should be focussed on co-production principles,

empowering adults and children to contribute to achieve the outcomes that matter to them, recognising them as assets and ensuring that they have voice and control at all levels of the design and operation of services.

Local authorities should ensure that the Information, Advice and Assistance Service is designed to be pro-active in providing knowledge and help to people. The positive impact of this for children is that the new system will be very simplistic and will allow easier access for people of all ages whether they are seeking information, advice and assistance for themselves or for others that they care for. This is particularly relevant for children and young people that will need to feel confident and reassured that this service will provide relevant, accurate and up to date information and advice for them and be available in ways that they find easy to use.

These positive impacts for children or their families can be related to articles of the UNCRC:

- children will have access to clear and accessible advice, information and assistance about care and support services and how to actively manage their well-being. This will allow children to make informed decisions about any aspect of their care and support or well-being outcomes. The principles of co-production, as set out in Chapter 4 of the code will strengthen children's voice and control over care and support or preventative services they receive and involve them in considering the range and level of services required to meet their needs. This relates to article 13 of the UNCRC;
- local authorities must have conversations with children and their families to determine what matters to them. This conversation will provide children with greater voice and control over their lives and the care and support that they receive. Involvement should happen at all stages of the design and operation of services. Local authorities and Local Health Boards must engage with people (including children with care and support needs, carers, and the parents of children with care and support needs) in the production of a population assessment report and establish a procedure for this engagement This relates to article 12 of the UNCRC;
- children will understand their responsibilities and be encouraged and empowered to make positive choices to manage their own well-being and benefit from proactive, preventative care and support. This relates to article 5 of the UNCRC;
- local authorities must take appropriate steps to protect and safeguard children from abuse and neglect or any other kinds of harm and help them to recognise unsafe relationships and protect themselves from abuse and neglect. This relates to article 19 of the UNCRC;
- children will be supported to do the things that matter to them and be encouraged to participate in their community. Local authorities should assess and ensure that services not only meet children's personal well-being outcomes but, where possible, provide added value. Social enterprises, co-operative organisations or arrangements, user led services and the third sector often conduct activities which are deemed to add value to society. This relates to article 31 of the UNCRC.
- the rebalancing of the delivery of care will focus on supporting children to remain with their families. This relates to article 9 and 18 of the UNCRC; and
- a rise in the quality, consistency and performance of care and support services with the best interests of children at the centre with the overall aim to improve the well-being outcomes of children. This relates to article 3 of the UNCRC.

The Welsh Government has identified child poverty as the main barrier towards realising and upholding children's rights in Wales and developed a Child Poverty Strategy which makes clear that all departments have responsibilities in realising children rights in line with the UNCRC. The Child Poverty Strategy links strongly to the definition of well-being in the well-being statement and the national outcomes framework which identifies a well-being outcome as not living in poverty. The outcomes framework will contribute to achieving the objectives of this Child Poverty Strategy through common outcomes and indicators where appropriate.

- **What are the negative impacts for children, young people or their families?**
- **Where there are negative impacts; what compensatory measures may be needed to mitigate any negative impact?**

No specific negative impacts have been identified under this policy.

- Whether a child achieves their well-being outcomes will often be dependent upon their family network; this must be taken into account by local authorities when having the conversation with children and their families. This will attempt to avoid setting unattainable well-being outcomes that could negatively impact upon a child;
- The Welsh Government formally adopted the UNCRC in 2004; the Welsh Government has summarised the rights of children through seven core aims which form the basis for decisions on priorities and objectives nationally. They should also form the basis for decisions on strategy and service provision locally. These aims emphasise the importance of the different sectors, including health, education and family support services working together for children to benefit and achieve their well-being outcomes. In line with this commitment, the code of practice in relation to part 2 states that local authorities must work with all of its functions within that local authority and other relevant partners that are identified as essential to help people achieve their well-being; this will attempt to avoid a breakdown in any of these partnerships which may negatively impact upon a child;
- To ensure all children have a voice and control over decisions which affect them, it is sometimes necessary for children to have an independent advocate to speak on their behalf. A separate code of practice has been developed in relation to the requirements on local authority social service departments to ensure people, including children, are provided with the support they need to enable them to express their wishes and feelings in the development of their well-being outcomes. These arrangements will be key in avoiding children from being negatively affected by being unable to have their voice heard or having any control over decisions made about them;
- Local authorities must find an appropriate balance between involving a child in the design and delivery of a service through giving them the opportunity to express their views, wishes and feelings, whilst ensuring that the best interests of that child are met;
- When undertaking the population assessment, the needs of children must be adequately considered. The code of practice chapters covering population assessment and preventative services mitigate against this by stating that engagement must take place with children, who have experience of using care and support services and the parents of children who have care and support needs. In addition, the code of practice also ensures that children are adequately engaged with by stating that local authorities and Local Health Boards should consider special arrangements to successfully and directly engage with children.
- **How will you know if your piece of work is a success?**
- **Have you developed an outcomes framework to measure impact?**
- **Have you considered the short, medium and long term outcomes?**

Well-being will be measured nationally by the national outcomes framework. The national outcomes framework is made up of the well-being statement and national outcomes indicators. These national outcome indicators will be reported on by the Welsh Government and will provide evidence on whether care and support services are improving national well-being outcomes for children in Wales.

The well-being statement was initially built with looked after children. This work was developed using a rights based approach, building on the United Nations Convention on the Rights of the Child. The outcomes were co-produced with people themselves, including looked after children and carers; these specific groups traditionally have less of a voice, and it was important to find out what mattered to them.

Voices from Care facilitated a series of workshops with young people who are or have been looked after to identify what well-being outcomes were important to them. The results from this work were critical in establishing the methodology and in identifying well-being outcomes which apply to all people. The Wales Carers Alliance and Children in Wales facilitated workshops with both older and younger carers to identify outcomes for carers and ensure that what matters to carers is properly captured. This work identified a number of specific well-being outcome indicators for carers that have been incorporated into the well-being statement.

In co-producing a care and support plan (or support plan for young carers) that sets out the personal well being outcomes that a child wishes to achieve, local authorities must work with children to monitor progress towards achieving personal outcomes. Analysing the progress children make towards achieving their personal well-being outcomes will help local authorities to measure change and the impact of their activity.

A separate code of practice in relation to measuring social services performance will set out a performance framework for local authorities in relation to their social services functions. The framework sets out quality standards that describe the activities that local authorities must undertake to secure well-being for all people. To measure whether the quality standards are being achieved, both qualitative and quantitative measures will be collected. Qualitative measures of performance will provide perspectives of people themselves. These measures are critical in understanding whether people's experiences are improving and their outcomes are being achieved, and focus on supporting people to remain independent in their community and children to remain with their families, or achieve outcomes if they become looked after.

Care and Social Services Inspectorate Wales will be able to play a key role in monitoring the progress and impact of this duty as part of their registration, regulation and inspection requirements.

The Care and Support (Population Assessments) (Wales) Regulations 2015 state that the responsible bodies (the local authorities and Local Health Boards) must jointly produce a report of the outcome of the population assessment which has been carried out by them. This population assessment report must also be submitted to Welsh Ministers. At this stage, each population assessment report will be considered and evaluated by Welsh Government officials. A wider piece of work will also take place at this stage to assess the effectiveness of the population assessment process more widely to ensure that it adds value. In addition, the first part of a population assessment report must set out how the local authorities and Local Health Board have engaged with people in its production.

While a specific outcomes framework to measure impact has not been developed in respect of population assessment and preventative services, the Part 2 code of practice chapters on population assessment and preventative services state that in identifying the range and level of services necessary to meet need, local authorities and Local Health Boards must be informed by the national outcomes framework.

- **Do you need to engage with children & young people and/or stakeholders to seek their views using consultation or participatory methods?**

Yes - public consultations have been carried out throughout the life of this work:

1. The Welsh Government undertook a public consultation of the Bill between March 2012 and June 2012. The draft Bill was also subject to a scrutiny process by the National Assembly for Wales. This led to an amendment to add 'suitability of living accommodation' to the definition of well-being as defined in the Bill that was passed by the Assembly on 18 March 2014.
2. The Welsh Government undertook a further public consultation on the approach to the development of the national outcomes framework, which includes the well-being statement between November 2012 and February 2013, and received responses from a wide range of

children's organisations such as Children in Wales and the Children's Commissioner for Wales.

3. A public consultation on the Implementation of the Social Services and Well-being (Wales) Act 2014 recently took place between November 2014 and February 2015, which included the code of practice in relation to Part 2 (General Functions) of the Act. The code sets out the duties on local authorities to promote wellbeing, and other overarching duties when exercising social services functions under the Act, this includes the duty for local authorities to have due regard to the UNCRC when exercising social services functions in relation to children.

The consultation sought views on whether the proposals in the code will have any positive or negative impacts on groups with protected characteristics (including age). Responses were received from children's organisations and children's charities, including the National Society for the Prevention of Cruelty to Children, and Action for Children. As part of the consultation it was suggested that special arrangements may be required for local authorities and Local Health Boards to successfully engage with children. This suggestion has been acknowledged and the code was amended accordingly.

4. In addition to the public consultations, the well-being statement has been further developed by service users and carers who form the National Social Services Citizen Panel for Wales. The National Citizens Panel works as part of the collaborative leadership arrangements, securing the voice of service users and carers in the transformation of social services in Wales.
5. A Strategic Steering and Engagement Group was set up as part of the wider engagement structure to provide steer on social services policy. The group comprises membership from organisations which represent the statutory, voluntary and private sectors; it also includes people with protected characteristics to ensure people with protected characteristics will have their voice heard. The Strategic Steering and Engagement Group provided significant steer on the outcomes framework and well-being statement. Members provided professional advice on the development of well-being outcomes to ensure that definitions represented well-being for all people who need care and support and carers who need support.

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

A young persons summary of the Social Services and Well-being (Wales) Act has been developed, available at:

<http://gov.wales/topics/health/socialcare/act/?lang=en>

A child friendly version of the well-being statement for people who need care and support and carers who need support has been produced and is published on the Welsh Government website (<http://wales.gov.uk/docs/dhss/publications/140624wellbeingchildren.pdf>).

The consultation on the code of practice for Part 2 of the Social Services and Well-being (Wales) Act 2014 included a children and young persons summary, available at:

<http://gov.wales/consultations/healthsocialcare/part2/?status=closed&lang=en>

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

- **What aspects of children's lives will be affected by the proposal?**
- **Which UNCRC articles are most relevant to the piece of work? Consider the articles which your piece of work impacts upon.** <http://uncrcletsgetitright.co.uk/images/PDF/UNCRCRights.pdf>
- **Does the piece of work help to maximise the outcomes within the articles of the UNCRC?**

Most children will have their well-being outcomes met by family, friends, and services in the community, such as health and education. However, sometimes a child or family may need extra support from social services to help them achieve their well-being. The population assessment

report should help local authorities to identify children and families who may need extra support as it requires them to identify people with care and support needs and those who act as carers and have support needs in their areas.

The population assessment should result in a positive impact on children's lives as they will enable local authorities to make better decisions about the care and support needs of children as they will be based on the clear and specific evidence gained through undertaking the population assessment.

The Information, Advice and Assistance service will provide children and young people with the accessible information to be able to make informed decisions about the care and support that they receive.

A duty on any person exercising functions under the Act to have regard to the UN convention for the rights of children has been placed on the face of the Act. It requires these duties to be undertaken at an individual level. This will ensure a rights based approach in securing well-being for children. The majority, if not all, of the outcomes within the UNCRC articles are relevant to this programme of work.

An assessment of relevant UNCRC articles took place as part of the Explanatory Memorandum process for the Social Service and Well-being (Wales) Bill. A link is attached (pages 91 to 93 within the linked document):

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs/pri-ld9181-em-e.pdf?langoption=3&ttl=PRI-LD9181-EM%20-%20Social%20Services%20and%20Well-being%20%28Wales%29%20Bill%20-%20Explanatory%20Memorandum>

Following Royal Assent and the development of secondary regulations and codes of practice under Part 2 of the Act we have now updated this assessment. Key relevant articles are:

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. Helping children to understand their rights does not mean pushing them to make choices with consequences that they are too young to handle.

Article 6: All children have the right of life. Governments should ensure that children survive and develop healthily.

The IAA will support children and young people to receive the care and support that is relevant to them, and ensure that their views and choice of care are considered and respected.

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.

The population assessment must include a specific assessment of the care and support needs of children and young people. This includes setting out how local authorities will seek to promote children being brought up by their families and preventing children becoming looked after.

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.

Fundamental to the whole approach and system is that practitioners co-produce with children, young people, carers and families, and with adults, carers, families. Partners in this process all have contributions to make. Local authorities must find an appropriate balance between involving a child in the design and delivery of a service through giving them the opportunity to express their views, wishes and feelings, whilst ensuring that the best interests of that child are met.

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.

Local authorities must allow children to share information about their care and support needs as part of the population assessment process.

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.

The IAA service will propose that the local authority provides confidential advice and support for all people, including children and young people, as a preventative measure.

Article 23: Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

The population assessment process should identify children with these particular care and support needs. The IAA service will help people understand how the care and support system operates in their local area and how they or someone they care for, and offer services that would be most appropriate for people and their individual circumstance. Children must be involved in the design and delivery of services to meet their personal wellbeing outcomes, and this is defined within the social enterprise, co-operative and third sector regulations. These not-for-profit, alternate business models also involve people in the design and delivery of that service, ensuring they have true voice and control over how that service can help meet their personal wellbeing outcomes.

Article 25: Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

The population assessment process should identify children with these particular care and support needs.

Article 31: All children have a right to relax and play, and join in a wide range of activities.

- **How are you improving the way children and young people access their rights?**
- **What are the main issues that the CRIA should focus on?**

The Rights of Children and Young People Measure 2011 requires the Welsh Ministers to give due regard to the UNCRC in the development of all legislation and policy. The Children Act 1989 and the UNCRC laid the foundation for the development of the definition of well-being in the Act. The Act requires that any persons exercising functions under the Act to have due regard of the UNCRC.

Well-being and the outcomes people wish to achieve is at the centre of the legislation; the definition of well-being in the Act, and the well-being statement, both recognise that securing rights and entitlements is key to ensuring that children can speak for themselves or have someone who can do it for them so that they are involved in the decisions that affect their life.

The well-being statement recognises that people should be provided with the information advice and assistance that they need to lead a fulfilled life. This may be to help people find out what care and support services they can receive or may be to help people access preventative services which will prevent them from needing help from care and support services in the future. It must be provided at the right time and in the way it is wanted and understandable to people. This requirement is also in the Act; it places a duty on local authorities to provide information, advice and assistance to all people who may need care and support and that assistance is provided to people in accessing care and support. The Act will also, with the exception of provisions for portability, provide equivalent rights for young carers, putting them on a similar legal footing as the people they care for.

The new population assessment process should result in more children having their care and support needs identified and subsequently met as a result of local authorities and Local Health Boards having more information on the numbers of children with care and support needs in their areas.

Local authorities should involve adult, children and young people and carers to design and

implement the information, advice and assistance service in their local area. This way the service will be seen to be owned and valued by the local population. Regulations made under Section 16 define involvement, as well as activities that are inclusive, and of benefit to society.

Step 4. Advising the Minister and Ministerial decision

Ministerial agreement has been sought throughout the entirety of this programme for work. The advice to the Minister of Health and Social Services confirms that this CRIA has been completed.

In considering the articles of the UNCRC, on balance, we believe that Part 2 of the Social Services and Wellbeing (Wales) Act 2014 gives greater effect to the UNCRC.

Where there are conflicts (perceived or otherwise) we have concluded, on balance, that it is in the best interest of the child and there is no reason not to pursue the provisions.

Step 5. Recording and communicating the outcome

The policy areas developed under Part 2 drew on advice from the Technical Groups. These had a membership of key stakeholders including those with experience and knowledge of children's social care services, both in the statutory and third sector.

A series of engagement events, in line with the formal consultation, were held with representatives from the Association of Directors of Social Services Heads of Children's Services, Voices from Care, as well as focus groups with young people themselves.

The regulations and codes of practice will be laid before the National Assembly for Wales in advance of implementation in April 2016. A learning and development plan has been developed by the Care Council for Wales to support implementation and a communication plan will support general awareness of implementation.

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

The CRIA will be updated in September 2015 after consideration has been given to the feedback received in relation to children on the public consultations on the code of practice in relation to Part 2 (General Functions). Officials will continue to monitor the impact of the regulations in relation to UNCRC.

Budgets

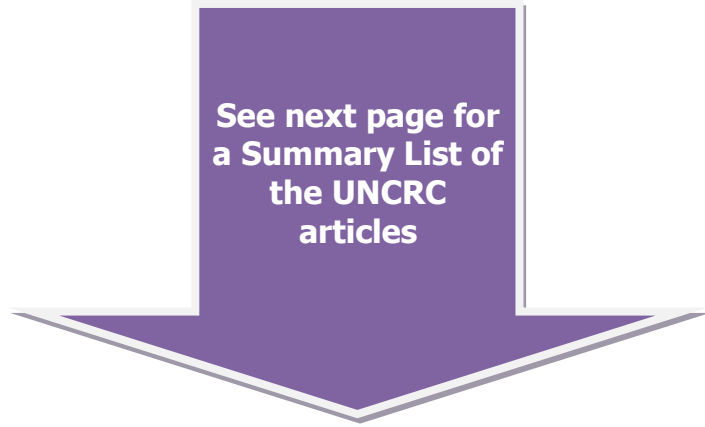
As a result of completing the CRIA, has there been any impact on budgets?	No
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Please give any details:

There has not been any impact on the budget as a result of this CRIA. A Regulatory Impact Assessment has been completed to show the cost implications of introducing the regulations.

Monitoring & Review

Do we need to monitor / review the proposal?	No
If applicable: set the review date	NA



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.

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 to 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.



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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/