

The Coronavirus Act 2020 (Assured and Assured Shorthold Tenancies, Extension of Notice Periods) (Amendment) (Wales) Regulations 2020: Children's rights impact assessment

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

The Regulations will have a positive impact on families renting homes from registered social or private sector landlords, including families with children.

It is not known exactly how many children live in the social and private rented sector (PRS) in Wales. However, 2011 census data showed that whilst households with dependent children represented 28% of all households, they represented a higher proportion of PRS households (34%). Lone parent households with dependent children represented 8% of all households, but they represented a higher proportion of PRS households (17%). whilst more recent population data shows that the PRS is becoming an increasingly popular tenure type, and this is likely to mean that a higher proportion of children are accommodated through the PRS than in the past.

The Resolution Foundation state in A New Generational Contract: The final report of the Intergenerational Commission “[in] the short term, with the private rented sector now a tenure in which millions of children are raised and in which more people will spend retirements in future, it is essential to address its poor record for security.” The number of families with children living in rented accommodation in the UK has also risen by 94% in the last decade, with approximately half of children being born to families who are renting privately in 2016-17. This means that many children will now spend a number of their formative years in private rented accommodation.

The Regulations are likely to have a temporary positive impact on children of tenants (of both registered social and private sector landlords) as tenants and children will have:

- increased security and reduced feelings of anxiety as they know they will not face the threat of eviction at short notice.
- additional time to work with landlords and support agencies to identify and agree arrangements that support them to better manage their finances and repay any rent arrears (which may accrue as a result of the coronavirus outbreak)
- additional time in which to obtain suitable alternative accommodation
- less disruption when children have already had their schooling disrupted as a result of the pandemic

- a reduced risk of becoming homeless (and any consequent risk in their potential exposure to the virus).

The Regulations should result in a reduction in the number of families with children forced into unsuitable accommodation, or forced to move away from their locality and local community in order to find suitable accommodation. In relation to the former, this means that children avoid the damaging impact of growing up in cramped, overcrowded or poor quality accommodation. In relation to the latter, they avoid separation from friendship groups, from their extended family, and from the childcare and support networks upon which their parents may rely. Whilst children have not been in school over the past months, it is anticipated (levels of infection allowing), they will return to school in September. Their schooling has already been disrupted, and moving area and school would bring further disruption and potentially distress. In many areas, the availability of Welsh-medium education is geographically restricted, and accessing it could prove challenging, thus having a negative impact on the Welsh language. A six month, rather than three month notice period, will help avoid having to change a child's school when they have already missed months of schooling, or it will provide sufficient time to make arrangements for a change where it is necessary or desirable once the child has settled back into her/his usual school environment.

The Regulations have no identifiable negative impacts on children or their rights.

In summary, increasing, even if only temporarily, the security of tenure and the length of time that tenants have to find affordable and suitable accommodation when faced with a move is important in supporting stability and limiting the disruption that finding new accommodation at short notice can cause to families, including to children themselves who have already faced significant disruption.

The emergency nature of the Regulations means that there has been no time to involve children and young people in their development.

2. Explain how the proposal is likely to impact on children's rights.

The Regulations will support the following UNCRC articles in particular:

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.

The Regulations will benefit families with children living in the registered social and private rented sectors irrespective of their background. However, for groups which are disproportionately represented in these sectors, such as families in low income households, the benefits will be proportionally greater. Families with disabled children may have proportionately greater difficulty finding suitable alternative accommodation and the Regulations may have particularly beneficial impact on them.

Article 4 - Governments should make these rights available to children.

The longer notice periods required by these regulations will help to ensure that the rights of children living in families within the registered social and private rented sectors are protected.

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 provide this.

The longer notice periods will help families with children avoid eviction into homelessness or being forced into unsuitable or less affordable accommodation. Were either of these to occur, a child's standard of living and quality of life are likely to deteriorate in a way that is detrimental to their physical and mental well-being. The additional time that a longer notice period provides should enable either the family to remain in their home (by allowing more time to make good rent arrears, for example) or the opportunity to find more suitable alternative accommodation.

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.

The longer notice periods should better enable families who rent to remain in their local community, allowing children to continue attending the same school when returning to school in the autumn (pandemic/infection rates allowing). This will avoid disruptive impact that moving schools can have on a child's education and the effects this has on academic outcomes, when children have already experienced significant disruption in schooling and other aspects of their lives as a result of the pandemic.

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 the people in the country or not.

Enabling families with children to remain in their local communities may be important in allowing children to learn and use their familial language and customs. Children from Welsh speaking families and attending Welsh medium education may face particular difficulties where unable to remain in their local community, or where access to Welsh medium education is restricted in the place to which they move.