

Children's Rights Impact Assessment (CRIA)

Title / Piece of work:	Substance Misuse Delivery Plan 2019-2022
Name of Official:	Julia Huish
Department:	Health and Social Services
Date:	Last Reviewed September 2019
Signature:	

Six Steps to Due Regard

Section 1 of the Rights of Children and Young Persons (Wales) Measure (2011) places a duty on the Welsh Ministers to have due regard to the United Nations Convention on the Rights of the Child (UNCRC) when making their decisions. The term 'due regard' requires a balanced consideration of the issues. This means that Ministers must think about how what they are doing including the development of legislation, relates to the rights and obligations in the UNCRC.



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

Substance misuse affects people of all ages, including children and young people, both as a result of their own use and that of their parent/carer:

- As at 31 March 2017, there were 4,035 children receiving care and support due to parental substance misuse. The number of children receiving care and support whose own substance misuse was identified as a problem was 615;
- There were 953 admissions involving young people aged under-25 with an alcohol-specific condition in 2017-18, a fall of 7.2 per cent compared with 2016-17;
- There were 1,271 admissions of young people aged under-25 for conditions related to illicit drugs in 2017-18, a decrease of 3.1 per cent on 2016-17;
- In 2015-16, the most recent year for which statistics are available, the number of school exclusions related to drugs or alcohol decreased overall from 380 to 332;
- The number of permanent pupil exclusions due to drugs or alcohol increased from 9 to 12 cases, whilst the number of fixed term exclusions under and over 5 days decreased by 10.1 and 31.3 per cent respectively.

The Welsh Government's strategy for Substance Misuse 'Working Together to Reduce Harm' (2008-18) has come to an end in its current form and a subsequent Delivery Plan for 2019-22 has been developed to set out the substance misuse priorities for the future.

The delivery plan is based on the themes of the former substance misuse strategy and sets out how the work will align to the Quadruple Aims contained in "A Healthier Wales".

The overarching aim of the plan is to reduce the harms caused by drugs and alcohol to the individual and wider society. It contains a series of population and performance measures in order to determine the success or otherwise of the plan.

The delivery plan contains a number of key actions for Welsh Government and key partners that have been developed following a pre-consultation process, along with findings from a contribution analysis of the 2008-18 strategy (published April 2018) and the findings of the Healthcare Inspectorate Wales (HIW) Review of Substance Misuse Services (published July 2018).

Alongside the actions highlighted in the plan, we have also set out major priority areas where we consider further work needs to be undertaken in order to make continued progress for those who have substance misuse issues. These areas will include working across Government and with key partners, particularly Substance Misuse Area Planning Boards (APBs).

Step 2. Analysing the impact

It is believed that the delivery plan will continue to have a positive effect on children, young people and their families as the evidence to date shows a decline in the number of children and young people accessing treatment for substance misuse services and in hospital admissions for children and young people as a consequence of alcohol or drug use.

There are a number of actions within the delivery plan that are specifically targeted towards children and young people including:

- ensuring that specialist services are available to provide support for children and families
- access to dedicated transition services for young people
- contributing to a whole school approach with the aim of improving the emotional and mental wellbeing of learners
- working with other programmes and community based groups who provide early invention and prevention services to ensure timely and appropriate referrals are made to substance misuse services. Also ensuring awareness of the harms associated with substance misuse and where to access appropriate support
- ensuring joint systems are in place for the early identification and preventative action to help reduce the number of children taken into care as a result of substance misuse.

Overall, we anticipate that the Substance Misuse Delivery Plan (2019-22) will have a positive impact on children and young people and will make an important contribution to supporting children's rights – particularly in relation to Articles 3, 6, 12, 19, 24 and 33.

The Delivery Plan references the Welsh Government's intention to introduce a 50p Minimum Unit Price (MUP) for alcohol – which will be specified in draft regulations to be laid before the National Assembly for Wales later in 2019. While there is broad support from public health stakeholders for the introduction of a minimum price for alcohol, some

stakeholders and service providers have also raised concerns around potential unintended consequences of MUP and potential impacts on families with children. In particular, concerns have been raised about the potential impacts of MUP on household budgets. Most recently, these are summarised in the Welsh Government summary of consultation responses on its preferred level of the MUP. The summary of consultation responses highlights the following: "In particular, a number of responses highlighted the impacts of introducing an MUP for alcohol on household budgets. Specific concerns were raised that introducing a MUP for alcohol will have unintended consequences for families with children, if parents choose to continue drinking and have to pay more for alcohol, and could therefore less money for food and fuel and potential increases in debt." Another issue raised by stakeholders in relation to MUP has been the potential increase in the number of people seeking access to support services, when MUP is introduced – and the need for "services to be properly resourced". The additional funding allocated to APBs in 2018 will help to ensure services are in place, should this potential increase in demand take place.

The delivery plan aligns to the five ways of working in the Well-being of Future Generations Act 2015 and we have ensured that the substance misuse outcomes that we are seeking to achieve during the lifetime of this plan are clear in the contribution they make to the Wellbeing of Future Generation Act goals. It contains a series of population and performance measures in order to determine the success or otherwise of the plan.

Related outcome frameworks such as the NHS Delivery Framework and the National Social Services Outcome framework and related performance indicators for each of the key actions will also be considered in measuring the success of the (2019-22) delivery plan. The delivery plan also contains a specific action relating to the Welsh Government and APBs exploring the development of a substance misuse outcomes framework. In addition we will be piloting a specific Children and Young Peoples Outcome Tool in 2020.

In the months leading up to the development of the 2019-22 Delivery Plan, four engagement events (with service providers in the morning and service users in the afternoon) took place in Cardiff, Newport, Llanelli and Llandudno. An additional event was held in Powys for the Area Planning Board and service users, plus a specific service user event for the Cwm Taf area. A specific event also took place with young people in West Wales. These events have provided an opportunity to gain confirmation that the areas identified as potential priorities in the delivery plan are broadly correct.

One of the key priority areas for action that became apparent from feedback received during the pre-consultation process and is now included in the delivery plan is the need to provide further **support for families and carers of people who misuse substances**. It was felt there were not enough family support services and people may not be aware of those that exist. In particular we know through the work on Adverse Childhood Experiences (ACEs) that children who are raised in homes where substance misuse is an issue are, potentially, more likely to have adverse outcomes in later life. The actions within the delivery plan are aimed at helping to focus efforts on ensuring services are joined up and effective for families who are "on the edge of care".

¹ https://gov.wales/setting-minimum-unit-price-alcohol

² https://gov.wales/setting-minimum-unit-price-alcohol

A formal 6 week consultation exercise will be undertaken between July and August 2019. As part of that process, whilst a child friendly version of the plan is not thought to be required, further consultation events on the plan will be held specifically with children and young people who may have experience of substance misuse and associated service providers.

The plan also has a direct role in delivering the key objectives of the <u>Child Poverty Strategy</u> <u>for Wales</u> as it sets out to support people with substance misuse to enter employment and seeks to improve their general health and wellbeing.

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

The following articles of the UNCRC are considered particularly relevant to the proposal:

Article 3 – All organisations concerned with children should work towards what is best for each child.

Substance misuse is a major health issue which affects individuals, families and communities and this plan sets out the priority areas that Welsh Government will focus on, with key partners, to achieve our ambition of reducing the harms associated with substance misuse. Tacking substance misuse needs commitment from across government and key partners delivering frontline services to ensure we reach and support everyone who is in need so that they get the right level of support, at the right time and in the right place.

The (2019-22) delivery plan takes into account the Welsh Governments overall responsibility to children under Article 3 and contains a number of specific related actions:

- Substance Misuse Area Planning Boards (APBs) to work with other programmes and community based groups who provide early invention and prevention services, e.g. Flying start, Families First
- specialist services are available to children and families to provide support
- joint systems in place for the early identification and preventative action to help reduce the numbers of children taken into care as a result of substance misuse
- access to dedicated transition services for young people.
- contributing to a whole school approach with the aim of improving the emotional and mental wellbeing of learners
- working with GPs and representative bodies to increase knowledge and understanding around substance misuse and substance misuse services
- working with all primary care settings to ensure there is direct referral routes to substance misuse assessment services.
- working with partners, to raise awareness, with health professionals and the public, of harms associated with risky levels of alcohol consumption as well as providing clear advice on managing alcohol intake
- working with the Alcohol industry, and other partners to ensure safe drinking messages are promoted in licenced premises and at retail outlets
- APBs to work with Community Alcohol Partnerships to develop local initiatives to tackle underage drinking and anti-social behaviour.

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

The plan highlights how the Welsh Government is committed to ensuring that services provide early intervention and prevention so that longer-term harms are prevented, before they occur. This includes preventing exposure to Adverse Childhood Experiences (ACEs). There is an increasing body of international evidence about the negative long-term impact on health and well-being outcomes which can result from exposure to childhood trauma before the age of 18. The evidence also links exposure to ACEs to an increased risk of adopting health harming behaviours in adolescence, including substance misuse. So substance misuse is both an issue and risk factor. Children of those affected by ACEs are at increased risk of exposing their own children to ACEs, creating a cycle of harm, which early intervention needs to focus on breaking.

There are actions within the (2019-22) delivery plan to support the reduction of harm to an individuals health including specific action to reduce the numbers of death as a consequence of either drug or alcohol abuse:

- Welsh Government, APBs and other partners (through the National Implementation Board for Drug Death Prevention) to implement the recommendations of the Public Health Wales (PHW) Review (further to the Drug Consensus Seminars) with a view of reducing fatal and non-fatal drug poisonings
- Welsh Government will implement the Public Health (Minimum Price for Alcohol) (Wales) Act 2018 with the aim of addressing some of the long-standing and specific health concerns around the effects of excess alcohol consumption in Wales
- APBs to ensure that there are transition services in place for young people and their families who have substance misuse issues, including co-occurring mental health.
- APBs to ensure that services are developed with an awareness of ACEs and that staff are trained in this.

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.

The actions in this delivery plan respond to what we have been told through the evaluation of the previous strategy (published April 2018) and the Healthcare Inspectorate Wales (HIW) Review of Substance Misuse Services (published July 2018). It also takes into consideration the feedback received from the extensive pre-consultation engagement process, with both providers and service users, including young people.

There are a number of actions within the (2019-22) delivery plan to support Article 12:

- working with APBs to ensure they involve people in the design and delivery of services
- APBs to ensure that they have strong service user representation on their board
- Welsh Government to further support the development of the All Wales Service User Movement to ensure service users are represented appropriately at a national level.

Article 19 – Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents or anyone who looks after them.

Substance misuse is a major health issue which affects individuals, families and communities. The plan is structured under the four key aims of the previous strategy, one of which is 'supporting and protecting families'. Throughout the priorities and commitments set out in the plan there is a focus on having a *long-term* impact on individuals and families.

One of the key priority areas for action that became apparent from feedback received during the pre-consultation process (and is now included in the delivery plan) is the need to provide further **support for families and carers of people who misuse substances**. It was felt there were not enough family support services and people may not be aware of those that exist.

Where family support is available, carers reported the benefits of sharing experiences in peer support groups, gaining a greater understanding of addiction and how to support their loved one. People also said this had helped improve relationships with family members as they better understood their problems. However, it was felt there were not enough family support services and people may not be aware of those that exist. In particular we know through the work on ACEs, as indicated above, that children who are raised in homes where substance misuse is an issue are, potentially, more likely to have adverse outcomes in later life. In light of this, the plan also focuses on actions to ensure services are joined up and effective for families who are "on the edge of care".

There are a number of actions within the (2019-22) delivery plan in support of Article 19:

- APBs to ensure that specialist services are available to children and families to provide support
- Ensure there are joint systems in place for the early identification and preventative action to help reduce the numbers of children taken into care as a result of substance misuse
- Provide accessible, timely services to parents with substance misuse problems so they are helped to keep the family unit together by managing risk
- Jointly ensure that services are easily accessible to care experienced children and young people whose lives are affected by substance misuse.
- APBs and Local Authority Social Services to ensure easy access to dedicated transition services for young people who have substance misuse issues and care experience.

Article 24 – Children have the right to good quality health care.

The delivery plan is based on the themes of the former substance misuse strategy and sets out how the work will align to the Quadruple Aims contained in "A Healthier Wales". The overarching aim of the plan is to reduce the harms caused by drugs and alcohol to the individual and wider society, which includes the deterioration of physical and mental health.

Whilst health services are designed to respond to the needs of individuals who suffer from substance misuse, there are other levers outside of health, which are critical in improving an individual's health and well-being.

There are many initiatives in place - or planned - across Welsh Government that will support the substance misuse agenda with significant investment being made in terms of resources. One of the areas where this is demonstrated is through the investment being made to take forward a new 'whole school approach' to mental health and wellbeing for children and young people in Wales. As part of the 'whole school approach', all schools will support the broader mental health and wellbeing of learners, which in turn will help to prevent other issues from developing or escalating, including substance misuse issues.

The plan is structured under the four key aims of the previous strategy, one of which is 'support for individuals – to improve their health and aid and maintain recovery'.

Following feedback received from the extensive pre-consultation engagement process, with both providers and service users, including young people, three key priority areas were identified relating to the health and wellbeing of those who misuse substances.

The first priority area relates to responding to **co-occurring mental health problems** which are common in substance misuse. Guidelines exist, through the Mental Health & Substance Misuse Co-occurring Substance Misuse Treatment Framework, for the treatment of these problems and, in general, the coexistence of a substance misuse problem should not be a reason for denying a service user access to the recommended treatment usually provided by mental health services. The delivery plan highlights that improvement needs to be made on this so that individuals with co-occurring mental and substance misuse issues, as well as other addictions such as gambling and smoking, receive appropriate and timely support.

The second priority area relates to **ensuring that appropriate and responsive alcohol misuse services are in place** before the Public Health (Minimum Price for Alcohol) (Wales) Act 2018 is implemented. Concerns have been raised about the potential impact of minimum unit pricing on dependent drinkers and there is a need to ensure that services are in place for those who may seek support.

The third priority area relates to **improving access to services and ensuring people get the support and treatment when they need it.** The delivery plan makes it clear that it is critical to ensure we reach as many people as possible. Waiting times for treatment have consistently reduced, with over 90% in 2017/18 starting treatment within 20 days, an improvement on the previous year of over 4 percentage points. We will work with APBs to ensure access to substance misuse services is increased, with particular attention to providing outreach to vulnerable groups and improving links with primary care services, in particular GPs. We know that access for those who live in our rural communities can be a challenge and will work with relevant APBs to focus efforts in rural areas to improve this, in particular through outreach, integration with primary care and the use of digital technologies. As people are presenting with more complex issues, many affecting their ability to maintain treatment and recover, we will work to ensure we adopt a whole person approach, based on strengths and trauma informed practice. We will strengthen our multiagency working and care planning to ensure peoples' needs are met. Once people are in treatment it is important that they get the right treatment, at the right time and have choices.

There are a number of actions within the (2019-22) delivery plan in support of Article 24:

 working with partners, to raise awareness, with health professionals and the public, of harms associated with risky levels of alcohol consumption as well as providing clear advice on managing alcohol intake

- working with GPs and representative bodies to increase knowledge and understanding around substance misuse and substance misuse services. WG will continue to work with the Royal College General Practitioners (RCGP) to encourage GPs (and other primary care professionals) to undertake the RCGP substance misuse certificates Part 1 and 2 and to specialise in substance misuse
- working with all primary care settings have direct referral routes to substance misuse assessment services
- all APBS should consider how proactive outreach work is undertaken in their areas in order to target hard to reach groups who may not be accessing substance misuse services
- ensure the Mental Health & Substance Misuse Co-occurring Substance Misuse Treatment Framework is delivered, with the aim of improving joint working with mental health services and to better support those with co-occurring problems.
- working with APBs to ensure that services are accessible to all people with protected characteristics
- working with APBs to implement routine opt-out testing (dry blood spot testing and venepuncture) for blood borne viruses (hepatitis B, hepatitis C and HIV) and hepatitis B vaccination for all those in contact with substance misuse services including low threshold services and community pharmacy providers
- all APBs to consider how links and access to community projects and diversionary activities can play a part in the health and well-being of those with substance misuse issues
- Welsh Government to review our target for waiting times to ensure it is appropriate and leads to improved outcomes and monitor progress against this
- APBs to work with other programmes and community based groups who provide early invention and prevention services, e.g. Flying start, Families First with the aim to ensure timely and appropriate referrals are made to substance misuse services; and that awareness of the harms associated with substance misuse and where to access sources of support is provided
- APBs to ensure that specialist services are available to children and families to provide support
- APBs to ensure that there are transition services in place for young people and their families who have substance misuse issues, including co-occurring
- jointly ensure that services are easily accessible to care experienced children and young people whose lives are affected by substance misuse
- APBs and Local Authority Social Services to ensure easy access to dedicated transition services for young people who have substance misuse issues and care experience.

Article 33 - The Government should provide ways of protecting children from dangerous drugs.

Substance misuse can cause a multitude of harms, both to the individual and to those who have direct or indirect contact with the person who is using substances, such as family members or society as a whole. These harms can include adverse consequences on the wider community concerning criminal activity and anti-social behaviour. We know that the effect of people supplying drugs has a significant impact on those who they supply to and the wider community, not least given the violence so often associated with gangs.

There are a number of actions within the (2019-22) delivery plan in support of Article 33:

- Welsh Government and APBs to work with Police and Crime Commissioners (PCCs) and the Police to set out key objectives in reducing the availably of illegal drugs and New Psychoactive Substances (NPS) and publicise successful outcomes, particularly in relation to work on County Lines
- support landlords in Wales to identify and support activity to tackle behaviours associated
 with gang-related/county lines activity. In particular, working with the four Welsh police
 forces to ensure services are fully aware of trends in terms of activities and best practice
 in terms of prevention and interventions.

With the exception of Article 33, the (2019-22) delivery plan can only contribute to the delivery of the Articles highlighted above as part of range of interventions required by the Welsh Government.

In relation to Article 33, the Welsh Government is also dependent on the UK Government response to ensuring this right is met as responsibility for the legalisation and criminalisation of substances remains with the UK Government.

Step 4. Advising the Minister and Ministerial decision

The Minister for Health and Social Services has been advised that this impact assessment has been completed and that the work is consistent with the requirements of the UNCRC, particularly the articles outlined above.

Step 5. Recording and communicating the outcome

This Children's Rights Impact Assessment (CRIA) will be reviewed and updated during and following the consultation period and prior to publication of the final delivery plan.

The CRIA will also be published on the Welsh Government website as part of the Integrated Impact Assessment.

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

This Children's Rights Impact Assessment will be kept under review during the consultation period and will be re-visited prior to publication of the final delivery plan.

<u>Budgets</u>

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 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:

There has not been any impact on the budget as a result of this CRIA.

The Welsh Government currently invests nearly £53m in this agenda. £25.063m of this budget goes to the seven Area Planning Boards (via the Substance Misuse Action Fund (SMAF)) who through the partnership of key agencies, commission substance misuse services for their region. Of the £25.063m from the SMAF revenue budget across Wales, £2.75m of this is ring-fenced to Children and Young People Services.

A further £18.934m is ring-fenced for substance misuse services within the Health Boards discretionary allocation.

Monitoring and review

Do we need to monitor / review the proposal?	Yes
If applicable: set the review date	To be considered and reviewed on an ongoing basis, but particularly ahead of publication of the final delivery plan later in 2019.



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

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.



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

Article 3

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

Governments should make these rights available to children.

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.

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

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.

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

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.

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.

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

Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their

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

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.

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.

Children have a right to privacy. The law should Article 26 protect them from attacks against their way of life, their good name, their families and their

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

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

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.

Artide 20

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

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.

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 dean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this

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

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.

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

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.

Children have a right to learn and use the language and austoms of their families, whether these are shared by the majority of people in

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 healthar their education.



Llywodraeth Cymru Welsh Government

www.cymru.gov.uk

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.

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

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.

Artide 38

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

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

Article 40

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

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

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.unarcletsgetitright.co.uk/

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

