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Cymru

Children's Rights
Wales



Llywodraeth Cymru
Welsh Government

United Nation's Convention on the
Rights of the Child (UNCRC) report

**List of issues prior to submission
of the combined sixth and seventh
reports of United Kingdom of
Great Britain and Northern Ireland**



Wales Report September 2022

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The [United Nations Committee's List of Issues Prior to Reporting \(LOIPR\) report](#) provides questions for the UK State party on both devolved and non-devolved areas.

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Introduction

The United Nations (UN) Committee on the Rights of the Child (UNCRC) published the LOIPR of the combined sixth and seventh reports of United Kingdom of Great Britain and Northern Ireland in February 2021. [The United Kingdom Government published its report in response to the List of issues on 15 June 2022.](#)

The Welsh Government welcomes the opportunity to publish an overview of progress. The UN Committee's LOIPR report includes recommendations on both devolved and non-devolved areas. This report provides an update on the policy areas that are the responsibility of the Welsh Government.



Foreword



Julie Morgan MS

Deputy Minister for Health
and Social Services

The Welsh Government is committed to the United Nations Convention on the Rights of the Child and I welcome the opportunity to publish a Wales report which addresses the 2021 List of Issues Prior to Reporting from the UN.

I want Wales to be a wonderful place to grow up, live and to work, where all children and young people are valued. In March of this year, I published our Children and Young People's Plan, which has the UNCRC at its heart. It sets out seven cross-government priorities and a commitment to publish an annual progress report.

In December 2021, I published an updated [Children Rights Scheme](#), which sets out revised arrangements to continue the embedding of children's rights within the Welsh Government.

During the reporting period there have also been a number of significant legislative achievements which are highlighted in this report. A key achievement has been the [Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#) which came into force on 21 March 2022. This new law protects children's rights by prohibiting all physical punishment of children, something I have long campaigned for.

I am very conscious that this report is set against the background of the COVID-19 pandemic, Brexit and a cost of living crisis. The impact of the COVID-19 pandemic on children and young people should not be underestimated and this report provides details of the numerous actions taken as a government to support children and young people.



New Developments

There have been a number of significant achievements during the reporting period.

3A – The Committee requests the State party to provide:

(a) Information on the adoption or reform of laws, policies and programmes, and any other type of measures taken, such as the creation or reform of institutions, that are significant for the implementation of the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography;

Corporal Punishment: Ending physical punishment of children in Wales

The [Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#) received Royal Assent on 20 March 2020 and came into force on 21 March 2022. Consistent with UNCRC article 19, the overarching aim of the Act is to protect children's rights by prohibiting all physical punishment of children. As a result of this legislation children are afforded the same legal protection from assault as adults. Implementation, which is ongoing, is being conducted with key stakeholders through a multi-agency [Strategic Implementation Group and associated task and finish groups](#).

Lowering the voting age: Extension of voting rights to 16 and 17 year olds in Wales

The voting franchise in Wales has been extended to 16 and 17 year olds through the [Senedd and Elections \(Wales\) Act 2020](#) and the [Local Government and Elections \(Wales\) Act 2021](#) for elections to the Welsh Parliament/Senedd Cymru and to local government. The younger franchise was in place for the 2021 Senedd Cymru elections and the 2022 local government elections.

Throughout the legislative process the views of young people were sought through consultation. Feedback showed that young people wanted further support in engaging with the political process and democratic institutions. The Welsh Government's [Democratic Renewal Programme](#) worked with key partners to support the democratic engagement of Welsh citizens e.g. youth workers, schools and third sector organisations.

Young people aged 16-17 voted for the first time in Senedd Elections May 2021. Around 54% of young people registered to vote in advance of these elections. Young people aged 16-17 also took part in local government elections held in May 2022.

Embedding a whole school approach to mental health and wellbeing

In March 2021, the Welsh Government published [new statutory guidance for schools on the development of a whole school approach to emotional and mental wellbeing](#). The purpose is to help schools develop and build their own consistent and equitable whole school approach to wellbeing to meet the needs of the whole school population, recognising that effective learning can only occur in an environment where all are engaged.

To support its implementation, the Welsh Government has made £9m available in 2022/23. The [draft budget](#) for 2022-23 to 2024-25, indicates year on year increases, which will see funding rise to £16.6m by 2024-25.

In 2022/23, funding has been used to support local authorities to:

- deliver universal and targeted interventions to children in schools;
- support the training of teachers and other school staff on their own and children's wellbeing; and
- extend and improve the statutory school and community-based counselling service, which sees around 11,500 children and young people each year, with funding also being used to extend 'age appropriate' support to children below the current Year 6 threshold.

Additional Learning Needs and Education Tribunal (Wales) Act 2018

The [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) (the Act) and the accompanying [Additional Learning Needs \(ALN\) Code](#) and regulations, provides the statutory system for meeting the ALN of children and young people in Wales. The Act delivers a more inclusive, person-centred approach which places the learners' views, wishes and feelings at the heart of the process of planning the support required to enable them to learn effectively and achieve their full potential. The principles of the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities (UNCRDP) are given effect in the Act and the ALN Code. Therefore, in exercising their functions under the Act, local authorities and health bodies are likely to be giving effect to relevant articles under the Conventions. To embed the rights under those conventions further, the Act includes specific duties on local authorities and NHS bodies to have due regard to the conventions. The ALN Code includes a chapter that deals with these duties. It sets out what is required to discharge the duties and gives further guidance about them.

All children will be moved to the new ALN system between September 2021 – September 2024.

The objectives of the Act are to create:

- a unified legislative framework to support all children of compulsory school age or below with ALN, and young people with ALN in school or further education;
- an integrated, collaborative process of assessment, planning and monitoring which facilitates early, timely and effective interventions; and
- a fair and transparent system for providing information and advice, and for resolving concerns and appeals.

Since 2018, the Welsh Government have funded five regional ALN Transformation Leads to provide advice, support and challenge to prepare local authorities and education institutions for implementation through readiness self-assessments and the development of local implementation plans. To develop the ALN workforce the Welsh Government have delivered an extensive package of training, core skills development and ongoing professional development for all practitioners. They have also funded the professional training of educational psychologists in Wales to help secure a supply of specialist capacity in the sector.

The success of this approach has increased sector confidence in delivery and informed development of a National Implementation Programme. The programme will be delivered in conjunction with national implementation leads and an ALN implementation steering group to provide continued support to the sector and maintain progression from transformation to implementation.

[Curriculum and Assessment \(Wales\) Act 2020](#)

In September 2022, the new curriculum will be taught in Welsh schools. A duty has been placed on governing bodies and head teachers of maintained schools and nurseries to promote knowledge and understanding of the UNCRC

and the United Nations Convention on the Rights of Persons with Disabilities (UNRPD) to their teaching staff.

The duty will support teaching staff in mainstreaming children's rights into their everyday teaching practices when designing and delivering their curriculum.

The philosophy and importance of the UNCRC is also embedded throughout the new curriculum with the Humanities Area of Learning Experience (AoLE) outlining the need for learners to understand their rights and engage with the concept of rights more generally.

3B – Information on measures taken to ensure the protection of the rights of children in the context of the coronavirus disease (COVID-19) pandemic and to mitigate the adverse impacts of the pandemic, in view of the statement of the Committee of 8 April 2020 on the effects of the COVID-19 pandemic on children;

Impact of COVID-19 on Babies, Children and Young people

COVID-19 has had a negative impact on the lives of our most vulnerable and disadvantaged children and families. This section sets out our approach to supporting the following sectors/ stakeholders:

- Early years
- Schools
- Parents
- Direct support to families
- Listening to the voices of children and young people during the pandemic.

Healthy Child Wales Programme

The [Healthy Child Wales Programme](#) (HCWP) sets out what planned contacts children and their families can expect from their health boards from maternity service handover to the first years of schooling (0-7 years).

The coronavirus pandemic presented unprecedented challenges to children, families and the services that support them. A range of key contacts were maintained as part of the HCWP to ensure all families were supported over this period. Welsh Government advised that, until notified otherwise, health boards should operate in accordance with the following principles:

- Ensure assessment visits at 10-14 days for all families, the home contact (Home visit vs Telephone) to be determined using professional judgement according to information available on family circumstances.
- Ensure existing data collection processes are followed.
- The primary care (GP) physical examination (6 week) contact is to continue. Ensure existing data collection processes are followed.
- Continue to undertake the 6 month contact at home/hub/phone, whilst ensuring that existing data collection processes are followed. The home contact to be determined using professional judgement according to information available on family circumstances.
- Ensure existing data collection processes are followed.
- Continued provision of routine vaccinations. Health Visiting Team and School Nurses to support the delivery of service to be locally determined.
- Continued support for families' identified with safeguarding or enhanced/intensive needs. In these cases, all the usual contacts will still apply. The home contact to be determined using professional judgement according to information available on family circumstances.

All Families who had concerns about their children were still able to contact their health visitor for advice.

Child Development Fund and Speech Language and Communication

The Child Development Fund was established to provide additional support to children and families impacted most by lockdown as a result of the COVID-19 pandemic, to address concerns around developmental delay, in areas such as speech, language and communication, fine and gross motor skills and personal and social development.

In ensuring that no family is left behind as a result of the pandemic, the Welsh Government allocated up to £18.5m to local authorities across Wales between October 2020 and March 2023 to help them meet the demand for additional development support in light of the impact of health protection restrictions and an increase in referrals due to pressures encountered as a result of the COVID-19 pandemic. The fund is targeted at children aged 0-5 years of age, to boost the delivery of services and address concerns around development delay in areas such as speech, language and communication, fine and gross motor skills and personal and social development, ensuring children and families receive the they need to thrive and achieve their full potential.

To drive down waiting lists and provide timely support for children, young people and those who are newly vulnerable, Welsh Government also allocated up to £14m for an Early Help programme. This helped to bolster services delivered by the [Flying Start](#) and [Families First](#) programmes.

Interactive, creative and play-based initiatives for all years

£5m was provided in 2021-22 to support the provision of free interactive, creative and play-based initiatives for children and young people aged 0-25 to help support their social, emotional, physical and mental wellbeing over the summer period via the Summer of Fun programme. The Summer of Fun 2021 [independent evaluation](#) reported that over 67,500 children and young people across Wales benefitted. Almost half of all providers offered family activities alongside activities for children and young people.

£20m was also provided for similar activities over the winter via the Winter of Wellbeing. An independent evaluation of the Winter of Wellbeing is due in late 2022.

A further £7m has been allocated to support a Summer of Fun in 2022, which will again see a mix of sport, cultural, leisure and play based activities provided for children and young people aged 0-25.

Schools

Throughout the pandemic, the Welsh Government put the wellbeing of learners at the heart of its decision making; with decisions in relation to schools and education taken in line with the very latest public health advice. Schools were repurposed to support the children of critical workers and the most vulnerable children and investment was made in counselling services and mental health support, including funding local authorities to deliver counselling services in schools and to recruit additional counsellors. The Welsh Government also developed new guidance and [online resources](#) for mental health to help deal with additional issues created by the coronavirus.

Schools in Wales made tremendous efforts to ensure all students continued learning even when schools were closed. Wales led the way in remote learning, with all maintained schools able to access a range of digital tools and resources to support distance learning. To support this, the Welsh Government supplied in excess of 185,000 devices to schools to support teaching and learning in the classroom, which could be used to support learners with remote learning. In addition, over 10,000 4G MiFi devices were provided to support digitally excluded learners.

Welsh Government provided:

- an additional £83.3m to provide free school meals during school holidays and for learners unable to attend school as a result of the pandemic; and
- £4.85m to fund food and fun engagement activities as part of the School Holiday Enrichment Programme.

As schools have begun to return to usual operations and our focus in Wales has settled on our recovery programme, the Welsh Government have employed 1,800 additional teachers and teaching assistants as extra members of support staff to support our children in their future learning and development.

Support for parents

Supporting parents was a key part of the refocused [Parenting. Give it time](#) campaign. From May 2020, the campaign was delivered under a new umbrella [“Stay Safe. Stay Positive”](#) and worked with partners to provide advice and support for parents during lockdown, including developing new resources with experts in the field such as top tips for parents of young children, and to help with separation anxiety as children returned to childcare and school after the extended period many of them spent at home.

In November 2020 the [‘Parenting Moments’ campaign was launched](#). Parenting. Give it time has continued to evolve and in November 2021, a refreshed website went live with information, advice and support for parents with children up to the age of 18 years of age (originally 0-7 years of age).

Discretionary Assistance Fund

Welsh Government provided additional financial support to households through the allocation of an extra £14.9m in 2020/21 and £14.7m in 2021/22 which supported an increase in demand and a relaxation to the limit on the number of claims being awarded from the [Discretionary Assistance Fund](#).

As part of the 2022/23 final budget, a further £15m has been made available for the Discretionary Assistance Fund ensuring more people receive emergency financial support when they need it.

Funding for food banks

Since 2019, Welsh Government has provided £14.84m to tackle food poverty. Organisations have been supported to access, store and distribute additional supplies of good quality food to their customers.

Investment has also supported the development of a resilient infrastructure for the long-term benefit of communities. The funding has supported community groups to develop projects such as social supermarkets, community cafes, lunch clubs and community cookery classes. It has also supported the purchase of equipment such as fridges, freezers and cooking equipment.

Projects have helped build community resilience by co-locating a range of support services such as debt and housing advice, built around community food provision.

Listening to the voices of children and young people during the pandemic

Welsh Government worked in collaboration with the [Children’s Commissioner for Wales](#), [Children in Wales](#) and the [Welsh Youth Parliament](#) to run two nation-wide [Coronavirus and Me surveys](#) of children and young people. With more than 43,000 responses it allowed children and young people to provide their views about the impact of the pandemic on a range of issues including their health, education and social aspects of [their lives](#).

The following reports were also produced to highlight the needs of specific groups of children and young people:

- Experiences of [children under 7](#)
- Experiences of [young people aged 15-18](#)
- Experiences of [disabled children](#)
- Experiences of [children from Black, Asian and Minority Ethnic backgrounds](#)

The Welsh Government used the survey results widely when conducting children’s rights impact assessments – including on COVID-19 measures.

To supplement the survey, and to ensure Ministers heard directly from children and young people, regular virtual meetings were also held between young people, the First Minister and individual Cabinet Ministers.

3C – Information on measures taken to ensure that the State party's withdrawal from the European Union, as well as the loss of related funding, do not have an adverse impact on children's rights, and in ensuring that the principle of the best interests of the child is reflected in all legislative and policy matters and judicial decisions affecting children;

The UK Government has failed to honour its pledge to fully replace the EU Structural and Investment funds, with Wales more than £1 billion worse off¹. These funds supported investment in national programmes including apprenticeships and business support, and programmes delivered by other sectors, including support for children who are Not in Education of Training (NEET).

Welsh local authorities will now receive a maximum of £585m over three years from the Shared Prosperity Fund, with £101m of that ring-fenced to deliver a UK Government adult numeracy scheme called Multiply.

Taith: International Learning Exchange Programme

In Wales, the [Taith programme](#) seeks to replace the opportunities previously available through the Erasmus+ programme. £65m will support 15,000 outbound and 10,000 inbound mobility opportunities for both learners and staff, and is available across all education providers, including Youth, Adult Education, Further Education, Vocational Education and Training, and Higher Education. The Turing Scheme, operated by the UK Government, also replaces some Erasmus+ activity – specifically outbound activity for learners. It does not replace any activity for young people in youth work settings.

¹ [Written Statement: Loss of funding to Wales as a result of the UK Government's arrangements for replacement EU funding \(4 May 2022\)](#)
| [GOV.WALES](#)

4 – The Committee requests the State party to provide information on how a child rights based approach is integrated into the planning, implementation, monitoring and evaluation of measures for achieving the Sustainable Development Goals, including with regard to child participation and data collection, and how such measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

In Wales the [Well-being of Future Generations \(Wales\) Act 2015](#) provides a comprehensive approach to sustainable development that mirrors the Agenda 2030 Sustainable Development Goals framework and supports the UNCRC and commitments to involve children and young people in decisions that affect them.

The [measurement framework](#) for the well-being of Wales consists of 50 well-being indicators and an [annual Well-being of Wales Report](#) which includes data on children and related aspects. In 2018, a separate report on [children's wellbeing](#) was published alongside the main [well-being report](#). The next report will be updated in September 2022, and an updated [child well-being report](#) will also be published.

Each national indicator has its own interactive page on the [national indicators dashboard](#) and these are updated when new data becomes available. The set of national indicators was reviewed in 2021. As part of this process, to ensure children's rights were embedded, input was sought from the Welsh Government's Children's Rights Advisory Group, and the Children's Commissioner for Wales was invited to respond to the formal consultation. Views were also sought from a panel of young people to ensure they had the opportunity to directly express their views and have them considered. Topics of importance raised by young people were included in the revised indicator set – for example, the inclusion of a new indicator on justice.

The [School Health Research Network's \(SHRN\) Student Health and Wellbeing Survey](#), which takes place every two years, is a national survey providing high quality data on the health and wellbeing of around 120,000 young people aged 11–16 in Wales. SHRN is a collaboration between Cardiff University, the Welsh Government, Public Health Wales and Cancer Research UK. A research advisory group of young people helps to shape the survey's content and disseminate findings. The latest survey round included specific questions on children's rights.

In 2019 Wales contributed to the UK Government's first Voluntary National Review of the Sustainable Development Goals and published a separate [supplementary report](#) on actions taken in Wales which included data and narrative regarding children.



Rights of the Convention and the Optional Protocols

A. General measures of implementation (arts. 4, 42 and 44 (6))

Reservations and legislation

Please explain the measures taken to:

5B – Bring its domestic legislation in line with the Convention and ensure that the principles and provisions of the Convention and the Optional Protocols are directly applicable and justiciable under domestic law, particularly in England, Northern Ireland and the overseas territories and Crown dependencies;

The Welsh Government has [set out its approach to exploring options](#) for incorporation of UN Conventions into Welsh law, such as a Welsh Human Rights Bill, in line our [Programme for Government](#) commitment in this area. A Human Rights Advisory Group has been established to support this work.

Children's rights are enshrined under [The Rights of the Children and Young Persons \(Wales\) Measure 2011](#) which requires Welsh Ministers to have due regard to the UNCRC and its optional protocols when exercising any of their functions.

The Welsh Government fully supports ratifying the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (2014). The First Minister of Wales wrote to the UK Prime Minister in March 2021 asking the UK Government to ratify this Protocol which allows individual children to make representation to the UN regarding alleged violations of their rights. There has been no indication from the UK Government that they will consider ratification of the protocol.

5C – Establish a child rights impact assessment procedure for all legislation and policies affecting children, particularly in England and Northern Ireland, including in response to the COVID-19 pandemic;

The revised [Children's Rights Scheme 2021](#) sets out additional measures to embed children's rights within Welsh Government. These include,

- a revised [CRIA template](#) and manual for Welsh Government officials to support the embedding of children rights;
- access to updated training;
- a requirement for every Minister to meet with children and young people at least once a year;
- a [plan to raise awareness of children rights](#) to empower children and young people to exercise their rights as citizens of Wales and the world;
- an enhanced feedback and complaints process for young people.

5D – Assess proposals to revise the Human Rights Act from a child rights perspective;

The Welsh Government has a clear commitment to promoting and protecting human rights which is embedded into the founding legislation of the Welsh Government.

The Welsh Government works closely with the UK Government and other devolved governments to ensure we fulfil our international obligations and comply with the UN Conventions signed and ratified by the UK State party.

The UK Government's proposal to replace the Human Rights Act 1998 with a Bill of Rights has complicated the legislative context in this area. We made clear our fundamental opposition to this during consultation at the start of the year, so it was very disappointing to see this regressive proposal included in the Queen's Speech on 10 May.

The Bill of Rights was introduced to parliament by the Deputy Prime Minister on 22 June. There was very little prior engagement with the Welsh Government and the [response to the consultation](#) was published on the same day. Nearly 13,000 people responded to this consultation - these can scarcely have been given proper consideration before the Bill of Rights was introduced. Welsh Ministers issued a Written Statement on 22 June, deploring the way the UK Government has gone about this.

The Human Rights Act 1998 sets out the basic rights and freedoms that everyone in the UK is entitled to. Under the latest proposals a new Bill of Rights would not reflect some of the key principles and protections in the Human Rights Act.

It has never been more important that the United Kingdom as a whole is seen to be defending universal human rights, both in this country and around the world. The UK should be standing up for human rights at a time when they are increasingly being threatened elsewhere, including by Russia in Ukraine.

Instead, the UK Government has prioritised the repeal of the Human Rights Act 1998, which many consider unnecessary and counterproductive. The replacement Bill of Rights does not replicate important provisions in the Act that empower UK Courts to give effect to judgments of the European Court of Human Rights. This could have ramifications for the rights of persons in the UK seeking to enforce their rights in the UK courts.

There is an important constitutional issue too. The Human Rights Act 1998 is fundamental to Welsh democracy; legislation passed in the Senedd must be compatible with the Act, so any action or change must have the agreement of all of the UK's national legislatures. This is a point accepted by the UK Government.

In our response to the consultation, we highlighted how human rights in general and the Human Rights Act 1998 and the European Convention on Human Rights (ECHR) in particular have been at the heart of devolution in Wales.

The response to the consultation was published on the same day the Bill was introduced to parliament. Nearly 13,000 people responded to this consultation, yet the consultation outcome coincided with Bill introduction. We deplore the way the UK Government has gone about this.

We will of course study the Bill of Rights very carefully – this work has already begun – and we have told the Deputy Prime Minister that we are willing to continue in dialogue as it progresses through Parliament.

We will continue to call on the UK Government to change direction while it is still possible to do so, by re-committing not just to the retention of the existing Human Rights Act 1998 but to the UK Courts ability to give full effect to judgments of the European Court of Human Rights.

Meanwhile, we remain committed to taking forward a positive and progressive plan of action to strengthen and advance equality and human rights for all the people of Wales. We will shortly be establishing a Human Rights Advisory Group to oversee progress and ensure strong stakeholder engagement.

Our research into [Strengthening and advancing equality and human rights in Wales research report \(SAEHR\)](#), published on 26 August 2021, points the way in relation to safeguarding and promoting equality and human rights of individuals and communities in Wales. Our response to the report sets out the main areas of work the Welsh Government will take forward, including:

- developing a suite of guidance on human rights;
- reviewing the Public Sector Equality Duty regulations;
- adding human rights to our integrated impact assessments; and
- stepping up the way in which we promote these issues in Wales.

The Welsh Government will now develop a detailed plan of action and timeline to cover all of these streams of work, and will also be undertaking preparatory work on options for incorporation of UN Conventions into Welsh law, in line with the first recommendation of the SAEHR report and our own [Programme for Government](#) commitment to incorporate both the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and the Convention on the Elimination of all Discrimination against Women (CEDAW).

The scope and timing of any legislation, such as a Welsh Human Rights Bill will be subject to future decisions, depending on the outcome of this preparatory work.

Comprehensive policy, strategy and coordination

6A – Please provide information on ensuring comprehensive implementation of the Convention across all areas of government, in the absence of an updated State-wide strategy and corresponding action plans in England, Wales and Northern Ireland;

The Welsh Government publishes a compliance report every 2.5 years which highlights how Welsh Ministers demonstrate due regard to UNCRC. The [latest compliance report](#) was published in February 2021.

The Welsh Government has also published an update on progress following the publication of the UNCRC Concluding Observations 2016 report into the United Kingdom of Great Britain and Northern Ireland. The [latest report](#) was published in March 2021.

6B – Mechanisms for monitoring and evaluating the implementation and impact of policies and programmes for children's rights, including the 2009 Working Together, Achieving More strategy;

To help deliver Welsh Government's commitment to children and young people a [children and young person's plan](#) was launched in March 2022. The plan is committed to the principles of the UNCRC and sets out seven cross-government priorities which were developed alongside children and young people. The plan sets out a vision that all children will:

- have the best start in life
- be treated fairly
- be supported in their journey through education, training and (self-) employment, and when they move between these places

- be supported to help them feel mentally and emotionally strong
- be supported to have a fair chance in life
- have a good and secure home to live in
- receive the support they need to stay together or come back together with their family, if possible.

Children and young people were involved in the development of the plan and will be involved in monitoring its progress. Each year Ministers will report on how the actions in the plan are helping them reach nine [ambitious milestones](#).

6C – Establishing statutory bodies at interministerial levels in devolved administrations, overseas territories and Crown dependencies to effectively coordinate the implementation of the Convention.

The Welsh Government has established the Children's Rights team to:

- offer expert advice and guidance across the Welsh Government on all areas of children's rights;
- support officials to understand the UNCRC and its Optional Protocols and their role in ensuring the due regard duty is met; and
- leading the Welsh Government response to UNCRC reports and UN Concluding Observations recommendations.

The Welsh Government provides core funding to [Children in Wales](#), which is the national umbrella organisation representing over 250 organisations and professionals who work with children and young people. This funding enables Children in Wales to administer the [UNCRC Monitoring Group](#) which provides the Welsh Government with independent, external scrutiny of the implementation of the Convention.

A Children Rights Advisory Group (CRAG) has also been established to provide Welsh Government officials with monthly expert, external advice and challenge on how Welsh Government policies support the UNCRC.

Allocation of resources

Please describe the measures taken to:

7A – Incorporate a child rights-based approach into the State budgeting process, including by implementing a tracking system for the allocation and use of resources for children and assessing how investments in all sectors serve the best interests of children;

Section 1 of the Rights of [Children and Young Persons \(Wales\) Measure 2011](#) embeds consideration of children's rights into Welsh law and requires Welsh Ministers to consider children's rights when exercising any of their functions, which includes budgetary decisions.

Our [Draft Budget 2022-23](#), published in December 2021 was part of a suite of documents to support and provide additional evidence in respect of how funding is allocated. This included setting out the impacts of our spending decisions as part of the main narratives in chapters four and six, highlighting spending decisions that directly impact on children and young people.

The assessment of impacts of budget decisions is set out within the main narrative and complemented by the [Strategic Integrated Impact Assessment \(SIIA\)](#) which can be found in Annex D of the Draft Budget. The SIIA sets out the contextual evidence that has supported the spending decisions made.

As part of the SIIA Welsh Government also presented case studies on the impacts of specific spending decisions to better demonstrate how assessment is undertaken in more detail. Case studies were included on Free School Meals, Looked after Children preventative budgeting as well as the Basic Income Pilot and the Young Persons Guarantee.

[Ministers' written evidence papers](#) to Senedd scrutiny committees were also published as part of the 2022-23 Draft Budget package and include further information about how impact considerations have informed budget allocations within each Main Expenditure Group.

These provide a detailed account of how budget decisions impact on different groups, including children. Underpinning this is an integrated approach to impact assessment as well as a commitment to embed these considerations throughout the budget documentation and supporting evidence. This enables a more balanced and considered approach to understanding how negative and

unintended consequences can be mitigated through strategic budget decisions. The Welsh Government believes this is a strengthened approach which reduces the risks of unintended impacts which could result from considering each area of impact in isolation. In undertaking this approach, a range of evidence and information is utilised, including detailed policy impact assessments as part of our ongoing policy development and review.

The Welsh Government are committed to exploring how to better improve our approach to assessing the impact of budget decisions as part of the Budget Improvement Plan (BIP) published annually alongside the Draft Budget.

7B – Ensure a transparent and participatory budgeting process by involving children and enhancing accountability in public procurement processes, including in times of emergency.

As part of our [Budget Improvement Plan](#), which outlines planned improvements to budget and tax processes, the Welsh Government are continuing to explore how to engage and involve children and young people in budgetary processes. This included a pilot project, involving economics teachers in Wales, which began in 2021 with the aim of engaging teachers and students in the Budget process and increasing their understanding of the types of decisions made by Welsh Government. The Finance Minister and the Chief Economist have also taken part in Q&A sessions with students, answering questions and talking about their roles and the work they carry out in the budgeting process.

A budget awareness campaign was introduced in 2021 to increase understanding of the budget event, with clear and simple messaging introducing the Finance Minister and their role. This was followed with the accessible budget resources, aimed at children and young people, to convey key budget messages simply.

The Welsh Government are continuing to explore ways in which to engage with stakeholders to increase the reach of the resources developed for young people and to explore further digital engagement opportunities with children and young people into 2022-23.

7C – Ensure that children, including those in vulnerable situations, are not affected by austerity measures or regressive measures taken in response to the COVID-19 pandemic and the potential consequences of the economic crisis triggered by those measures.

Please see response to question 3B.

The Welsh Government acknowledges the impacts of socio-economic harms as a result of the pandemic have been felt by groups that were already disadvantaged including children and young people. The 2022-23 Budget recognises this and has taken steps over the next three years to 2024-25 to counter the potential impact on children and young people.

The key levers for tackling poverty such as powers over the tax and welfare systems (excluding devolved taxes and Welsh benefits) sit with the UK Government.

In this context Welsh Government is doing all it can to protect children affected by the austerity and regressive measures implemented by the UK Government. We are investing significantly in early years and support for families, including further investment in free school meals and [PDG Access](#). The Welsh Government are also providing targeted funding for mental health support for children and young people recognising the risks of the lasting and long-term impacts felt by our young people in Wales. Further details of these positive measures are set out in chapter 4 of the [Draft Budget 2022-23](#) published on 20 December 2021, and in chapter 2 of the [Final Budget 2022-23](#) published on 1 March 2022.

Data collection

8 – Please update the Committee on efforts to improve the collection and quality of disaggregated data for all areas of the Convention, including on violence, children in alternative care, children with disabilities, mental health, food insecurity, malnutrition, education, and asylum-seeking and migrant children.

The Welsh Government works closely with other UK Government Departments as the source of data in a number of these areas, including on violence, asylum-seeking and migrant children.

Working collaboratively with the [School Health Research Network](#) to capture information about the circumstances of school-aged children enables improved understanding of children and young people's health and well-being, whilst improved data is now available on specialist mental health services for children.

A full range of information on children's education continues to be captured, with additional data now available on outcomes of learners in post-16 education and the factors that influence post-16 learner achievement. With a focus on leaving no one behind, additional analyses are now being made available of educational, health and other datasets by protected characteristics (sex, age, disability, ethnicity etc.), where possible. A newly established Equality, Race and Disability Evidence Unit will help to build improved evidence to support such analyses, including for asylum seekers.

In 2018, a report entitled [“Well-being of Wales 2017-18; What do we know about children’s well-being?”](#) was published alongside the Well-being of Wales report. It brought together a wide range of data on the well-being of children from data about a healthy start in life, healthy behaviours and personal wellbeing; to development and attainment throughout school life, participation in education or employment, in sport and cultural activities (including Welsh language use); and data about prevalence and impact of adverse childhood events, bullying, violence and crime. Where data was available this would draw out information about different groups within the population including those of different ethnicities, gender or socio-economic background or children in care. We will publish an update of this child well-being report later this year.

Data on child poverty continues to be monitored with information about likelihood of children in Wales being in families in persistent poverty having been published since 2016. We have provided funding towards an increased sample for the Family Resources Survey in future years to provide better quality estimates and insight on children in poverty.

Whilst the Home Office publishes data at a UK level on asylum applications and resettlement by age, data on unaccompanied asylum seeking children who are receiving care and support from local authority social services in Wales continues to be collected and [published](#). Quarterly data from the Home Office’s EU Settlement Scheme by age and local authority is being used to understand children likely to settle through this scheme. We rely on the Office for National Statistics (ONS) for [detailed estimates of internal and international migration by age](#).

During the COVID-19 pandemic more regular data has been received from schools regarding the impact on pupil attendance as a result of the pandemic, this has enabled analysis of absence for girls and boys, for those who have Additional Learning Needs and according to whether or not pupils are eligible for free school meals.

Also, during the pandemic more regular data has been captured on children who, along with other members of their household have been accommodated in temporary accommodation

after seeking support from local authorities as they were at risk of homelessness. Whilst some services were disrupted for a time during the pandemic, data continued to be captured on specialist mental health services, school counselling, and childhood vaccination uptake.

Welsh Government has included questions on food poverty in the [National Survey](#) for Wales since 2016/17.

We are continuing developments using administrative data to see what insights can be provided by data linking. [Administrative Data Research Wales](#) (ADR Wales), is a partnership between Welsh Government, Swansea University Medical School and [Wales Institute of Social and Economic Research and Data \(WISERD\)](#). The aim of ADR Wales is to deliver linked data analysis to support the Welsh Government’s [Programme for Government](#). ADR Wales makes use of Swansea University’s [Secure and Anonymised Information Linkage \(SAIL\) Databank](#).

ADR Wales has recently secured [£17m of funding for the 2022-2026 period](#) from the Economic and Social Research Council (ESRC). Two of the key priorities of ADR Wales for 2022-2026 are early years and education and we are currently developing a programme of linked data analysis projects to support these policy areas, building on work undertaken in the previous ADR Wales funding period. For example, analysis of [outcomes from the Welsh Government’s Flying Start programme](#), and of [difficulties faced by pupils from low-income households in making the transition from compulsory education](#).

Whilst early years and education are the ADR Wales themes most directly relevant to children we expect analysis under the other ADR Wales themes to provide insight on the experiences of children in Wales. For example, under the homelessness theme of the previous ADR Wales funding period, researchers undertook analysis of [absence from school amongst children living in homeless households](#). Furthermore, under the mental health theme, ADR Wales academics produced a [report](#) on the association of school absence and exclusion, with recorded neurodevelopmental disorders (including mental health disorders and self-harm) in a large cohort of young people in Wales.

For the 2022-2026 period, ADR Wales has introduced a cross cutting theme of social justice. A strand of this theme will involve work to improve the quality of equality data in SAIL.

With the support of ADR Wales, Welsh Government continues to regularly deposit individual-level datasets on education, children's social care and family courts in SAIL so that these datasets, once de-identified, are available for linked data analysis in a secure virtual environment. These datasets are accessed by ADR Wales researchers as well as from within the wider academic community, e.g. the [Nuffield Family Justice Observatory](#) and the [Children's Social Care Research and Development Centre](#).

Dissemination and awareness-raising

9 – Please provide information on awareness-raising programmes for children and the training of relevant professional groups on the Convention.

[Section 5 of the Children and Young Persons \(Wales\) Measure 2011](#) outlines Welsh Ministers' duty to 'take such steps as are appropriate to promote knowledge and understanding amongst the public (including children) of the Convention and the Protocols'.

The Welsh Government published a [raising awareness plan](#) in November 2021 aimed at children, their parents/carers and professionals, to raise awareness of the UNCRC through relevant programmes and training. Its main objective is '*To empower children and young people to exercise their rights as citizens of Wales and the world.*'

The Plan sets out 5 strands:

- Direct communication and engagement with children;
- The early years approach;
- Children's rights in education settings;
- Public sector/professional awareness of children's rights; and
- Communication with Parents.

A review is proposed at the end of 2023 with an updated plan being published in January 2024.

The [2021 Children Rights Scheme](#) sets out additional measures to embed children's rights within Welsh Government. These include,

- a [manual for Welsh Government officials to support the embedding of children rights](#); and
- and access to updated training.

Curriculum for Wales

Through the new [Curriculum and Assessment \(Wales\) Act 2020](#), a duty has been placed jointly on governing bodies and head teachers of maintained schools and maintained nursery schools to promote knowledge and understanding of the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities. This will come into force in September 2022. The duty will support those staff providing teaching and learning in the curriculum to mainstream the rights protected by the Conventions into their everyday teaching practice in designing and delivering their curriculum.

The philosophy and importance of the UNCRC is also embedded throughout the new curriculum.

Children's rights and the business sector

Please describe the measures taken to:

11A – Require businesses to undertake child-rights due diligence, including with respect to the environment;

11B – Establish a regulatory framework for the business sector, including in the context of public procurement, to ensure that their activities domestically and abroad do not adversely impact children's rights.

The Welsh Government would not be able to mandate businesses to “undertake child rights due diligence” – this is not within the remit of the business support service.

The Welsh Government business support service ([Business Wales](#)) offers advice and support to businesses starting, sustaining and growing.

If businesses require support on children's rights our five equality advisors based across Wales would provide that support.

The Welsh Government does not hold the jurisdiction to establish business regulations, nor to, currently, make public procurement regulations.



C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

Please describe the measures taken to:

13A – Protect all children under 18 years against discrimination on the grounds of their age, and address general negative public attitude towards children, especially adolescents;

The [Equality Act 2010](#) sets out that it is against the law to discriminate against anyone because of age. Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty (PSED) which places a duty on public bodies to have due regard in exercising their functions to eliminate discrimination, including age discrimination, which is one of the nine protected characteristics.

The [Equality Act 2010 \(Statutory Duties\) \(Wales\) Regulations 2011](#) laid a further foundation for taking equality forward in Wales with the aim of enabling improved performance of the PSED. In developing equality objectives public sector bodies must involve people who represent the interests of people who share one or more of the protected characteristics and have an interest in the way the public sector body carries out its functions.

The [Rights of the Children and Young Persons \(Wales\) Measure 2011](#) (the Measure) requires Welsh Ministers to have due regard to the UNCRC Articles and its optional protocols when exercising any of their functions.

The [Well-being of Future Generations \(Wales\) Act 2015](#) has placed an equal Wales as a goal of all public services and action to tackling inequalities is a feature of a range of Government commitments across Welsh Government policies and programmes.

The voting franchise in Wales has been extended to enable 16 and 17 year olds to take part in the democratic process through the [Senedd and Elections \(Wales\) Act 2020](#) and the [Local Government and Elections \(Wales\) Act 2021](#).

The [Socio-economic Duty](#) came into force in Wales on 31st March 2021. The Duty requires relevant public bodies, including Welsh Ministers, to give due regard to the need to reduce inequalities experienced as a result of socio-economic disadvantage when taking strategic decisions.

By requiring relevant public bodies to make better decisions, ones which place consideration of inequalities of outcomes arising from socio-economic disadvantage at their heart, it will allow us to move towards reconstruction of a fairer and more prosperous Wales.

13B – Conduct an independent review of the 2011 Prevent Strategy and ensure that counter-terrorism and counter-extremism measures do not have a discriminatory, racial or stigmatizing impact on any group of children;

Prevent is a UK Government strategy, and not devolved to Wales. However, as a part of the renewed and robust Contest governance structure in Wales, the PREVENT Strategic Board provides a forum for concerns or challenges to be

raised by partners, with an agreed and effective escalation process by which any issue would be passed to the UK Prevent Board for consideration and/or action.

13C – Eliminate discrimination with regard to health, education, alternative care, and child justice, against children living in poverty, Roma, gypsy and traveller children, children belonging to ethnic minority groups, children with disabilities, children in alternative care, asylum-seeking, refugee and migrant children, and LGBTI children;

Anti-racist Wales Action Plan

Welsh Government launched the [Anti-racist Wales Action Plan](#) in June 2022. The Plan is built on the values of anti-racism and calls for zero tolerance of racism in all its forms. Co-constructed with our black, Asian, and minority ethnic communities, it identifies a vision and values for an anti-racist Wales. It contains goals, actions, timelines, and tangible outcomes which will help ensure we deliver meaningful action.

The goals and actions are separated into policy themes in order to reflect the way in which government work is planned and delivered. These are:

- Leadership within Welsh Government and across the public sector
- Education and Welsh Language
- Culture, Heritage and Sport
- Health and social care
- Homes and Places
- Local Government
- Employability, Skills, Social Partnership and Fair Work
- Nation of Sanctuary
- Crime and Justice
- Childcare and Play

The plan includes six aspects of ways in which racism impacts on the lives of ethnic minority people. These are:

- Experience of racism in everyday life;
- Experience of racism when experiencing service delivery;
- Experience of racism in being part of the workforce;
- Experience of racism in gaining jobs and opportunities;
- Experience when they lack visible role models in position of power; and
- Experience of racism as a refugee as a refugee or asylum seeker.

The Plan also includes a chapter that focuses on racism in the criminal justice system and actions the Welsh Government will undertake to tackle this issue. It outlines the partnership work we are taking forward with key criminal justice partners, including Policing in Wales and HM Prison and Probation Service in Wales, to address racial discrimination in the criminal justice system.

Nation of Sanctuary

The Welsh Government's '[Nation of Sanctuary Refugee and Asylum Seeker Plan](#)' ensures that inequalities experienced by these communities are reduced, access to opportunities increased, and relations between these communities and wider society improved.

Disabled children in Wales

The [Disability Equality Forum](#), chaired by the Minister for Social Justice, continues to provide an opportunity for stakeholders to advise Welsh Government on the key issues that affect disabled people in Wales.

Its feedback continues to be pivotal in ensuring the Welsh Government takes into consideration the views, experiences and needs of disabled people.

The Disability Rights Taskforce has been established to run for approximately 18 months. It brings together people with lived experience, Welsh Government policy leads and representative organisations to identify the issues and barriers that affect the lives of many disabled people. The Taskforce works within the scope of the Welsh Government's legal remit.

The Taskforce has agreed the two immediate priority areas to be taken forward are the Embedding and Understanding of the Social Model of Disability and Independent Living, Health, Wellbeing and Social Care.

Hate Crime

The Welsh Government funds the Wales Hate Support Centre, run by Victim Support Cymru, to provide free, confidential support and advocacy to all victims of hate crime, 24 hours a day 7 days a week.

The anti-hate crime campaign, [Hate Hurts Wales](#), ended in March 2022. The campaign is being evaluated and the findings will help inform and shape the next phase of activity in 2022/2023.

Socio Economic Duty

The [Socio-economic Duty](#) came into force in Wales on 31st March 2021. The Duty requires relevant public bodies, including Welsh Ministers, to give due regard to the need to reduce inequalities experienced as a result of socio-economic disadvantage when taking strategic decisions.

By requiring relevant public bodies to make better decisions, ones which place consideration of inequalities of outcomes arising from socio-economic disadvantage at their heart, it will allow us to move towards reconstruction of a fairer and more prosperous Wales.

Faith

Faith leaders meet with the First Minister and the Minister for Social Justice twice a year through the Faith Communities Forum. The Welsh Government works closely with faith representatives on matters affecting the social, economic and cultural life of Wales. This reflects the Welsh Government's commitment to working with faith groups at all levels to promote understanding and foster community cohesion. It is important we are all able to express our views, to listen with respect to the views of others and improve how we can work together helping to keep Wales a tolerant society.

Gypsies, Roma and Travellers

The Welsh Government want to ensure public sector organisations continue to provide culturally appropriate support for Gypsy, Roma and Traveller communities.

The Welsh Government funds the [Travelling Ahead project](#) at TGP Cymru to deliver advice and advocacy support to Gypsy, Roma and Traveller communities.

LGBTQ+

The Welsh Government are committed to making Wales the most [LGBTQ+ friendly nation in Europe](#). We are developing a robust and cross-cutting LGBTQ+ Action Plan – one that strengthens protections for LGBTQ+ people, promotes equality for all and helps coordinate ambitious actions across government and beyond. Following a substantial response to the draft Action Plan consultation work is being undertaken to update and publish a final version.

The Welsh Government is committed to using all available powers to end conversion therapy practices in Wales and to seek the devolution of any necessary additional powers. The Welsh Government will educate and raise awareness of the horrors and ineffectiveness of conversion therapy practices by establishing a dedicated campaign in Wales.

Welsh Government has committed to seek to devolve the Gender Recognition Act to support our trans community. LGBTQ+ rights, including trans rights, are human rights. The Welsh Government believes trans women are women, trans men are men and non-binary identities are valid. We restate our support for trans people's right to self-identification.

Period Dignity

A strategic action plan on period dignity is being prepared following an external public consultation. Significant cross governmental work on education and health is taking place and collaboration with the NHS "[Bloody Brilliant](#)" web resource. The Welsh Government provides funding to local authorities to provide free period products within schools and communities. Funding is also provided to Further Education colleges for the same purpose.

13D – Monitor, receive and address complaints of discrimination against children.

The Welsh Government has introduced a [complaints process](#) for children and young people.

The Welsh Government also provides funding to the [Children's Commissioner for Wales office](#), which is an independent human rights institution

who can also take forward complaints as part of their Investigation and Advice service. This service provides advice and support to children and young people, and those who care for them, if they feel they have been treated unfairly.

Right to life and survival

Please describe the measures taken to:

14A – Address underlying determinants of infant and child mortality, including social and economic deprivation and inequality;

The Welsh Government is taking cross-government action to create a more equal society and to tackle inequalities in health. This includes the provision of universal access to quality services in the early years, an inclusive education and learning system, good quality employment and working conditions, as well as healthy environments for all.

In 2020 a memorandum of understanding was agreed between Welsh Government and the WHO Regional Office for Europe with an aim to accelerate progress in building a healthier and more equal Wales and Europe, enabling sustainable investment and solutions towards prosperity for all both now and in the future; and strengthen the role of Wales as an 'influencer nation' in Europe and globally.

The [Welsh Health Equity Status Report: Placing health equity at the heart of the COVID-19 sustainable response and recovery](#) maps the wider social, economic and environmental impacts of COVID-19 in Wales and includes policy responses and mitigation measures. The report highlights that children from deprived backgrounds have been hit harder by the pandemic due to digital exclusion and the lack of necessary resources to support their learning progress. It also outlines that financial insecurity is leading to food insecurity, having a detrimental impact on children's development and well-being.

Healthy Child Wales Programme

The Welsh Government are supporting better integration of the early years offer, including the [Healthy Child Wales Programme](#) (HCWP) which has been developed as our standard universal NHS offer for all families with children aged 0-7 years old. The programmes offer a consistent range of evidence based preventative and early intervention measures, guidance to support parenting and healthy lifestyle choices as well as identifying families in need of additional support.

Over time, we see the programme contributing to reducing inequity by ensuring that there is a delivery of universal service and better targeting of enhanced services towards those who need support.

The Welsh Government fund the delivery of the [Healthy Start programme](#) in Wales which provides a nutritional safety net to pregnant women and young families on low incomes, by providing financial help to buy healthier foods and free vitamin supplements.

Adverse Childhood Experiences

The Welsh Government provide funding to the [Adverse Childhood Experiences \(ACE\) Support Hub](#) for Wales to help organisations, communities and individuals understand more about ACEs and support families who may be at risk of experiencing them.

The ACE Support Hub has collaborated with Traumatic Stress Wales, and stakeholders, to develop a new trauma-informed practice framework for Wales. The framework was launched on 14 July 2022 [Trauma-Informed Wales \(traumaframeworkcymru.com\)](#)

The adoption, and promotion, of trauma-informed approaches will be a cornerstone of Welsh Government ACEs policy.

Early years Flying Start

The Welsh Government are increasing support for children living in deprived areas to have the best start in life. Our [Programme for Government](#) commits us to continue our support for our flagship [Flying Start programme](#), with a phased expansion of early years provision to include all two-year-olds, with a particular emphasis on strengthening Welsh-medium provision.

Already, around 36,000 children under four living in some of the most deprived areas in Wales, benefit from the programme with around 9,000 two year olds eligible for funded, high quality, part-time childcare. The first phase of the expansion of Flying Start, will start in September 2022, and include all four elements of the current programme: – enhanced Health Visiting, support for speech, language and communication, parenting support as well as childcare. Our intention is to reach a further 2,500 children under four during this phase.

Through our Early Years Integration Transformation Programme, we are working with Public Service Boards across Wales to pilot different models and approaches to deliver more integrated and responsive early years services, ensuring children and families receive the support they need to enable them to achieve their full potential and get the best start in life, building on the approaches utilised within the Healthy Child Wales Programme and Flying Start.

14B – Establish mechanisms for review of unexpected death or serious injury involving children, including in custody, care and mental healthcare institutions;

The Procedural Response to Unexpected Deaths in Childhood (PRUDiC) guidance is in place.

The procedure sets a minimum standard for a response to unexpected deaths in infancy and childhood. The procedural response is followed when a decision has been made by the police that the death of a child is unexpected and the PRUDiC is to be initiated. The aim of the PRUDiC is to ensure the response is safe, consistent and sensitive to those concerned, and that there is uniformity across Wales in the multi-agency response to unexpected child deaths.

In accordance with [The Safeguarding Boards \(Functions and Procedures\) \(Wales\) Regulations 2015](#), Regional Safeguarding Children Boards have a statutory responsibility to undertake multi-agency Child Practice Reviews in any of the following cases, where within the areas of the Board, abuse or neglect of a child is known or suspected and the child has died or sustained potentially life threatening injury; or sustained serious and permanent impairment of health or development.

The Welsh Government will continue our focus to prevent suicide and self-harm, particularly in response to the pandemic. We commissioned work to enable us to understand impact and to inform our future programme of work. Whilst no rate of suicide, whether it is rising or falling is acceptable, this work concluded that it is too early to tell what the overall effect of the pandemic on suicide rates will be. Recent reports do provide some reassurance with a reasonably consistent picture across high income countries suggesting no rise in suicide rates during the early part of the pandemic.

The Welsh Government will continue efforts to work with partners to review the data on suicide and are accelerating plans to develop an all-age real time suicide surveillance system for Wales. This work is underway and a joint health and policing group has been established to oversee it.

14C – Address the high rate of avoidable child deaths.

The Welsh Government launched the [Maternity and Neonatal Safety Programme](#) earlier this year. The programme will ensure clear and consistent approaches to maternity and neonatal safety within all services in Wales. The key driver for the Programme is to improve the safety, experience and outcomes of maternal and neonatal care and provide support to enable teams to deliver a high-quality healthcare experience for all pregnant women, babies and families across maternity and neonatal care settings in Wales.

The [Social Services and Well-being \(Wales\) Act 2014](#) and relevant volumes of statutory guidance, '[Working Together to Safeguard People](#)' strengthened safeguarding arrangements across agencies and across Wales. These arrangements are intended to promote child

wellbeing, prevent harm, abuse and neglect and protect children at risk of harm, abuse and neglect.

The [Wales Safeguarding Procedures](#) and All Wales Practice Guides support practitioners in understanding their legal duties under the Social Services and Well-being (Wales) Act 2014 and support evidence based and consistent safeguarding practice across agencies and across Wales.

[The Talk to me 2 Suicide and Self-Harm Strategy](#) underpins the prevention of suicide and self-harm in Wales. An additional £500,000 per annum to tackle suicide and self-harm includes funding four new posts to drive forward this work and co-ordinate the multiple agencies with a role to play in this agenda. The new National Suicide Prevention Co-ordinator, supported by three

Regional Co-ordinators, is now vital in joining up approaches and leading the development and implementation of new actions to prevent suicide and self-harm.

Welsh Government published the [young person mental health toolkit](#) which includes the [MyGPguide](#). This is an evidence-informed resource co-designed with young people for

young people with lived experience of self-harm and/or suicidal behaviour. It helps to prepare them for their consultation with the General Practitioner (GP) and offers vital information and advice on; what to consider before a visit to the GP, what their rights are with respect to confidentiality, as well as safety planning and referral to other services.

Respect for the views of the child

Please describe the measures taken to:

15A – Ensure the right of the child to be heard, with adequate support, and that children's views and opinions are given due consideration in decisions affecting her or him in relevant legal and administrative proceedings, including those concerning domestic violence, custody, placement in alternative care, mental health treatment, education, migration and asylum;

Advocacy

To support the provision of advocacy in social care, the Welsh Government has issued the [Part 10 Code of Practice in relation to Advocacy under the Social Services and Well-being \(Wales\) Act 2014](#).

The [National Approach to Statutory Advocacy](#) (NASA) service for children and young people enables local authorities to provide a national consistent approach to advocacy support. Children and young people are entitled to an active offer of advocacy from a statutory Independent Professional Advocate (IPA) when they become looked after or become the subject of child protection enquiries leading to an initial child protection conference.

To enable the voice of children and young people to be heard as part of policy development, children and young people were involved in the consultation of the [National Independent Advocacy Standards and Outcomes Framework for Children and Young People in Wales](#).

Funding is provided by Welsh Government to Pro-Mo Cymru to deliver MEIC, the Welsh Government funded confidential, anonymous, and free bilingual helpline service for children and young people up to the age of 25 in Wales providing information, useful advice and support need and are open 8am – midnight, 7 days a

week, by phone, SMS text and instant messaging. It provides confidential support empowering children and young people to get their voices heard on what matters to them.

Domestic Abuse

On 29 April 2015, the [Violence against Women, Domestic Abuse and Sexual Violence \(VAWDASV\) \(Wales\) 2015 Act](#) was brought into force. In May 2022, the Welsh Government in partnership with key stakeholders and following a public consultation, revised and published the [VAWDASV : strategy 2022-2026](#). The Welsh Government worked with a number of partners to ensure the voices of children and young people were heard during the consultation period. This included publishing a Young Person's version of the consultation document together with an online survey. These were used during engagement with children and young people by partners in the specialist VAWDASV sector, as well as being promoted by the Children's Commissioner and Children in Wales.

The strategy will be delivered through a Blueprint approach, which brings together devolved and non-devolved organisations, as well as strengthening the partnership between public private and specialist sectors. This approach includes a multi-agency working group looking at issues affecting children and young people.

Additional Learning Needs

The [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) (the 2018 Act) makes provision for a new statutory framework for supporting children and young people with additional learning needs (ALN). It replaces existing legislation surrounding special education needs (SEN) and the assessment of children and young people with learning difficulties and/or disabilities (LDD) in post-16 education and training. The [ALN Code](#), regulations and the 2018 Act are being implemented over a 3-year phased basis from September 2021 and is intended to deliver:

- a more person-centred approach, placing the child or young person's views at the heart of the process and involving them and their families in the planning, intervention, and review process from the onset; and
- better support and access to information and advice for children, young people and their families to understand the ALN process and make informed choices.

The 2018 Act provides for the views, wishes and feelings of children, their parents and young people to form a core element of the new system and emphasises the importance of children, their parents and young people participating as fully as possible in decisions taken in relation to their ALN and the additional learning provision provided for them.

The 2018 Act requires local authorities to make arrangements to provide children, young people and others with information and advice about ALN and the system set out in the Act. It introduces more equitable rights of appeal to the [Education Tribunal for Wales](#) by extending this right to all young people up to the age of 25 years who are in school or pursuing further education.

In order that children and young people are able to fully exercise their right to appeal, the 2018 Act places a duty on local authorities to make arrangements for the provision of independent advocacy services to be made available to children, young people and their case friends. The 2018 Act also provides for a 'case friend' to be appointed by order of the Tribunal where a child lacks capacity.

The 2018 Act enables a child or young person up to the age of 25 years, or a child's parent, to appeal against particular matters to the Tribunal where a local authority or Further Education Institution governing body has taken a decision in relation to an individual's ALN, or prepared or maintains an Individual Development Plan for that individual.

Whole school approach to emotional and mental wellbeing

The Welsh Government established a [Joint Ministerial Task and Finish Group](#) (T&F) to take forward the whole school approach to emotional and mental wellbeing, as part of a whole system approach which also recognises the wider impact of physical wellbeing.

To make sure that children and young people remain at the heart of this work, it is supported by a Youth Stakeholder Group.

The purpose of this group is to:

- offer first-hand experience of mental health and wellbeing support for children and young people;
- provide advice to the T&F group on their work programme; and
- co-produce policy with Welsh Government and [Together for Children and Young People](#).

Mental Health

The Welsh Government Admissions Guidance makes it clear that children admitted to hospital should be accommodated in the most suitable environment; and that this must take account of their age and developmental needs to safeguard young people. It also clarifies, for those old enough and competent enough to make the decision, their right to exercise choice as to where they receive treatment; in an adult environment, if they so wish and if it is in their best interests.

Mental Capacity

The Welsh Government has consulted on [regulations for Wales to support the implementation of the Mental Capacity \(Amendment\) Act 2019 and the new Liberty Protection Safeguards \(LPS\)](#). Although the Mental Capacity (Amendment) Act 2019 is reserved to the UK Government, it provides regulation making powers to the Welsh Ministers. The Welsh Government will consult on draft Regulations for Wales – including Regulations which will amend existing regulations² on the role and appointment of Independent Mental Capacity Advocates (IMCAs). IMCAs are there to support the cared-for person under LPS and those individuals who have been identified as the cared-for person's Appropriate Person. The new LPS will include 16 and 17 year olds, unlike the current Deprivation of Liberty Safeguards (DoLS). The new safeguards will provide important rights and protections for people who lack the mental capacity to agree to care, support or treatment arrangements, where these arrangements amount to a deprivation of liberty.

Custody

The Welsh Government and Ministry of Justice (MOJ) jointly published the [Youth Justice Blueprint](#) in May 2019 which takes a whole-system approach to the justice system in Wales.

The Blueprint sets out the ambition for a rights-based and trauma-informed system, which will support services to deliver positive outcomes for children in Wales. In January 2021 the Welsh Government's vision for the future of secure provision for Welsh children was published which identified eight principles for children in secure care; including Children having full access to their rights under the UNCRC.

The Youth Justice Board annual published statistics for 2020-21 identifies an 85% decrease in the number of Welsh young people in custody from the year ending March 2011 to March 2021 (from 109 to 17 young people). The March 2021 figure of 17 is at an all-time low.

Unaccompanied Asylum Seeking Children

The Welsh Government have provided a range of advice and guidance for practitioners supporting Unaccompanied Asylum Seeking Children (UASC) and for UASC themselves, all of which are intended to build the capacity of practitioners in supporting these children and young people and support the children and young people themselves in accessing their rights and entitlements.

Welsh Government has worked closely with the UK Government and Scottish Government to develop a scheme for unaccompanied Ukrainian children travelling with or joining an adult relative who is not a parent or legal guardian, to stay with a sponsor in the UK. The first part of the scheme is open to the children who made visa applications since Homes for Ukraine opened in March, up until 15 July with the second part opening in late July/August, to new applications. There is and will be guidance for local authorities, parents & legal guardians, sponsors and information for the children themselves – [Homes for Ukraine: Guidance for councils \(children and minors applying without parents or legal guardians\) – GOV.UK \(www.gov.uk\)](#)

² The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Wales) Regulations 2007 (S.I. 2007/852 (W. 77)).

15B – Promote the meaningful participation of children, including younger children and children with disabilities, within the family, the community, school and the realm of local and national policymaking and decision-making affecting children, including on climate change;

The Welsh Government has developed an engagement model to ensure children and young people are provided with meaningful opportunities to express their views and for their views to be taken in account. This includes annual opportunities for each Minister to hold discussions with children and young people.

The Welsh Government provides core funding to [Children in Wales](#), which is the national umbrella organisation representing over 250 organisations and professionals who work with children and young people across a variety of sectors. This enables the voice of children, and professionals who work with children, to be fed into the national policy debate on a regular basis.

Voting Age

The voting franchise in Wales has been extended to 16 and 17 year olds through the [Senedd and Elections \(Wales\) Act 2020](#) and the [Local Government and Elections \(Wales\) Act 2021](#).

Young people aged 16-17 voted for the first time in Senedd Elections May 2021 and local government elections in May 2022. The Welsh Government worked closely with key partners (youth workers, schools and third sector organisations) to support and encourage young people vote for the first time.

Throughout the legislative process of extending the franchise to 16 and 17 year olds the views of young people were sought through consultation. We have continued to engage with young people directly and through those who work with them to ensure our programmes respond to their needs and learning objectives.

Whole school approach to emotional and mental wellbeing

The Welsh Government established a [Joint Ministerial Task and Finish \(T&F\) Group](#) to take forward the whole school approach to emotional and mental wellbeing, as part of a whole system approach which also recognises the wider impact of physical wellbeing.

To make sure children and young people remain at the heart of this work, it is supported by a Youth Stakeholder Group.

Additional Learning Needs (ALN)

Local authority responsibilities under the [ALN and Education Tribunal Wales Act 2018](#) include a duty to keep ALN provision and arrangements for children and young people with ALN under review. In carrying out this function, and all their other functions under the Act, local authorities must have regard to:

- the views, wishes and feelings of the child and the child's parent or the young person;
- the importance of the child and the child's parent or the young person participating as fully as possible in decisions relating to the exercise of the function concerned; and
- the importance of the child and the child's parent or the young person being provided with the information and support necessary to enable participation in those decisions.

The [ALN Code for Wales](#), which accompanies the 2018 Act, says that strategic decisions taken as a result of keeping additional learning provision under review might include securing greater involvement of children and young people and their families with ALN in strategic planning and decision making, in line with the local authority's duties under the 2018 Act.

Wales Youth Parliament

Wales has an established [Youth Parliament](#) that empowers young people to influence decision-making.

Neurodevelopment Improvement Plan

The Welsh Government is currently establishing a Neurodevelopment Ministerial Advisory Group to take forward the [Neurodevelopment Improvement Plan](#) which was announced on 6 July 2022. To ensure children and young people remain at the heart of this work, it will include representation from a Youth Stakeholder Group.

15C – Assess the impact of reforms on legal aid in all devolved administrations and overseas territories to ensure that such reforms do not negatively affect children's access to justice.

Family Court

In respect of the Family Court and family court proceedings, [Cafcass Cymru](#) (an operational arm of Welsh Government although one that does not play a formal policy role in this area), because of the nature of its involvement in family court proceedings in Wales, has had a unique view of the operational impacts of the Legal Aid reforms over time.

It is in private law court proceedings i.e. where separated families are in dispute over child-related arrangements, that Cafcass Cymru has seen the greatest impact of legal aid reforms as a result of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). Initially, and for a number of years following the LASPO changes, there was a significant reduction in the number of applications being made to the Family Court – due to the removal of Legal Aid, adult parties are required either to pay for their legal representation or else to represent themselves (Litigants in Person, or LIPs). There has been a significant increase in LIPs since 2013. In 2019-20, court applications had recovered to their pre-LASPO numbers – arguably, however, the absence of legal representation of the parties has resulted in cases being more conflicted with consequential impacts on the children involved. We cannot be assured that the children we would have seen prior to 2013 are the same body of children we see today.

Despite the LASPO changes, there is provision for children to be made party to the court proceedings in particularly complex private law court proceedings – through Rule 16.4 of the Family Procedure Rules 2010 – this has remained despite the LASPO changes. Through such provision, children can become party of the proceedings through the appointment of a Children's Guardian (as determined by Cafcass Cymru), and a lawyer is identified to represent them – in this way it is argued that in cases where a child's situation is particularly challenged through the parental conflict, his or her needs are safeguarded through being formally made subject to the proceedings. Over time the proportion of cases involving r16.4 appointments has increased since the LASPO changes to around 20% of all private law cases where Cafcass Cymru is required to provide a welfare based analysis and recommendations to the court. Overall, whilst numbers of applications have recovered to pre LASPO levels, the Welsh Government remains concerned about the position of children subject to family court proceedings and the nature of conflict between the parent/family members.



C. Civil rights and freedoms (arts. 7, 8 and 13–17)

Freedom of expression, religion, association and peaceful assembly

Please describe the measures taken to:

17A – Repeal legal provisions for compulsory attendance at collective worship in publicly funded schools and ensure that children can independently exercise the right to withdraw from religious observance at school;

Current legislation mandates that Collective Worship should take place every day in all schools in Wales, and that this must, in the majority, be Christian in nature, reflecting the religious demography of Wales at the time that legislation was made.

The responsibility for the planning and delivery of Collective Worship rests with schools. Schools should be sensitive to the range

of beliefs held by pupils in the school and should give pupils the opportunity to worship without encouraging them to do something that is against the teachings of their religion or beliefs.

The Welsh Government has no plans to review the guidance and legislation in relation to collective worship.

Right to privacy

Please describe the measures taken to:

18B – Ensure that online learning does not infringe children's right to privacy.

Welsh Government is committed to supporting schools to provide learners with the knowledge and skills they need to thrive in the 21st century.

Hwb is the national digital learning platform for all maintained schools in Wales. Through this strategic education channel, learners, school staff and other education stakeholders can access:

- digital learning and teaching tools, resources and information
- [support and guidance](#) that promotes the safe and responsible use of digital technology as outlined in the [Enhancing digital resilience in education: an action plan to protect children and young people online](#). The action plan details the collaborative action being taken across government and with a range of expert partners to ensure our children and young people are safe and secure online

- education practitioner guidance to support the delivery of [live lessons](#), including data protection advice regarding the [recording of live lessons](#)
- the Curriculum for Wales which includes the frameworks for [National Literacy and Numeracy](#) and [Digital Competence](#) which are cross-curricular mandatory skills that sit alongside and align with the [published guidance](#).

The Welsh Government ensures that online learning does not infringe on the privacy rights of children and young people by ensuring the tools available to them through Hwb are suitable and, in supporting the Children's Code, age appropriate. Hwb uses an All-Wales Education Identity Provider (AWE IdP) service to create, maintain and manage Hwb user accounts.

This service enables learners and practitioners secure single-sign-on into multiple approved education services.

There are data sharing agreements in place between the Welsh Government and maintained schools in Wales, as well as data processing agreements, contracts and education agreements with suppliers. Minimal data is collected from schools and only shared with suppliers in order for learners to take the statutory online personalised assessments and also make use of the educational tools available to them, such as Office 365. The [Hwb Privacy Notice](#) explains to learners what data is collected about them, who it is shared with and includes an [easy to read summary](#). All Hwb data protection policies are available in the [Hwb Trust Centre](#).

The Hwb programme provides schools with the assurance that children's rights and privacy are a core element of all of its services and encourages all schools to benefit from this offering.

As part of the work being taken forward this year, the Welsh Government will be establishing a children and young people's advisory panel for digital resilience. Panel members will be invited to share their online experiences and provide opinions and insight that will ensure children and young people's concerns directly shape and inform our work in this critical area.

Access to appropriate information

Please describe the measures taken to:

19A – Promote the equitable access of children, including in the overseas territories, to online services and connectivity;

The Welsh Government has invested in the region of £45m to deliver super-fast broadband connectivity to all maintained schools in Wales.

In collaboration with all 22 local authorities across Wales, the Welsh Government, through the [Hwb programme](#), provides a range of digital services and initiatives which aim to inspire our teachers and learners to confidently embed digital practices, while developing their culture, competencies, skills and knowledge to underpin [the Curriculum for Wales](#).

The Welsh Government is committed to maintaining equitable access to online services which support teaching and learning in maintained schools, regardless of where children live in Wales. To date, the Hwb programme has invested over £160m in Education Technology to enable schools to exploit the transformational benefits which digital and technology can have on education. The Welsh Government is also committed to exploring opportunities to help tackle poverty and ensure families are able to maximise their income, through initiatives such as our national [Microsoft Office 365 licensing](#).

19B – Introduce Online Harms legislation and ensure its implementation

The UK Government published the Online Safety Bill on the 17 March 2022 which promises to improve online safety for all users across UK. The new online safety law includes enhanced provision for the protection children and young people from online harms.

The Welsh Government welcomes the UK Government's intention of the Online Safety Bill to establish a regulatory framework that will improve protections for children and young people online.

The safety and wellbeing of children and young people online is a key priority for the Welsh Government. In our [national digital resilience in education action plan](#), we have outlined our commitment to working closely with the UK Government on the online harms agenda.

Welsh Government officials have had regular engagement with counterparts in the UK Government Department for Digital, Culture, Media and Sport (DCMS) both prior to, and following, the introduction of the Bill.

This engagement has involved discussions in relation to the development of the Bill as well as consultation around priority offences for inclusion. Discussions have also been held with Ofcom as the regulator and will continue to work closely with Ofcom in Wales as they develop the codes of practice.

Following publication of the draft Bill in May 2021, Welsh Government officials have worked closely with DCMS in the development of an appropriate exemption for Welsh education institutions and childcare providers included within the Bill which will directly impact Wales. On 30 March 2022 the Welsh Government laid a [Legislative Consent Memorandum](#) (LCM) on the Bill before the Senedd.

We will continue to work closely with the UK Government in monitoring any proposed amendments to assess the impact and implications of the Bill for Wales.

19C – Enhance the digital literacy and skills of children, teachers, and families, and protect children from information and material harmful to their well-being.

The [Digital Competence Framework](#) (DCF) was introduced in 2016 in support of our national mission for all learners to develop high level digital competence during their time at school.

The DCF has been designed to support digital competence being integrated as a cross curriculum responsibility where digital skills are developed and applied to a wide range of subjects and scenarios that are transferrable to the world of work.

Digital competence, alongside literacy and numeracy, is a mandatory cross-curricular skill within our exciting new curriculum and that demonstrates the importance that we attach to this crucial skill.

The DCF has been updated and sits alongside the new curriculum as supporting guidance. It provides an additional level of detail to the curriculum for all teachers, of all subjects, to plan and deliver opportunities for progression of these skills.

The Welsh Government is committed to enhancing digital resilience in education and a number of actions in our annually updated [National Digital Resilience in Education Action Plan](#) relate to supporting children and young people's digital literacy and equipping them with the knowledge and skills to be able to stay safe from harm online.

The Welsh Government recognises that building the digital resilience of children and young people also depends on the resilience of families and communities. The [Hwb Programme](#) aims to provide learners, families, education practitioners, professionals and governors with the latest resources, information and guidance to enhance their digital resilience.

A key aim is to develop and promote the importance of critical thinking skills, in particular around media literacy, to encourage the responsible use of the internet, as demonstrated in our [misinformation](#) and [social media](#) campaigns.

Through the resources area of [Keeping safe online](#) we continue to provide information and advice on a wide range of online issues, including: illegal and offensive content, mental health and well-being, online grooming, online bullying and more.

During 2022 the Welsh Government have published dedicated bespoke information and advice that supports learners directly with online issues. The new [‘Online issues and worries’](#) provides advice on what to do and where to turn for help if they are worried about issues they have experienced online. The advice has been shaped by Welsh Government research into children and young people’s online experiences and worries and some of the barriers to getting help.

In addition, the Welsh Government published a new [‘In the Know’](#) resource, which is a series of 24 bilingual, short guides available on Hwb to provide families with information on the latest and most popular ‘apps’, social networks and games used by children and young people. The guides provide information for families on how these apps are used, highlights risks and concerns the apps pose and provides advice and tips on their suitability for children and young people.

These new areas build on our extensive suite of online safety resources for practitioners, governors, families and children and young people. the Welsh Government will continue to enhance these areas over the coming year.



D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Torture and other cruel or degrading treatment or punishment

Please describe the measures taken to:

20B – Ban all pain-inducing techniques and methods of seclusion against children for disciplinary purposes in schools and in institutional settings;

20C – Address the disproportionate use of restraint against children with disabilities in schools and institutional settings.

The Welsh Government published '[Reducing Restrictive Practice Framework: A framework to promote measures and practice that will lead to the reduction of restrictive practices in childcare, education, health and social care settings for people of all ages](#)' on 19 July 2021.

There is a Ministerial commitment to cross-government support for the effective implementation of the expectations set out in the Framework. These are:

- restrictive practices should only ever be used as a last resort and in a way that respects children's human rights;
- child-centred planning with and for children should be used to prevent the use of restrictive practices (restrictive practices include seclusion);
- pain-inducing techniques should never be used.

Welsh Government policy leads for childcare, education, health and social care are engaging with stakeholders to identify any policies that require review and to agree support for implementation in each sector from April 1 2022 and beyond. The Welsh Government are supporting this work and attending stakeholder groups.

An animation to raise awareness with commissioners and providers of services and settings has been published – [video on what we can all do to reduce our use of restrictive practices](#). Physical restraint should only ever be used as a last resort in education, childcare and health and social care settings.

Safe and effective intervention: guidance for schools and local authorities

[The Welsh Government Guidance](#) highlights that restrictive practices should only ever be used as a last resort and in a way that respects children's human rights and provides and should not be used as a punishment in any instance.

Corporal punishment

Please describe the measures taken or envisaged to:

21A – Prohibit corporal punishment in all settings, including at home and in schools, across all devolved administrations, overseas territories and Crown dependencies;

[The Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020 \(Children Wales Act\)](#) prohibits the physical punishment of children in Wales by abolishing the defence of reasonable punishment. The law came into force on 21 March 2022.

Consistent with UNCRC article 19, the overarching aim of the Children Wales Act is to protect children's rights by prohibiting all physical punishment of children. Children in Wales are afforded the same legal protection from assault as adults. Implementation, which is on-going, is being conducted with key stakeholders through a multi-agency [Strategic Implementation Group and associated task and finish groups](#):

Awareness Raising

To ensure maximum awareness of the change in law an extensive multi-media communications and engagement campaign has been funded, including television and radio adverts; print and digital advertising and a national leafleting campaign. The campaign is continuing, post-commencement, to maintain levels of public awareness. The [campaign website](#) includes a range of information for parents, other members of the public and professionals. A [Practice Guide](#) provides information for practitioners about safeguarding responses in relation to the Act.

As part of our engagement work we have connected with groups and under-represented communities who have specific communication needs or concerns about the legislation. This includes Wales' black, Asian and Minority Ethnic communities, the religious and faith based communities, as well as disabled people and their support groups for example. In response

to feedback we have developed accessible resources in multiple languages and different formats, including a parent information leaflet, and short animation containing key messages about the law change.

As recommended by the Children's Commissioner for Wales and other experts, children's awareness raising will be embedded through schools and existing programmes so information is framed and discussed within a safe and appropriate setting. The Welsh Government have commissioned Children in Wales to develop bespoke resources to raise awareness of the Act. Children and young people are active participants in this work.

Positive Parenting

The campaign signposts parents to information, advice and support including through the ['Parenting. Give it time'](#) campaign, health visitors, and family support programmes, such as [Flying Start](#) and [Families First](#). A thorough review of the availability of parenting provision and 'Parenting. Give it time' resources has ensured suitable advice and support is available for parents with children from birth to 18 years.

Up to £2.4m, over the next three years, will be available to Welsh local authorities to fund out-of-court parenting support as a rehabilitative alternative to prosecution in cases where the police are involved. In addition, just under £500,000 was allocated to develop this support in 2021-22. It will encourage and support parents in adopting positive parenting techniques while making it absolutely clear that the physical punishment of children is unacceptable in all circumstances.

Monitoring the impact of the Children Wales Act

The Children Wales Act places a duty on the Welsh Government to produce a post implementation report 3 years and 5 years after the Act comes into force. This will include monitoring the impact on public services, levels of awareness and changes in attitudes.

Involvement of Children and Young People

To enable the voice of children and young people to be heard as part of policy development of the Children Wales Act, children and young people were engaged/consulted:

- Prior to the legislation being introduced to the Senedd through workshops and via organisations such as schools and youth services and by organisations that represent children.
- During scrutiny of the legislation through the [Welsh Youth Parliament](#). During the implementation period before commencement of the Children Wales Act in March 2022 through Young Wales and with key stakeholders who work with children and young people.

21C – Promote positive and non-violent forms of discipline among teachers, staff of childcare facilities, parents and caregivers.

Education Settings

The updated [Keeping Learners Safe statutory guidance](#) was published in October 2020 which includes guidance on physical contact with pupils, including restraint. This guidance outlines how and when education staff are able to use such force as is reasonable in certain circumstances. This guidance is clear that it is always unlawful to use force as a punishment and that the degree of force used should be the minimum needed to achieve the desired result.

Childcare settings

The Welsh Government's [National Minimum Standards for Regulated Childcare for Children up to the age of 12 years](#) requires childcare providers to ensure that the behaviour of children is managed in a way that respects their rights and promotes their welfare and development. The published Standards states that physical punishments, or the threat of them, should never be used; children should never be shaken, smacked, humiliated, shouted at, intimidated or shamed and adults should not use any form of physical intervention unless it is necessary to prevent personal injury to the child, other children or an adult, or serious damage to property.

Parents

For parents and caregivers, the Welsh Government's [Parenting. Give it time](#) (PGiT) campaign promotes positive parenting, including positive and non-violent ways to manage children's behaviour, through social, TV, radio and digital advertising. With input from parenting experts and practitioners, the website provides a range of resources, including videos, animations and top tips, to guide parents through positive parenting techniques, and signposts parents to a range of sources of support including access to helplines.

To date, the focus of PGiT has been to support parents and caregivers of children up to the ages of 7 years. In line with ministerial commitments, the age range has been expanded to up to 18 years of age, and resources have been reviewed, amended and re-uploaded to the website, ahead of the implementation of [The Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#) on 21 March 2022.

Welsh Government also supports the provision of universal and targeted parenting support through its [Flying Start](#) and [Families First](#) programmes and parenting programmes delivered through these schemes also promote positive parenting techniques.

All Wales Protocol – reducing the criminalisation of care experienced children, young people and young adults

The [All Wales Protocol](#) was jointly published by [Welsh Ministers](#), UK Government Ministers in the Home Office and Ministry of Justice on 28th March 2022.

Freedom of the child from all forms of violence

Please describe the measures taken to:

22A – Address the high prevalence of domestic violence, gender-based

[Working Together to Safeguard People, Volume 7, Safeguarding children from Child Sexual Exploitation](#) was published on 18 March 2021; It sets out:

- requirements on safeguarding partners;
- advice on preventing Child Sexual Exploitation (CSE);
- protecting children from CSE; and
- responding to children abused through CSE.

The [Wales Safeguarding Procedures](#) support evidence based and consistent safeguarding practice across agencies and across Wales and explains duties under the Social Services and Well-being (Wales) Act 2014. A number of All Wales Practice Guides have been published. This includes:

- [All Wales Practice Guide – safeguarding children from child sexual exploitation](#)
- [All Wales Practice Guide – safeguarding children missing from home or care](#)
- [All Wales Practice Guide – children affected by domestic abuse](#)
- [All Wales Practice Guide – safeguarding children from online abuse](#)
- [All Wales Practice Guide – safeguarding children from child trafficking](#) and
- [All Wales Practice Guide – children where there are concerns about harmful sexual behaviour.](#)

The [National Action Plan on preventing and responding to child sexual abuse](#) sets out 33 actions for the Welsh Government and Safeguarding Board partners to prevent child sexual abuse, protect children at risk of CSE and support the recovery of sexually abused children. The Plan includes actions on child sexual abuse, CSE and harmful sexual behaviour.

On 29 April 2015, the [Violence against Women, Domestic Abuse and Sexual Violence \(VAWDASV\) \(Wales\) 2015 Act](#) (the Act) was brought into force. Under section (11)(1) of the VAWDASV (Wales) Act 2015, Welsh Ministers have published indicators that can be used to measure progress towards the achievement of the purposes of the Act. Welsh Government, in partnership with key stakeholders, have revised and published the [VAWDDASV strategy 2022-2026](#).

Raising children and young people's awareness of equality, respect and consent is crucial if we are to stop Violence Against Women, Domestic Abuse and Sexual Violence. The Welsh Government want to ensure all children and young people have access to developmentally appropriate, high quality learning that responds to their needs and experiences. Relationships and Sexuality Education (RSE) will be implemented in primary schools, maintained nursery schools, and non-maintained nursery settings from September 2022.

The Welsh Government's VAWDASV strategy 2022-2026 aligns to the new Relationships and Sexuality Education (RSE) Code and statutory guidance and underpins learners' rights to enjoy fulfilling, healthy and safe relationships throughout their lives.

As of June 2021, 240,000 people in Wales have accessed training through the [National Training Framework](#), educational and safeguarding staff including governors are amongst the list of priority groups for training to be able to better support children who are experiencing domestic violence.

The Welsh Government continues to fund Hafan Cymru's Spectrum project, which promotes the importance of healthy relationships and raises awareness of VAWDASV. Spectrum also delivers training for school staff and governors. Over 160,000 children and young people across Wales have accessed healthy relationship awareness sessions over the last 6 years.

22B – Strengthen the capacity of relevant professionals, including social workers, law enforcement authorities and the judiciary, to address violence, including sexual exploitation and abuse, against children

Regional Safeguarding Boards have statutory responsibilities under the [Social Services and Well-being \(Wales\) Act 2014](#) and associated statutory guidance and regulations to promote resources and training for practitioners across agencies on identifying and responding to all types of abuse and neglect of children including child sexual exploitation and child sexual abuse. The [Wales Safeguarding Procedures](#) and [All Wales Practice Guides](#) support practitioners in understanding their legal duties under the Social Services and Well-being (Wales) Act 2014 and support evidence based and consistent safeguarding practice across agencies and across Wales.

The [National Action Plan on preventing and responding to child sexual abuse](#) includes actions for the Welsh Government and Safeguarding Board partners to develop and promote resources and training for practitioners across agencies on identifying and responding to child sexual abuse, CSE and harmful sexual behaviour.

The [Enhancing Digital Resilience in Education: An action plan to protect children and young people](#) includes the commitments being taken forward by the Welsh Government with a range of partner organisations to enhance online safety provision, policy and practice across Wales. A core element of the action plan is the

provision of advice and support for education practitioners and other professionals working with children and young people and the latest resources, information, guidance and training can be accessed through ['Keeping safe online'](#). This includes resources to specifically address issues including online grooming, sharing nudes and other online harms.

['Ask and Act'](#) is a process of targeted enquiry to be practiced across the relevant authorities (as named in the [Violence against Women, Domestic Abuse and Sexual Violence Act 2015](#)) to identify violence against women, domestic abuse and sexual violence. The primary objective of "Ask and Act" is to require relevant professionals to "ask" potential victims about the possibility of domestic abuse in certain circumstances and to "act" so suffering and harm as a result of the violence and abuse is reduced to all.

The ['Ask and Act' programme](#) is a National programme and is fully operational across all regions of Wales. By the end of September 2020, 5,252 workers had been trained to ask and act.

22C – Ensure mandatory reporting and prosecution of all cases of violence, including sexual offences, against children

There is a statutory Duty to Report Children at Risk of abuse, neglect or harm on relevant partners under [Section 130 of the Social Services and Well-being \(Wales\) Act 2014](#). The [Wales Safeguarding Procedures](#) support evidence based and consistent safeguarding practice across agencies and across Wales and explain duties under the 2014. A number of [All Wales Practice Guides](#) have been published. This includes a multi-agency [All Wales Practice Guide -safeguarding children from child sexual exploitation](#). There are All Wales Practice Guides on safeguarding children missing from home or care, children affected by domestic abuse, safeguarding children from online abuse, safeguarding children from child trafficking and children where there are concerns about harmful sexual behaviour.

Social Care Wales has been leading on the development of the [National Safeguarding Training Standards](#). The standards have been co-produced by a multi-agency national development group as well as other groups focused on specific aspects of the work. The standards will help organisations make sure

- they incorporate the standards for practitioners into their safeguarding policies and procedures;
- practitioners understand their responsibilities relevant to the group they're in and how to follow the relevant policies and procedures; and
- all practitioners have access to and comply with the Wales Safeguarding Procedures.

22D – Ensure child-friendly and multisectoral intervention in cases of child abuse avoiding re-victimisation and providing comprehensive support, including psychological recovery;

The [Wales Safeguarding Procedures](#) and [All Wales Practice Guides](#) support practitioners in understanding their legal duties under the [Social Services and Well-being \(Wales\) Act 2014](#) and support evidence based and consistent safeguarding practice across agencies and across Wales. This includes child-centred practice and advice to avoid re-victimisation/victim blaming practice.

[Volume Working Together to Safeguard People, Volume 7, Safeguarding children from Child Sexual Exploitation](#) was published on 18 March 2021 and sets out requirements to support children into recovery from abuse a child-centred and trauma informed approach.

The National Action Plan on preventing and responding to child sexual abuse includes actions for the Welsh Government and Safeguarding Board partners to support children into recovery from abuse through a child-centred and trauma informed approach.

22E – Protect child victims and witnesses of violence and sexual abuse throughout legal proceedings, by ensuring that video-recorded interviews are conducted without undue delay and allowed as evidence-in-chief in court, that their views are given due weight and that they receive legal representation, compensation for damages and support from a Barnahus or similar child-centred model for children affected by sexual abuse;

Supporting the victims of sexual violence and ensuring they have access to trained and experienced professionals for help, support and advice is a key priority – and we are continuing to work with partners on this agenda.

Work being taken forward by the [NHS Wales Health Collaborative](#) in partnership with other stakeholders under the [Welsh Sexual Assault Services](#) Programme Board includes consideration of a range of child-centred practice models.

The Welsh Government will consider the evaluation of the Child House pilot in London, when it becomes available, with the view to building on what is being provided in the Sexual Abuse Referral Centres. The multi-agency approaches already being undertaken ensure that a child who has been the subject of sexual abuse is supported in the most appropriate

manner with staff trained specifically to work with children. In addition, the Home Office is currently developing Child House Standards. Welsh Government has contributed to the development of these standards.

The Welsh Sexual Assault Services Programme is an improvement project led by the NHS Collaborative working with the police, Police and Crime Commissioners and in partnership with the specialist third sector. The programme is driving delivery of child/person centred services to ensure the best outcomes for victims of sexual abuse and violence, with the victim voice at the centre. A Service Engagement Group will be established to support the programme as it moves forward with implementation, ensuring the service users and providers are continuously engaged in the developments.

22F – Tackle cyberbullying, online sexual exploitation and abuse, gang-related violence and knife crime against children;

[Volume Working Together to Safeguard People, Volume 7, Safeguarding children from Child Sexual Exploitation](#) was published on 18 March 2021 and sets out requirements on safeguarding partners and advice on preventing Child Sexual Exploitation (CSE), protecting children from CSE, and responding to children abused through CSE. This includes online sexual exploitation and sets out the interrelated nature of child criminal exploitation.

The [Wales Safeguarding Procedures](#) support evidence based and consistent safeguarding practice across agencies and across Wales and explain duties under the Social Services and Well-being (Wales) Act 2014. A number of All Wales Practice Guides have been published; this includes multi-agency:

- [All Wales Practice Guide – safeguarding children from child sexual exploitation](#);
- [All Wales Practice Guide – safeguarding children from Child Criminal Exploitation \(CCE\)](#);
- [All Wales practice Guide – safeguarding children from online abuse](#).

The Welsh Government is committed to tackling online sexual exploitation and abuse and a number of actions in our [‘Enhancing digital resilience in education action plan to protect children and young people online’](#) relate to this overarching commitment, including:

- Action 2.19 – continuing to promote the bilingual [Thinkuknow education resources](#), from the NCA-CEOP (National Crime Agency – Child Exploitation and Online Protection) Command, which aim to empower and protect children and young people from sexual abuse and exploitation.
- Action 4.10 – continuing to promote Welsh Government guidance for education settings in Wales '[Sharing nudes and semi-nudes: responding to incidents and safeguarding children and young people](#)' and supporting training module in order to support practitioners within education settings to develop and implement effective procedures to handling incidents.
- Action 5.5 – continue to support the Developing Resilience against Online Grooming Project, led by Swansea University, which includes the development of DRAGON-Shield, an interactive digital training platform and resource pack for professionals who work with children who have experienced or are at risk of online grooming.
- Action 6.2 – 6.4 – building on our existing comprehensive suite of online safety resources for our key audiences, which include practitioners, governors, parents/carers and children and young people.
- Action 7.9 – developing training to ensure that all staff within schools are equipped and confident in handling instances of online sexual harassment.

The resource area of [Keeping safe online](#) includes information and advice on a wide range of issues, including online grooming, healthy relationships, online sexual harassment, online hate and online bullying. The resources aim to equip children and young people with the skills to be able to identify and mitigate risks to stay safe from harm online and seek help when they need it. Resources aimed at practitioners can support them to educate children and young people on these issues as well as effectively safeguard and support children and young people who have been a victim of harassment or abuse.

The Welsh Government has issued statutory guidance [Keeping Learners Safe](#) (KLS) to support schools in creating and maintaining a safe learning environment for children, which includes a section on keeping learners safe and secure online. In addition, the Welsh Government has developed a safeguarding audit tool and a series of e-modules to provide support to schools (and all other education settings) to ensure there are effective systems in place to meet their legal safeguarding obligations in line with the KLS guidance.

Relationships and Sexuality Education (RSE) is a statutory requirement in the [Curriculum for Wales framework](#) and is mandatory for all learners in Wales from September 2022. The [RSE Code](#) was published in January 2022 and includes developmentally appropriate mandatory learning about online safety which will support learners to develop knowledge, skills and behaviours that will assist in protecting them throughout their lives and enhance their well-being.

Harmful practices

Please describe the measures taken to:

23A – Prevent, investigate and prosecute cases of female genital mutilation, forced marriage, virginity testing and violence committed in the name of honour, and ensure that child victims have access to appropriate remedies

The Welsh Government [VAWDASV strategy 2022-2026](#) outlines six key objectives in the government's aim to tackle VAWDASV. These six objectives contribute directly to the direction of tackling the harmful practices outlined. Welsh Government jointly chairs the Female Genital Mutilation (FGM), Honour-based Abuse (HBA) and Forced Marriage All Wales Leadership Group with [BAWSO](#) and the Crown Prosecution Service. The aim of this group is to prevent harmful practices and safeguard and support both children and adults against these practices.

Multi-agency guidance has been developed on an England and Wales basis and is available to practitioners in Wales, along with an e-poster and fact sheet on FGM which has been circulated amongst teachers via the Hwb network and youth centre workers.

[Karma Nirvana](#), an experienced honour-based abuse charity was commissioned to provide free virtual training from January 2021 until the end of March 2021 to all professionals working across the statutory and voluntary sector. This training will enable learners to understand and identify HBA; manage and safely respond to disclosures of HBA; identify potential risk indicators in cases of HBA; provide 'safer multi-agency spaces' for victims and survivors to speak; and broaden 'safe spaces' for victims and survivors to make disclosures.

The UK Government has introduced amendments into the [Health and Care Act](#) to criminalise both hymenoplasty and virginity testing. Following a [Legislative Consent Motion](#), the Senedd has agreed that these amendments should also apply to Wales.

- The Health and Care Act was introduced in the House of Commons on 6 July 2021. The Act has concluded its passage through the House of Commons and consideration of the Act in the House of Lords commenced on 24 November, with Lords Committee stage beginning on 11 January 2022. The Health and Care Act received Royal Assent on 28 April 2022.
- Virginity testing and hymenoplasty has been criminalised. The sections of the Health and Care Act which criminalise virginity testing and hymenoplasty have a commencement date of 1 July 2022.
- As virginity testing and hymenoplasty will be covered by UK law, the UK Government is developing multi-agency guidance covering both of these issues which should be read and followed by all persons and bodies across the UK who have a duty and due regard to the safeguarding of children and adults in their care.

23B – Prevent the unnecessary medical or surgical treatment of intersex children and provide adequate counselling and access to remedies for children subjected to such treatment

Welsh Government officials are working with Dr Hilary Cass OBE, former President of the Royal College of Paediatrics and Child Health, who has been commissioned by NHS England to lead an independent review into gender identity services for children and young people.

The review will be wide-ranging in scope looking into several aspects of gender identity services, with a focus on how care can be improved for children and young people including key aspects of care such as how and when they are referred to specialist services, and clinical decisions around how doctors and healthcare professionals support and care for patients with gender dysphoria.

It will also set out workforce recommendations for specialist healthcare professionals and examine the recent rise in the number of children seeking treatment.

Dr Cass will then make clear recommendations for children and young people's gender identity services reporting back next year. Although the review is focused on arrangements in England, they will be equally applicable to services in Wales.

The Gender Identity Development Service for Children and Adolescents is managed by the Tavistock and Portman NHS Foundation Trust, to whom children from Wales are also referred. In Wales, there is the extra safeguard of requiring a CAMHS assessment before referral to Gender Identity Development Service.



E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

Please describe the measures taken to:

24A – Allocate sufficient resources for childcare and family support to ensure that childcare services are available to all those who need it, regardless of parents' employment status;

The Welsh Government recognises the importance of access to high quality early childhood education and care opportunities for all children and families.

Early Childhood Education and Care (ECEC) supports child development, helps tackle the attainment gap and enables parents, particularly mothers, to work.

The Welsh Government require local authorities, through the Childcare Sufficiency Assessment, to ensure, as far as is reasonably practicable, the provision of sufficient childcare for children up to the age of 18 to enable parents to work and train. To support this duty, local authorities have a statutory duty to assess the demand for, and supply of, childcare and to draw up and implement plans to fill any gaps or address any barriers identified. Childcare Sufficiency Assessments are prepared every five years, with the next full assessments due in September 2022. Action plans are reported on annually.

The Welsh Government provides funded part-time childcare for all 2 to 3 year olds in some of the most disadvantaged areas in Wales through the [Flying Start programme](#), regardless of parents' employment status. In line with the commitments in our [Programme for Government](#), early years provision will be extended to all 2-3 year olds in Wales, providing 12.5 hours of childcare a week. A phased roll out will begin in September 2022.

All 3 and 4 year olds are entitled to a minimum of 10 hours part time early education in Wales regardless of parents' employment status. This provision, which starts the term after a child turns 3, continues until children start full-time school. The level of provision does vary across local authorities, with some providing more than the statutory minimum. This early education provision can be offered in a maintained setting (school-based), or in a non-maintained setting (registered childcare). In addition, the 3 and 4 year olds of working parents are able to access additional hours of funded childcare per week through the [Childcare Offer](#) for Wales. This provides a combined 30 hours of early education and childcare for 48 weeks per year to eligible working parents. The Childcare Offer is being expanded to parents in education or training from September 2022, in line with our Programme for Government commitments.

24B – Support families to ensure that both parents share the responsibilities for the upbringing and development of their children, including by encouraging the use of shared parental leave.

The [Parenting in Wales: Guidance on engagement and support](#) sets out our expectations on how support should be provided. It encourages local authorities to take a consistent approach to the delivery of parenting support with a coherent continuum of support to meet the needs of parents with children at different ages, stages and levels of need.

Local authorities in Wales have responsibility for deciding the precise nature of local service delivery depending on local circumstances and identified needs within their own areas. The Welsh Government expects local authorities to provide families with access to information, advice and support of various kinds to suit a range of needs. While parenting and family support services may look slightly different in every area.

Supporting both parents to adopt positive parenting styles is an integral part of both [Flying Start](#) and [Families First](#) programmes. It continues to make a real difference to the lives of children in some of our most disadvantaged communities.

Through our Early Years Integration Transformation Programme, we are working with Public Service Boards across Wales to pilot different models and approaches to deliver more integrated and responsive early years services, ensuring children and families receive the support they need to enable them to achieve their full potential and get the best start in life, building on the approaches utilised within Flying Start and Families First.

Children deprived of a family environment

Please explain the measures taken to:

25A – Ensure the provision of preventive services, such as social protection measures for families, to prevent children from entering alternative care;

25B – Prevent the arbitrary removal of children from their families;

The Welsh Government is committed to preventing children from entering care, where it is safe to do so, by working with partners to ensure that families experiencing difficulties are supported and by taking a targeted approach to investing in preventative services.

To drive a particular focus on reducing the number of looked after children in Wales, in 2019 the First Minister asked for a targeted approach to be developed with local authorities. Officials worked closely with all local authorities to develop reduction expectation plans covering the 3 year period 2019/20-2021/22. [The Looked after children: children's rights impact assessment](#) provides more detail about this policy.

The Welsh Government [Programme for Government](#) 2021 maintains a focus on prevention and earlier intervention to support children remaining with their families.

The relevant Programme for Government commitments set out a new vision for Children's Services. The Welsh Government want to see fewer children and young people entering care, by providing the right support at the right time to families going through difficult times. Our focus is on keeping families together by taking a strong, complementary and holistic approach to achieving our ambition for children and families in Wales.

To support and deliver the programme of work we have a Change programme budget of circa £28m over the next 3 years. The programme will deliver preventative interventions for families with children on the edge of care including parental advocacy services, family group conferencing, Family Justice reform and a national practice framework.

Specific commitments include:

- Explore radical reform of children's services.
- Prevent families breaking up by funding advocacy services for parents whose children are at risk of coming into care.
- Provide additional specialist support for children with complex needs who may be on the edge of care.
- Continue to support our flagship [Flying Start programmes](#).

25C – Prevent the placement of children in unregulated alternative care or residential care homes without appropriate safeguards, and ensure that they have access to an independent complaint mechanism;

Unregulated services and unregistered services are two different types of services.

Unregistered services are those which are providing care and accommodation and therefore require registration.

Care Inspectorate Wales has a process in place to follow up on every notification of a service which is potentially operating without registration. Where necessary, enforcement action will be taken.

[The Care Planning, Placement and Case Review \(Wales\) Regulations 2015](#) came into force on 6 April 2016. These regulations include legislation which sets out the arrangements for looking after a child, how placement decisions are made, provision for the types of placements for children, local authority responsibilities including planning, visits and reviews of cases. This includes placements in 'other arrangements'.

This legislation is further interpreted in the [Social Services and Well-Being \(Wales\) Act 2014 Part 6 Code of Practice](#) which sets out that unregulated placements will only be appropriate for children over the age of 16, where support only is provided.

There may be exceptional circumstances where unregulated placements are used for children under 16. Where these placements are unregistered, local authorities are required to inform Care Inspectorate Wales, in line with the President of the Family Division's [Practice Direction and Addendum](#):

The Welsh Government is currently considering options (which include making legislative changes) in relation to placing a ban on the use of unregulated placements for children under 16 in Wales.

25D – Provide stability for children in care, including by retaining social workers to avoid unnecessary changes in placements, finding placements for children that facilitate contact with their biological parents and siblings, and providing specialist care to children with complex social care and mental health needs.

The Care Planning, Placement and Case Review (Wales) Regulations 2015, came into force on

6 April 2016 and include legislation provisions which set out the care planning arrangements for a looked after child. This includes details of what a local authority must consider when finding and maintaining placements for a child or young person 'including other arrangements' set out for a child. The care planning arrangements also takes into consideration each child or young person's health (including mental health) and educational needs as well as contact arrangements with birth parents, families and other siblings.

This legislation is further interpreted in the **Social Services and Well-Being (Wales) Act 2014 Part 6 Code of Practice** which sets out local authorities responsibilities for care and support arrangements for all children in care; and within the **Regulated Services (Service Providers and Responsible Individuals) (Wales) 2017 Regulations** (section 34.(1) ii refers), which ensures that services providers, provide sufficient numbers of trained, skilled, competent and experienced staff, to undertake the care and support needs of the child or young person.

Social Care Wales are developing a workforce plan, which includes looking at ways to grow the numbers of qualified social workers in Wales.

Foster Wales was launched in Wales on 15th July 2021. Foster Wales is an all Wales brand for local authority fostering, providing a consistent national brand for fostering that reflects the strengths and personalities of the 22 local authorities. Foster Wales presents an opportunity to rebalance service provision, address demands, and improve quality of placement choice for children in Wales.

Foster Wales will:

- Increase local placement accessibility, sufficiency, and choice and give control back to the local authorities to make best use of those placements when they need them, reducing the reliance on third parties and removing placement blockage.
- Enable services to meet the evolving needs of children and families. Recruitment campaigns will be targeted to meet service needs.
- Facilitate the recruitment of a new pool of foster carers. Recruitment and training can be focused to develop skills in reunification work, complex needs and parent and child fostering.
- Enable children who need a foster carer to have access to the right foster carer, at the right time and in the right location.

Wales Early Permanence

On 11th May the National Adoption Service for Wales launched **Wales Early Permanence** (WEP) and its framework. Early Permanence planning is primarily for young children that become looked after who are identified as having a potential longer-term plan of adoption but could also be reunified with their birth families as a permanency option.

The Framework will enable looked after children, who through a plan of twin-tracking (i.e. foster care or adoption placement), might need an adoptive family. The aim will be to place children with carers who have dual approval as both adopters and foster carers, thus enable children in care having as few changes of placement as possible.

The WEP is in the early stages of its rollout across Wales. Each of the five adoption regions have signed up to the framework having employed one member of staff to oversee the management of this scheme.

25E – Support children leaving care

Our [Part 6 Code of Practice](#) (Looked After and Accommodated Children) to the [Social Services and Well-being \(Wales\) Act 2014](#) sets out that a 'key outcome for all young people leaving care is that they are provided with the support they need to make a successful transition to adulthood and move towards more independent living'.

The Welsh Government is committed to working with our partners to make sure that young people leaving care successfully transition to adulthood.

As part of this commitment the Welsh Government have provided additional funding to extend Personal Adviser support for care leavers aged 21–25 and we intend to legislate to ensure all care leavers have an entitlement to a Personal Adviser up to the age of 25, as a statutory duty.

The Welsh Government has also established a recurrent £1m St David's Day Fund to support young people's transition towards adulthood and independent living. Funding is available to local authorities to provide young people with opportunities to undertake an activity that will improve their wellbeing, maintain their independence or contribute to their personal development.

In Wales we also have the ['When I am Ready'](#) scheme. This is an arrangement whereby a young person in foster care remains with their former foster carer beyond the age of 18. This scheme was set up under the [Social Services and Well-being \(Wales\) 2014 Act](#). Local authorities are required to operate their own local 'When I am Ready' schemes in line with national guidelines.

Basic income pilot for care leavers in Wales

The Welsh Government has introduced a basic income pilot in Wales. The pilot will enhance the support available to young people as they leave care and assess the impact that has on them.

Under the scheme, all young people leaving care who turn 18 between 1 July 2022 and 30 June 2023, across all local authority areas in Wales, will be offered the opportunity to take

part in this pilot. The pilot will run for a minimum of three years with each member of the cohort receiving a basic income payment of £1,600 per month (pre-tax) for a duration of 24 months from the month after their 18th birthday. At current rates, the amount each recipient will receive per month after tax is £1,280.

The UK Government has confirmed that the basic income payment will not be disregarded for benefits purposes. In most cases, Basic Income will be instead of other benefits. Local authorities/ Young Person's Advisors and other advice providers will help young people work out what is best for them. Under the pilot, recipients will still receive any Welsh benefits that they would be entitled to had they not been on the pilot.

Participants in the pilot will be offered access to independent quality assured financial advice and support throughout their engagement in the pilot. The service will provide direct advice to young people and also 'second tier' advice support to local authority professionals working with young people. This will include advice at all stages, from working through a pre-pilot 'better-off calculation' to budgeting advice or financial crisis support to preparing for the end of the pilot.

The pilot will be subject to an implementation, impact and value for money evaluation in order to consider how the Basic Income has enriched the lives of the care-experienced young people. We will carefully evaluate the lessons learnt from the pilot, capturing the voice and experience of the young people taking part. We will work with the young people throughout to contribute to our dynamic evaluation and ensure lived experiences are central to its outcomes.

The evaluation will consider the impact of the pilot in terms of improvements in the experiences of individual care and how being part of the pilot has affected young people's lives.



F. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Health and health services

Please describe the measures taken to:

26A – Eliminate inequalities in health outcomes and in access to high-quality health services for children in disadvantaged situations

Reducing inequality is a central ambition of the Welsh Government. [‘A Healthier Wales’](#), the Welsh Government’s long term plan for health and social care, puts prevention of ill health at the heart of health and social care policy and services. Since its publication, progress has been made in designing policy and strategy to support children and young people to stay well.

At the core of the early years system is the universal provision of maternity care and health visiting services. [The Healthy Child Wales Programme](#) (HCWP) sets out a universal range of key contacts between families with children aged 0-7 and health visitors. It is applicable to all families across Wales, irrespective of need. These universal contacts cover three areas of intervention; screening, immunisation and monitoring and supporting child development.

In July 2019, the [Maternity Care in Wales – A Five Year Vision](#) was published. It provides a national framework to guide maternity services and outcomes in the coming years. The Vision aims to provide an equitable prudent approach to maternity care provision, providing all women with the services and expertise required to optimise their birth experience and outcomes.

A [Breastfeeding Action Plan](#) has been developed in Wales offering women equitable access to professional and peer support with information to be able to breastfeed successfully, if this is their chosen method.

Baby bundles

The [Programme for Government](#) includes a commitment to roll out baby bundles to more families in Wales. This builds on the pilot baby bundle initiative, which involved the delivery of pilot bundles between September 2020 and March 2021. The pilot was held in the Swansea Bay University Health Board area and saw 200 families expecting a baby provided with a bundle. The bundles included a range of products and information for the child’s first months. We are currently considering how the new scheme will be implemented and delivered.

Speech, language and communication (SLC) skills

The Welsh Government’s ambition is for children from all backgrounds to have the best start in life and to reach their full potential. It is widely recognised that a child’s development in the early years is vital. This includes children’s acquisition of speech, language and communication (SLC) skills and oracy which underpins a child’s ability to read and write and to problem solve. Positive cognitive development is strongly associated with a child’s success in school and entry into the workforce. Any child, irrespective of where they live or their family circumstances, might require additional support to address delays or difficulties with SLC. Our aim is to ensure that children throughout Wales have access to high quality universal, population, targeted and specialised support in the early years, if required, to develop their SLC skills. A major step forward is the publication of [Talk With Me: Speech, Language and Communication \(SLC\) Delivery Plan](#) which seeks to drive

improvement in the way in which children in Wales are supported to develop their SLC skills. This cross-cutting SLC delivery plan is the first of its kind in the United Kingdom.

The Welsh Government have recently consulted on [A Smoke-Free Wales: Our long term tobacco control strategy for Wales](#) and its [first two-year delivery plan for 2022 to 2024](#). The draft strategy sets out our vision for a smoke-free Wales by 2030, this means achieving a smoking prevalence rate in adults of 5% or less over the next eight years.

To support this ambition, we will be driving forward work across our three key themes of Reducing Inequalities, Future Generations and a Whole-System Approach for a Smoke-Free Wales. Smoking impacts on the lives of children and young people throughout their childhood, from pregnancy to adolescence. The Theme Future Generations focuses on creating an environment where smoke-free is the norm for all children and young people in Wales and remain smoke-free into adulthood.

Towards a Smoke-Free Wales is the first in the series of delivery plans that will support the development of specific, evidence-based interventions that are appropriate and tailored to address smoking prevalence in priority groups.

There are groups and communities in Wales who have a higher risk of taking up smoking, or experience increased health impacts from smoking. These include pregnant people and children and young people. Supporting children and young people to have a smoke-free childhood is a key part of our vision for a smoke-free Wales.

Period Dignity

In October 2021 the Welsh Government published its [Period Dignity Strategic Action Plan](#) for consultation. The Plan sets out the Welsh Government's approach to ensuring period dignity in Wales. The Plan outlines a series of wide-ranging, holistically intersecting actions and, alongside annual funding of over £3m per year to provide period products to learners and those on low incomes, aims to tackle period poverty and achieve period dignity in Wales.

The Welsh Government will continue to provide funding to local authorities to provide free period products within schools and communities. Funding is also provided to Further Education colleges for the same purpose. There is also significant cross governmental work on education and health and collaboration with the NHS ["Bloody Brilliant"](#) web resource.

26B – Address malnutrition, overweight and obesity among children, and assess the effectiveness of policies and programmes on child food security and nutrition;

The [Healthy Weight: Healthy Wales](#) strategy was launched on 17 October 2019. The Strategy is a 10-year plan to prioritise early intervention and behaviour change at all levels to change our habits and promote healthy activity. The strategy sets four themes including healthy environments, healthy settings, healthy people and leadership and enabling change.

To date we have invested around £9m between 2020-22 and increased investment to over £13m for 2022-24 to bring together internationally evidenced programmes that will support crucial changes.

As part of the actions for 2022-24, there are Children and Families Pilots taking place in three areas Cardiff, Merthyr Tydfil and Anglesey. A core part of this approach is the implementation of a secondary prevention Home Based Intervention for families of children in the early years from 3–7 years of age in line with the foundation phase.

Additionally through the Strategy, Health Boards in Wales have been allocated £2.9m to develop their [All Wales Weight Management Pathway](#). As part of the continued funding for this in 2022-24, health boards have been asked to ensure they use the funding to enhance the development of a specific pathway for children and families.

The pathway sets out the key elements and principles underpinning the planning, commissioning and delivery of weight management services for the population of Wales. It has been developed in partnership with professionals including dietitians, nutritionists, psychologists and doctors working in this field across weight management drawing on the best available international evidence. The revised pathway will provide compassionate support in helping people on their weight management journey and will run alongside our Healthy Weight: Healthy Wales strategy to encourage people to make healthier choices and lead more active lives.

There is a focus to ensure that all schools offer pupils a range of high-quality sport and physical activity opportunities. The Deputy Minister for Mental Health and Wellbeing launched the development of a new Daily Active offer for schools. The Daily Active Task & Finish Group is considering the vision, ambition and scope of what the Daily Active could offer and achieve in Wales.

On 9 June 2022 the Welsh Government launched a [Healthy Food Environment Consultation](#) which includes legislative proposals to improve the food environment and make it easier for people to make healthier choices. Proposals include:

- Restriction on the price and volume promotions of high fat, sugar or salt products (HFSS) in retail settings
- Restriction on location promotion of HFSS in retail settings
- Mandatory calorie labelling and limits to the portion size/refills of sugary drinks in the out of home sector
- Reviewing existing planning and licensing support to address the distribution of Hot Food Takeaways, especially near schools and colleges.

Free School Meals

Free school meals are intended to support children in the lowest-income households with the aim of improving health and educational outcomes. Local authorities are required to provide a free school lunch for eligible pupils. Work is underway to roll-out the implementation of Universal Primary Free School Meals.

During the pandemic, Wales was the first of the UK nations to confirm that free school meal provision would be made available during the summer holidays. The Welsh Government committed over £100m to ensure no child eligible for a free school meal, went hungry during the school day or during the holiday periods between March 2020 and August 2022.

Healthy Eating Regulations

All local authorities and governing bodies of maintained schools must comply with the [Healthy Eating in Schools \(Nutritional Standards and Requirements\) \(Wales\) Regulations 2013](#). The Regulations set out the type of food and drink which may be provided during the school day. They are accompanied by the [Healthy eating in maintained schools statutory guidance](#).

Free Breakfast in Primary Schools

Children are entitled to receive free breakfasts if the primary school they attend is maintained by the local authority and operates a free breakfast club. Parents can ask schools to operate the scheme if there is no free breakfast provision available.

The initiative is aimed at providing pupils of primary school age who are registered in maintained primary schools in Wales with the opportunity of receiving a free, healthy breakfast at school each day.

The Welsh Government has introduced an additional breakfast allowance for year 7 pupils who are eligible for free school meals.

School Milk

Milk provided to pupils in the Foundation Phase is free of charge in Wales, in those schools that participate in the school milk scheme. Schools can also make subsidised milk available to pupils up to the age of 11.

Curriculum for Wales

At the heart of the new [Curriculum for Wales framework](#), due to be introduced from September 2022, there are four purposes which are central to every decision made about the new curriculum. One of the four purposes is to support children and young people to become 'healthy confident individuals'.

[The Health and Well-being Area of Learning and Experience](#) (AoLE) which is a key component of the new curriculum, aims to ensure that learning and support around issues such as physical, mental and emotional health are provided to all young people in Wales.

This AoLE can help learners to understand the factors that affect physical health and well-being. This includes health-promoting behaviours such as physical activity, including but not limited to sport; nutrition; balanced diet; personal care and hygiene; sleep; and protection from infection. It also includes an understanding of health-harming behaviours.

From this understanding, learners can develop positive, informed behaviours that encourage them both to care for and respect themselves and others. These behaviours support learners' sense of self-worth, their overall mood and energy levels.

Learners will be encouraged to develop the confidence, motivation, physical competence, knowledge and understanding that can help them lead healthy and active lifestyles which promote good physical health and well-being.

A revision of the Healthy Eating in Schools Regulations and Statutory guidance, will ensure that meals that are being provided by schools are of the highest standard to support all children and young people to make healthy choices.

26C – Raise awareness on the importance of breastfeeding and implement the International Code of Marketing of Breast-milk Substitutes;

A [Breast Feeding Action Plan](#) was published in 2019 as the Welsh Government recognises the importance of breastfeeding to promote wellbeing for both mother and baby and we are committed to increasing breastfeeding rates. It provides a national framework to support women and families to make informed decisions regarding feeding choice and to initiate and continue to breastfeed for as long as they wish to.

The Action Plan has identified what needs to be done at a national and local level to deliver nine overarching actions. The actions aim to ensure consistent and clear networks and systems are in place to support women and families as well as provide the people who work with them to have the strategic and operational direction, accountability and leadership they need to improve breastfeeding outcomes.

Implementation arrangements are integral to the Action Plan and are centred on engaging with the widest field of stakeholders and key partners. Direct involvement of mothers and families is built into the delivery of the Breast Feeding Action Plan.

There is UK legislation that covers the labelling and marketing of infant and follow-on formula. The UK adopted the EU directive informing UK SI Regulations on Foods for Specific Groups (FSG) (609/2013) which contains delegated acts – EU delegated regulation 2016/127 relates to infant and follow-on formula.

Advertising must be restricted to publications specialising in baby care and scientific publications. All advertising must only provide information that is scientific and factual in nature

and must not imply or create a belief that bottle-feeding is equivalent or superior to breastfeeding. Point-of-sale advertising or the giving of samples or other promotional devices to induce sales at the retail level is not permitted.

Manufacturers and distributors of infant formula must not directly provide free or subsidised products, samples or any other promotional gifts to members of the general public (including mothers, pregnant women and their families).

26E – Address the high incidence of mental illness and self-harm, and the causes thereof, in particular among girls, children with disabilities and LGBTI children;

26F – Ensure that children with mental health conditions have prompt access to mental health services;

Our [Together for Mental Health Strategy](#) sets out a number of high level outcomes aimed at achieving a significant improvement to both the quality and accessibility of mental health services for all ages. This 10 year strategy is supported by a number of detailed delivery plans. The Together for Mental Health Delivery Plan 2019-22 was published in January 2020 and is the third and final delivery plan under the Strategy. Priority areas within the delivery plan include:

- Improving access to psychological therapies for children and adults - to deliver a significant reduction in waiting times by the end of this Government.
- Increase the range of therapies offered and support the workforce to provide these interventions to improve service user experience.
- Further improvements to Crisis and Out of Hours for children and adults – moving to a common, multi-agency offer across Wales.
- Improvements to children and young persons' mental health services – improving access across primary and specialist CAMHS and ensuring sustainable improvements to timeliness of interventions, as well as supporting the new curriculum and whole school approach, extending the reach of NHS services into schools and filling gaps in services.

The [Welsh Health Specialist Services Committee](#) (WHSSC) has established a new CAMHS bed management panel which meets on a weekly basis. The panel aims to understand the current bed capacity of NHS and independent sector providers and any adverse effect of staffing

issues, patient acuity and COVID-19 restrictions on that capacity. It also assesses current demand from community services for a CAMHS inpatient bed at an individual level and provides solutions to address any discrepancies between demand and capacity on a regular basis.

Protection of and support for children and young people's mental health and emotional wellbeing is prioritised through a [whole school approach](#). To make sure that children and young people remain at the heart of this work, it is supported by a Youth Stakeholder Group. The purpose of this group is to offer first-hand experience of mental health and wellbeing support for children and young people.

Meeting the emotional and wellbeing needs of our children and young people requires an integrated, whole system, no wrong door approach. Regional Partnership Boards (RPBs) hold a critical role in fostering the collaborative approach needed to respond to mental health issues in their areas. The [NEST/NYTH Framework](#) provides the tools to move towards a genuine Whole System Approach, broadening the offer of support across Wales. This is a tool to ensure an open door for all children and young people who do not need clinical NHS support and intervention, whilst also creating appropriate referral pathways where further specialist mental health support is required.

All RPBs now have a focus and a plan specifically for children's provision and are actively making changes towards a 'no wrong door' approach, with governance structures in place dedicated directly to children's issues. Many of the RPBs have also now established children and young

people's sub-groups with some actively seeking engagement with young people to inform their priorities.

The extension to the NEST/NYTH T4CYP workstream provides a vehicle to shape the ongoing support on NEST implementation. The Emotional Mental Health Community of Practice, alongside the short-term extension to the T4CYP, will provide additional support to the RPBs to share best practice and learn from one another and others with a shared interest in this area.

This extension will also provide additional support as the RPBs further develop their Regional Integration Fund proposals for children and young people's emotional mental health. The extension has also allowed for the appointment of a Welsh Government fixed term role to provide a dedicated resource

directly to the RPBs in the development, evolution and implementation of their plans following the completion of the [Together for Children and Young People Programme](#) on 30 September 2022.

Better access to low level mental health support has been provided through the development of a [mental health toolkit](#), additional investment in online and telephone support, and increased school counselling.

The [Suicide and Self-harm guidance](#) supports teachers and professionals who regularly come into contact with young people, providing an accessible source of the principles of best practice and signposting. Improvements to Crisis and Out of Hours services have focused on increasing the range of psychological therapies available, support for the workforce, and sanctuary provision pilots.

26G – Develop therapeutic community-based services for children with mental health conditions

In 2020-21, Welsh Government invested an additional £2.7m to provide immediate access to tier 0/1 support, in response to the higher levels of anxiety we are seeing through our analysis of surveys and wider evidence. This funding has delivered support for young people to access themselves, for instance through the [Youth Mental Health toolkit](#), [SilverCloud](#) (16+) and the CALL helpline. The Welsh Government have also invested £1.252m to extend schools counselling, ensuring contacts in every local authority were available online for young people not attending school in person.

In 2021/22, following the all-Wales pilot scheme launched during the COVID-19 pandemic, Welsh Government confirmed an additional £7.7m in funding to continue providing SilverCloud Wales – the free online mental health support tool for a further three years. As we move out of the pandemic the additional funding will expand the service and will offer access to digital therapy for young people aged 11 and over.

The Welsh Government will continue to highlight the provision available and have worked with partners such as schools, local authorities and health boards to indicate to young people where they may find support. We have also increased our communication activity across platforms to promote access to low level support directly with young people. Where young people do need the additional support of mental health services, all health boards have continued to process referrals.

Welsh Government funding to support the young people who do not meet the criteria for direct CAMHS Support is cross government, including support through education and youth work provision. We also continue to support Welsh regions utilising Integrated Care Funding and Transformation Funding through Regional Partnership Boards.

26H – Review the current legislation to prevent its disproportionate placement of children with mental health needs in adult psychiatric wards or police stations and ensure that the best interests and views of the child are taken into account in their mental health treatment;

A child or young person can be admitted to hospital following a mental health assessment when police have used their powers under Section 136 of the Mental Health Act 1983 to take a person to a place of safety for that purpose. The law changed in December 2017 to say that a police station can never be used as a place of safety for anyone under the age of 18. However, in Wales, this policy intention was realised much sooner and no child or young person should have been taken to a police station as a place of safety since 2015.

In 2015 the Welsh Government published [Admissions Guidance](#) to ensure that services for children and young people are fit for purpose and meets their assessed needs, and took into consideration the requirements of the United Nations Convention on the Rights of the Child (UNCRC).

When a child or young person does require inpatient care for a mental disorder, in the vast majority of cases, it will be expected that the Welsh CAMHS inpatient units will be the most appropriate place of care.

There are, however, some conditions or circumstances that may require a different provision.

- Admission to a designated adult mental health ward for assessment and treatment will be appropriate if the young person is 16 years or older and is of sufficient maturity and expresses a wish to be treated by local adult mental health services, and clinical advice confirms that is appropriate they can. Numbers in this case are closely monitored.
- Indeed, in most circumstances older children should by virtue of s8 of The Family Law Reform Act 1969, be able to give valid consent without recourse to their parents. This circumstance then requires adult mental health and child and adolescent mental health services to work together to ensure transition services for this age group are developed, with agreed outcomes that meet

the needs of the child or young person. Whilst inpatient care may be provided on an adult unit, ongoing involvement and/or liaison with CAMHS staff is still required. Formal agreement as to lead clinician should be made and it would normally be a CAMHS clinician except in specific circumstances.

- The young person is nearing their 18th birthday, (usually no earlier than six months off their 18th birthday) and it is likely that the initial period of inpatient care and subsequent after care will continue after their 18th birthday, hence admission to a CAMHS unit would mean a lack of long term continuity and a delay in accessing their likely providers of care for the foreseeable future. It would be appropriate in this case for the young person to access the most appropriate adult unit for their condition. Again, it would be expected that patient choice, alongside clinician advice and the desired patient outcome, will guide this decision.

Mental Capacity

Welsh Government has consulted on [regulations for Wales to support the implementation of the Mental Capacity \(Amendment\) Act 2019 and the new Liberty Protection Safeguards \(LPS\)](#).

The new Liberty Protection Safeguards will include 16 and 17 year olds, unlike the current Deprivation of Liberty Safeguards (DoLS). The new safeguards will provide important rights and protections for people who lack the mental capacity to agree to care, support or treatment arrangements, where these arrangements amount to a deprivation of liberty. Best interest decisions are at the heart of the LPS informed by person centred planning wherever statutory duties arise. There will be a specific focus on establishing and reinforcing the young person's views, wishes and feelings as part of LPS assessment, authorisation and review processes, alongside an ongoing consideration of what are the least restrictive options for care support or treatment.

Although the Mental Capacity (Amendment) Act 2019 is reserved to the UK Government, it provides regulation making powers to the Welsh Ministers. Welsh Government is consulting on draft Regulations and impact assessments (including a Children's Rights Impact Assessment) for Wales – including Regulations which will amend existing regulations³ on the role and appointment of Independent Mental Capacity Advocates (IMCAs). IMCAs are there to support the cared-for person under LPS and those individuals who have been identified as the cared-for person's Appropriate Person. There will be an enhanced role of the IMCA to support the person and those acting on their behalf to ensure that their views, wishes and feelings inform their care, support or treatment arrangements. As part of the consultation, Welsh Government is working with Children in Wales to engage with young people.

Mental Health Act 1983

The UK Government White Paper on reforms to the Mental Health Act 1983 proposes introducing revised detention criteria that include therapeutic benefit, advance choice documents, and enhancements to advocacy including more choice over who acts as an advocate and increased powers for the advocate to become involved in decisions. These proposals would result in a strengthening of the way that the best interests and views of the child are taken into account. We are currently considering these proposals in relation to Wales.

26I – Monitor the diagnoses of attention deficit/hyperactivity disorders among children, undertake a study on their root causes, and assess the possible over prescription of psychotropic drugs in particular for young children;

In January 2015 Welsh Government commissioned Swansea University to analyse prescribing data for children and young people in relation to ADHD medication, antidepressants and antipsychotics.

Following this, the Welsh Government issued a [Welsh Health Circular](#) to all General Practitioners to reiterate when prescribing for depressive illness in children and adolescents only fluoxetine has been shown to be effective and when initiated should be carefully monitored in line with current guidance. Use of other medication to treat depressive illness should be initiated by a specialist and only when ongoing monitoring has been put in place.

Following the 2015 review, in 2020 the then Minister for Health and Social Services committed to consider follow up work.

This review reported in January 2022 and has built on evidence provided within the previous review which considered ADHD and antidepressants. The report is currently being considered by officials and findings will be incorporated into the recommendations of the Demand and Capacity review for Neurological Disorders. A summary report was published on 6 July with the full report publication expected in September.

[Review of the demand, capacity and design of neurodevelopmental services: summary report | GOV.WALES](#)

³ The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Wales) Regulations 2007 (S.I. 2007/852 (W. 77)).

26J – Reduce air pollution, and inform the population about the effect of pollution on children's health and about remedial measures

The Welsh Government plans to introduce legislation in 2023 which will reduce the speed limit from 30mph to 20mph on restricted roads across Wales.

This is a Welsh Government [Programme for Government](#) commitment and has the potential to have significant positive effects on the health

of the people of Wales and to deliver against all seven [Well-being of Future Generations Act goals](#).

A [competition was launched for children to design an air quality road sign](#) to alert drivers to comply with reduced speed limits.

Standard of living

Please describe the measures taken to:

27A – Address the increasing child poverty rate;

In Wales, our [Child Poverty Strategy](#) sets out our objectives for tackling child poverty. They focus on reducing the number of children living in workless households, increasing the skills of parents and young people, reducing inequalities in education, health and economic outcomes, creating a strong economy and labour market and action to increase household income.

In response to the immediate impact of the pandemic, Welsh Government published its [Child Poverty – Income Maximisation Plan](#) (IMAP) in November 2020. The Plan set out a number of practical actions to help maximise the incomes of families living in poverty in Wales, reduce essential living costs and provide support to build their financial resilience. It focused on delivering four key objectives which were:

- Families in Wales are supported to claim all the financial support they are entitled to;
- The cost of sending children to school is reduced;
- The cost and accessibility of public transport for young people is addressed; and
- Families in Wales are supported to be financially resilient.

Work aimed at maximising income was taken forward through a number of pilot programmes. The [final report of the Child Poverty – Income Maximisation Plan](#) has been published and demonstrates positive progress in a number of key areas:

- A national benefits take up campaign which resulted in an additional £651,504 claimed by those entitled to benefits.
- Six pilots targeted support at groups least likely to be claiming all the financial support they are entitled to. £2,468,052 additional income was claimed.
- Working collaboratively with local authorities in Wales, Welsh Government published a [Best Practice Toolkit](#) to help streamline the application process for devolved benefits making them more accessible.

Since November 2021, Welsh Government has allocated more than £380m of financial support to help mitigate the impact of the cost of living crisis. Funding has supported:

- A Winter Fuel Support Scheme in 2021-22 which provided £200 for eligible households to help meet the cost of essential bills. It will also support a further fuel support scheme to be launched in autumn 2022. The Welsh

Government are looking at how the scheme can reach more households so that more people receive the £200 payment which offers such crucial support.

- A £150 cost-of-living payment for all households in properties in council tax bands A to D and to all households which receive support from the Council Tax Reduction Scheme in all council tax bands.

- A further £25m will be available to local authorities in the form of a discretionary fund. They will be able to target this additional funding to help households which may be struggling.

Welsh Government continues to work with UKG to discuss DWP policies that restrict the amount of money available to families and take steps to alleviate the cost of living crisis.

27B – Assess the impact of recent social security and tax credit reforms on children, including children with disabilities and children belonging to ethnic minority groups, and revise these reforms in order to fully respect children’s right to have their best interests taken as a primary consideration

The Welsh Government previously commissioned a series of [reports on the impacts of the UK Government Welfare Reforms in Wales](#). Findings clearly identified the negative impacts the reforms have had upon families with children such as the two-child limit in Universal Credit, and the changes to disability benefits impact on families with disabled children. The Welsh Government continues to monitor statistics, research and analysis on the impact of welfare reform and have regular discussions with stakeholders such as Citizens Advice about their experience of such impacts.

The Welsh Government continues to press the UK Government to rethink the introduction of the two-child limit in Universal Credit as, over time, this will only act to increase child poverty levels.

According to the latest Households Below Average Income data published in March 2022, 27% of children in the UK were living in poverty for the three year period 2018-2021.

The 2020-21 data collection process through the Family Resources Survey was impacted by COVID-19 as fieldwork operations were rapidly changed as a result of the introduction of public health measures. This resulted in a reduced sample size and the characteristics of respondents was different to previous years.

For Wales, the smaller sample size achieved this year means we cannot say with confidence that any changes to Wales level poverty figures in the short term are meaningful.

The Department for Work and Pensions did not publish any regional/country level official poverty statistics this year.

Welsh Government will not publish the usual range of additional analysis of the poverty data this year. Instead, we will publish an article on “Measures of poverty: April 2020 to March 2021” describing the data quality issues and presenting key poverty figures based on 2020-21 Households Below Average Income (HBAI) data alongside confidence intervals.

In the [UK Government’s response to recommendations](#) within a [report published by the Welsh Affairs Committee on the Benefit System in Wales](#), they stated that they do not intend to devolve any elements of social security to Welsh Government.

This disappointing response will have a direct impact on the Welsh Government’s commitment to explore the devolution of administration of welfare benefits.

27C – Reduce homelessness and guarantee children's access to adequate housing

The Welsh Government published its [Programme for Government](#) in June 2021 with preventing and ending homelessness in all its forms highlighted as a key priority.

The Welsh Government has committed to a fundamental reform of homelessness services to ensure the focus is on prevention and rapid rehousing. Work is ongoing to transform homelessness services to ensure that when homelessness does occur, it is rare, brief and non-repeated. This work was ongoing before the pandemic and the crisis has only accelerated it.

Since March 2020, over 19,800 people been supported into emergency temporary accommodation.

An additional £50m was made available in 2020-21 to both begin the transformation and to ensure that supported people in temporary

accommodation throughout the pandemic, including dependent children, can quickly move on to long-term sustainable housing. In 2022-23, £60m has been made available to local authorities and Registered Social Landlords to rapidly increase permanent accommodation capacity across Wales as part of the Transitional Accommodation Capital Programme.

The [Housing Support Grant](#) – a preventative grant aimed at supporting people to live independently, maintain tenancies and prevent homelessness – was increased by £40m in 2020-21, an increase of almost 32%. This increase will be sustained up until at least 2025.

Such a large investment by Welsh Government represents its ambition of ending homelessness in Wales for good, therefore protecting future generations of children.

Impact of climate change on the rights of the child

Please describe the measures taken to:

28A – Reduce greenhouse gas emissions and implement the State party's net zero emission law;

28B – Ensure that children's needs and views are taken into account in developing policies and programmes addressing climate change and disaster risk management.

Ahead of COP26 the Welsh Government published our [Net Zero Wales plan](#) (2021-2025), our emissions reduction plan focused on how we will achieve our second carbon budget. It focuses on our second carbon budget (2021-2025), but also looks beyond to start building the foundations for Carbon Budget 3, our 2030 target, and our net zero 2050 target.

The Plan contains 123 policies and proposals and over 100 pledges for action, reflecting the breadth and depth of activity taking place across Wales.

The Plan also sets out the wider actions to be taken by others, our calls on UK Government and contain pledges made by our partners. Alongside *Net Zero Wales* the Welsh Government also published the [Working Together to Reach Net Zero](#), which recognises and showcases the all-Wales approach to tackling climate change with pledges and case studies from every corner of society across Wales.

Through our environmental education programmes - [Size of Wales](#) and [Eco Schools](#) – we are continuing our commitment to enhance opportunities for children and young people to have their voices heard but to also provide real opportunities to participate and influence what happens next. Around 93% of schools across Wales have been engaged via these programmes, empowering children and young people to drive change, improve their environmental awareness, take action and learn about climate change and the importance of forests and protecting our ecosystems.

The Welsh Government held two Young People conferences to provide opportunities for Young People to be part of the Net Zero Plan. We provide funding towards [MockCops](#), which are led by Size of Wales and the [Welsh Centre for International Affairs](#) (WCIA). Our Youth Climate Ambassadors attended COP26 and were provided with the opportunity to meet with likeminded young people, share a stage with the First Minister, meet with Welsh Government delegates and other international NGO's.

[Future Wales – the national plan 2040](#) is the all-Wales spatial development plan, setting a planning policy context for decarbonisation by preventing and mitigating carbon emissions.

As part of the production of Future Wales we worked with a board of young people and produced education packs for [primary](#) and [secondary](#) schools. These education packs were created to help children and young people engage in the planning system and they cover issues such as the environment, resources, renewable energy, carbon, flooding and erosion. The packs will be updated using feedback from teachers, and the intention is to use learners' contributions to help inform the next review of Future Wales – the national plan.

Young people will also be part of and help shape their own sessions for our annual Wales Climate week and will be part of our future behavioural campaign. Providing us with their feedback on the future programme.



G. Education, leisure and cultural activities (arts. 28–31)

Education

Please describe the measures taken to:

29A – Ensure equal access to quality education, including by mitigating the disproportionate impact of COVID-19, and improve attainment rates and educational outcomes for children in disadvantaged situations, including children living in poverty, children belonging to ethnic minority groups, traveller children, children in alternative care, asylum-seeking and migrant children, children with special educational needs and children with disabilities;

The Welsh Government recognises that the pandemic is continuing to have the greatest impact on some of our most vulnerable and disadvantaged learners, including those from low income families.

Equity in Attainment

Tackling the impact of poverty on attainment is our most important policy priority. Our vision is for an excellent and equitable education system that delivers high standards and raises aspirations for all. The *High Standards and Aspirations for All – Action Plan*, due for publication in the Autumn term, and the work that it will instigate, will make a major contribution to making this possible.

The Plan will draw together actions from across the education system to deliver on our national mission to tackle the impact of poverty and socio-economic disadvantage on educational attainment. The aim of the plan is to support the development of an excellent and equitable education system in Wales through progressively reducing the impact of poverty on attainment, so that high standards and aspirations can be achieved by all.

Community Focused Schools

The Programme for Government includes a commitment to ‘invest in the learning environment of community schools, co-locating key services and securing stronger engagement with parents and carers outside traditional hours’. This is a key element in the work that is being developed to address our priority on tackling the impact of poverty on educational attainment.

Our ambition is for all schools in Wales to be Community Focused Schools – responding to the needs of their community, building a strong partnership with families and collaborating effectively with other services. By working collaboratively across school, home and the community we can support our children and young people more effectively.

For this reason, we are investing £3.84m in increasing the number of family engagement officers whose role will be to ensure that positive partnerships with families are developed, and that bespoke support and services are offered. A key focus of their role is on supporting attendance and working with families to encourage better levels of attendance and re-engagement with learning after the pandemic.

We are also providing funding to trial the appointment of community focused schools managers, and £20m of capital investment to allow schools to develop further as community assets, making the school more accessible and open to its local community.

School Admissions

All children living in Wales are entitled to access school place. The [School Admission Code](#), provides statutory guidance to school admission authorities, local authorities, school admission appeals panels, school governing bodies and school admission forums to ensure admission applications are administered in the fairest and most equitable way possible. These bodies must act in accordance with the Code and must comply with other relevant legislation

including the [Equality Act 2010](#), the [Human Rights Act 1998](#), the United Nations Convention on the Rights of the Child (UNCRC) and the [Rights of Children and Young Persons \(Wales\) Measure 2011](#).

Pupil Development Grant

Countering the effects of disadvantage and deprivation on children and young people is central to our flagship [Pupil Development Grant](#) (PDG). The purpose of the PDG is to tackle the impact of deprivation and disadvantage on educational outcomes.

Year on year we have extended the PDG. In line with our Programme for Government commitment, the Welsh Government are continuing to invest record levels of funding in the PDG, with the budget increasing by £20m from 2022-23. This takes our total investment to more than £130m per annum from 2022-23 to support our most economically vulnerable learners. This includes funding for PDG-Access, which helps families of disadvantaged and vulnerable learners meet the everyday costs associated with the school day including school uniform, equipment for sports and extracurricular activities.

This builds on our funding in 2021-22, to take account of increases in learners eligible for free school meals as a result of the pandemic.

The Welsh Government will continue to work closely with PDG regional representatives to identify those areas where funding can have most impact, particularly in the context of the recommendations from the [Review of School Spending in Wales report](#); in particular prioritising additional funding for more deprived schools and working with local authorities' on ensuring more consistent and transparent school funding formulae.

We are considering how PDG might be used more effectively as part of work to develop a Strategy for Educational Equity.

Pupil Development (PDG) Access Grant

The [PDG Access grant](#) has made a huge difference to many families across Wales, helping remove the worry surrounding the

purchase of school uniform and equipment, enabling more children to attend school and take part in activities at the same level as their peers.

In 2021/22 the grant was extended to eligible children and young people in all compulsory school years, meaning that even more families can now benefit from this support. In recognition of the pressures facing families, on 14 March 2022 Welsh Government provided additional one-off payment of £100 to every child or young person eligible for PDG access. This takes funding for PDG Access up to over £23m for 2022/23.

Additional Learning Needs (ALN)

An additional £17.8m was provided to schools and colleges to support ALN in 2020-21, £9.8m of which was specifically in response to pressures arising from the COVID-19 pandemic.

In 2021-22 an additional £10m was allocated to support learners with ALN affected by the COVID-19 pandemic. The funding was distributed by local authorities and used to provide extra resources, including mental health support.

The challenges arising from the pandemic have further highlighted the importance of ensuring that the system of support for children and young people with ALN is as effective as possible in the future. Despite the restrictions necessitated by the pandemic, our work towards the successful implementation of the [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#), has remained a priority.

Looked after children in education

The Welsh Government have supported looked after children in education by some £5m annually through [PDG-LAC](#). The Regional Education Consortia administer this grant in collaboration with local authorities and schools.

PDG-LAC funding is based on £1,150 per looked after child; however, the funding is not ring-fenced for each child. This approach enables Consortia, working with partners, to determine the most effective, strategic interventions to support care experienced young people regardless of care or school placement changes.

The Welsh Government remains committed to improving educational outcomes for looked after children. As part of this we are exploring with stakeholders how to develop an integrated approach to improving educational outcomes for looked after children.

We are pleased that in collaboration with [Voices from Care Cymru](#) we have been able to arrange engagement sessions to hear from these learners first hand, reflecting on the support they have received and their future aspirations.

Young Carers

The needs of young carers are recognised by the Welsh Government through its Strategy for Unpaid Carers and the associated Carers' Delivery Plan, published in November 2021. A new national priority was included to raise awareness of the needs of both young carers and young adult carers in education, training and employment, in recognition of their need for more and improved support from education professionals as well as health and social care. The impact of the COVID-19 pandemic fed into the strategy and delivery plan development process,

because it highlighted an increased need for more and better recognition of the needs of young carers.

Funding of £3m was made available to local authorities in 2021-22 to support all ages of unpaid carer, including young carers, to access suitable respite. From 2022-25, £9m of funding will create a new Short Breaks Fund giving carers the ability to access different forms of breaks from their caring responsibilities. We also provided £1.5m for a Carers Support Fund in 2021-22, which will continue with £4.5m of funding over three years. It provides small grants up to £300 for unpaid carers of all ages and experiencing additional financial hardship, to make purchases to help them with caring.

Young carers can benefit from the national Young Carer ID card which operates across Wales to help them access support from teachers, or their local doctor and pharmacist. From 2020 – 2023, working in co-production with a national carers' organisation and 22 local authorities, we will have allocated just over £600,000 to develop this new ID card for young carers aged up to 18.

29B – Monitor and address the persistent use of exclusions, in particular on children in disadvantaged situations; implement the recommendations of the Timpson Review of School Exclusion; and guarantee children the right to appeal against their exclusion and to legal aid and legal representation;

[Welsh Government guidance](#), Exclusion from Schools and Pupil Referral Units, is clear that permanent exclusion should be used only as a last resort. Permanent exclusion is an acknowledgement by the school that it has exhausted all available strategies for supporting the pupil. Where it is clear that a pupil is continuing to experience difficulties in school, despite support being put in place, and is at risk of permanent exclusion, we expect the school to work with the local authority to find another school or an alternative placement.

Where a pupil has been permanently excluded from school, parents and pupils have a right to appeal. Following a permanent exclusion being upheld by the school discipline committee, local authorities are responsible for assessing

the needs of the pupil and how these can be met. The school's obligation to provide education continues while the pupil is still on the school roll. The school must inform the parents of the arrangements made for enabling the pupil to continue their education, including setting and marking work.

Following the removal of a pupil from the school roll, it is the responsibility of the local authority to ensure a suitable education is made available for the pupil. The guidance is clear that, for the majority of permanently excluded pupils, the best course of action is for them to join a mainstream or special school. To achieve this, local authorities should consider whether specialist staff are required to support the pupil.

Excluded learners should only be educated outside of mainstream education where there are significant problems that are better addressed in a different environment, or where a pupil is approaching the end of compulsory schooling and it would be unrealistic to expect them to make a successful return to school. Where a pupil has significant problems which are better addressed in Education otherwise than at school (EOTAS), the local authority should put in place a pastoral support plan (PSP) which sets out the actions to be put in place to address the learner's problems and ensure a smooth return to mainstream or special school, or transition into post-16 education and training. The Welsh Government is supporting schools to understand why children have difficulties that can result in behaviour which leads to pupils being at risk of exclusion or being excluded, including our work to tackle adverse childhood experiences (ACEs).

Every child in Wales has a right to an excellent education and a right to be supported to access that education – a child's circumstances should not be a barrier to achieving positive outcomes. That is why the Welsh Government has put in place a number of policies to ensure children facing difficulties in school have support to remain in education.

On 3 May 2022, an [oral statement was made in the Senedd on School Attendance](#). The Minister for Education and Welsh Language outlined a number of actions that will be taken to support the education community in supporting learners. One action is to update the [all Wales attendance framework](#). Embedding a children's rights approach to policy making, ensuring the participation of children and young people to shape policy development will be a guiding principle as we consider the changes we need to make to the Framework. But we are clear that this must go beyond a simple update of guidance. As such, this will be a comprehensive review of all practice in this space, which is child-centric and trauma informed approach. We are also acutely aware of the learners who we know can be disproportionately subjected to permanent or temporary exclusions; this includes, but is not limited to, ethnic minority learners and learners with special educational needs. The [attendance review](#), commissioned by the Minister for Education and Welsh Language at the end of 2021, highlighted the link between deteriorating attendance and subsequent behavioural and emotional problems, that if not addressed may lead to exclusion of these learners from school. This highlights the need for attendance and exclusions policies to be considered and reviewed in parallel.

29C – Improve wellbeing and address bullying in schools, including against children with disabilities, minority children and LGBT children;

The Welsh Government suite of guidance '[Rights, respect, equality](#)', published in November 2019, provides statutory guidance for both governing bodies of maintained schools and local authorities to help address and prevent bullying in education settings in Wales. The guidance outlines the Welsh Government's expectations for schools to:

- take a proactive and holistic approach to prevent bullying;
- have an anti-bullying policy linking to school policies including behaviour and safeguarding;
- record and monitor incidents of bullying to help take pro-active steps to challenge bullying; and

- to regularly review anti-bullying policies and strategies in collaboration with learners at least every three years.

The suite includes advisory guidance for children, young people and their parents/carers to help those affected by bullying, outlining rights and responsibilities. It also includes information on specific types of bullying linked to protected characteristics.

To support practical implementation of the guidance we have produced an online toolkit playlist of resources. The toolkits, which have been published on Hwb, the Welsh Government's educational digital platform, includes factsheets,

supplementary guidance, incident recording template forms and best practice case examples to help local authorities and schools challenge bullying.

The Welsh Government will be updating its anti-bullying guidance in line with its the [Anti-Racist Wales Action Plan](#), as well as new and updated Gypsy, Roma, Traveller guidance

for schools. We aim to publish both by September 2022.

During 2021-2022 the Welsh Government will consult with children and young people via roundtables and already established groups from different areas of Wales. These groups will be specifically made up of ethnic minority, Gypsy, Roma, Traveller, and LGBTQ+ learners.

29D – Ensure the allocation of sufficient human, technical and financial resources for the development and expansion of early childhood care and education;

The Welsh Government's [10 Year Childcare, Play and Early Years Workforce Plan](#) will be reviewed and refreshed in 2022-23 to ensure that it continues to support individuals to enter and remain in the sector as we drive forward Early Childhood Education and Care (ECEC).

The Plan has new qualifications and career pathways developed to support recruitment and retention of the workforce. We work with strategic partners on targeted recruitment campaigns and in the developing of resources to support settings to recruit.

The new qualifications also support the expansion of ECEC by ensuring that practitioners have the knowledge and skills to provide high quality provision across all ECEC settings and that child development is at the centre of their approach.

The refreshed plan will continue to build on this work as well as developing new actions to support the sector to grow and strengthen, while maintaining a focus of quality.

In tandem an ECEC Quality Framework is being developed in conjunction with childcare and education stakeholders. This will support all practitioners in education or childcare settings caring for children 0-5 and provide the technical knowledge and expertise to ensure child centred provision. The Welsh Government intends to consult on the Quality Framework in due course.

As well as the current [Childcare Offer](#) available to the working parents of 3 and 4 year olds, parents of 3 and 4 year olds who are in undertaking higher or further education courses

of at least 10 weeks in duration may also be able to access the Childcare from September 2022. In addition, further work is underway to determine how access to childcare can be further developed to support more parents and families in work-based learning, community learning and also those undertaking more short-term learning, e.g. English for Speakers of Other Language courses.

£80m in capital funding has been provided to local authorities across Wales in order to support the co-location of education and childcare provision to support the Welsh Government ECEC approach. This funding supports the creation of new facilities to bring education and care provision together. Over the next three years, Welsh Government will invest a further £70m in capital to support new facilities.

In 2019, the Deputy Minister for Social Services commissioned a Ministerial Review of Play which was paused temporarily due to the Coronavirus pandemic. The aim of the Ministerial Review of Play, with respect to children's play policy, is to assess the Welsh Government's work in relation to play policy and to inform how the Welsh Government develops and progresses the play agenda.

The Review considers the progress made in achieving the Welsh Government's vision for play, articulated in its Play Policy, and whether the strategy to achieve the vision remains relevant. When published, the report of the Steering Group will set out a number of key recommendations to progress the play agenda to achieve the vision for the future of play in Wales.

29E – Ensure that mandatory sexual and reproductive health education includes material on sexual orientation and gender identity;

In Wales, the new [Curriculum for Wales framework](#) will include a mandatory area of learning and experience for Health and Well-being which will be taught in schools from September 2022. Relationships and Sexuality Education (RSE) will become a mandatory cross cutting theme within the new Curriculum, and an RSE code and statutory guidance was published in January 2022. The [RSE Code](#) has equality and inclusivity at its heart and includes developmentally appropriate learning on gender equity and LGBTQ+ inclusivity.

We strongly believe that all young people should have the right to access information that keeps them safe from harm, including online safety and knowing what is right and wrong so they can raise issues with responsible adults. This is an innovative part of the new curriculum and aims to ensure that learning and support around issues such as physical, mental and emotional health are provided to all young people in Wales. Learning within the new curriculum will be underpinned by a collective whole-school approach and that it is inclusive to ensure all learners see themselves and each other in what they learn about RSE.

29F – Integrate human rights education into mandatory school curricula and teacher training programmes;

The philosophy and approach in the UNCRC is embedded throughout the new curriculum: the statements of what matters in the [Humanities Area of Learning Experience](#) (AoLE) published in January 2020 include the need for learners to understand their rights and engage with the concept of rights more generally.

Supporting this, the Curriculum for Wales guidance published in January 2020 provides clear guidance on human rights learning and education. This includes explicit reference to children's rights and the UNCRC and has been developed in close collaboration with the Office of the Children's Commissioner. Head teachers and governing bodies of schools will be obliged to have regard to this guidance in designing, adopting and implementing a curriculum that includes learning on children's rights and the UNCRC.

In addition, a duty has been placed jointly on the following to promote knowledge and understanding of the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities to their teaching staff:

- governing bodies and head teachers of maintained schools and maintained nursery schools;
- on the proprietors of funded non-maintained nursery education providers; jointly on the teachers in charge of Pupil Referral Units (PRUs),
- the management committees of PRUs and the local authorities responsible for PRUs; and
- on local authorities when commissioning education other than at a school or a PRU. The duty is to promote knowledge and understanding of the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities to their teaching staff.

29G – Ensure that children with disabilities have access to and benefit from inclusive education, including by making mainstream schools fully accessible.

Equity and inclusion are at the heart of education reforms in Wales. The Welsh Government is delivering a programme of extensive educational reform to ensure a fully inclusive education system for children and young people with Additional Learning Needs (ALN). This system will ensure that needs are identified early, addressed quickly, and all children and young people are supported to reach their potential. Children are being moved to the new ALN system on a phased basis between September 2021 and September 2024.

The [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) and the accompanying [ALN Code](#) and regulations, provides the statutory system for meeting the additional learning needs (ALN) of children and young people in Wales. The Act delivers a more inclusive, person-centred approach which places the learners' views, wishes and feelings at the heart of the process of planning the support required to enable them to learn effectively and achieve their full potential.

In order to help change practice, the Welsh Government has developed an online national ALN professional learning programme to help the education workforce develop their ability to support learners with ALN. Teachers can also opt to take their studies to a higher level by pursuing an ALN pathway on the National Masters in Education (Wales).

In terms of physical access, the Welsh Government's updated statutory guidance to schools advises on the preparation of accessibility strategies and accessibility plans which help ensure full inclusion of children with disabilities in a school environment.

The Welsh Government has consulted and listened to parents, children and young people at all stages of development of the new ALN system. Changes have been made based on feedback received and engagement will continue throughout the implementation period. Alternative versions of consultation documents have been produced; stakeholder events held; and work undertaken with the third sector in Wales to ensure as many children and young people as possible have had the opportunity to have their voices heard.



H. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)

Asylum-seeking, refugee and migrant children

Please describe the measures taken or envisaged to:

30A – Assess the impact of the 2016 Immigration Act, including the “deport first, appeal later” scheme, and asylum policy on children’s rights and family reunification, in view of the State party’s withdrawal from the European Union Dublin III Regulation;

30B – Expedite the processing of asylum applications and ensure that all asylum-seeking children are provided with child-friendly services and access to health care and education.

The UK Government is responsible for immigration and asylum policy, which includes asylum application decision making, the provision of support and accommodation for asylum seekers, and the operation of refugee resettlement schemes. Therefore, many of the challenges experienced by these communities cannot be fully resolved without policy changes by the UK Government.

Nation of Sanctuary – Refugee and Asylum Seeker Plan

The [‘Nation of Sanctuary’ plan](#) outlines the breadth of work which the Welsh Government is undertaking across Wales to ensure inequalities experienced by these communities are reduced, access to opportunities increased, and relations between these communities and wider society improved. Whilst the plan includes many cross-Government actions, we will particularly prioritise key issues which have been highlighted by refugees and asylum seekers during the development of this plan and in response to the Senedd’s Equality, Local Government and Communities Committee Inquiry in 2017.

These include ensuring:

- Refugees and asylum seekers can access health services (including mental health services) which they require throughout the ‘asylum journey’. This includes health assessments on arrival and during the dispersal and post-trauma phases.

- [Refugees and asylum seekers are provided with the information](#) and advice they need to begin to integrate into Welsh society from day one.
- Asylum seekers are not prevented from accessing appropriate Welsh Government schemes which would support their integration.
- New refugees and asylum seekers are less likely to fall into destitution.
- All refugees and asylum seekers (particularly unaccompanied asylum seeking children) are properly safeguarded and can access advocacy support.
- Refugees and asylum seekers can access educational opportunities, including language skills, to help them rebuild their lives and fulfil their potential.

Ukraine

The Welsh Government stands in support of the Ukrainian people. From the outbreak of the Ukraine conflict, our message has been clear – Wales is a Nation of Sanctuary and ready to welcome those fleeing war.

The Welsh Government has put in place a wide range of support and services in response to the evolving humanitarian crisis, working with our partners in local government, Education, Health and the NHS, the third sector and the people of Wales whose response to the crisis has been exemplary and reaffirms that Wales is truly a nation of sanctuary.

We are particularly aware of the impact that this crisis has and will have on children. We recognise how important it is that Ukrainian arrivals can be integrated within local communities in Wales as quickly as possible and provided with a range of wrap around support services. From a health perspective, this involves support in accessing free healthcare and initial health assessments to identify and providing care for any ongoing health needs. Health assessments involve screening for communicable diseases.

All families arriving from Ukraine will be able to register with a GP and access mainstream health services – this includes mental health services. Health support for those arriving in Wales will be provided in line with Welsh Government 2018 Guidance for Health Boards on the Health and Wellbeing of Asylum Seekers and Refugees.

We have published dedicated [guidance for safeguarding and modern slavery](#), which provides advice and support to Welsh public bodies with reference to the Ukraine visa schemes and now includes advice relating to violence against women, domestic abuse and sexual violence and online safety.

All children living in Wales have a right to a school place, irrespective of their nationality and the Welsh Government has issued [guidance on school admissions applications for overseas children](#). The guidance to families can be found on the schools [Sanctuary website](#).

There is extensive guidance available to support education settings to support schools in creating and maintaining a safe learning environment for children including our statutory guidance [Keeping Learners Safe](#). This covers provision on and off official school premises.

The Welsh Government is a Homes for Ukraine super sponsor, providing a route to sanctuary for between three and four times the original commitment of 1,000 Ukraine people supported. We provide accommodation, support, and care. It also removes the need for applicants to be matched to a named person before they are cleared to travel to the UK through the visa system. Welcome Centres have been set up around Wales to accommodate people when they arrive.

Within the Welcome Centres we ensure a range of support services are provided; we refer to this package of support as wraparound support. These wraparound services include access to health services (including mental health), education, support with setting up bank accounts and applying for Universal Credit, an introduction to the UK labour market and help with CV writing or qualification recognition, help with ensuring their immigration status is secure, SIM cards and smartphones and more. Translation services are available for people who do not speak English and there are opportunities to start learning English – and Welsh.

The level of commitment to the people of Ukraine across all public services has been significant. The situation in Ukraine and our response to it is an evolving situation and Wales will play its part in meeting this challenging situation.

30C – Establish statutory independent guardians for all unaccompanied and separated children in England and Wales;

For several years, Welsh Government has focussed its support on building the capacity of statutory social services on whom there are duties to deliver for asylum seeking children via funding placements, publishing a range of guidance and funding training.

There has been and continues to be significant financial support provided in relation to advocacy and related support for age disputed children via the Welsh Government-funded [Asylum Rights Programme](#) and delivered by [TGP Cymru](#) and also the Home Office-funded Independent Child Trafficking Guardian scheme delivered by Barnardo's in Wales. In addition, the [Social Services and Well-being \(Wales\) Act 2014](#) provides a statutory right to advocacy for looked after children including asylum seeking children.

There is also a well-established range of Third sector support for asylum seeking children and families. Therefore, it is felt that asylum seeking children have a good range of support available to them to help understand their rights and entitlements and navigate their way through state systems. We are aware of Scotland's Guardianship scheme and the Refugee Council's Children and Young People service in England and will look to these should Wales move to develop a guardian scheme for children here. It is likely that any additional support would focus on legal support in relation to the asylum process.

Unaccompanied Asylum Seeking Children

In Wales, there is a range of different care and support available to unaccompanied asylum seeking children (UASC), which is provided by statutory and Third sector organisations. Local authority social services are required by the [Social Services and Well-being \(Wales\) Act 2014](#) to act in the best interests of and have due regard to the rights of the children they serve. The Act brings into domestic law the UNCRC and Part 6 of the Act which provides for looked after and accommodated children, applies to UASC. Wales treats these children as having the same rights and entitlements as looked after children who are born in Wales and the UK.

The Act contains clear provisions in respect of those providing functions under it, that they ensure a child or young person's views, wishes and feelings are heard, and that their cultural, religious and linguistic needs are met. When UASC leave care and become care leavers, they are entitled to support from a Personal Adviser up to the age of 25 (provided they are in education, training or employment). UASC are also entitled to an advocate, a further right conferred by the [Social Services and well-being \(Wales\) Act 2014 Part 10 Code of Practice \(Advocacy\)](#).

In Wales, we've had an [Independent Child Trafficking Guardianship \(ICTG\) service](#) operating nationally since 2017. This service is under a Home Office contract, but the Welsh Government is represented on the ICTG steering board. This service, which is run by Barnardo's, only supports trafficked children unlike the Scottish Guardianship Service, (which is transitioning to a Scottish ICTG service), which also provides support to unaccompanied asylum seeking children.

Unaccompanied asylum seeking children in Wales are supported through the Welsh Government-funded Asylum Rights Programme (ARP), which includes funding for TGP Cymru's Young Asylum Seekers and Refugees Programme. They also have access to advocacy services under the Social Services and Well-being (Wales) Act 2014. Children and young people are entitled to advocacy from a statutory Independent Professional Advocate (IPA) when they become looked after or become the subject of child protection enquiries leading to an Initial Child Protection Conference. In addition, all children who have a care and support plan are entitled to access advocacy services, and their social worker will discuss this directly with them.

The [Wales Safeguarding Procedures](#) and [All Wales Practice Guides](#) promote consistent evidence based safeguarding practice across agencies in Wales. This includes advice on considering the specific needs of unaccompanied asylum seeking children in safeguarding them from abuse through exploitation.

Welsh Government funded a series of focus groups carried out by the Wales Strategic Migration Partnership (WSMP) and Save the Children with asylum seeking children about

their experiences of life in Wales. We also hear from TGP Cymru's asylum seeking children's Participation Group.

Administration of child justice

Please explain the measures taken or envisaged, across all devolved administrations, overseas territories and Crown dependencies, to:

31A – Raise the age of criminal responsibility to at least 14 years;

31B – Ensure the application of the child justice system to all children, in particular that children are not detained with adults and that it extends protection to children who were below the age of 18 at the time of the offence but who turned 18 during the trial or sentencing process;

31C – Abolish life imprisonment for children for offences committed while they were under the age of 18 and ensure that imprisonment is used only as a measure of last resort and for the shortest possible period;

31D – ensure and support the right of children accused of crimes to effective legal representation and participation throughout the child justice process;

The Welsh Government supports an approach to youth justice which is rehabilitative and child-centred, with a focus on prevention and trauma-informed approaches. We recognise that tackling the intergenerational cycle of offending and the impact of Adverse Childhood experiences requires us to focus on support and addressing the needs of children and young people, not on punitive approaches to justice.

Our document [Delivering Justice In Wales](#), published in May 2022, outlines the scope of our work on justice and our overarching response to the Thomas Commission. It outlines the work we are doing, including through the Youth Justice Blueprint, to promote a child-centred, trauma informed approach to youth justice across the entirety of the system. It also outlines the discussions we are taking forward with the UK Government on justice.

We have taken forward a triage process with the UK Government to review all of the Thomas Commission recommendations that did not involve the wholesale transfer of responsibility for the justice system, with a view to identifying the recommendations which could be taken

forward in partnership. Examples of areas we have raised through these discussions include the operation of youth justice and the age of criminal responsibility in Wales. We continue to hope that we will be able to make some progress through conversations at official and ministerial levels, and joint engagement with stakeholders.

In the last ten years, there has been a significant reduction in the numbers of children arrested, convicted of offences and sentenced to custody. Those who remain within the youth justice system in Wales are often from some of the most disadvantaged backgrounds, and many have complex needs including learning and mental health difficulties, and who are often themselves, victims of crime. To improve wellbeing outcomes for future generations services in Wales must work together to:

- transform the lives of children who have experienced adversity and are at risk of self-harming behaviour and criminal exploitation; and
- reduce the number of victims of youth crime and improve support for those who are victims (including those who offend).

This requires close collaboration between UK and Welsh Governments and the services in their areas of executive competence.

This whole-system approach is vital to ensuring that children in, or at risk of entering the youth justice system have access to services that act in their best interests, are non-discriminatory, encourage their active participation in decisions which affect them and ensure their access to rights and entitlements.

The Wales Youth Justice Advisory Panel (WYJAP) is jointly convened by the Welsh Government and the YJB. Its primary purpose is to assist the Welsh Government and the YJB to implement policy which prevents offending and reoffending by children and young people in Wales and to provide scrutiny and support to the implementation of its [Blueprint for Youth Justice](#).

31E – Address the large number of children in pretrial detention and the disproportionate representation of children belonging to ethnic minority groups in custody, such as by implementing the recommendations of the Lammy Review;

The Welsh Government's [Anti-Racist Wales Action Plan](#) includes a chapter on crime and justice, setting out the action we are taking to tackle racism in the justice system and to prevent hate crime in all of its forms. Building on this, the Welsh Government are also working in partnership with policing in Wales and other criminal justice agencies to develop a dedicated Criminal Justice in Wales Anti-Racist Action Plan,

which will take a challenging and radical approach to improve outcomes and to tackle systemic racism. Our collective aim is that everyone who comes into contact with the criminal justice system will receive equal treatment and equal outcomes, whatever their ethnicity. We continue to use our influence wherever we can to enact systemic change and improve outcomes for the people of Wales.

31F – Prohibit the use of solitary confinement of children and abolish the use of segregation and isolation in child detention facilities;

31G – Ensure that children in detention have access to education and health services, including mental health services;

31H – Investigate cases of violence, including sexual abuse, reported by children in the child justice system, in view of the 2019 report of the independent inquiry on sexual abuse of children in custodial institutions in England and Wales.

Children in the youth justice system in Wales are entitled to the same safeguarding response as their peers under the [Social Services and Well-being \(Wales\) Act 2014](#) and the [Wales Safeguarding Procedures](#). These entitlements are set out in the [Part 11 Code of Practice](#) issued under the Act.

Whilst youth justice is not devolved to Wales, the Blueprints for [Youth Justice](#) and [Female Offending](#) published in May 2019 set out our approach to the delivery of justice services in Wales. There is a clear focus on early intervention

and prevention, one that focuses on how we provide support to divert people away from crime in the first place, but also one which takes a holistic and rehabilitative approach to those who slip through that net.

The Blueprints take a whole system approach which takes account of the United Nations Convention on the Rights of the Child in the design of youth justice services for Wales. It sets out the ambition for a rights-based and trauma-informed system, which will support services to deliver positive outcomes for children in Wales.



I. Optional Protocol on the sale of children, child prostitution and child pornography

Please describe the measures taken to implement the Committee's previous recommendations regarding the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/GBR/CO/5 and Corr.1, para. 83), in which the Committee also made reference to its more detailed recommendations on the initial report submitted by the State party under the Optional Protocol (CRC/C/OPSC/GBR/CO/1), including measures to:

32A – Revise its legislation to ensure that all children under 18 years are protected from all types of offences covered by the Optional Protocol;

The [Social Services and Wellbeing \(Wales\) Act 2014](#) and supporting statutory guidance provides for a strengthened safeguarding framework to ensure that children are protected about sexual exploitation and sexual abuse.

[Volume Working Together to Safeguard People, Volume 7, Safeguarding children from Child Sexual Exploitation](#) was published on 18 March 2021 and sets out requirements on safeguarding partners and advice on preventing Child Sexual Exploitation (CSE), protecting children from CSE, and responding to children abused through CSE.

The [Wales Safeguarding Procedures](#) support evidence based and consistent safeguarding practice across agencies and across Wales and explain duties under the Social Services and Well-being (Wales) Act 2014. A number of [All Wales Practice Guides](#) have been published. This includes a multi-agency [All Wales Practice Guide – safeguarding children from child sexual exploitation](#), [All Wales Practice Guides on safeguarding children missing from home or care](#), [children affected by domestic abuse](#), [safeguarding children from online abuse](#), [safeguarding children from child trafficking](#) and [children where there are concerns about harmful sexual behaviour](#).

The Welsh Government issued a [National Action Plan – preventing and responding to child sexual abuse](#) in July 2019. The plan includes actions on preventing and responding to child sexual abuse including child sexual exploitation and harmful sexual behavior.

The [Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#) (VAWDASV) aims to improve the Public Sector response in Wales to such abuse and violence and was subject to rigorous scrutiny through the legislative process. [Live Fear Free](#)

In May 2022, the Welsh Government, in partnership with key stakeholders published the [VAWDASV strategy 2022-2026](#), which is the second to be completed under the duty established by [VAWDASV \(Wales\) Act 2015](#), setting out the approach to be taken by the Welsh Government elected in May 2021 and will cover the period to the end of this administration in 2026.

[The National Online Safety Action Plan for Children and Young People in Wales](#) sets out how the Welsh Government is working with teachers, parents and carers, learners and appropriate partners across Wales to keep our children and young people safe online. The plan is reviewed annually by policy teams, to capture actions achieved and any new actions.

32B – Strengthen the National Referral Mechanism for identifying child victims of trafficking and exploitation, which is embedded in existing child protection procedures;

The Welsh Government supports improving the identification of child victims of trafficking and exploitation within the National Referral Mechanism, in alignment with within existing child protection procedures. Modern slavery is not a devolved responsibility, but much of the support for victims and survivors falls to devolved services in Wales. The Welsh Government works closely with partners in Wales, as well as the Home Office and other devolved administrations, in tackling modern slavery and supporting survivors.

The Welsh Government works closely with our partners to ensure the voice of children and young people helps to shape the development of public policy. We work closely with Barnardo's Cymru, who are a member of the Wales Anti-Slavery Leadership Group, on supporting child victims and survivors. The Welsh Government contributed towards the Practitioner Responses to Child Trafficking: Emerging Good Practice report, commissioned by the then Independent Anti-Slavery Commissioner, Dame Sara Thornton, in partnership with Cumberland Lodge, and published in April 2022.

32C – Protect the rights of child victims of offences covered by the Optional Protocol by establishing a clear obligation of non-prosecution, ensuring that they are treated as victims rather than criminals by law enforcement and judicial authorities, and establishing Independent Child Trafficking Guardians in all devolved administrations.

Wales was an early adopter site for the Home Office-funded [Independent Child Trafficking Guardian Service](#), which is operated by [Barnardo's Cymru](#). The Welsh Government is working with our partners across Wales on support for children who have been victims of modern slavery, recognising the need for continuing support in their recovery and in integrating into society with the skills and opportunities to fulfil their potential.

The [Wales Safeguarding Procedures](#) support evidence based and consistent safeguarding practice across agencies and across Wales. They include an All Wales Practice Guides on [safeguarding children who may be trafficked](#), which states that 'child trafficking is a form of child abuse that requires a child protection response'. All Wales Practice Guides on [child sexual exploitation](#) and [child criminal exploitation](#) set out the interrelated nature of this abuse and child trafficking and are clear about the need to safeguard and promote the well-being of children.