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Children's Rights
Wales



Llywodraeth Cymru
Welsh Government

The Welsh Government response to the Annual Report of the Children's Commissioner for Wales 2021-22

November 2022

**RESPONSE FROM THE WELSH GOVERNMENT TO THE ANNUAL REPORT OF
THE CHILDREN'S COMMISSIONER FOR WALES 2021-22**

Foreword by

**Rt Hon Mark Drakeford MS
First Minister of Wales**



and

**Jane Hutt MS,
Minister for Social Justice**



FOREWORD

As a government we very much welcome the Children's Commissioner's annual report for 2021/22.

This report covers the period 1 April 2021 to 31 March 2022 and reflects the final year of the previous Children's Commissioner, Professor Sally Holland. We would like to take this opportunity to thank her for her contribution to protecting and promoting children's rights in Wales.

We would also like to take this opportunity to welcome the new Children's Commissioner Rocio Cifuentes who started her term in April of this year. The Commissioner has used this initial period to meet children and young people throughout Wales – enabling children and young people to have their voices heard and to influence her three-year work plan. We very much look forward to seeing the outcome of this exercise and look forward to working in partnership with her during her tenure as Children's Commissioner.

The Commissioner highlights in her introduction the impact of the COVID-19 pandemic and now the cost of living crisis on children and young people and their families. Our commitment to children's rights is now more important than ever as we face these extremely difficult times. We understand the profound effect this is having and will continue to have on children and young people in Wales.

The Children Commissioner's annual report provides an important opportunity for us to take stock of progress and to consider the Commissioner's calls for us to go further. The report makes 16 recommendations to the Welsh Government and we are pleased to accept, or accept in principle, all recommendations. Our commitment to the United Nations Convention on the Rights of the Child (UNCRC) continues and we are proud of our record of promoting children's rights. The UNCRC remains the basis for all our policy decisions affecting children and young people.

We are committed to doing everything in our power to support the children and young people of Wales.

CONTENTS

INTRODUCTION	4
Adequate Standard of Living	5
1. Tackling child poverty	5
2. Transport.....	7
3. Health advocacy.....	8
Family Environment and Alternative Care	9
4. Safe accommodation for children with complex needs	9
5. Support for young people leaving care.....	11
6. Care experienced young people	12
7. High quality accommodation and support options for children and young people in and leaving care	13
Protection from Exploitation and Violence	14
8. Protecting children from child sexual abuse and exploitation	14
9. Reforming youth justice services	15
Education, Citizenship and Cultural Activities	16
10. Educational reforms.....	16
11. Home education.....	18
12. Independent schools.....	19
13. Qualifications	20
14. Whole-school mental health and wellbeing support.....	22
15. Learner travel review	23
16. Exclusions.....	24
Annex A - Summary of Welsh Government Response	25

INTRODUCTION

The Children's Commissioner for Wales published her annual report and accounts for 2021-22 on 11 October 2022. The report can be accessed [here](#).

The Commissioner has made 16 recommendations for the Welsh Government to consider and provide a response. The recommendations cover a wide range of areas across Welsh Government, including:

- Tackling child poverty;
- Transport;
- Health advocacy;
- Safe accommodation for children with complex needs;
- Support for young people leaving care;
- Care experienced young people;
- High quality accommodation and support options for children and young people in and leaving care;
- Protecting children from child sexual abuse and exploitation;
- Reforming youth justice services
- Educational reforms;
- Home education;
- Independent schools;
- Qualifications;
- Whole-school mental health and wellbeing support;
- Learner travel review; and
- Exclusions.

The Welsh Government accepts 13 recommendations, accepts 3 in principle, and rejects 0 recommendations.

This document sets out each of the Commissioner's recommendations followed by the response from the Welsh Government. Annex A includes an overview of the recommendations and the headline response.

Adequate Standard of Living

1. Tackling child poverty

Children's Commissioner's recommendation:

Tackling the root causes of child poverty must remain a clear and ongoing focus for the Welsh Government, as this underpins so many of their life chances and future outcomes and prospects. Work this year particularly needs to be addressed at families on the edge of care, where children are at risk of harm or neglect and entry into the care system. This should form part of a Child Poverty Action Plan.

The Welsh Government must set ambitious targets to tackle child poverty in Wales, using those levers available to them, accompanied by a comprehensive public action plan and timescales that will detail how the Welsh public pound will be spent on alleviating the impact of child poverty in Wales. This plan must be published alongside the updated child poverty strategy due for publication by the end of 2022.

The Welsh Government Response: Accept

The consultation on the development of the Welsh Government's new child poverty strategy is underway, taking into account the deepening cost of living crisis and its impact on those who are most in need.

At a time when people are experiencing such extreme pressures, we are targeting all possible resources at taking direct action to tackle the impact of the crisis on Welsh citizens, many of whom are already living in poverty.

We will continue to undertake stakeholder engagement on our future approach to tackling child poverty, as we seek to better understand the impact of the crisis on the ground. The feedback we receive will help inform how Welsh Government resources can be most effectively targeted at this difficult time and support our broader approach to tackling poverty going forward.

We do have an existing strategy in place. The child poverty objectives set out in the strategy remain relevant and of key importance. However, reducing poverty and inequality in Wales is not a task for Welsh Government alone. In line with the Wales Centre for Public Policy [report](#), we will be engaging and calling on all our key partners across Wales to mobilise around it, strengthening the impact of our collective efforts by working together towards a common goal.

We will also be publishing our tri-annual review of the Child Poverty Strategy later this year.

Our work with families on the edge of care, where children are at risk of harm or neglect and entry into the care system will also continue. We are already focussed on this group of young people, piloting the Basic Income Scheme with care leavers who we know are at particular risk of poor outcomes. Preventing families breaking up by funding advocacy services for parents whose children are at risk of going into care is a key Programme for Government commitment. We have also invested in Family Group

Conferences to help families develop their own solutions to the difficulties they are facing.

2. Transport

Children's Commissioner's recommendation:

The Welsh Government should include a commitment to a pilot of offering free public transport by bus and rail for under 18s in its forthcoming legislative plans for transport in Wales. This should include a cost-benefit analysis and detailed timescales for scoping and implementation. We would see this as a critical element of tackling child poverty in Wales, and would expect to see this included within a comprehensive child poverty plan

The Welsh Government Response: Accept in principle

The Welsh Government already funds the MyTravelPass scheme which offers young bus users a third off their tickets. Our Programme for Government commitment also sets out how we will build on the success of that scheme. Detailed work is underway to consider a range of options to deliver a system of more equitable bus fares across Wales.

Whilst we haven't ruled out a proposal to make travel fares free, we must be realistic about the budgetary restrictions within which we must operate. In terms of purchasing power, the Welsh Government budget is worth significantly less today than it was twelve months ago.

3. Health advocacy

Children's Commissioner's recommendation:

Welsh Government must set out details of how every health board in Wales is providing an offer of independent advocacy which is accessible and includes face-to-face advocacy if required. Welsh Government should ensure that this advocacy offer is clearly promoted both in health settings and, importantly, on health boards' websites.

The advocacy offer should be set out through stand-alone statutory guidance. As a first step towards this, there should be published a set of service specifications for advocacy for children in health care. The extension of an advocacy offer should begin with entitlement for all those who access secondary mental health services.

The Welsh Government Response: Accept in principle

A set of Core Principles for Advocacy were developed by the Welsh Government, health board representatives and the Children's Commissioner's office in July 2019 to support children and young people in Wales. These Principles are a way for all Local Health Boards to start working towards a single approach to advocacy.

Officials will work with the All-Wales Advocacy Forum to determine how best to embed these core principles in the health service without recourse to statutory guidance.

Family Environment and Alternative Care

4. Safe accommodation for children with complex needs

Children's Commissioner's recommendation:

Regional Partnership Boards' plans for new safe accommodation need to progress at pace to become operational in 2022/23, with Welsh Government oversight and support, ensuring that all are therapeutic environments which are jointly funded and delivered by health and social care as equal partners.

Welsh Government must commit to publishing without delay a written statement detailing how sustained improvements can be made to Tier 4 Mental Health Provision and Secure Welfare provision in Wales to ensure that all children and young people needing care in these settings are cared for in a safe and therapeutic environment.

The Welsh Government Response: Accept in principle

We are committed to ensuring looked after children with complex needs have services which ensure their needs are met as close to home as possible and in Wales wherever practicable. This is a clear priority set out in our Programme for Government.

It is important that children and young people with complex needs have the chance to remain living in or close to their communities, so they maintain connections with family, friends and other social networks. We want to avoid children being placed out of their area to receive the right care and help and the right time.

In 2021-22, the Welsh Government provided around £4.8m to all Regional Partnership Boards in Wales to develop regional residential provision to meet the needs of the children and young people in their communities.

The Small Homes Project is being taken forward as a joint project between the Welsh Government and Ministry of Justice. A programme board is being established with key stakeholders including young people to deliver regional secure provision with wrap-around support and joint commissioning /planning with health.

Tier 4

Improving mental health services continues to be a priority and an additional £50m for mental health and well-being was allocated by the Welsh Government in 2022-23. The Welsh Government has previously agreed the Welsh Specialist Health Services' (WHSSCs) improvement programme for our two tier 4 Child and Adolescent Mental Health Services (CAMHS) units in Wales, supported by £1.4m of additional funding. The Welsh Government continues to receive regular updates on progress against the improvement plan.

To support improvements to secure mental health services more generally, the Welsh Government commissioned a secure services review in 2020/21. The recommendations from the review informed WHSSC's Specialised Services Strategy for Mental Health which was consulted on with stakeholders between May and June 2022 and will be published in March 2023. The strategy will set out the actions over the next 5 years to

improve specialist mental health services commissioned by WHSSC which includes tier 4 CAMHS. So the future plans for long-term and sustainable tier 4 service improvements in Wales will be detailed as part of the WHSSC strategy.

5. Support for young people leaving care

Children's Commissioner's recommendation:

Legislation the Welsh Government has committed to - to protect and uphold children's rights in social care - must be developed and brought forward as soon as possible to ensure it is passed well within the current Senedd term. Funding for any new legislative entitlements also needs to be provided.

The Welsh Government Response: Accept

The Welsh Government is committed to working with our partners to develop and implement policies to support care leavers successfully transition to independence. To take forward this commitment we will:

- Legislate in this Senedd Term to ensure all care leavers have an entitlement to a Personal Advisor up to the age of 25.
- With our partners, continue our work to develop a range of good quality accommodation options for care leavers.
- We will be continuing to offer additional support for care leavers to successfully transition towards independent living and this includes continuing the support offered through the St. David's Day Fund.

We support the principle of clear information about grants, benefits, and entitlements available for young people when they leave care. We know that Third Sector organisations and the Children's Commissioner's office has made available financial information to support care leavers as they leave care. We would wish to harness the efforts of the third sector and partners to deliver this resource for care leavers.

The When I'm Ready (WIR) scheme applies to children in foster care, after careful consideration and discussion we feel the same model cannot easily be adapted for residential care. We are developing and using alternative models drawing on the principles of the WIR scheme to ensure that all young people can live in a supportive environment which best fits their needs after they turn 18. For example, maintaining links with their previous residential care home, moving to a WIR foster care arrangement, and being supported by their personal adviser as part of better pathway planning and appropriate supported accommodation. We are working with partners to take this forward including housing colleagues, the third sector, local authorities and the Office of the Children's Commissioner.

This forms part of our work to improve the range and options of accommodation for young people.

6. Care experienced young people

Children's Commissioner's recommendation:

Successful implementation of a new Corporate Parenting Charter will require legislative or regulatory changes in order to require organisations to comply with its duties. The Welsh Government must set out a timetable for bringing forward this legislative change by the end of the financial year 2022/23.

The Welsh Government Response: Accept

'Strengthening public bodies' role as corporate parents' is a key Programme for Government commitment. This action builds on the preparatory work undertaken in the previous Senedd Term and the approach agreed by Ministers.

Whilst corporate parenting is taken seriously by local authorities, our aim is to strengthen corporate parenting across all departments within the local authority, to enable better partnership working and improved transitions between services provided for care experienced children.

We will widen the concept of corporate parenting across all public bodies that provide services to care experienced children, to ensure they are provided with the best response and support from these services.

A Corporate Parenting Implementation Group has been working to support delivery of this commitment. A range of stakeholders are represented on the Group including care leavers, the third sector and a representative from the Children's Commissioners Office.

The Group has focused on developing a Voluntary Charter setting out corporate parenting principles. Care experienced young people have been directly involved in the development of the Charter.

Once the draft Charter has been agreed next month, a series of engagement events will be arranged for Autumn and Winter, with specific events for local authorities, health, housing and education. We will also be developing Statutory Guidance in 2024 to strengthen corporate parenting responsibilities and extend duties.

It is anticipated the charter and engagement activity will help shape the content of statutory guidance. This will include a chapter added to the Part 6 Code of Practice, under the Social Services and Wellbeing Act and other legislative 'hooks' will be considered to strengthen arrangements with health and other public bodies.

7. High quality accommodation and support options for children and young people in and leaving care

Children's Commissioner's recommendation:

Welsh Government must establish a working group in 2022/23 to explore the issue of Unregulated Accommodation. The aims of this work must be:

- To collect data to build an understanding of its usage in Wales;
- To consider the needs of affected young people to identify where there are shortfalls in suitable accommodation; and
- To explore whether changes are needed in the regulation system in Wales to award young people stronger protections.

Work needs to be concluded within this Senedd term including any regulatory changes that are required.

The Welsh Government Response: Accept

The Welsh Government has been in discussion with Care Inspectorate Wales (CIW) and is working with Heads of Children's Services in local authorities to address the issues on unregulated accommodation.

An initial meeting was held on 14 October to discuss unregulated provisions and those operating without registration (OWR). This work will now fall under the Local Authority Eliminating Profit workstream and its programme of work.

The recommendation is accepted in full. We are working with Heads of Children's Services and CIW to understand the issues and challenges involved that lead to the use of unregulated accommodation and develop our response, including when to enforce existing regulations, as part of our wider transformation work around eliminating profit and reshaping provision.

Protection from Exploitation and Violence

8. Protecting children from child sexual abuse and exploitation

Children's Commissioner's recommendation:

Following the final publication of the Independent Inquiry into Child Sexual Abuse, Welsh Government must coordinate and publish a Welsh Implementation Plan to ensure its learning and recommendations are implemented by Welsh Government and other public bodies in Wales. Young people themselves should be participants in this work. This will need to be done safely and sensitively.

The Welsh Government Response: Accept

The Welsh Government has fully engaged in the work of the Independent Inquiry into Child Sexual Abuse (IICSA) since it was established. Both through formal evidence and through the IICSA Wales Reference Group.

The Welsh Government has already committed to consider the final IICSA recommendations.

In addition to our formal response to the Inquiry, we will consider the IICSA recommendations, the forthcoming delivery report on the Welsh Government National Action Plan on preventing and responding to child sexual abuse and the outcomes of an engagement exercise with stakeholders.

Children in Wales have been commissioned to undertake a programme of engagement and consultation with stakeholders in spring 2023.

These three pieces of evidence will inform the development of an implementation and action plan to take forward the IICSA recommendations and any additional work identified to tackle child sexual abuse in Wales.

We have had initial discussions with a specialist organisation about supporting us in engaging with young people once an outline implementation plan on preventing and responding to child sexual abuse is developed. In the financial year 2023-2024 we will work with young people and other stakeholders to develop and publish the implementation plan in full. We will commission a specialist external organisation to lead this work to ensure that the work is carried out in a sensitive way and that the young people who participate are well supported.

Regional Safeguarding Children Boards have agreed to continue with focussed work on tackling child sexual abuse, initiated under the National Action Plan in the period leading up to publication of a new implementation plan.

9. Reforming youth justice services

Children's Commissioner's recommendation:

Welsh Government must publish annual progress reports on the work of the Youth Justice Blueprint from in 2022/23, to aid accountability. This should address issues of criminalisation of young people, the over representation of certain groups and the impact of poor mental health on those in contact with youth justice services. This information should be used to inform progress against Wales's Anti-Racism Action Plan.

The Welsh Government must ensure the involvement of young people to actively and meaningfully participate in the development of the Small Homes Project this year, to further shift how we respond to and address young people's needs through youth justice services.

The Welsh Government Response: Accept

Youth Justice Blueprint

The Youth Justice Implementation Plan sets out our collective progress against the commitments of the Youth Justice Blueprint and is published annually in March.

The next Implementation Plan is due to be published March 2023 and is an opportunity to highlight achievements to date and continued progress in delivery of the Blueprint commitments.

Officials from Community Safety Division are represented on the Anti-racist Wales Action Plan Internal Support and Challenge Group, and will ensure that progress against the Blueprint is effectively fed into our organisational reporting against the Anti-racist Wales Action Plan

Small Homes Project

The Small Homes Project is being taken forward as a joint project between the Welsh Government and Ministry of Justice. A programme board is being established which will establish working with key stakeholders including young people what a secure small home could look like in Wales with a view to building new provision during the Senedd term.

Education, Citizenship and Cultural Activities

10. Educational reforms

Children's Commissioner's recommendation:

I recommend that Welsh Government takes an equalities approach to the evaluation of the implementation of educational reforms. This should assess to what extent different groups of children benefit from the new curriculum approach, including children and young people with protected characteristics, and additional learning needs. Initial findings should be gathered in the first year of curriculum implementation and should inform ongoing implementation support.

The Welsh Government Response: Accept

The Welsh Government is committed to undertaking a rigorous and transparent evaluation of our curriculum and assessment reforms, both to understand how the reforms are working and to examine the extent to which they are having the desired impact for all learners from all backgrounds and needs. This will involve focussing research work around particular groups of learners as well as across the learner community.

On 13 July 2022, the Welsh Government published a [scoping study relating to the evaluation of the curriculum and assessment reforms in Wales](#). This report is an important step in helping us to shape our evaluation plans.

The scoping report identifies the research and evaluation questions to understand how the reforms are working, who they are working for and in what contexts, and whether the expected outcomes and impacts of the reforms are being realised in the short, medium and longer term. It also recommends an ambitious and wide-ranging programme of research, national monitoring and evaluation appropriate to answer these questions. This report and its recommendations are clear that understanding the experience of different groups of learners is vital to successful evaluation. That includes understanding whether learners from disadvantaged backgrounds, learners with additional learning needs, and those with protected characteristics are being supported to progress to their full potential.

As stated in the Welsh Government [response](#), we will consider the specific areas of work recommended and will publish an update on developments in autumn term 2022 and aim for detailed evaluation plan to be published in summer term 2023.

This is to ensure that our evaluation is aligned with the recommendations from a [complementary project](#), (research into the data and information needs and uses in the school system in Wales), being undertaken to identify the data and information needs across the school system in Wales, which will report later in the autumn. As well as to develop long-term, integrated plans.

However, in order to ensure that we are able to understand the experience and learning from the first year of curriculum implementation, we are undertaking initial, smaller-

scale research from this term. This initial research will consider the experiences of learners and schools across Wales and will help us to understand barriers and facilitators to success. This will support our understanding of how our curriculum is supporting learners from all backgrounds to succeed. Its findings will inform the Welsh Government's 2023 Curriculum Annual Report, helping to set the government's priorities for supporting schools in the following year and beyond.

Given the central role of Curriculum for Wales within our broader education reforms, we recognise the important links between the recommended evidence projects and work being undertaken in other parts of the system, and more widely across the Programme for Government. Our evaluation plan will ensure that research and evaluation activity is aligned and integrated where appropriate to provide a holistic picture, reduce burden on research participants and make best use of resources

11. Home education

Children's Commissioner's recommendation:

Welsh Government must publish an evaluation plan for the implementation of new statutory guidance, alongside that guidance. This should expressly measure what percentage of home educated children are seen and spoken with about their education on an annual basis.

The Welsh Government Response: Accept

An evaluation plan for the implementation of the elective home education proposals will be published in 2023 alongside the new statutory guidance and will include both the number and percentage of home educated children who are seen and spoken with about their education on an annual basis.

12. Independent schools

Children's Commissioner's recommendation:

I expect to see the progress on this work continued and expect Welsh Government to bring forward the regulations in the Senedd to require independent school staff to register with the Education Workforce Council. The timeline for these regulations to be in force by April 2023 must be maintained.

The Welsh Government Response: Accept

The draft Order amending the Education (Wales) Act 2014 to require staff in independent schools to register with the Education Workforce Council is in progress. A consultation on our proposals for new registrant groups ran from 1 March to 24 May 2022. A summary of responses was published on 29 September. A second consultation will be opened later in the autumn allowing stakeholders to comment on the draft Order and our associated proposals for fees. The aim is to have the new legislation in place in the spring.

13. Qualifications

Children’s Commissioner’s recommendation:

Welsh Government should work with Qualifications Wales to ensure exam boards provide advance information in a timely and accessible way of arrangements and content for qualifications for the summer 2023 examination series. This should include specific consideration of vocational qualifications. This is to ensure schools and settings are able and encouraged to teach the full course and that learners can focus revision time.

A full equality impact assessment should be published alongside publication of advanced information.

The Welsh Government Response: Accept

We are grateful to the Office of the Children’s Commissioner for the support and advice provided towards qualifications 2021 and since.

We recognise the importance of early information about exams to young people, their families, and teachers and lecturers. We recognise the disruption this cohort of learners have experienced and are committed to provide continued support. The Welsh Government will continue to work closely with WJEC, Qualifications Wales and the Children’s Commissioner for Wales, alongside our partners in schools, colleges, local authorities, and Careers Wales to ensure our learners are fully supported towards and throughout the next examination series.

In May 2022 Qualifications Wales issued a letter to schools and colleges announcing that adaptations that were put in place in 2021 and 2022 would no longer apply, but that advance information would be provided for 2023 exams during the academic year. At the end of the summer term, Qualifications Wales wrote again to schools and colleges to give further information on the timetable of advance information release by WJEC. Advance information is provided by the WJEC and is intended to support learners by giving an indication of the topics, themes, texts or other content that they can expect in their exams. Its main aim is to help learners focus their revision to support their preparation for exams and assessments.

On 29th September 2022 Qualifications Wales confirmed the approach to grading that will be in place for the summer 2023 exam series. The intention is for this year’s results to fall broadly midway between the 2019 and 2022 results. This approach takes into account the disruption experienced by learners during the pandemic and the fact that AS qualifications and some GCSE units were awarded this year – using a different grading approach - and these will have an impact on next summer’s grading. It signals the next step on the Welsh qualification system’s journey back to pre-pandemic assessment arrangements, whilst also maintaining support for learners, schools and colleges with advance information and a supportive approach to grading.

We will continue to work with Qualifications Wales to ensure the arrangements for summer 2023 are communicated in an open and transparent way.

The vocational qualification landscape in Wales is considerably more complicated than for general qualifications. There are in excess of 600 vocational qualifications delivered

in Wales and many vocational qualifications also require practical assessments of occupational competence as well as examinations on the knowledge of a subject.

In addition, most vocational qualifications taken by learners in Wales are also available in England and Northern Ireland. These qualifications are also regulated by Ofqual, the qualifications regulator in England, which means it is not possible to agree a Wales only solution as we have for general qualifications. Ofqual works with other regulators, including Qualifications Wales, to ensure a consistent approach in each nation.

Ofqual have announced that adaptations that have been in place for 2022 will not continue into 2023. Advance Information will not be permitted in England. This will impact on a small number of vocational qualifications that utilised Advance Information in 2022.

Qualifications Wales has announced that Advance Information will be made available for GCSE, AS and A level qualifications in 2023 to support learners to prepare for examinations. Advance information may also be suitable for some made-for-Wales vocational qualifications. WJEC will make Advance Information available for approved vocational qualifications that are assessed by examination. These are for Level 2 and Level 3 qualifications in Health and Social Care: Principles and Contexts and the examined units within the Level 2 and Level 3 Children's Care, Play and Development: Practice and Theory qualifications. Qualifications Wales will require awarding bodies to consider what is in place for GCSEs and A levels when they set standards for made-for-Wales vocational qualifications, to make sure that vocational learners are not disadvantaged.

Some of the innovations introduced during the pandemic can continue, including the use of remote invigilation for some qualifications. Awarding bodies will be encouraged to carry forward any innovative practice that does not reduce the validity and reliability of the assessments.

Qualifications Wales will continue to monitor the public health situation and meet regularly with centre representatives, Welsh Government, qualifications regulators and awarding bodies offering vocational qualifications to respond to risks and issues linked to the delivery of assessments and awards in 2022/23. Should there be a significant change in the public health situation that requires contingency arrangements to be introduced, aspects of the Vocational Qualifications Regulatory Framework (VCRF) that was used successfully in 2022 may be reintroduced to support assessment and learner progression.

14. Whole-school mental health and wellbeing support

Children's Commissioner's recommendation:

The Welsh Government should ensure that the Whole School Approach Framework is rolled out across all schools in Wales. Children and young people should be involved in this work through their school as set out in the whole school approach framework, but also through existing participation structures within Welsh Government.

Welsh Government must develop accessible and child friendly resources, and supporting resources for school staff, to support the successful implementation of this policy. These resources should be published by September 2023.

The Welsh Government Response: Accept

We welcome the recommendation to ensure the Whole School Approach is rolled out to all schools, as it reinforces our endeavour to encourage schools to implement their own, individual and equitable approach, including ensuring the young person's voice is central to the process.

Our aim is to build on the existing published Framework and available resources, by understanding what is required in the field and providing appropriate resources to support pupils and schools.

15. Learner travel review

Children's Commissioner's recommendation:

The Government's own review has concluded that doing nothing in respect of the Measure is not considered appropriate. Given the increasing impact of the cost of living crisis and climate crisis, the Government must urgently bring forward the further work that is required to update the Measure and associated guidance, as this is likely to require legislative change to secure.

Welsh Government must set out clearly and with urgency the timescales to achieve this legislative change by the end of the Senedd term, and young people's views must feed in to the next stage of the work.

The Welsh Government Response: Accept

Officials are currently planning the review which will begin in the Autumn of 2022. The review will consider: a complete revision of the measure alongside work to increase operator provision; and better integration with related policies, such as the needs of Additional Learning Needs pupils and provision to further education establishments.

16. Exclusions

Children's Commissioner's recommendation:

Welsh Government must deliver on their commitment to amend statutory guidance on exclusion. This amended guidance should be consulted within 2022/23, with guidance published by September 2023.

The Welsh Government Response: Accept

We share the Commissioner's concerns about the increasing numbers of fixed term exclusions, particularly in the Foundation Phase.

Work to update exclusions guidance will be undertaken in parallel with reviews of other interconnected policies, such as attendance and behaviour.

Annex A - Summary of Welsh Government Response

Recommendation	Welsh Government Response	
Adequate Standard of Living		
1.	<p>Tackling the root causes of child poverty must remain a clear and ongoing focus for the Welsh Government, as this underpins so many of their life chances and future outcomes and prospects. Work this year particularly needs to be addressed at families on the edge of care, where children are at risk of harm or neglect and entry into the care system. This should form part of a Child Poverty Action Plan.</p> <p>The Welsh Government must set ambitious targets to tackle child poverty in Wales, using those levers available to them, accompanied by a comprehensive public action plan and timescales that will detail how the Welsh public pound will be spent on alleviating the impact of child poverty in Wales. This plan must be published alongside the updated child poverty strategy due for publication by the end of 2022.</p>	Accept
2.	<p>The Welsh Government should include a commitment to a pilot of offering free public transport by bus and rail for under 18s in its forthcoming legislative plans for transport in Wales. This should include a cost-benefit analysis and detailed timescales for scoping and implementation. We would see this as a critical element of tackling child poverty in Wales, and would expect to see this included within a comprehensive child poverty plan</p>	Accept in principle
3.	<p>Welsh Government must set out details of how every health board in Wales is providing an offer of independent advocacy which is accessible and includes face-to-face advocacy if required. Welsh Government should ensure that this advocacy offer is clearly promoted both in health settings and, importantly, on health boards' websites.</p> <p>The advocacy offer should be set out through stand-alone statutory guidance. As a first step towards this, there should be published a set of service specifications for advocacy for children in health care. The extension of an advocacy offer should begin with entitlement for all those who access secondary mental health services.</p>	Accept in principle
Family Environment and Alternative Care		
4.	<p>Regional Partnership Boards' plans for new safe accommodation need to progress at pace to become operational in 2022/23, with Welsh Government oversight and support, ensuring that all are therapeutic environments which are jointly funded and delivered by health and social care as equal partners.</p> <p>Welsh Government must commit to publishing without delay a written statement detailing how sustained improvements can be made to Tier 4</p>	Accept in principle

Recommendation		Welsh Government Response
	Mental Health Provision and Secure Welfare provision in Wales to ensure that all children and young people needing care in these settings are cared for in a safe and therapeutic environment.	
5.	Legislation the Welsh Government has committed to - to protect and uphold children's rights in social care - must be developed and brought forward as soon as possible to ensure it is passed well within the current Senedd term. Funding for any new legislative entitlements also needs to be provided.	Accept
6.	Successful implementation of a new Corporate Parenting Charter will require legislative or regulatory changes in order to require organisations to comply with its duties. The Welsh Government must set out a timetable for bringing forward this legislative change by the end of the financial year 2022/23.	Accept
7.	<p>Welsh Government must establish a working group in 2022/23 to explore the issue of Unregulated Accommodation and Unregistered Placements. The aims of this work must be:</p> <ul style="list-style-type: none"> • To collect data to build an understanding of its usage in Wales; • To consider the needs of affected young people to identify where there are shortfalls in suitable accommodation; and • To explore whether changes are needed in the regulation system in Wales to award young people stronger protections. <p>Work needs to be concluded within this Senedd term including any regulatory changes that are required.</p>	Accept
Protection from Exploitation and Violence		
8.	Following the final publication of the Independent Inquiry in to Child Sexual Abuse, Welsh Government must coordinate and publish a Welsh Implementation Plan to ensure its learning and recommendations are implemented by Welsh Government and other public bodies in Wales. Young people themselves should be participants in this work. This will need to be done safely and sensitively.	Accept
9.	<p>Welsh Government must publish annual progress reports on the work of the Youth Justice Blueprint from in 2022/23, to aid accountability. This should address issues of criminalisation of young people, the over representation of certain groups and the impact of poor mental health on those in contact with youth justice services. This information should be used to inform progress against Wales's Anti-Racism Action Plan.</p> <p>The Welsh Government must ensure the involvement of young people to actively and meaningfully participate in the development of the Small Homes Project this year, to further shift how we respond to and address young people's needs through youth justice services.</p>	Accept

Recommendation		Welsh Government Response
Education, Citizenship and Cultural Activities		
10.	I recommend that Welsh Government takes an equalities approach to the evaluation of the implementation of educational reforms. This should assess to what extent different groups of children benefit from the new curriculum approach, including children and young people with protected characteristics, and additional learning needs. Initial findings should be gathered in the first year of curriculum implementation and should inform ongoing implementation support.	Accept
11.	Welsh Government must publish an evaluation plan for the implementation of new statutory guidance, alongside that guidance. This should expressly measure what percentage of home educated children are seen and spoken with about their education on an annual basis.	Accept
12.	I expect to see the progress on this work continued and expect Welsh Government to bring forward the regulations in the Senedd to require independent school staff to register with the Education Workforce Council. The timeline for these regulations to be in force by April 2023 must be maintained.	Accept
13.	Welsh Government should work with Qualifications Wales to ensure exam boards provide advance information in a timely and accessible way of arrangements and content for qualifications for the summer 2023 examination series. This should include specific consideration of vocational qualifications. This is to ensure schools and settings are able and encouraged to teach the full course and that learners can focus revision time. A full equality impact assessment should be published alongside publication of advanced information.	Accept
14.	The Welsh Government should ensure that that the Whole School Approach Framework is rolled out across all schools in Wales. Children and young people should be involved in this work through their school as set out in the whole school approach framework, but also through existing participation structures within Welsh Government. Welsh Government must develop accessible and child friendly resources, and supporting resources for school staff, to support the successful implementation of this policy. These resources should be published by September 2023.	Accept
15.	The Government's own review has concluded that doing nothing in respect of the Measure is not considered appropriate. Given the increasing impact of the cost of living crisis and climate crisis, the Government must urgently bring forward the further work that is required to update the Measure and associated guidance, as this is likely to require legislative change to secure.	Accept

Recommendation		Welsh Government Response
	Welsh Government must set out clearly and with urgency the timescales to achieve this legislative change by the end of the Senedd term, and young people’s views must feed in to the next stage of the work.	
16.	Welsh Government must deliver on their commitment to amend statutory guidance on exclusion. This amended guidance should be consulted within 2022/23, with guidance published by September 2023.	Accept