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Cymru

Children's Rights
Wales



Llywodraeth Cymru
Welsh Government

The Welsh Government response to the Annual Report of the Children's Commissioner for Wales 2022–23

November 2023

FOREWORD

As a Government we very much welcome the Children's Commissioner's annual report for 2022/23.

This report covers the period 1 April 2022 to 31 March 2023 and reflects the first year of Rocio Cifuentes' tenure as Children's Commissioner.

The Commissioner has used this initial period to engage with many children, young people and their families across Wales – enabling children and young people to have their voices heard and to raise issues that concern them.

The Commissioner highlights in her report the impact the cost of living crisis and child poverty has had, and will continue to have, on the lives of children and young people and their families. We will continue to do all we can, within our powers, to protect children and young people from these issues, as we continue to strive to improve outcomes for all children and young people in Wales. Despite the extraordinary pressures on our budget, tackling poverty and inequality will remain central drivers in the development of our policies and programmes across government, and the responsibility of every Welsh Minister.

Our commitment to the United Nations Convention on the Rights of the Child (UNCRC) continues and we are proud of our tradition in Wales of putting children's rights at the centre of our decision making. The UNCRC remains the basis for all our policy decisions affecting children and young people.

The Commissioner's independent role is crucial in holding the Government to account for how we support children's rights in Wales, and we will continue to work with her for the benefit of all children and young people in Wales.

Rt Hon Mark Drakeford MS
First Minister of Wales

Jane Hutt MS,
Minister for Social Justice and Chief Whip

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INTRODUCTION

The Children's Commissioner for Wales published her annual report and accounts for 2022/23 on 6 October 2023. The report can be accessed [here](#).

The Commissioner has made 30 recommendations across 17 policy areas. The recommendations within the report cover:

- Child Poverty
- Climate Change
- Health
- Social care reform
- Education
- Equality
- Youth services

The Commissioner's report highlights the breadth of work we in Welsh Government are doing to support our children and young people. We want Wales to be a wonderful place to grow up, live and to work, now and in the future.

The support we give on a daily basis includes for early years development, through our health and social care services, and for their educational journey and beyond.

The Programme for Government sets out what we will do in this Senedd term. The majority of the recommendations made in the Children's Commissioner's Annual Report provide advice on how we can take forward those Programme for Government commitments or strengthen our other major programmes. We welcome that advice, much of which chimes with our current approach and intentions.

Some of the recommendations are more complex – where we agree with some, but not all of what was recommended; are unable to take them forward in the way proposed; or we need more time to fully consider them.

We look forward to working with the Commissioner to take forward our ambitions for children and young people for the rest of this Senedd.

This document sets out the Welsh Government's response.

Adequate Standard of Living

1. Child poverty

The Welsh Government must create a child poverty action plan alongside a clear monitoring framework with measurable, time-bound targets, and a robust accountability mechanism to enable sensitive input from children and young people. This must be published within the 2023/24 Senedd term.

In September 2022, the Wales Centre for Public Policy stated in their 'What makes for an effective anti-poverty strategy' commentary that an effective anti-poverty strategy is a device to ensure that power is exercised at every level in pursuit of a common set of goals. Our refreshed Child Poverty Strategy is currently being prepared for publication.

The new strategy will set out high level objectives, priorities and commitments for addressing child poverty in Wales. It will be for the current and successive Programmes for Government to set out how the government will work to deliver against these objectives and priorities.

The strategy also provides the leadership for our partners and stakeholders across Wales to enable better collaboration in the delivery of our tackling poverty outcomes.

An action plan is not an appropriate vehicle for planning long term change. There are Welsh Government action plans which sit within the realms of the Child Poverty Strategy which will detail and measure progress under the relevant Programme for Government activity. The new strategy will support prioritisation and collaboration, encouraging partners to work in new or different ways to make an impact and we will explore ways to transparently measure that impact.

We cannot commit future governments to spending against budgets that have not yet been set. However, the commitment to have tackling poverty and inequality as central drivers for Programmes for Government is a sustainable one.

We are progressing work to identify how we can most effectively employ the Wellbeing of Wales National Indicators to monitor and report on the impact of this strategy in the future. We will develop a clear monitoring framework to demonstrate transparent accountability in reporting on our progress in tackling poverty. We will also continue to produce a full progress report against the Child Poverty Strategy every three years as required under the Children and Families (Wales) Measure 2010. This includes involving people with lived experience, including children and young people, in telling us whether we are achieving progress.

We note the Commissioner has included in the report some specific priorities for action on child poverty. These will be considered as part of wider cross government work.

2. Climate emergency

To address both child poverty and the climate emergency, the child poverty action plan should include a commitment to a free public transport pilot for children and young people under 18 within this Senedd term.

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 has been completed to consider a range of options to deliver a system of more equitable bus fares across Wales.

Unfortunately, we're unable to progress this at this time, but we are keen to do so when the overall picture of public finances improves.

Disability, Basic Health and Welfare

3. Mental Health and Wellbeing – Mental Health Strategy

The Welsh Government should ensure that the needs of children and young people are clearly reflected and addressed in their new Mental Health Strategy, and that the recommendations from the Senedd leuencid's Young Minds matter report are reflected in this strategy.

The needs and views of the children and young people of Wales are important to this Government. We are ensuring that these are reflected throughout the successor mental health strategy.

As we develop the strategy we will and have been engaging with young people to ensure it reflects their needs. The Deputy Minister for Mental Health and Well-being has met with the Senedd leuencid to discuss the Young Minds Matter report and there are further sessions planned. This report together with engagement with other groups will inform the final strategy.

4. Mental Health and Wellbeing – Young Minds Matter Report

The Welsh Government should publish an update within 2023/4 on their progress against the Senedd leuencid's recommendations in their Young Minds matter report.

In February 2023 the Deputy Minister for Mental Health and Well-Being wrote to the Senedd leuencid Committee in response to the Young Minds matter report. The Deputy Minister met with the Committee in July to discuss the alignment of the key themes across the Committee's recommendations with the developing mental health programme of work. The report is also being considered by officials to inform the future mental health strategy.

A further session was held in October and provided an opportunity for members of the Committee to further inform the strategy.

Once published, updates on progress in delivering the actions in the new strategy will be published routinely.

5. Mental Health and Wellbeing – Whole School Approach

The Welsh Government should ensure that the implementation of the Whole School Approach Framework is closely monitored to ensure it is delivering on its intended aims, addresses the needs of those with protected characteristics, and responds to emerging evidence about children and young people’s mental health.

The Welsh Government are keen to understand the impact the Whole School Approach Framework is having on children and young people’s mental health since its publication in March 2021.

Following recommendations made within our research paper ‘Development of a theory of change and evaluability assessment for the whole school approach to mental health and emotional wellbeing’ (Dec 2021), we are continuously reviewing the implementation and delivery of the Whole School Approach Framework through a phased approach, over an extended period of time.

6. Healthy Child Wales programme - Data

The Welsh Government, in conjunction with NHS Wales, must ensure that local health boards are equipped to input timely and accurate data for the Healthy Child Wales programme to reflect adherence to the scheduled screening, immunization and monitoring meetings that families can expect.

Welsh Government requires the health boards in Wales to report quarterly on progress with delivering the Healthy Child Wales Programme and offers the full range of contacts detailed in the programme.

Completion rates have steadily recovered to pre pandemic levels, and 93% of eligible children received their contact at 10 to 14 days, based on the latest available quarterly data for January – March 2023.

Welsh Government and NHS Wales are working together to understand the data for contacts where the completion rates have not recovered to the same high levels. There is a shared ambition to digitise the data collection form for the Healthy Child Wales Programme.

7. Healthy Child Wales programme – Daily Active

The Daily Active Programme should commence without further delay.

Daily Active is not a specific programme, but an approach which we envision will encapsulate all the opportunities where physical activity can be delivered across the school day, providing a package of support to allow schools to develop a bespoke plan for their school based on insight and pupil feedback.

The Healthy Weight: Healthy Wales Delivery Plan 2022-24, places a focus on enabling children to have access to education settings where physical activity and mental health remains a priority.

Welsh Government committed to develop and implement a Daily Active Offer for schools which will create opportunities for children and young people to be active within parameters of the school day.

Daily Active is the responsibility of a multi-agency partnership between the Welsh Government, Sport Wales, Public Health Wales and Natural Resources Wales. Proposals for the Daily Active set out a whole-school approach to physical activity in Wales, which seek to improve opportunities for physical activity in and around the school day.

We are currently in the development phase, working to align our approach with the Welsh Network of Health Promoting Schools refresh; and inform the testing of an early adopter phase, through piloting the approach, ensuring this is underpinned by a health inequalities lens.

Public Health Wales have mapped current national and local authority level programmes, initiatives and projects that provide opportunities for physical activity in and around the school day. They have also overseen qualitative insight work to inform understanding around the potential barriers, facilitators and solutions that may impact the implementation and maintenance of school-based activities to increase physical activity in Wales.

8. Vaping/E-cigarettes - Guidance

The Welsh Government should publish clear guidance for schools for the regulation of vaping.

On 20 September 2023, Public Health Wales published the document 'Information and Guidance on Vaping for Secondary-aged learners in Wales'. The guidance is designed to help schools and other education settings respond to vape use. It aims to help learners understand the impact of vaping on their health and well-being, to provide evidence-based information for teachers and provides information on ways to embed teaching and learning on vaping into the new Curriculum for Wales. The guidance also includes information on ways schools can respond to vape use in their setting and how to support young people who may be nicotine dependent and wish to stop.

9. Vaping/E-cigarettes – Public Health

The Welsh Government should explore a child and young person's public health campaign, highlighting the known and potential dangers of vaping.

The rise in the number of young people trying and regularly using vaping devices is very concerning. The 2021/22 School Health Research Network Student Health and Wellbeing Survey show that 20% of young people from Year 7 to Year 11 say they've tried vaping, with 5% of secondary school pupils in Wales vaping at least once a week. A recent Public Health Wales snapshot survey of pupils in year 7 and 10 from a small

sample of Welsh secondary schools found the proportion of year 10 pupils using vapes every day is around nine per cent. It is illegal for nicotine containing vapes to be sold to any person under the age of 18, however the bright and colourful designs and flavourings of some of these products can make them attractive to young people.

Whilst guidance on vaping is already available for schools and this seeks to highlight to young people the health risks of vaping, the Welsh Government is working with Public Health Wales and stakeholders to understand what additional information, materials or resources are required in order to give young people the information and tools they need to understand the impacts of vaping and to stay healthy.

More broadly, the Welsh Government is working with Governments across the UK on the other ways to prevent vape use by children and young people, including legislative solutions. This includes a commitment by the Governments of the UK to work together on a range of options to tackle the impacts of single use disposable vapes, up to and including a ban, because of the significant environmental impact of these products and their link to youth vaping.

10. Gender identity services

Welsh Government should expedite work committed to in the LGBTQ+ Action Plan on exploring a Welsh Gender Service for children and young people, to replace reliance on commissioning services from NHS England. A new gender identity service for Wales should be established.

We continue to work towards our commitment in the LGBTQ+ Action Plan, and the Welsh Health Specialised Services Committee (WHSSC) will engage with children, young people and their families when considering options for the development of a service in Wales.

The action in the LGBTQ+ plan is a long-term action and a commitment to review the pathway. This is to enable NHS Wales to be part of the governance mechanisms established by NHS England and the independent Cass Review to inform our approach. The aim of the Cass Review is to ensure that children and young people who are exploring their gender or experiencing gender dysphoria, and who need support from the NHS, receive a high standard of care that meets their needs.

Through these arrangements, Wales is part of a vital research programme and infrastructure that will contribute to the international evidence base, supported by the extensive governance framework that NHS England has put in place and which all our gender dysphoria services are commissioned through.

These arrangements will ensure the safety and quality of services to safeguard our young people in Wales.

Family Environment and Alternative Care

11. Social care and radical reform

The Welsh Government must publish a detailed road map of all actions associated with the Radical Reform of Children's Social Care Programme, including progress of action undertaken associated with child protection and safeguarding. This should be underpinned by timescales and outcome indicators. This must report annually to ensure children and adults can hold the Government to account on progress towards their vision of reform.

Welsh Government has published a roadmap of the actions and timescales being taken forward in the delivery of the Transformation Programme for Children's Services which will be updated to include key actions being taken forward associated with child protection and safeguarding.

Welsh Government has recently published its first Transformation Programme communication bulletin outlining the progress being made against the actions in the roadmap. The bulletins will be published on a six-monthly basis and will be published online on the Welsh Government website.

12. Safeguarding of children - Single Unified Safeguarding Review

Welsh Government should confirm how the Single Unified Safeguarding Review proposals will adequately ensure the learning emanating from child practice reviews will be implemented and monitored.

The Single Unified Safeguarding Review (SUSR) has been in development since December 2019. It has involved Welsh Government officials, safeguarding practitioners, third sector partners and academia to ensure we create a process to learn from tragedies which will help to safeguard future generations.

The whole ethos of the SUSR is to ensure the learning identified is implemented and that the family and loved ones impacted by the tragedy are at the centre of the process and their voices are heard.

Once implemented, for the first time we will be able to know how many reviews have been undertaken, are being undertaken and what recommendations and learning have arisen across Wales. All of this information and intelligence was previously held locally and learning was not shared as widely as possible. The Wales Safeguarding Repository will be able to utilise machine learning, social science and computer science to identify new ways to learn from reviews.

13. Safeguarding of children - National Action Plan on Preventing Child Sexual Abuse

Welsh Government should ensure that the renewed National Action Plan on Preventing Child Sexual Abuse effectively responds to the recommendations of the Independent Inquiry into Child Sexual Abuse (IICSA) enquiry and sensitively incorporates the views of children and young people.

Welsh Government agrees that the renewed National Action Plan for Preventing and Responding to Child Sexual Abuse should encompass relevant IICSA recommendations and similar evidence including the Legacy Report from the Cross Party Group on Preventing Child Sexual Abuse.

The Plan will be informed through our continued engagement with the Children's Commissioner and other stakeholders to secure robust protections.

Welsh Government will ensure that children and young people are sensitively involved in the renewed National Action Plan, so that their views can again be incorporated. Threats to children and young people change rapidly, especially in this digital age, so there is no one better placed than the children and young people themselves to explain to us where these risks are coming from, and which spaces and places they would go to for help, advice and support. The next National Action Plan will seek to ensure that information for children and young people is informed by children and young people, and that the services they use are shaped with their views in mind.

14. Safe housing of vulnerable children - Operating Without Registration

Welsh Government should consider the findings emerging from the workstream on services operating without registration (OWR), together with the data emerging from Care Inspectorate Wales's (CIW) work on the topic, and urgently produce an action plan to respond to the identified needs during 2023/24.

Under our Eliminating Profit Programme Board, we have established a local authority task and finish group to consider the issue of services operating without registration. This is to ensure placement choice and stability in registered provision meets the needs of and secures positive outcomes for our children and young people.

The group is undertaking a review of services operating without registration in order to gain an evidence-based end-to-end understanding of the issues, challenges, effective approaches and potential solutions as well as the associated impacts for children.

The outcome and learning from the review will be shared with the Programme Board later this year and alongside feedback and data from Care Inspectorate Wales, it will consider what actions are required.

15. Safe housing of vulnerable children - Accommodation

Welsh Government should urgently assess the progress of planned accommodation being developed by Regional Partnership Boards and commissioned by Welsh Government and seek to address barriers to completion of this work.

Welsh Government is committed to delivering the Programme for Government commitment to fund regional residential services for children with complex needs ensuring their needs are met as close to home as possible and in Wales wherever practicable.

Welsh Government implemented a monitoring framework in September 2023 that sets out the reporting arrangements for all regional accommodation work undertaken by Regional Partnership Boards, whether it is operational or in development and regardless of the funding source. The first quarterly report was produced in October 2023.

In addition, to complement monitoring we are developing a Community of Practice for regional accommodation for children and young people with complex needs. This will bring together lead officers in each region to share good practice, compare learning and experiences and test approaches to developing solutions that meet local needs.

Protection from Exploitation and Violence

16. Strip searches of children and young people

Welsh Government should review the 'Safe and effective intervention – use of reasonable force and searching for weapons' guidance to ensure there is adequate and up to date guidance for schools and governing bodies in Wales, to understand and effectively carry out their roles and responsibilities when strip searches of children are being proposed or have been carried out.

The Welsh Government is committed to reducing restrictive practice in childcare, education, health and social care settings. The reducing restrictive practices framework promotes measures that will lead to the reduction of restrictive practices. Education officials will be working with partners to support the successful implementation of this framework within education settings, which will include reviewing the 'Safe and effective intervention – use of reasonable force and searching for weapons guidance'.

Education, Citizenship and Cultural Activities

17. Racism in schools – Anti-bullying Guidance

The Welsh Government should deliver on its commitment within the (ARWAP) to strengthen the existing anti-bullying guidance for schools (Rights, Respect, Equality 2019) to recognise the particular needs of learners from ethnic minority backgrounds.

The Welsh Government's statutory anti-bullying guidance, 'Rights, Respect, Equality' (published November 2019) is being updated this academic year, in particular to strengthen guidance in relation to prejudice-related bullying of all types.

This update will be informed by recent participatory projects with children and young people, including forthcoming evidence from the Children's Commissioner's office about young people's experiences of racism in secondary schools.

18. Racism in schools – Data

The Welsh Government should take the necessary actions within 2023/24 to establish 'a Wales-wide system of reporting and data collection which will specifically

collect data in relation to bullying and harassment, including on the basis of protected characteristics' as identified in its Anti-racist Wales Action Plan.

The Welsh Government accepts that reporting and data collection of incidents of bullying and harassment is inconsistent across Wales. While the Welsh Government can advise how data can be collected locally, and how data can be used effectively at a local level, the Welsh Government does not currently have legal powers to collect this data at a national level. To do so would require a change to the existing statutory regulations. This will require significant investment and is likely to require resource beyond the next academic year.

While work to deliver this action is being developed, and to support schools and education settings to effectively collect and use data, Welsh Government officials are exploring how updated statutory anti-bullying guidance can reflect effective practice to use data to prevent bullying, and to evaluate and improve responses to incidents.

19. Racism in Schools – Children’s Commissioner’s Report

In order to improve the experiences of Black, Asian and Minority ethnic learners in schools, the Welsh Government should carefully consider and formally respond to the Commissioner’s forthcoming thematic report on racism in schools including recommendations around teacher training on racism.

The Welsh Government formally launched Diversity and Anti-racist Professional Learning (DARPL) in 2022 to support the delivery of the 2021 Cynefin Report recommendations and the education strand of the Anti-racist Wales Action Plan (ARWAP).

DARPL provision has been available to schools over the last 12 months and extended to practitioners in the childcare play and early years and further education sectors earlier this year.

Up to September 2023, 20,000 education professionals directly engaged with DARPL through in-person events or via regional consortia, consultation, guidance.

Work is ongoing to collate a range of engagement and impact information in relation to DARPL.

The Criteria for Accreditation of ITE Programmes have been refreshed and include specific requirements around student teachers being prepared to understand and practise anti-racist teaching and learning in the classroom.

20. Gypsy, Roma and Traveller children and young people in education - Community Forum

The Welsh Government should establish a community forum or similar to facilitate ongoing dialogue with Gypsy, Roma and Traveller communities.

The Equalities and Human Rights Division regularly engages with communities and take their needs into account when developing policy.

We also advocate for their needs to be taken into account by the UK Government on non-devolved matters.

The Minister for Social Justice and Chief Whip met with Gypsy, Roma and Traveller families in September and discussed representation at meetings on issues affecting their communities.

It was agreed with families that:

- We would explore how to develop appropriate forums for Gypsy, Roma and Traveller families to enable them to directly engage and provide input into policy development.
- Work across government and public sector would be undertaken to engage with families and ensure families and communities are engaged in meetings affecting them.

21. Gypsy, Roma and Traveller children and young people in education – Guidance on Relationships and Sexuality Education

The Welsh Government should publish standalone guidance around the delivery of Relationships and Sexuality Education (RSE), which includes case studies to help schools support the needs of all learners.

The Welsh Government will be publishing new guidance for schools and education settings to support learners from Gypsy, Roma, and Traveller communities. The guidance will include examples of effective practice drawn from across Wales and is based on the experiences of children and young people, and include a section on RSE.

Separately, the Welsh Government has committed to establish a working group to develop and co-construct an RSE resource to be used nationally that will provide practical support, and case studies which schools can draw upon whilst they design an inclusive RSE curriculum to support Gypsy, Traveller and Roma learners.

22. Support for disabled learners and children with additional needs – Professional Learning

Welsh Government should review the professional learning on Additional Learning Needs (ALN) for teachers and consider making a placement in specialist ALN provision (including Specialist Teaching Facility (STF) units in mainstream schools) as a mandatory part of all teacher training (ITE).

Developing high quality teaching and leadership through guaranteed career-long professional learning and support for all staff is one of the five enabling objectives in 'Our national mission: high standards and aspirations for all.'

As part of the wider commitment to ensure that all practitioners have access to consistent and high-quality professional learning throughout their career, we will continue to review professional learning on ALN as the ALN reforms progress.

The refreshed criteria for Initial Teacher Education (ITE) programmes place a requirement on ITE Partnerships to ensure that student teachers are aware of and sufficiently prepared to address the needs of ALN students. This applies to all student teachers regardless of the setting in which they are preparing to teach.

Special schools are already within many ITE Partnerships and provide valuable learning for student teachers should those students elect to conduct part of their clinical practise in those settings. We are exploring with special schools and ITE partners the issues and opportunities for greater involvement of special schools in ITE.

23. Support for disabled learners and children with additional needs - Provision

Welsh Government should ensure a long term plan is in place to ensure placement sufficiency of specialist provision to meet the needs of the growing cohort of learners with identified complex needs.
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Local authorities have responsibility for ensuring suitable education provision for children and young people in their area, including those with ALN. Under the Additional Learning Needs and Education Tribunal (Wales) Act 2018, local authorities are under a duty to keep their arrangements for children and young people with ALN, and those of their maintained schools, under review. This review is a key part of local strategic planning and decision making and enables local authorities to assess current and likely future needs and secure sufficient provision and services to meet those needs.

Welsh Government will work with local authorities National Implementation leads to facilitate shared learning. This will ensure they continue to deliver their responsibilities to plan for and meet the needs of learners with identified complex needs.

The Welsh Government's Sustainable Communities for Learning Programme is in its' second phase and has played a major role in improving education infrastructure across Wales, including new special schools and specialist resource based provision in some areas. It is taken forward in collaboration with delivery partners in local authorities and further education institutions. As local authorities have the best knowledge of what is needed in their area, they set the priorities for investment and the pace of delivery of those projects. To support local authorities to deliver facilities for learners with additional learning needs, the Welsh Government funding rate increased from 65% to 75% of the total project costs.

From April 2024, the Sustainable Communities for Learning Programme will transition to a rolling programme of investment. Each local authority and further education institution will be required to submit a 9-year investment plan by 31 March 2024. These plans will be subject to approval by the Minister for Education and Welsh Language. The investment plans will be reviewed every 3 years.

In addition to this programme, we made an additional £20 million capital funding available in 2022-2023 to local authorities to support the improvement or creation of

inclusive spaces and facilities to ensure all learners are taught in classrooms and spaces with the technologies and facilities they need.

Under the ALN Act, local authorities are responsible for planning and securing specialist further education provision for individual learners. This direct role will allow local authorities to work with local further education institutions in developing provision for young people with complex needs.

24. Support for disabled learners and children with additional needs - Training for School Governors

Welsh Government should review the mandatory training requirements for school governors and revise the guidance, to include in particular additional learning needs, related issues such as exclusions and reduced timetables, and the requirements of the new curriculum.

We will review the mandatory training requirements for school governors and associated guidance and legislation to consider if amendments should be made.

In addition, we will encourage local authorities to prioritise these key areas for governor training.

Local authorities, who are responsible for ensuring governors receive appropriate training, already provide excellent courses and resources on additional learning needs, exclusions and reduced timetables, and the new curriculum.

A change to the 'Induction training for governors in Wales: Guidance for local authorities and governing bodies of maintained schools' will require an amendment to the Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 which will need to be prioritised against the rest of the Welsh Government's legislative programme.

25. Support for disabled learners and children with additional needs - Neurodivergence Improvement Programme

Welsh Government should progress the planned work of the Neurodivergence Improvement Programme to bring a consistent, Wales-wide approach to private medical diagnoses, including publishing operational guidance and a framework for clinicians.

We are aware of the challenges and barriers faced by families and services in relation to private or non-NHS diagnostic assessments.

The development and implementation of national operational guidance and a framework for clinicians has already been agreed within the Neurodivergence Improvement Programme.

We have already discussed the issue of private assessments in detail with representatives on our Clinical Advisory Group to understand current practice and barriers.

We are working in collaboration with colleagues in the Royal College of Psychiatry to outline a proposal for the development of national operational guidance and framework for clinicians. The operational guidance and framework will cover a number of complex areas, including diagnostic pathways and private assessments.

We are also engaging with policy colleagues in England and NHS England, who have already produced similar guidance.

Whilst we work on the development of this operational guidance and framework, we continue to drive forward the Neurodivergence Improvement Programme in relation to the issue of private medical diagnoses.

We have recently reviewed an existing protocol for the scrutiny of private or non-NHS assessments within our Childrens Neurodevelopmental Steering Group. This work was originally completed by the Together for Children & Young People (T4CYP) Neurodevelopmental Workstream. All Health Boards in Wales are committed to following this protocol.

We will be working collaboratively with Designated Education Clinical Lead Officers (DECLO's), Childrens Neurodevelopmental Strategic Leads and key education staff to improve the interface between services, identify current barriers to referral pathways, identify and agree good practice which will be scaled up to a national model. It is anticipated that the issue of private assessments will be covered in this work.

26. School Exclusions - Statutory Guidance

The Welsh Government should complete their planned revision of the statutory guidance on exclusions in 2023/24, strengthening the guidance for specific groups disproportionately affected by exclusions and other sanctions, including younger children, those with protected characteristics, those with Additional Learning Needs (ALN) and those eligible for free school meals.

The 'Exclusions from Schools and Pupil Referral Units' guidance is being updated in two stages.

The first stage of the amendments will be published during the autumn term. The guidance has been strengthened in relation to children and young people with protected characteristics and those who are vulnerable.

The guidance will be further strengthened to take into account the views of stakeholders and the findings from research commissioned into approaches which can avoid exclusions. The guidance will be subject to full consultation.

27. School Exclusions - Guidance review

Welsh Government should provide an update on its comprehensive review of all guidance relating to attendance, behaviour and exclusion.

On 7 November, the Minister for Education and Welsh Language announced the publication of 'Belonging, Engaging and Participating' – guidance to support schools improve learner engagement and attendance.

At the same time, the Minister for Education and Welsh Language set out plans in relation to the publication of revised behaviour and exclusion guidance.

28. Home Education

The Welsh Government should create regular opportunities during 2023/24 for continued engagement with home-educating families as the guidance is implemented.

We welcome this recommendation and agree that opportunities for further and regular dialogue with the home educating community is important, particularly as the statutory guidance is implemented. Following the engagement sessions held with home educators in June 2023, we are exploring how we can facilitate further opportunities to engage with home educating families. This will include further engagement with the Children's Commissioner's office, to ensure that the views and rights of children are heard and included in all policy related to elective home education.

29. Youth Services

Welsh Government should progress and conclude its planned youth work funding review within this Senedd term, to ensure that youth work services can be put on a sustainable footing to protect these vital services longer-term.

The Youth Work Funding review, which began in autumn 2022, will gather evidence from both local authority youth services and voluntary sector organisations, with the intention of identifying the funding available for youth work, how that funding is spent, and the accountability processes in place for that funding.

The first phase of the review, focusing on four local authority areas, concluded in September 2023. We will now expand the review to gather evidence from across Wales. This review is due to be completed in summer 2024, and its recommendations will be fed into our continued work to strengthen the delivery model for youth work in Wales.

30. Education in Health Care Settings

The Welsh Government should update the Education other than at School (EOTAS) guidance and framework for action, to ensure that a full-time offer of education is maintained for those receiving in-patient treatment, whenever appropriate.

All children in Wales, regardless of their circumstances, have a right to a full education.

We have committed to publishing 'Education other than at School (EOTAS) Referral and Commissioning' guidance to support local authorities to provide quality EOTAS provision which meets the education and well-being needs of children who are unable to attend school for whatever reason, including children who are unable to attend school due to being a hospital in-patient.

The guidance will set out our expectation that all EOTAS pupils should receive full-time education, other than in exceptional circumstances where it would not be in the best interests of the pupil.