

# WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

<b>Title of proposal:</b>	<b>NHS WALES PLANNING FRAMEWORK 2024-2027</b>
<b>Official(s) completing the Integrated Impact Assessment (name(s) and name of team):</b>	<b>Heather Giles NHS Planning</b>
<b>Department:</b>	<b>HSSG</b>
<b>Head of Division/SRO (name):</b>	<b>Samia Edmonds Planning Director</b>
<b>Cabinet Secretary/Minister responsible:</b>	<b>Eluned Morgan Minister for Health and Social Services</b>
<b>Start Date:</b>	<b>December 2023</b>

## **A. CHILDREN'S RIGHTS IMPACT ASSESSMENT**

### **1. Policy objectives**

This planning framework is informed by priorities and policies which are published and agreed by the Welsh Government and as such does not impact any more or less than the existing stance already taken.

This assessment considers the impact of issuing this year's planning framework which provides guidance to NHS local health boards and trusts regarding priorities and approach for their development of their Integrated Medium-Term Plans (IMTP's). It is a statutory requirement for the Minister to provide these directions.

This planning framework supports consistency of approach from local health boards throughout Wales And identifies priority areas.

The six priority areas for this planning framework continue to support wider system services for patient care and treatment and are consistent with previous priorities.

- Delivery of Further Faster, including a focus on pathways of care
- Access to Primary and Community Care
- Urgent and Emergency Care
- Planned care and diagnostics
- Delivery of Cancer improvements
- Mental health

Directions from the Minister also specifically highlight children and young people, recognising that the ongoing pressures on the NHS have a disproportionate impact on children and young people as well as exacerbating health inequalities. This planning framework give attention to the quality and levels of services to ensure that children, and other sections of the communities in Wales, are not disadvantaged in accessing care and treatment.

This Children's Rights Impact Assessment refers to the policies and programmes that inform and underpin this planning framework.

### **2. Gathering evidence and engaging with children and young People**

Welsh Government regularly engages with children and young people in the development of the policies that influence them.

The policy impact assessments in respect of the 3 Ps policy highlighted that those most likely to be affected negatively through policies could be

- Vulnerable and young children
- Children with additional learning needs
- Black, Asian, and Minority Ethnic children
- Welsh medium learners where Welsh is not the language of the home
- Those who are digitally excluded
- Disadvantaged children – including those with no outdoor space
- Those who may suffer developmental delay.

Research by the University of Oxford indicates that the impact of the pandemic on children and young people's mental health and well-being could be significant. More information on the impact on children and young people can be found at [Coronavirus and me results](#).

*Our programme for transforming and modernising planned care and reducing waiting lists in Wales* re-emphasises the need for health and social care organisations to consider the needs of children and young people as they build back better the services that they will need. [Our programme for transforming and modernising planned care in Wales and reducing the waiting lists \(gov.wales\)](#)

This planning framework is influenced strongly by the new Duty of Candour. In developing and deciding to implement this new statutory requirement research with and about children and young people was considered, for example

- In his public inquiry report into children's heart surgery at the Bristol Royal Infirmary, Kennedy, I (2001) stated "We consider the need for a culture of openness and honesty within the hospital as a whole, and we argue for a duty of candour towards patients when things go wrong or concerns are raised."

<sup>1</sup> Kennedy, I. *The Bristol Royal infirmary inquiry. Learning from Bristol - The Report of the Public Inquiry into children's heart surgery at the Bristol Royal Infirmary 1984-1995* [Internet]. Crown; 2001. Available from: [https://webarchive.nationalarchives.gov.uk/ukgwa/20090811143822/http://www.bristol-inquiry.org.uk/final\\_report/the\\_report.pdf](https://webarchive.nationalarchives.gov.uk/ukgwa/20090811143822/http://www.bristol-inquiry.org.uk/final_report/the_report.pdf)

- An independent investigation commissioned by the First Minister of Wales into the circumstances of the death of ten-year-old Robert Powell\*, made a number of recommendations relating to candour under the theme of "*better communication and involvement with patients and their families*" when things go wrong. The charity, Action against Medical Accidents (AvMA) used the Robbie Powell case to campaign for a statutory organisational duty of candour in the UK, "Robbies Law"\*\*\*

\*Jones, N. THE ROBERT POWELL INVESTIGATION - A REPORT TO THE WELSH MINISTERS [Internet]. 2012. Available from: <https://webarchive.nationalarchives.gov.uk/20121105061144/http://wales.gov.uk/topics/health/publications/health/reports/powell/?jsessionid=7715EFC40A4DCD5B5DD28E35A550C584?status=gxbqamrvi&lang=en>

\*\*Walsh, P. (2020) The Duty of Candour – where are we now? [The Introduction of the Duty of Candour | PSA \(professionalstandards.org.uk\)](#) Professional Standards Authority for Health & Social Care, Insights into Regulation, Blog, 30 Jan 2020

In developing the Duty of Candour a small focus group was held with four young people supported by Children in Wales. From this the guidance for children and young people is now being considered further by Children in Wales.

Other examples of consultation include a consultation exercise carried out with children and young people regarding ophthalmology provision [Integrated Impact Assessment \(gov.wales\)](#)

Furthermore wider policy such as [Wales innovates: creating a stronger, fairer, greener wales: integrated impact assessment \(gov.wales\)](#) spent time taking into account feedback from children, in this case including young people in their target engagement for developing the policy.

### **3. Analysing the evidence and assessing the impact**

This planning framework should have a positive impact on children through improving their health and addressing inequalities. Furthermore, some of the identified priorities also prioritise children, including

The “Programme for transforming and modernising planned care and reducing waiting lists in Wales” (Welsh Government April 2022) [Our programme for transforming and modernising planned care in Wales and reducing the waiting lists \(gov.wales\)](#) identifies that for:

- cancer and other urgent priorities diagnosis for children should be prioritised.
- dental treatment children who are in higher risk groups, such as those from lower socio-economic backgrounds should be prioritised
- mental health for children and young people there is recognition that the pandemic has disproportionately affected children’s health and well-being.
- Delays in outpatient appointments, diagnostic tests and surgery are of greater significance in young children

Health and social care organisations are expected to engage and work closely with their service users to achieve the best possible health and well-being outcomes for children and young people.

The focus on primary care [the-nhs-general-medical-services-contracts-wales-regulations-2023-integrated-impact-assessment.pdf \(gov.wales\)](#) includes specific requirements regarding a positive impact for children such as

- The new GMS contract includes a requirement for GP contractors to be responsible for child health surveillance [the-nhs-general-medical-services-contracts-wales-regulations-2023-integrated-impact-assessment.pdf \(gov.wales\)](#)
- The reform of ophthalmic services is intended to accelerate access to clinical care which will be a positive impact for children and those under 16 (including those in care) are eligible for an NHS sight test and a voucher for the supply, repair, and replacement of an optical appliance. [Integrated Impact Assessment \(gov.wales\)](#)

The Duty of Quality impacts positively on children through the Citizen Voice Body providing complaints advice and assistance to those children and young people who do not currently have a statutory right to an advocate under the Social Services and Well-Being (Wales) Act 2014. [health-and-social-care-quality-and-engagement-wales-bill-impact-assessment.pdf \(gov.wales\)](#)

A Healthier Wales [A healthier Wales: long term plan for health and social care | GOV.WALES](#) provides the context for this planning framework and the foundations for the NHS Integrated Medium Term Plans.

A Healthier Wales is the long term plan for Health and Social Care to ensure safe and effective healthcare services. Under the Social Services and Wellbeing Act, all health and social services providers are required to undertake population assessments and publish area plans setting out how they meet the needs of particular priority groups – one of which are children and young people. [a-healthier-wales-childrens-rights-impact-assessment.pdf \(gov.wales\)](#)

This planning framework highlights the importance for NHS organisations to follow the new Social Partnership and Public Procurement Act. This will have a positive impact on Children in a number of ways

- For children age 16-18 in work the bill will support fair work to relieve poverty which in turn is a key driver for good health
- By reducing inequality and poverty this will reduce the number of children living in poverty and improve their health outcomes
- There is a wider impact in terms of procurement where the act defines socially responsible due diligence duties which includes focussing on the risks of child labour in supply chains.

Article 1 Everyone under 18 years of age has all the rights in this Convention.

Article 2 The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.

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

Article 4 Governments should make these rights available to children.

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

Article 12 Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.

Article 23 Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

Article 24 Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.

Article 27 Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.

Article 39 Children who have been neglected or abused should receive special help to restore their self respect.

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
Articles 1,2,3,4	X		This planning framework is influenced by policies and guidance to ensure everyone under the age of 18 is positively supported by organisations responsible for their healthcare
Article 6 All children have the right of life. Governments should ensure that children	X		This planning framework specifically supports this article through ensuring NHS organisations are directed to plan services appropriately informed through A Healthier Wales and

survive and develop healthily.			children have been prioritised specifically in consideration of waiting times through the 3P's policy. Through the social partnership and procurement act there is a wider influence to reduce the risks of child labour and poverty.
Article 12 Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.	X		Through the Duty of Candour children have a right to be informed when mistakes have been made in their healthcare and participate in the process of discovering this information and raising concerns
Article 23 Children who have any kind of disability should have special care and support so that they can lead full and independent lives.	X		This planning framework is influenced by the social model of disability and NHS organisations will be expected to consider this in treating children with disabilities
Article 24 Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.	X		This planning framework provides directions for NHS organisations and the policies influencing the framework are the foundations for the provision of good quality healthcare. Wales is supporting poorer countries in this through the social partnership and procurement act.

<p>Article 27 Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.</p> <p>Article 39 Children who have been neglected or abused should receive special help to restore their self respect.</p>	<p>X</p>		<p>Mental Health is one of the priorities for this planning framework</p>
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- Consider whether any EU Citizens Rights (as referenced in the Equality Impact Assessment) relate to young people up to the age of 18.

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For further information on the [UNCRC](#) and its Optional Protocols, please visit the [Children’s Rights Intranet Page](#).

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#### 4. Ministerial advice and decision

5. The Ministerial advice is that this planning framework applies to all, regardless of age. NHS organisations will need to consider the impact of this planning framework on different groups of children and young people, as they develop their IMTPs.

##### **Publication of the CRIA**

- *Following the ministerial decision, the CRIA should be published on the Welsh Government website.*
- *Send sections 1 and 8 of your IIA and the CRIA (Annex A) to your departmental web manager for publishing.*
- ***All*** completed CRIAs must also be sent to the [CRIA@gov.wales](mailto:CRIA@gov.wales) mailbox.



## **6. Communicating with Children and Young People**

- If you have sought children and young people's views on your proposal, how will you inform them of the outcome?

The planning framework does not develop policy in its own right. It is a collection of existing policies brought together to ensure that NHS Organisations have a succinct set of directions and information from the Minister to assist them in honing their IMTPs (plans).

As such, the engagement and discussion with children and young people will have taken place when the existing policies were established.

## **7. Monitoring and Review**

- Please outline what monitoring and review mechanism you will put in place to review this CRIA.

The planning framework does not develop policy in its own right. It is a collection of existing policies brought together to ensure that NHS Organisations have a succinct set of directions and information from the Minister to assist them in honing their IMTPs (plans). Any review and monitoring would be the responsibility of the policy lead in order to adjust and amend the existing policy once in operation.

- Following this review, are there any revisions required to the policy or its implementation?

It will be for policy leads of specific policies to review and decide if any revisions are required to either the policy, or its implementation.