



# **Ministerial Review of Play**

**Prepared by Play Wales for the  
Ministerial Review of Play Steering Group**

**BACKGROUND PAPER**

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# 1 Introduction

In November 2019, the then Deputy Minister for Health and Social Services announced in a written statement that she had decided to take forward a Ministerial Review of Play.

The aim of the Ministerial Review of Play is to assess Welsh Government work with respect to play policy and to inform how the Welsh Government develops and progresses the play agenda. The review considers the progress made in achieving the Welsh Government's vision for play, as articulated in its *Play Policy* and sets out a number of key recommendations that need to be implemented.

The review was managed by the Play Policy Team within the Childcare, Play and Early Years Division of the Welsh Government. The review has taken a collaborative approach, recognising the knowledge and experience of key stakeholders in identifying and understanding the issues and in looking at options for the future. A cross-professional steering group of play and playwork specialists and policy officials from across the Welsh Government was set up to support the review.

The Ministerial Review of Play Steering Group produced a report which provides an overview of the findings from the review. It also includes a table of key recommendations and milestones for the Welsh Government from the steering group

This document is a background paper which supports the steering group report. It explores key literature, reports on the impact of COVID-19 and the rationale for the key recommendations. It provides further evidence, information and context to the report of the Ministerial Review of Play Steering Group.

## 2 Valuing play

This section provides more detail to the importance of play in children's lives and builds on what is included in the Ministerial Review of Play Steering Group report.

### The importance of playing

Playing is central to children's physical, mental, social and emotional health and wellbeing. For children themselves, playing is one of the most important aspects of their lives. They value time, freedom and quality places to play. When asked what is important to them, children consistently mention playing and gathering with their friends.<sup>1</sup> When they play, children contribute to their immediate wellbeing and to their own development.

There is a well-established body of solid evidence that shows the contribution that play, particularly self-organised play, can make to children's long-term and immediate wellbeing, to their physical health and to their mental health and resilience. Various studies<sup>2</sup> have concluded:

- Play supports socialisation – when they play children interact with others, develop friendships and attachments with peers, deal with conflict, and learn respect and tolerance<sup>3</sup>.

- Play builds resilience – playing boosts children’s emotion regulation, confidence, creativity, problem-solving skills and perseverance, enabling them to cope with stress and challenges throughout life<sup>4</sup>.
- Play is crucial for good health and wellbeing – being active through play helps children physically and emotionally, contributing to their health and happiness<sup>5 6</sup>.
- Play supports children to feel part of their neighbourhoods and wider communities – playing allows children to learn about the world around them, make connections, and develop a sense of identity and belonging<sup>7</sup>.
- Play supports learning and development – building the structures of the brain and skills such as creativity, problem-solving and critical thinking<sup>8</sup>.

## Creating the conditions for play

As an indication of the significance the United Nations places on children’s play it has published a General Comment on Article 31. This is an official statement that elaborates on the meaning of an aspect of the UNCRC that requires further interpretation or emphasis. It also aims to clarify the importance of Article 31 and to increase accountability among States Parties that have signed up to the convention.

This review takes its definition of play from the United Nations Committee on the Rights of the Child’s *General Comment no. 17*<sup>9</sup> on Article 31 of the United Nations Convention on the Rights of the Child (UNCRC). *General Comment no. 17* determines play as a behaviour, activity or process initiated, controlled and structured by children, as non-compulsory, driven by intrinsic motivation, not a means to an end and that has key characteristics of fun, uncertainty, challenge, flexibility and non-productivity. The General Comment provides further guidance on the legislative, judicial, administrative, social and educational measures necessary to ensure its implementation and as such, is referenced throughout this paper.

Opportunities for children to play can be supported or restricted across three interrelated domains<sup>10</sup>:

- Time: children’s ‘free’ time (both objective and children’s subjective perception) when they can become immersed in playing
- Space: how public space can support or constrain children’s ability to play as well as access to designated spaces for play
- Permission: children’s subjective experiences of time and space, including factors such as a sense of freedom, permission, belonging, fear and harassment, as well as the increasing adult appropriation and control of play.

Children’s play is therefore reliant on having the space, time and permission to play, and sufficiency of opportunities to play exist more prominently where all three are positively presented.

Children play on their own, with their peers or with supportive adults. The places where children play are wide and varied. Play can occur wherever and whenever conditions are right, both indoors and outdoors, in places like the institutions of childhood (such as the home, school, childcare); designated spaces for playing, both staffed and unstaffed; other institutions such as museums or hospitals; public space.



The Welsh Government defines a rich play environment<sup>11</sup> as one which is flexible, adaptable, varied and interesting. It maximises the potential for socialising, creativity, resourcefulness, challenge and choice. It is a trusted space where children feel free to play in their own way, on their own terms. Characteristics of quality children's spaces include opportunities for wonder, excitement and the unexpected, but most of all opportunities that are not overly ordered and controlled by adults. These spaces are crucial to children's own culture and for their sense of place and belonging.

Children's experiences of play and their development can be bolstered by supportive and caring adults who understand and are tolerant of play. However, the benefits are diminished, particularly in the development of creativity, problem solving and enjoyment if there is too much control by adults. Playing provides children with every day and self-directed opportunities for participation. It provides adults with insights and understanding into the child's perspectives. When playing is supported, it can lead to respect between generations, contributing to effective understanding and communication between children and adults.

Play has the benefit of having a positive impact on multiple important health outcomes including increased physical activity, improving wellbeing in children and helping to develop resilience. However, it is crucial and worthwhile for the enjoyment it brings to children and their families in the moment.<sup>12 13</sup>

Play involves children doing as they wish in their own time and in their own way. The adult's primary responsibility in supporting children to play is to ensure that the conditions are right for play to take place. Whilst playing comes instinctively to children, the support of parents, practitioners, policy makers and the wider community is necessary to ensure children have the permission, spaces and time to themselves to act on their natural instincts.

## Barriers to play

The steering group discussed a range of well-known contemporary barriers<sup>14</sup> that prevent and discourage children's play as well as presenting evidence to support a more balanced approach. Whilst it is important to remember that children are individuals with a range of opportunities, there are common trends and issues that impact on children's lives and their ability to access opportunities to play.

There are a number of factors that have decreased the opportunity for children to realise their right to play:

- changes in neighbourhoods including increased car use, increased traffic (moving and parked), changing work patterns
- parental restrictions due to perceptions of neighbourhood safety (traffic, bullying, racism, stranger danger)
- increase in participation in structured activities and educational demands
- children are 'out of place' in the public realm, increasing intolerance towards children and young people playing and meeting up.

Parents in Wales report dissatisfaction with play facilities in their local area citing a lack of suitable outdoor public places for children to play and meet up<sup>15</sup>. Concern over the decline in children's opportunities for free play have been linked to an increase in mental health problems<sup>16</sup> and teenagers in Wales have amongst the poorest life satisfaction rates across the UK.<sup>17</sup> Younger people

were more likely to be lonely than older people: 20% of 16 to 24 year-olds were lonely, compared with 10% of those aged 75 or over.<sup>18</sup>

### Children's views on the barriers to play

Findings from the UK, Australia and Canada suggest that children are less concerned with some traditional adult fears. Research on children's own perceptions on barriers to outdoor play highlights the risks posed by other children.<sup>19</sup> Although younger children express fears about kidnapping by strangers they also say they are worried about older children and adults committing crimes nearby. Older children and teenagers said that their fears are about bullying or threats from other children their age and that they feel safer in larger groups. Conversely, these larger groups are frequently seen as threatening and can discourage younger children from visiting parks more regularly.

Children voice a desire for safe places to play and meet up<sup>20</sup> but their ideas of safe places may not conform with those of adults. However, when children talk about feeling safe, they are generally not talking about the Health and Safety at Work Act 1974<sup>21</sup> and whether the environment they wish to play in at that time has a regulated, standardised certificate of safety. Nor are they talking about wanting or needing adult impositions on their own risk-taking behaviour. They are talking about a sense of social safety where they are in control and feel welcome and free from threat of violence or aggression.<sup>22</sup> The issues raised tend to be more about the general cleanliness of outdoor spaces, citing litter and dog mess as things that prevent them from playing out.<sup>23</sup> Children also continue to raise concerns about the speed and volume of cars and traffic in their local neighbourhoods.<sup>24</sup> Having enough time to play is also a recurring issue for children: homework, exams and revision limit free time for play.<sup>25</sup>

### International support for children's play

Internationally, the importance of play is recognised and protected in the UNCRC. Article 31 of the UNCRC explicitly states that the child has the right to play and to join in other recreational activities and that States Parties should recognise these rights.

Based on lobbying from the International Play Association and its own global reviews of the implementation of the right to play, the UN Committee on the Rights of the Child grew concerned about the poor recognition being given by governments to the right to play. It was particularly concerned that a poor recognition of the significance of the right to play was resulting in lack of investment, noting that, often where investment was made, it was in the provision of structured and organised activities. The Committee was concerned that not enough emphasis was being placed on the need to create time and space for children to engage in spontaneous play and to promote societal attitudes that support and encourage playing.

*General Comment no. 17* has a useful definition of play and stresses that play is initiated, controlled and structured by children. It defines play as non-compulsory, driven by intrinsic motivation, not a means to an end. It notes that the key characteristics of play are:

- fun
- uncertainty
- challenge
- flexibility
- non-productivity.

This aligns and builds on the Welsh Government's definition (in the 2002 Play Policy) of play as "encompassing children's behaviour which is freely chosen, personally directed and intrinsically motivated. It is performed for no external goal or reward and is a fundamental and integral part of healthy development – not only for individual children, but also for the society in which they live".

*General Comment no. 17* highlights that planning for play requires a broad and comprehensive approach involving cross-departmental collaboration and accountability in national and local government. It names a range of relevant stakeholders including those dealing directly with children, such as health, education, social services, child protection, culture, recreation and sports, but also those concerned with housing, transport and planning – all of which impact significantly on the design and organisation of space.

In *General Comment no. 17* the UN Committee on the Rights of the Child also encourages national governments to consider legislation to ensure the rights under Article 31. It advised that legislation should address the principle of sufficiency – all children should be given sufficient time and space to exercise their right to play. It also stressed that such legislation should recognise that creating environments that support children's self-directed activity is as important as the provision of facilities and opportunities for organised activities.

### National policy context

The Welsh Government recognised that to achieve its aim of creating a play friendly Wales and providing opportunities for children to play it would also be necessary for local authorities, their partners and other stakeholders to work towards this purpose. As a result, the government legislated in support of children's play, placing a statutory duty on local authorities to assess and, as far as is reasonably practicable, secure sufficient opportunities for children to play as part of the Children and Families (Wales) Measure 2010.<sup>26</sup> Colloquially, this is known as the 'Play Sufficiency Duty'.

Although the Play Sufficiency Duty represents important legislation, play does not and cannot sit alone in its legislative framework. So many, if not all, policy decisions impact on children's ability to play. Sufficiency and quality of play also impact on the outcomes for other policy areas, the key example being the positive benefits of play on children's physical and mental health and wellbeing.

The Welsh Government play sufficiency statutory guidance requires local authorities to examine all their policy agendas for their potential impact on playing children and embed targets and actions to enhance children's play opportunities into a range of strategies and policies:

- Town and country planning
- Traffic and transport
- Health and wellbeing
- Child poverty
- Early years/childcare and family policy
- Intergenerational policy initiatives
- Education and schools
- Health and safety
- Community development.

Local policies and initiatives are influenced by and linked to national direction and legislation.



This review has been planned and undertaken to meet the requirement on public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change. These requirements are set out in the Well-being of Future Generations Act (2015).

Research undertaken in 2020<sup>27</sup> into the implementation of the Play Sufficiency Duty highlights a closer alignment of policy at national as well as local level as one of four conditions that can support local authorities to deliver on the Play Sufficiency Duty. Four key policy areas were identified: wellbeing, planning, sustainability and children's rights. In particular, the research notes the synergies between the Duty and the Well-being of Future Generations Act (2015), recommending that the WFG Act and its policy instruments should include measures that will support children's ability to engage in self-organised play.

There are a number of other obvious policy areas, some discussed in other sections of this paper, that affect children's right to play:

- The Childcare Act 2006 and associated statutory guidance
- Children and Families (Wales) Measure 2010 (including the Child Poverty Strategy for Wales 2011 and the Child Minding and Day Care for Children/National Minimum Standards)
- Rights of Children and Young Persons (Wales) Measure 2011
- Local Government (Wales) Measure 2011
- Active Travel (Wales) Act 2013 (and 2021 Guidance)
- Social Services and Well-being Act 2014
- Well-being of Future Generations Act 2015
- Planning (Wales) Act 2015 and *Planning Policy Wales* (PPW)
- Public Health (Wales) Act 2017 (particularly Part 2 on obesity, the Childhood Obesity Strategy and smoke free playgrounds and spaces)
- Curriculum and Assessment (Wales) Act 2021 and the Schools Well-being Framework
- *Interim Youth Work Board for Wales: achieving a sustainable delivery model for youth work services in Wales: final report* (2021)
- Renew and reform, the Welsh Government education COVID-19 recovery plan (2021)
- *Anti-Racist Wales Action Plan* (2022)
- 20mph national speed limits on residential roads and busy pedestrian streets (2022).

The Welsh Government's Programme for Government 2021 to 2026 sets out the priority areas for the next five years. It outlines how the Welsh Government will build a fairer, greener and stronger Wales. It sets out key cross cutting government commitments for delivery, many of which have a relevance to the themes discussed as part of this review:

- supporting the priorities around child and adolescent mental health
- the creation of more green spaces
- the commitment to community focused schools
- reform of the school day and the school year
- commitments to Flying Start provision for younger children
- funding childcare for parents in education and training
- opportunities for the workforce through wider economic recovery, fair wages and the Young Persons Guarantee.

## Play and COVID-19

The benefits of play are widely recognised, and cut across physical and mental health, wellbeing and child development. Play is both a way for children to keep healthy, and a process that helps them to deal with everyday uncertainties, stresses and anxieties.

During and immediately following times of uncertainty, playing<sup>28 29</sup>:

- helps to give children a feeling of normality and joy during an experience of loss, isolation and trauma
- helps children to overcome emotional pain and regain control over their lives
- helps children make meaning of what is happening to them, and enables them to experience fun and enjoyment
- offers children an opportunity to explore their own creativity.

In April 2020, The UN Committee on the Rights of the Child expressed concerns about the physical, emotional and psychological effect of the COVID-19 pandemic and associated lockdowns and other measures on children.<sup>30</sup> The committee called on States Parties to protect the rights of children. In particular, it stressed the need to consider the health, social, and recreational impacts of the pandemic on the rights of the child. It implored governments worldwide to explore alternative and creative solutions for children to enjoy their Article 31 rights to play, rest, leisure, recreation and cultural and artistic activities.

Opportunities to play are particularly beneficial during a pandemic. The 2018 International Play Association's *Access to Play for Children in Situations of Crisis* toolkit notes that, "In situations of crisis, stress, weakened physical and emotional development, feelings of lack of control and loss of trust steadily multiply if children lack everyday opportunities for play."<sup>31</sup> To respond to the pandemic, the International Play Association used this toolkit to produce a range of resources for parents to support their children to play<sup>32</sup>.

During the pandemic and its associated lockdowns, access to outdoor play was particularly important, because of the sense of freedom and control children can enjoy and it allows for children to be energetic and physically active. Play is a form of physical exercise for children. As Welsh Government learned more about COVID-19 and ways to manage transmission, its advice was updated to establish the important role that playing has in supporting wellbeing. The Welsh Government provided guidance and prioritised the opening of parks, playgrounds and childcare and playwork provision from summer 2020 onwards, highlighting the need to play.

Some children reported playing more in the very early days of the pandemic<sup>33</sup> and lockdown. However, these figures dropped significantly in January 2021<sup>34</sup>. Access to play was mixed for children in Wales, with many reporting missing school, friends and having opportunities to play and socialise<sup>35</sup>. Children in disadvantaged circumstances were hard hit, especially those with no access to private gardens, or in neighbourhoods with little or no public space.<sup>36</sup>

Children have raised concerns about relying more on technology and 'binge watching' TV during various lockdowns and they felt that overall this was not good for their mental health and wellbeing<sup>37</sup>. This resonates with issues discussed in the Children's Commissioner's *Article 31: Spotlight Report*, where children were not asking for more time to play on or use technology. Children reported enjoying opportunities to take part in non-technology related activities in their own communities and wanted more of these opportunities.<sup>38</sup>

A rapid review of the impact of quarantine and environmental restrictions on children's play shows that play is considerably altered. Emerging evidence suggests that prolonged school closure, staying at home and social restrictions during outbreaks of disease could have serious consequences for children's physical and mental health.<sup>39</sup> A key conclusion from the review notes, that:

“as we learn how to support children living in and emerging from a pandemic-related lockdown, play may be one of the most important areas of focus to promote children's health and well-being.”<sup>40</sup>

Researchers, academics and advocates<sup>41</sup> have raised concerns that at a time of increased stress and worry, children have also faced reduced access or significant change to play and the benefits it offers/affords for coping, enjoyment of life and development.

With the uncertainty caused by the pandemic, opportunities to play are vital to helping children make sense of their experiences, problem-solve, reconnect with their peers, and promote their own wellbeing. As interventions and initiatives to support children emerging from the pandemic and its related restrictions are developed, play is one of the most important areas of focus to promote children's health and wellbeing.

Given the importance of play for children at times of crisis, recognising this during and as we emerge from the pandemic could be an enormous step forward in terms of protecting the mental health and wellbeing of our children, and of future generations.

### 3 Analysis of the key themes

This section provides more detail to the information discussed in the Ministerial Review of Play Steering Group report. The review identified and analysed six key themes which are summarised below:

- **Alignment of key legislation impacting on the right to play** discusses the need for alignment of national play policy and the Play Sufficiency Duty of the Children and Families (Wales) Measure 2010 to key primary and over-arching legislation – namely the Rights of Children and Young Persons (Wales) Measure 2011 and the Well-being of Future Generations Act (Wales) 2015. The synergy between these three pieces of ground-breaking legislation is explored.
- **Play Sufficiency Duty and funding** discusses implementation issues of the Welsh Government's Play Sufficiency Duty since it was enacted in 2012. It highlights the importance of working strategically and collaboratively at local and regional level for children's play and considers funding arrangements.
- **Spatial justice** explores why and how we need to make our neighbourhoods and other public spaces more encouraging and welcoming for play. It highlights key national policy drivers which impact on more children being able to play in their neighbourhoods and public areas.
- **Playwork provision and regulation** considers the current context and a range of historical issues regarding the registration of staffed playwork sessions. It explores ways to improve necessary systems so that more children can feel safe in the range of opportunities that they enjoy in their free time.

- **Workforce and qualifications** differentiates between the play workforce and playwork workforce. It highlights the valuable role of playwork and issues around training and qualifications whilst also offering insight into how the professional development of the range of other professionals that impact on children's play can be supported.
- **Play and education** considers the range of national policy and delivery initiatives that support children to access their right to play across educational settings. It highlights the need to ensure that play is valued in these settings, not only for instrumental educational outcomes, but also for the immediate wellbeing benefits it brings to children of all ages.

Each theme section also considers insights from the pandemic.

The key recommendations for the Welsh Government are included against each theme. A table of key recommendations and milestones can be found in the *Report of the Ministerial Review of Play Steering Group*.

## Theme 1: Alignment of key legislation impacting on the right to play

Through play, children can build their own resilience and wellbeing.<sup>42</sup> However, being able to play is dependent on the right conditions for play, specifically time, space and permission. This in turn is dependent on a range of social, cultural, spatial, economic and political factors.<sup>43</sup> The organisation of societies influences the opportunities children have to play, where they play and with whom they play.<sup>44</sup>

This means that, to support the creation of a child friendly country that offers opportunities for freely chosen play, collaborative policy development across a range of areas is required at both national, regional and local levels. Play is so closely related to wellbeing (physical, social and emotional) that almost all policy areas can have an impact on children's opportunities to play.

Key partnerships at local level involve a range of professionals, such as those involved in planning, housing, highways, active travel, green infrastructure, open spaces, town centre managers, Town and Community Councils, and the police. This review has necessarily involved stakeholders and officials with a range of policy interests including education, playwork, youth work, health, planning, safeguarding, childcare, housing and transport.

Recently, there have been a number of areas where, although not the primary focus, play has had a significant influence on the development of Welsh Government policy. The 20mph speed limit legislation and Holiday Hunger Playworks programme are two examples. There remain however areas of policy at national level where more could be done to promote and support children's right to play, particularly in the recovery from the pandemic. As part of COVID-19 recovery, several funding packages such as the Summer of Fun programmes and a winter programme were allocated to local authorities to deliver play and recreation opportunities for children.

Children have also been a part of this review. Three key messages have emerged from their participation that are relevant for this theme. First, they have highlighted challenges with transport infrastructure and access to spaces to play. Second, they spoke about the importance of recognising the benefits of play for all children, including older children, which requires working across sectors and sector policies. Third, they felt that children should be supported to contribute to the planning of services and opportunities to play and across a range of sectors. They were clear in identifying where responsibility lay for ensuring there are sufficient opportunities to play, namely the Welsh Government, local authorities and their staff, and schools and education services.<sup>45</sup>

Several research studies into the implementation of the Play Sufficiency Duty<sup>46</sup> highlight that the process encourages and facilitates cross policy working at local authority level, as was intended through the development of the legislation. However, the 2020 study also found that at both national and local level there is a need for better alignment of policies through explicit links to the duty in other acts, measures and statutory instruments. Policy alignment at local level would be supported by closer alignment at national level.<sup>47</sup>

As part of this review, the steering group identified a range of sector specific national legislation, policies and initiatives that support children's play. It became apparent to the group that almost every policy impacts on if, where and when children can play. It should be noted that reciprocity is important here, too. Supporting children to play can help in realising the aims of other policies. Equally, other policies can facilitate this by explicitly including the Play Sufficiency Duty and children's play in guidance and strategies. A number of key national policy areas that impact on children's opportunities to play are identified in Theme 1: Alignment of key legislation impacting on



the right to play. Many of these policy areas are discussed in different sections of this paper. This section looks at the need for alignment of national play policy and the Play Sufficiency Duty to two key primary and over-arching pieces of legislation – namely the Rights of Children and Young Persons (Wales) Measure 2011 and the Well-being of Future Generations Act (Wales) 2015.

Children's rights are enshrined in Welsh law under the Rights of Children and Young Persons (Wales) Measure 2011, underlining the Welsh Government's commitment to children's rights and the UNCRC. The measure places a duty on ministers to have due regard to the UNCRC when developing or reviewing legislation and policy through the application of the Children's Rights Impact Assessment (CRIA).

The Well-being of Future Generations Act (2015) is about improving the social, economic, environmental and cultural wellbeing of Wales. The act places a duty on public sector bodies to set and publish wellbeing objectives across these four areas of wellbeing.

These are paramount pieces of legislation for Wales and as such, sit above and influence the wide range of sector specific legislation, policies and initiatives that impact on children accessing their right to play.

### Play and the Rights of Children and Young Persons (Wales) Measure 2011

The Welsh Government formally adopted the UNCRC in 2004, and it is committed to making the principles of the convention a reality for all children. Research suggests that the Play Sufficiency Duty has the potential to make real and meaningful changes that support children's right to play as enshrined in Article 31 of the UNCRC.<sup>48</sup>

In 2011, Wales became the first country in the UK to incorporate children's rights into domestic law with the introduction of the Rights of Children and Young Persons (Wales) Measure 2011. The Measure embeds consideration of the UNCRC and the optional protocols into Welsh law. The aim of this was to provide an effective way of ensuring that greater emphasis would be placed on helping children in Wales to access the rights set out in the UNCRC, as a step to them all contributing to their wellbeing.

In a working paper<sup>49</sup> on children's right to play that supported the international campaign for *General Comment no. 17* on Article 31 of the UNCRC, play is considered across the three groupings of the UNCRC articles:

- **Protection rights:** children can create their own protection through playing, in terms of its capacity to enhance adaptive capabilities and resilience (for example emotion regulation, stress response systems, attachments, creativity).
- **Participation rights:** play is how children participate in the everyday life of families and communities.
- **Provision rights:** given the above points, provision is therefore more than providing play services and requires paying attention to and ensuring the right conditions for children to have sufficient time and space to play.

The rights-based approach of the Welsh Government to its policy making regarding children allows for the Play Sufficiency Duty to explicitly articulate the intrinsic value of play as a right, alongside the

more instrumental value of its role in realising other policy agendas such as tackling child poverty, health and wellbeing, learning and development, and community cohesion. *Wales – a Play Friendly Country* statutory guidance<sup>50</sup> is underpinned by children’s rights and highlights three articles which particularly relate to this duty:

- Article 31 (leisure, play and culture): Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.
- Article 15 (freedom of association): Children have the right to meet together and to join groups.
- Article 12 (respect for the views of the child): When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.

The Children’s Rights Scheme 2014 sets out the arrangements that the Welsh Government has in place to comply with the 2011 Rights of Children and Young Persons (Wales) Measure’s duty to have due regard to the UNCRC. It reflects the Welsh Government’s on-going commitment to children’s rights. The Welsh Government developed the CRIA to ensure that officials support ministers to comply with the duty to have due regard and to ensure compliance. The CRIA is incorporated within the Welsh Government’s new integrated impact assessment tool to test new Welsh Government policies against the goals and ways of working set out in the Well-being of Future Generations (Wales) Act 2015.

## Play and the Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 places a requirement on public bodies in Wales to:

- think about the long-term impact of their decisions
- work better with people, communities and each other
- prevent problems
- take a more joined-up approach.

Successful implementation of the Play Sufficiency Duty aligns well with both the five ways of working and the seven wellbeing goals of the Act. In other words, explicitly incorporating the Duty into guidance at national and local level can help public bodies to identify and reach wellbeing goals for children and communities.

### ***Incorporating the Five Ways of Working***

- **Long Term** – Thinking strategically about play is founded on developing positive attitudes of decision makers and communities towards play and improving access to better support children to play in their neighbourhoods. Paying attention to the conditions that support play will support the long-term need of safeguarding children’s right to play.
- **Prevention** – Having opportunities to play supports more children to be active, to socialise and to feel part of their communities, all of which have tremendous health and wellbeing outcomes. Children being able to play can contribute to the prevention of many contemporary concerns, such as obesity, mental health, loneliness, which in turn can prevent a range of diseases that are seriously detrimental to the health of the population

and impose enormous costs on public services. Making sure that children can and do play in their neighbourhoods will potentially prevent problems (such as childhood obesity, poor mental health and isolation) occurring or getting worse.

- **Integration** – Playing positively impacts on each of the wellbeing goals. Additionally, thinking strategically about play through the Play Sufficiency Duty implementation encourages and supports strong partnership working. Policy partners value play for a range of reasons, particularly as addressing barriers to play responds to a range of other policy drivers (i.e. safer roads, active travel, connected communities, community assets, social capital). Environmental sustainability initiatives, such as reducing private car use/ownership and greening of school playgrounds and town centres also support playing.
- **Collaboration** – The successful implementation of actions which address sufficient opportunities to play encourage collaboration between a range of sectors, government departments and organisations. Supporting play sufficiency actions is attractive to a range of local authority departments and officers, such as those involved in planning, outdoor space, transport policy as it potentially helps them to meet their wellbeing objectives.
- **Involvement** – Planning for play sufficiency engages local organisations, communities and children from the outset and can support local play advocacy groups. Immediate engagement can ensure that the diversity of local neighbourhoods and their play needs is reflected in assessments and action plans.

## Meeting the goals of the Well-being of Future Generations (Wales) Act 2015

### A prosperous Wales

Access to opportunities to play contributes to the development of resilience, an openness to learning and longer-term skill development. Research undertaken in Wrexham<sup>51</sup> considered immediate and deferred benefits to people from developing social relationships and networks and improving their current or future employment prospects as a consequence of having access to regular and sustained playwork provision. The study concluded that every £1 invested in playwork returned £4.60 in immediate and deferred social benefits.

### A resilient Wales

The generally accepted social, emotional, physical and cognitive benefits of play help make the case that playing is an important element in helping to build resilience. The evidence<sup>52</sup> suggests that play contributes to developing resilience through a number of interrelated systems including:

- emotional regulation
- pleasure and enjoyment
- the stress response system and the ability to respond to uncertainty
- creativity and the ability to make new and different connections
- openness to learning
- attachment to people and place.

These basic systems are essential for the creativity and adaptiveness needed for dealing with the uncertainties of the future, including climate change.

### **A healthier Wales**

Play is essential for children's physical and mental health and wellbeing. Playing allows for peer interactions that are important components of social and emotional wellbeing. Through play, children experience a range of emotions including frustration, determination, achievement, disappointment and confidence, and through practice, can learn how to manage these feelings.

Enabling children to spend more time playing out in their own communities will improve physical activity levels and have wider health and environmental benefits. Unstructured play is one of the easiest, most natural and cost-effective ways that children of any age can engage in the necessary levels of physical activity.<sup>53</sup> It is also the most common type of physical activity that children take part in outside school.

### **A more equal Wales**

Play is established as a child's right, internationally and by the Welsh Government. Access to good quality play provision can be a way of reducing inequalities between children and so reducing poverty of experience for all children. Staffed playwork provision is often available when families need it most (after school, during school holidays, evenings and weekends) filling gaps when other services are not available. Quality play provision gives a neighbourhood a 'melting pot' where children who might not normally meet and socialise can mix. This provides experience of other people and more opportunities for wide social networks. Being able to play in their neighbourhoods is a question of equality for children as a group. Looking at and addressing the conditions that support those who have difficulties accessing outdoor play provides a more equitable experience for children.

### **A Wales of cohesive communities**

When children have access to places and spaces to play and gather with their friends, the community becomes more tolerant of play.<sup>54</sup>

The presence of playing children supports parents and other community members to become advocates for play and childhood.<sup>55</sup> Children gain a better sense of belonging (cynefin, incorporated in the Curriculum for Wales 2022) to the community and the role they play within it. Local play provision contributes to community cohesion, peer and place attachments and social inclusion because it is specific to the community.<sup>56</sup>

### **A Wales of vibrant culture and thriving Welsh language**

Recreational activities (which include cultural activities) form part of the section on play opportunities within the Children and Families (Wales) Measure 2010. When communities support children's play, there follows a sharing of stories and histories. Community folklore is passed down through generations at play. Local authority Play Sufficiency Assessments include understanding and providing for the play requirements of Welsh speaking children.

## A globally responsible Wales

Wales is the first country in the world to legislate for children's play and this approach is signposted in *General Comment no. 17* on Article 31 of the UNCRC. The Welsh Government's innovative legislation marks a bold experiment in planning and accounting for play for which there is no pre-existing template to follow. This has led to international interest in Article 31 and Wales' approach.

## Ensuring integrated approaches

The play sufficiency research studies have applied an assets-based approach to play sufficiency, by articulating throughout the reports that play is what children do when the conditions are right and establishing it as their way of maintaining their own health and wellbeing. This is most evident in the 2020 study<sup>57</sup>, which aligns the process of play sufficiency with the approach taken in the Well-being of Future Generations Act (Wales) 2015, the Social Services and Well-being Act (Wales) 2014 and by Public Health Wales, highlighting that "an assets approach identifies factors that support good health and well-being and relies on working locally with communities".<sup>58</sup>

Implementation of the play sufficiency process has required meaningful engagement with children and relied on a view that sees children as competent individuals with capacity to influence positive developments with regards to their play. Across Wales, children have provided views about their opportunities to play<sup>59</sup> and when supported to do so can provide rich knowledge and information about their neighbourhoods<sup>60</sup>. Actively engaging with children gives us an opportunity to take an assets-based approach to meeting children's play needs.

## Insights from the COVID-19 pandemic

The importance of play for health and wellbeing has been researched, heightened and promoted broadly across sectors. Children report that the pandemic and the associated lockdowns have impacted on their ability to access their rights. Also, for children, restricted access to play and socialising with friends has been particularly difficult, with many reporting a decreased sense of wellbeing.<sup>61</sup>

On a positive note, stakeholders have needed to discover and use new ways of working. An increase in online and blended meetings has the potential to enable cross-policy partnership and collaboration by supporting better attendance and involvement of key people.

## Key recommendations

**Key recommendation 1: Take a strategic approach to play sufficiency across all Welsh Government policy areas.**

**Key recommendation 2: Ensure that Welsh Government policy instruments include measures to support children's ability to make the most of opportunities to play.**



## Theme 2: Play Sufficiency Duty and funding

The Welsh Government wants Wales to be a country where children are increasingly seen outside enjoying the benefits of play – a play friendly country which provides time, space and permission for all children to play.

To help achieve this, the National Assembly for Wales passed the Children and Families (Wales) Measure 2010<sup>62</sup> which addresses the commitment to tackle child poverty. Importantly, this measure also covers play and participation.

Part of the measure places a legal duty on every local authority in Wales to assess and secure sufficient play opportunities for children in their area, in accordance with the Play Sufficiency Assessment (Wales) Regulations<sup>63</sup>.

The United Nations Committee on the Rights of the Child's *General Comment no. 17*,<sup>64</sup> which gives governments additional information, guidance and recommendations on Article 31, encourages national governments to consider legislation to ensure the rights under Article 31. It advises that legislation should address the principle of sufficiency – all children should be given enough time and space to exercise their right to play. It also stresses that such legislation should recognise that creating environments that support children's self-directed activity is as important as the provision of facilities and opportunities for organised activities.

### The Play Sufficiency Duty

The Play Sufficiency Duty is part of the Welsh Government's anti-poverty agenda which recognises that children can experience poverty in a range of ways. Play deprivation<sup>65</sup> can affect children from all social, cultural and economic backgrounds across Wales.

The Play Sufficiency Duty was introduced in two parts. The first part, which requires local authorities to assess the sufficiency of opportunities for children to play in their areas, was commenced in November 2012. The first triennial Play Sufficiency Assessments (PSAs) were submitted in March 2013. The second part requires local authorities to secure sufficient opportunities for children's play in their areas, as far is reasonable and practical, and was commenced in July 2014.

Local authorities also submit annual Play Action Plans and Progress Reports to the Welsh Government. Local authorities are required to publish, on their websites, a summary of their Play Sufficiency Assessment, which must include the outcomes of the assessment and highlight the actions that they intend to take to achieve sufficient play opportunities.

In assessing both quantity and quality of the sufficiency of opportunities to play, local authorities must consider the nine Matters which are described in *Wales – a Play Friendly Country*, statutory guidance<sup>66</sup>:

- |           |  |
|-----------|--|
| Matter A: | Population   |
| Matter B: | Providing for diverse needs  |
| Matter C: | Space available for children to play <ul style="list-style-type: none"><li>• Open spaces</li><li>• Outdoor unstaffed designated play spaces</li><li>• Playing fields</li></ul> |

Matter D:	Supervised provision <ul style="list-style-type: none"> <li>• Playwork provision</li> <li>• Structured recreational activities</li> </ul>
Matter E:	Charges for play provision
Matter F:	Access to space and provision, including road safety measures, transport, information and publicity
Matter G:	Securing and developing the play workforce
Matter H:	Community engagement and participation
Matter I:	Play within all relevant policy and implementation agendas.

As a means of supporting local authorities to fulfil their statutory implementation of the duty, a *Play Sufficiency Assessment Toolkit*<sup>67</sup> was prepared by Play Wales and the Welsh Government in conjunction with the Welsh Local Government Association (WLGA) and play providers across Wales. The toolkit includes a standardised Play Sufficiency Assessment template with over 100 criteria across the nine Matters. The template was reviewed and updated for subsequent assessment cycles to ensure that changes in policy, legislation and funding programmes are up to date and included.

Local authorities report<sup>68</sup> that the template allows for comparison across years and drives collaboration by providing a consistent tool for cross-departmental working and the planning of actions. However, research<sup>69</sup> undertaken in 2020 has recommended that a review, refresh and relaunch of the *Play Sufficiency Assessment Toolkit* is timely, and this is reinforced by the discussions and work of the review steering group.

### Researching play sufficiency

Four small-scale research studies, commissioned by Play Wales, have been undertaken since the commencement of the Play Sufficiency Duty<sup>70</sup>. The studies draw together the successes and challenges facing local authorities in the implementation of the duty.

The research into the local authority implementation of play sufficiency suggests that the process encourages and facilitates cross policy working at local authority level, but this needs to be strengthened and is less obvious at national level<sup>71</sup>. The same research highlights a broad consensus amongst local authorities and sector bodies that further direction from the Welsh Government is required upon receiving the Play Sufficiency Assessments (PSAs) and annual reports.

Given the potential for the Play Sufficiency Duty to address other social policy agendas<sup>72</sup>, more should be done to promote the duty across the Welsh Government and local authority departments, national bodies, voluntary and community organisations and with the public. A system of feeding back is required as is a means of drawing out key national priorities and areas requiring further cross-policy work. Local play sufficiency leads report that the process of drawing up PSAs is a significant piece of work and if the process is to be effective, it needs to be acknowledged and acted upon at both national and local level.

Across all four research studies, there is a recognition that the Play Sufficiency Duty and its policy instruments (the regulations, statutory guidance, toolkit and template) determine that:

“Play is not only an activity that takes place in discrete spaces and at prescribed times; it is not something that can simply be ‘provided’ by adults, but is an act of co-creation that

emerges opportunistically from an assemblage of interdependent and interrelated factors”.<sup>73</sup>

Whilst the research has focused on the local authority response to statutory duties, the lessons are transferable to national level. The studies have acknowledged that the concept of ‘sufficiency’ is a process not a product. It involves an ongoing collaborative process of engagement and experimentation at national and local levels and requires people to be open to doing things differently.

The 2020 research study<sup>74</sup> makes a number of recommendations regarding the conditions that can support local authorities to develop actions to secure sufficient opportunities for children to play. In summary, they include:

- “policy alignment with, and promotion nationally and locally of, the Play Sufficiency Duty
- the right people in the right place at the right time with sufficient authority, capacity, capability and consistency
- a consistent and dedicated source of funding for play sufficiency
- existing and new information, including research (especially hyper local research with children and ways to share information)
- openness to possibilities (organisational cultures that allow for being able to respond to opportunities that arise)”.

Policy development and implementation is a process influenced by historical and contemporary factors. The play sufficiency research studies are underpinned by an approach that play is not a separate phenomenon that happens in designated spaces and prescribed times but is interwoven into children’s everyday lives and will occur wherever conditions allow.

At national level, the research concludes that there is a role for the Welsh Government to actively support the processes of play sufficiency for local authorities to be able to assess and secure sufficient play opportunities for children, including the continuation of the crucial partnership with Play Wales. This would include close scrutiny of the information in the PSAs to see what works well and supporting such practices across all authorities. It also requires working cross-departmentally within the Welsh Government to ensure children’s right to play is acknowledged and embedded in national policies, practices and funding streams. This includes funding for local authorities, the delivery of playwork qualifications, and Play Wales’ key role in supporting play sufficiency.

The research highlights the pivotal role played by Play Wales in terms of working to develop, promote and support implementation of the Duty. This has included:

- working in partnership with the Welsh Government to develop, research and report on the duty
- supporting local authorities through regional meetings
- information sheets
- cross-professional training opportunities and personal support
- running the Playful Childhoods campaign and website for parents and carers.

Generally, the 2019 PSAs demonstrate good collaboration across local authority departments, but this is markedly more effective where there is a designated play sufficiency lead officer.<sup>75</sup> The value of a key official with demonstrable experience who can build networks and drive an opportunistic

approach to play sufficiency implementation within the local authority has been identified as a key principle in the building of partnerships that drive child-friendly initiatives forward.<sup>76</sup>

### Involving children in play sufficiency

Children have said that they would like to participate in developments regarding their play.<sup>77</sup> The office of the Children's Commissioner for Wales', *The Right Way* – a framework for working with children is grounded in the UNCRC. It helps organisations put children's rights at the heart of their work. The Children's Commissioner for Wales has called for local authorities to adopt this approach as part of their PSAs and action planning.<sup>78</sup> Seeking the views of children in a meaningful way enables more children to be better involved in shaping services and opportunities.

The PSA template requires local authorities to indicate how they have consulted with children. Early PSAs tended to rely on paper or web-based surveys based on an example included in the *Play Sufficiency Assessment Toolkit*. Over the years, many local authorities have developed more meaningful and child-friendly ways of gathering and including the views of children, particularly regarding their relationship with their neighbourhoods.

Local authorities with play development capacity have been able to carry out more research as part of their work with children beyond the survey.<sup>79</sup> Examples include research using mapping, playful workshops, focus groups and neighbourhood walkabouts. Such research has gathered rich information about children's relationships with their neighbourhoods, described in Theme 3: Children's play, spatial justice and the Play Sufficiency Duty.

### Involving parents, caregivers and communities in play sufficiency

The Welsh Government has long recognised the crucial role of parents, carers and communities in supporting or constraining children's play both in the home and in the community. The 2006 *Play Policy Implementation Plan* included an action to produce information on what constitutes quality play and how families and communities can help facilitate it.

The *Play Sufficiency Assessment Toolkit* recognises that creating a play friendly Wales where children have sufficient time, space and permission to play "will need parents, families and everyone in the community to recognise that play is of great importance in children's present lives and for their future development".<sup>80</sup> This was also raised in workshop discussions during this review and acknowledged in the research into the Play Sufficiency Duty.<sup>81</sup>

Since 2018, Play Wales has been providing public information through *Playful Childhoods*,<sup>82</sup> a website and campaign that "helps parents and carers give children time, space and permission to play at home and in their local community". Alongside the website, there have been social media campaigns, roadshows and events (for example, a story book treasure hunt). The website saw a 400% increase in visitors during the first lockdown of the Coronavirus pandemic.

### Funding for playwork and play development

There have been a range of funding programmes to potentially support play and play development work. In May 2000, the National Assembly for Wales provided £1m for improving open access play facilities for children. Known as the Play 2000 Grant Scheme, funding was distributed and managed through the Children and Youth Partnerships. This funding was continued and managed similarly in the subsequent financial year, doubled in 2002 to 2003 and became known as the Play Grant.

The Cymorth Fund was introduced in 2003 to 2004 by the Welsh Government to provide a network of targeted support for children. The Play Grant was combined with other Cymorth funding allocated to Framework Partnerships and became known as the Play Theme. This fund made a difference to the development of play opportunities in most local authorities and saw an increased number of local play strategies with a clear link to Children and Young People Plans.<sup>83</sup>

Communities First was another key Welsh Government programme that was a potential source of funding to support play. The Communities First programme started in 2001 as a community regeneration programme that sought to encourage creativity, experimentation and risk taking. In its later years, it moved toward an outcomes focus and ended with targets and results-based accounting.

The review noted that at regional and local level there is a history of inadequate accompanying guidance for funding programmes such as Communities First. This ambiguity of advice has often resulted in a misinterpretation in decision-making at local level, often compounded by a lack of local transparency in decision-making. Integrated Children's Centre (ICC) funding featured the development of staffed open access playwork as one of the four objectives. There was a focus on the development of staffed adventure playgrounds. Evidence<sup>84 85</sup> suggests that complimentary initiatives such as Communities First, community focused schools and ICCs were not used to best effect for children's play.

The Big Lottery's Child's Play programme (2006 to 2012) was a strategic programme that aimed to make a big impact on children's play in Wales. Round one of the programme supported the development of the infrastructure needed to deliver play and helped to staff ten regional play networks covering the whole of Wales. Round two of the programme awarded grants to regional play networks that directly offered opportunities for play. The Child's Play programme focused on new approaches to staffed play projects, and expected projects to develop creative play projects that offered challenge and varied opportunities.

The Cymorth funding was replaced by Families First Fund in 2012 for local authority work and represented a step towards more targeted services addressing child poverty. Although the programme intention is for local flexibility in the interpretation and implementation of the programme at local authority level, this review raised a particular issue around the availability of Families First funding to support play provision. The shift towards more targeted services resulted in a significant hiatus in funding for play provision across Wales.<sup>86</sup>

This change, together with the cessation of Big Lottery funding and the general public service spending cuts, has meant that in some local authorities the infrastructure that supported play development has been lost. This review has highlighted the impact of the significant loss in both strategic, delivery and play development functions that the regional play associations provided.

### Funding play sufficiency

There is currently no national dedicated funding stream to local authorities for play or for play sufficiency functions. The Welsh Government has made capital and revenue funding available to local authorities for play sufficiency on an ad-hoc, annual basis via:

- All Wales Play Opportunities Grant (AWPOG)
- Playworks Holiday Project
- COVID-19 Reconstruction – Challenges and Priorities funding package



- Summer of Fun programmes
- Winter of Wellbeing programme.

This funding has been welcomed by local authorities and actions have been progressed using it. However, the often restricted time frame requiring spend within the financial year granted and uncertainty that it is not guaranteed, means that it cannot always be spent in the most strategic way.<sup>87</sup> As the AWPOG funding can be either capital or revenue or both, this brings added uncertainty and constraints in the way it can be spent.

Part two of the Play Sufficiency Duty was commenced in 2014 on the understanding that it would be cost neutral. However, local authorities report that funding for play decreased significantly in real terms between 2014 and 2019. All local authorities have reported a decrease in funding for play in their 2019 PSAs.<sup>88</sup> Furthermore, the review of the 2019 PSAs has shown a significant reduction in local authority staff employed to develop and deliver opportunities for children to play.

There has also been a reduction in budget and personnel across other areas that influence sufficiency of play (such as transport policy, youth provision, planning policy, parks personnel). Another key issue is the closure of the majority of voluntary regional play associations across Wales. In 2013, there were ten associations, and these contributed at both strategic and delivery level across Wales – many were actively involved in supporting the local authority play sufficiency work.<sup>89</sup> The few which are currently operating do not have sufficient capacity to contribute at strategic level and often lack the capacity to respond when additional money is available. The loss of this support for play sufficiency has been keenly felt.

While all local authorities produce Play Action Plans, the late notice for AWPOG allocations means that funding does not arrive in a way to support priorities and local authorities are forced to take forward what is achievable rather than most important. The ability to make use of funding is also closely related to the presence of a designated play sufficiency lead officer with enough authority and seniority to make decisions and carry influence.<sup>90</sup> It is a challenge for local authorities to maintain strategic and monitoring groups, access funding and to liaise with stakeholders to allocate funding well where there is no officer with direct responsibility for play sufficiency.

### Insights from the COVID-19 pandemic

Play sufficiency progress reports submitted to Welsh Government in 2020-21 indicate that coronavirus lockdown measures impacted negatively on local authority ability to secure sufficiency of provision in terms of some of the Matters. The impact on the provision of staffed playwork, designated play areas and community engagement have been highlighted.

Although the pandemic brought unexpected and unprecedented restrictions and uncertainties, this has also been a time of innovation and experimenting. Local authorities and their partners repurposed themselves to come together to offer help and support.<sup>91</sup> From online engagement and providing children with play resources, play and children's organisations across Wales worked hard to make sure play remained high on everyone's agendas. There are also examples of play teams and organisations across Wales ensuring that children have a playful presence and opportunities to play in their neighbourhoods through offering outside ideas and play provision.

The Welsh Government highlighted the importance of play for health and wellbeing in guidance and provided funding to support local authorities to address play sufficiency actions as part of the *Covid-19 Reconstruction – Challenges and Priorities* funding package. A focus on playwork provision for vulnerable children during the summer of 2020 resulted in enhanced partnerships between play

sufficiency officers and other children's services and several play teams reported better collaboration and a sense of increased recognition.

### Key recommendations

**Key recommendation 3: Ensure that any plans for recovery from the pandemic and cost of living crisis consider children's right to play.**

**Key recommendation 4: Ensure that the implementation of the full breadth of the statutory Play Sufficiency Duty is adequately resourced and funded.**

**Key recommendation 5: Support the delivery of a public information programme about the right to play.**

**Key recommendation 6: Apply the Play Sufficiency Duty more widely to include a range of other bodies.**

## Theme 3: Children's play, spatial justice and the Play Sufficiency Duty

### Children's right to play

The Play Sufficiency Duty, as with all Welsh legislation and policy regarding children, is rights-based. The United Nations Committee on the Rights of the Child's *General Comment no. 17*,<sup>92</sup> makes the statement that "children play anywhere and everywhere". This seemingly simple statement is profound and helps in understanding two key points in terms of the Welsh Government's understanding of play.

First, play is not just an activity that takes place in designated spaces and at designated times. This is acknowledged in the Play Sufficiency Duty, which recognises the need for both specific play provision and the right of children to play out in their local neighbourhood. There has been some progress in addressing play sufficiency beyond designated play spaces, although this is seen as "the hardest nut to crack".<sup>93</sup> Language is important here: hence the proposal that future guidance from the Welsh Government should talk about playfulness rather than play (as an approach rather than a time and space bound activity), and should consider changing phrasing from 'play opportunities' to 'opportunities to play'.

Second, *General Comment no. 17* shows how play is inherently spatial, and so there is a need to build stronger links to spatial policies. At the heart of Planning Policy Wales (PPW) is the principle of achieving wellbeing through placemaking. This as an opportunity to think explicitly about how spaces work for children.

Children are frequently invisible in policies and practices that affect the organisation of space. It therefore helps to consider children as a distinct group. Nevertheless, it is crucial also to remember that there is not one childhood but many, and that inequality and injustice are experienced differently and in intersecting ways by different children. As part of the review, older children stated that they often felt judged and that adults assumed they were up to no good.<sup>94</sup>

There is evidence that there are inequalities for particular groups of children with regards to their opportunities to play. Boys tend to play out more than girls, girls feel more restricted than boys in terms of where they can play, and disabled children are even more restricted.<sup>95</sup> Those living in overcrowded or temporary accommodation, including refugees and asylum seekers, often have little access to spaces for playing, compounded by the limits of their accommodation.<sup>96</sup> Low income neighbourhoods and those with a high proportion of Black families and families of colour have less access to outdoor spaces and the spaces available are of lower quality and more poorly maintained.<sup>97</sup> In Wales, 40% of the population live in settlements of 10,000 people or fewer.<sup>98</sup> Much of what might seem to be green and open space for playing is difficult to access, partly because of dangerous rural roads and partly because it is private farmland.<sup>99</sup>

There is considerable international research that shows what makes for a child-friendly public realm, although most of this refers to urban areas.<sup>100</sup> Generally, a child-friendly public realm will support children's ability to move around safely and freely (requiring thoughtful traffic measures and priority to pedestrians) and will offer children opportunities for playing and hanging out. Time, space and permission are key features of a playable public space, together with other children.<sup>101</sup>

However, more research is needed to understand the spatial issues facing specific groups of children. Children have also said that they would like to participate in developments regarding their play.<sup>102</sup> The steering group discussed bringing these two things together through supporting local

authorities to carry out hyperlocal research with children, using creative spatial methods such as mapping, walkabouts and photos that focus on the micro-detail of very specific neighbourhoods.

There has been a significant decline in children being out and about without a supervising adult over several decades.<sup>103</sup> However, children in Wales still want to play out, and where conditions are right (which is more frequently than many might think), they do.<sup>104</sup> There is a need to pay attention to how conditions that support playing out are created. Much of this is to do with the ways that space and time are organised. Understanding children's right to play as a matter of spatial justice is useful in this endeavour.

### What is meant by spatial justice?

In the context of the review, spatial justice is about children's fair and just access to – and participation in – what public space has to offer. The focus here is on general public space and particularly neighbourhoods. Spatial justice is therefore about children's everyday freedoms<sup>105</sup> to move around their neighbourhoods and play or meet up with friends.

The decline in children's everyday freedoms can be directly linked to how the design and organisation of public space prioritises the economy over people, and adults over children. This is apparent in the increasing privatisation of land and in the way that cars, both moving and parked, dominate many streets and residential neighbourhoods. Because streets are seen as dangerous, children have been removed from them in the name of safety.<sup>106</sup> Over time, fewer and fewer children and adults are out and about on streets, leading to children being seen as “out of place” on the street, and therefore magnifying other fears (stranger danger, bullying, harassment, violence, or parents' concerns about being seen as negligent).<sup>107</sup>

This decline has been linked to the rise in contemporary concerns about children's health and wellbeing such as obesity, lack of physical fitness<sup>108</sup> and poor mental health.<sup>109</sup> Blame has been placed in many places, including screens, over-protective parents and stranger danger. The concept of spatial justice allows a broader and more nuanced view, acknowledging the many factors that contribute to the production of a public space where children are no longer welcome.

The concept of spatial justice fits well with the focus on placemaking in PPW. It also chimes with the notion of ‘cynefin’, embraced in the *Curriculum for Wales 2022*. Both are helpful in looking beyond the mere technicality of design. ‘Cynefin’ is defined as:

“The place where we feel we belong, where the people and landscape around us are familiar, and the sights and sounds are reassuringly recognisable. Though often translated as ‘habitat’, cynefin is not just a place in a physical or geographical sense: it is the historic, cultural and social place which has shaped and continues to shape the community which inhabits it.”<sup>110</sup>

For all children to feel that they belong, they need to be able to exercise everyday freedoms to move around their neighbourhoods safely and to be able to play and hang out with friends.

### Spatial justice and Welsh Government policy

The Play Sufficiency Duty has enabled local authorities to explore and address issues of spatial justice for children. Key partnerships are with planning, housing, highways, active travel, green infrastructure, open spaces, town centre managers, Town and Community Councils, police and other professionals whose work involves the design, management and organisation of public space.

Stronger and more explicit reference to the Play Sufficiency Duty in the guidance relating to spatial policies, including the Well-being of Future Generations (Wales) Act 2015, could make partnership working at local level much easier.<sup>111</sup>

The synergy between the benefits of a successful Play Sufficiency Duty and the wellbeing goals of the Well-being of Future Generations (Wales) Act 2015 can and should be optimised, possibly through more explicit guidance for wellbeing plans. Many of the act's wellbeing goals and indicators resonate with the Play Sufficiency Duty and spatial justice for children, including a Wales that is healthier, more equal, has coherent communities, has a vibrant culture and thriving Welsh language and is globally responsible. For example, making neighbourhoods more child-friendly by reducing traffic volume, traffic emissions and the space that cars take up would support many of the wellbeing goals as well as spatial justice for children. Although it might be assumed that children are included in the indicators relating to safe and cohesive communities, public bodies are unlikely to think about children's very different relationships with their neighbourhoods unless they are explicitly mentioned.

Planning Policy Wales is central to spatial justice for children. The principal aim of achieving wellbeing through placemaking shows a desire to move beyond formulaic and technical approaches to planning for play. Local authorities have fed back that the Fields in Trust's (FiT Cymru) guidance is useful in terms of planning for equipped and designated play spaces. FiT Cymru has published more recent guidance that builds on this and acknowledges the role of informal open space too for children's play.<sup>112</sup> Planning for this, and for children's everyday freedoms (linked to active travel plans) can bring a broader approach to spatial justice for children.

Where guidance refers to 'play provision' or 'play opportunities' changing the language to 'opportunities to play' helps to reframe the expectation. Play sufficiency is about taking account of the breadth of opportunities to play rather than solely on what is provided by adults.

In its practice advice on children and town planning,<sup>113</sup> the Royal Town Planning Institute (RTPI) recommends that child-friendly policies are explicitly included in national and local plans. The Play Sufficiency Duty is included in the PPW list of relevant legislation to take into consideration. Chapter 4 (active and social placemaking and wellbeing) is particularly relevant, including sections on active and social streets, public transport and active travel. Older children have reported that they particularly value the spaces where they can play and meet up but want more of them, and they also want a transport infrastructure that will allow them to get to spaces safely (see active travel paragraph below).<sup>114</sup> The protection of playing fields and open space from development as set out in *Planning Policy Wales* Edition 11, should be reflected in Local Authority Supplementary Planning Guidance.

Again, there are synergies and mutual benefits for closer connections at all levels of development plans (national, strategic and local), and opportunities to bring the Play Sufficiency Duty and children's broad right to play into other supporting instruments such as Technical Advice Notes (TANs). The 2020 edition of the 'Development Plans Manual' lists many impact assessments that can be integrated when considering drawing up development plans. This should include a CRIA, which could also be undertaken on new development proposals. The CRIA should include children in different circumstances, as discussed above. In addition, efforts should be made to involve children and young people in the development of Local Development Plans (LDPs).

Public Health Wales has issued a resource and a template for supplementary planning guidance on *Planning and Enabling Healthy Environments*, aimed at supporting planning authorities in their LDPs. This document explicitly talks about child-friendly neighbourhoods that can support play, in terms of



specific play areas, streets that are safe and playable, and safe, active travel routes. At local level, local authorities need to be encouraged to make use of this.

There are also close links between the Play Sufficiency Duty, spatial justice and the Active Travel Act (Wales) Act 2013. The guidance<sup>115</sup> acknowledges that routes that are suitable for walking are also suitable for playing, and that attractive routes can include formal or informal play spaces or green infrastructure. The funding guidance makes reference to the Play Sufficiency Duty in terms of bids being shaped by other policies and strategies. Close partnership working should be encouraged to, make the most of resources available to support children's everyday freedoms, as some local authorities are already doing.<sup>116</sup> The guidance has a principle that active travel networks "should cater for children to travel independently, as a walker or cyclist ..., from the age at which they start secondary school". As a long-term aspiration, lowering this age to eight would support children's independent mobility.

Such is the impact of the car on children's play, that innovative and creative community based highways solutions need to be encouraged and supported to raise awareness and encourage positive solutions to local problems. The adoption of a 20mph speed limit in all residential and built up areas might have the most wide-reaching and positive effect.<sup>117</sup> In 2022, Senedd Cymru approved legislation to lower the default national speed limit on residential roads and busy pedestrian streets. This will be rolled out nationally in September 2023.

Wales will be the first UK nation to introduce the speed limit. This will reduce the number of road-related deaths and also have a positive impact on wellbeing and the environment.

The underlying principle of placemaking through wellbeing in planning policies strongly supports spatial justice for children, and efforts should be made to support local authorities (and, where relevant, Town and Community Councils) to bring planners and play sufficiency staff together. Engagement with the principles and guidance in these policies should be encouraged both at local and national level.

### Insights from the COVID-19 pandemic

There is no doubt that the pandemic and subsequent lockdowns had a significant impact on children, but this played out very differently for different children. Children found not being able to see friends or go to play provision difficult.<sup>118</sup> Children's access to the outside was severely curtailed, highlighting and exacerbating already existing inequalities: for some children spending more time at home with family was enjoyable, for others it increased stress and hardship. Research showed that Black children and children of colour in Wales were disproportionately affected by the restrictions of lockdown.<sup>119</sup> Those living in flats or temporary accommodation are far less likely to have access to private outdoor space, and there were reports of children being cautioned by police for playing outdoors. Although there was significantly less traffic (and therefore less pollution), there was also an increase in speeding traffic, meaning that although streets were quieter, they were not necessarily safer. Parental uncertainty about what was and was not allowed also affected children's ability to play out. Some streets saw more children playing out, others fewer.<sup>120</sup>

We know that the restrictions on playing out and playing with friends contributed to rises in mental health issues and also in loss of physical fitness and weight gain for some children, in ways that also exacerbated existing inequalities.<sup>121</sup> Although there are children who need additional support, professionals can employ a more affirmative assets-based approach and recognise that children can do much to support their own mental and physical health if they can engage in self-organised

play.<sup>122</sup> This means that creating conditions for children to play is even more important in the recovery from the pandemic. The Welsh Government has recognised this in its Summer of Fun funding for local authorities, in 2021/22 and this recognition should continue.

The *Playful Childhoods* website, hosted by Play Wales, published several articles for parents and carers both on playing during lockdown and on the Summer of Fun campaign, including an e-book of games sent in by children and produced in collaboration with the Children's Commissioner for Wales.

The pandemic has “reinforced the need for well-designed, people orientated streets”.<sup>123</sup> In addition, the focus in *Planning Policy Wales* on achieving wellbeing through placemaking means that much closer working between the Play Sufficiency Duty, the planning system and other spatial policies would be mutually beneficial in the work towards recovery.

### Key recommendations

**Key recommendation 7: Ensure the right to play is sufficiently incorporated in strategic policy instruments and decisions.**

**Key recommendation 8: Ensure that the principle of play as a matter of spatial justice is recognised and understood throughout *Planning Policy Wales*.**

**Key recommendation 9: Ensure that the views and experiences of children inform the ways in which neighbourhoods are planned and managed.**

## Theme 4: Playwork provision and regulation

As well as working towards children being able to play and hang out in their neighbourhoods, the Welsh Government recognises the value of staffed playwork provision in children's lives. The Play Sufficiency Duty seeks to ensure that children are able to access quality staffed playwork provision in their local communities. Playwork can happen in a range of settings including open access provision, schools, childcare and youth work.

Playwork is defined within *Wales – a Play Friendly Country*<sup>124</sup> as a “a highly skilled profession that enriches and enhances children's play. It takes place where adults support children's play but it is not driven by prescribed education or care outcomes”. This definition makes it explicit that playworkers are concerned primarily with supporting and facilitating children's play.

As part of the review, children reported that they need “places to go that make them feel happy and safe”<sup>125</sup> and that the lack of provision for play, recreation and youth work services could contribute negatively to the mental health and wellbeing of young people.

The UN Committee on the Rights of the Child's *General Comment no. 17*<sup>126</sup> recognises that play can take place when children are on their own or with supportive adults. Playwork provision within local communities offers opportunities for children to play together, supported by knowledgeable and skilled playworkers and provides opportunities for both informal and formal childcare for parents. Furthermore, *General Comment no. 17* recognises that play opportunities should be appropriate to the age of the child. As children get older and they are afforded more freedom, peripatetic open access playwork provision<sup>127</sup> can enable children to explore this freedom supported by skilled playworkers whilst also providing a link to other services in their community such as youth work and other recreational activities.

### Where playwork takes place

Playworkers operate in a range of settings, which share similarities in terms of practice and the child's experience but are different in terms of their delivery models.

Out of school childcare – refers to childcare outside of the child's full time school day and includes care provided before school, after school and during the school holidays<sup>128</sup>. Out of school childcare clubs enable parents and carers to return to work or training and children to enjoy a play focused, quality provision staffed by qualified playworkers<sup>129</sup>. Out of school childcare is usually run from schools or community buildings to respond to local needs.

Open access playwork – can be permanent or temporary provision, located in a variety of settings with or without premises and can include holiday playschemes. This provision usually caters for a wide age range of children, normally aged five and over. The purpose is to provide staffed opportunities to play for children usually in the absence of their parents. Children are not restricted in their movements, other than where related to safety matters and they are not prevented from coming and going as and when they wish.<sup>130</sup> Open access playwork is free of charge at the point of access and so tends to be funding dependent. Open access playwork may run on staffed adventure playgrounds, community parks and buildings or be peripatetic in nature, such as play ranger schemes. Peripatetic provision has no fixed location and tends to operate in community open spaces where children can play.

Holiday playschemes – are set up specifically to provide opportunities for play during the school holidays. They may operate as open access playwork or out of school childcare depending on their chosen delivery model.

Non-dedicated playwork settings – in addition to the playwork settings above, playworkers may also operate in a range of settings whose primary purpose is not playwork. This may include: hospitals, schools, refuges, youth work services and prison play rooms.

Across the whole range of playwork settings outlined above, the management and legal status of organisations is varied. Local authorities, third sector organisations and private businesses all offer playwork provision and this is dependent on the local history and infrastructure. Revising and strengthening the definitions above to reflect current practice would support a better understanding of what constitutes playwork provision.

Some playwork settings are not required to be regulated by CIW if they are exempt under the Child Minding and Day Care Exceptions (Wales) Order 2010 (as amended)<sup>131</sup> (see next section for more details). For the purpose of statutory Play Sufficiency Assessments, both regulated and unregulated playwork provision is assessed. As part of the Childcare Sufficiency Assessments, the regulations state that open access playwork and out of school childcare should be assessed. Both of these statutory assessments support the sustainable planning of provision at local level.

## Safeguarding

Settings which operate for over two hours and for more than six days per year, including open access playwork settings and out of school clubs, must be registered with CIW under part 2 of the Children and Families (Wales) Measure 2010 (Amendment) Order 2016. Registration means that open access playwork services and out of school clubs for children up to the age of 12 years must comply with the Child Minding and Day Care (Wales) Regulations 2010 (as amended). However, this leaves a lot of provision that could be labelled as childcare or playwork without any oversight from a regulatory body.

Throughout this review, it has been very clear that stakeholders feel that one of the main purposes of regulation for playwork settings is to ensure that children's rights are met and that safeguarding requirements, including having suitably qualified staff, are complied with. This has been strongly supported during the review by children who have stated that all settings should follow a code of conduct and be responsible for safeguarding through attending appropriate training and being registered with bodies such as CIW<sup>132</sup>.

To support safeguarding arrangements in unregulated provision such as sports and arts groups, faith groups, uniformed groups, youth and activity clubs, tuition provision and unregistered playwork provision, the Welsh Government has developed *Working together to safeguard people: code of safeguarding practice*<sup>133</sup>. This voluntary code of practice is intended to support service providers to demonstrate they are taking adequate steps to ensure the safety of children (and adults) and is a positive step towards supporting safeguarding practice. Part of the roll out of the code of practice is to raise awareness amongst parents, children and young people of the need for any services they are accessing to have safeguarding policies and procedures. Whilst there continue to be exceptions to registration for playwork providers, the code of practice is an important tool to support robust safeguarding practice. The code of practice, as currently understood, has no capacity of oversight by a regulatory body.

## Regulation and National Minimum Standards

In practice, registration means that playwork settings must have regard to the National Minimum Standards for Regulated Childcare for children up to the age of 12 years (NMS)<sup>134</sup>. Amongst other requirements, the NMS set out the level of training and qualifications<sup>135</sup> required for staff working at the playwork setting as well as the staff to child ratios needed.

### **National Minimum Standards for Regulated Childcare**

Registered childcare provision for children up to the age of 12 years is governed by the National Minimum Standards (NMS). They cover a range of different types of provision, including childminders, day care, out of school childcare and open access play provision. The NMS are designed to help providers and settings meet the regulations associated with registered childcare provision. Care Inspectorate Wales (CIW) regulates and inspects childcare provision on behalf of the Welsh Government in line with regulations, the NMS and their own inspection framework.

The standards are used to determine whether childminding and day care settings are providing adequate care for children up to the age of 12. They cover a range of issues including the quality of care, staffing, conduct and management of the services, and the physical environment.

For playwork providers, registration can help to improve the service they offer by receiving feedback from the regulator. However, some providers have also talked about how onerous they find the regulation and inspection process. In some cases, this has caused provision to close, suspend registrations or decide against registering with CIW altogether.

Registration is required of providers to enable parents access to government funded childcare support such as the Childcare Offer for Wales, Tax-Free Childcare and the childcare element of Universal Credit. Parents can draw on the UK Government financial support offered under these schemes to pay for their registered childcare. Importantly, registration also offers reassurance for parents on the safety of the playwork provision being offered and a focus on quality outcomes for children.

The NMS were reviewed by Welsh Government officials in 2019<sup>136</sup>. The review involved analysis of the relationship between The Child Minding and Day Care (Wales) (Amendment) Regulations 2016 and the NMS, engagement with stakeholders across the childcare and playwork sector and examination of the approaches adopted by other UK administrations to assessing the standard of childcare and playwork provision. The review also considered the relationship between CIW's Inspection Framework and the quality schemes operated by individual local authorities and the childcare and playwork organisations. A number of key issues emerged from the review. These range from potential changes to specific standards to consideration of the wider regulatory and quality agenda and their relationship with the childcare and playwork sector. A number of recommendations from the review of the NMS are pertinent to the Ministerial Review of Play:

- "Inspection and regulation of playwork settings be considered for inclusion in broader Play Review;
- Consideration be given to the development of a more proportionate approach to regulation and inspection in respect of certain types of provision for example open access play

provision or potentially seasonal provision. Regulation to reflect the specific nature and circumstances of the setting including staffing, community context, nature of the environment and age and ability of the children;

- Consideration be given to the registration requirements of playwork settings as part of the broader Play Review;
- Playwork qualifications to be considered as part of the broader Play Review.”

The first three of these recommendations are discussed in this section while the final recommendation is taken forward in Theme 5: Workforce and qualifications.

The NMS were first developed in 2002 as individual suites of standards that distinguished between full day care, childminding, sessional daycare, open access playwork and out of school childcare. Since 2011 there has been a single set of NMS for all childcare settings and feedback from this review is that some of the standards are not readily applicable to playwork settings, especially those that operate predominantly outdoors such as from public parks or staffed adventure playgrounds. There are some standards that make specific mention of open access playwork and some which do not apply. Some of the stakeholders in this review believe that a return to a bespoke set of playwork NMS for open access playwork provision would be beneficial to the sector, and contribute to a reframing of the inspection process to ensure its fitness for purpose. Others felt that annexes that more clearly articulated some of the differences for open access playwork and out of school childcare would support the regulation and inspection process.

Towards the end of the preparation of the *Ministerial Review of Play Steering Group report*, the Welsh Government launched a consultation on some of the standards included in the NMS for Regulated Childcare. The responses from the playwork sector will help set the context for further consideration of the regulatory regime and the NMS for Regulated Childcare.

## Challenges to be addressed for the regulation and inspection of playwork

The current model of regulation and inspection holds some challenges for the different types of playwork settings outlined above. Many of these issues have been discussed for some time and indeed been the subject of other reviews including the Welsh Government’s Review of the National Minimum Standards (2019)<sup>137</sup>. For open access playwork settings, there has been a significant decline in registrations over the last ten years, much of which can be directly traced back to the challenges outlined below. When the current regulatory regime was introduced in 2004 there were 388 registered open access settings, by 2009 there were 77 and in March 2020, there were 41. As of August 2022, there were 16 open access settings listed on CIW’s website. This is the only childcare and play service so affected with all others demonstrating a relatively consistent level of registrations. These numbers do not necessarily reflect a reduction in provision on the ground but needs to be analysed in terms of why settings are not remaining registered. A need was also identified to review the practice and delivery of the Care Inspectorate Wales inspection regime relating to how playwork settings currently operate. The aim of this would be to improve its fitness for purpose within the current regulations and enable more settings to register.

**Exceptions Order** – There are a range of exceptions that can exempt a significant proportion of settings that provide services from regulation. This was a particular cause of concern to the steering group, especially as many parents are unaware that not all childcare, playwork and recreational provision for children is required to have oversight from a regulatory body. Furthermore, open access playwork settings and out of school clubs are *not able* to register with CIW if they are exempt

under the Child Minding and Day Care Exceptions (Wales) Order 2010 (as amended). There is no system of voluntary registration.

For the exceptions order to apply, the setting must operate for less than two hours per day or for fewer than six days per year or be offering coaching and tuition in the capacity of an arts group, sports group, faith group or cultural group. In such settings, the exceptions are applied because the provision of care is regarded as incidental.

In 2018, the Welsh Government undertook a 'call for evidence'<sup>138</sup> on the Exceptions Order. A majority of those who provided comments during the call for evidence expressed concern that this exception was being employed by providers to avoid registering to provide childcare. A large number of respondents were concerned that there are safeguarding issues associated with this Exception Order as it was being exploited to enable unregulated childcare to take place. A planned consultation on the Exceptions Order did not take place in 2020 due to the pandemic. Furthermore, it was not in scope to review the two hours exception, but only the coaching and tuition exceptions. Members of the steering group felt that a review of these issues should be taken forward as a matter of some urgency to inform changes to the Exceptions Order legislation.

Concern was also highlighted as part of this review, that increasingly the interpretation of these exceptions has become more relaxed, which has led to an increase in unregulated provision.

#### **The Child Minding and Day Care Exceptions (Wales) Order 2010 (as amended)**

The following exceptions are of particular relevance to playwork settings and the findings of the Ministerial Play Review:

A person does not provide day care where the care is provided by that person on the premises in question on fewer than six days in any calendar year.

A person does not provide day care where the period or the total of the periods in any one day on which children are cared for on premises does not exceed two hours.

A person does not provide day care where the person provides coaching or tuition in an activity of a type listed in paragraph (3) and any care provided to them is incidental to the provision of that coaching or tuition.

(2) The exception in this article does not apply if —

- a) the children are below the age of five and attend for longer than four hours per day; or,
- b) the person offers coaching or tuition in more than two of the types of activity listed in paragraph (3).

(3) The types of activity are —

- (a) sport;
- (b) performing arts;
- (c) arts and crafts;
- (d) school study or homework support;
- (e) religious or cultural study.



**Two-hour exception** – Historically, it is unclear why two hours or six days were chosen to form the lower threshold for regulation. Currently, playwork settings cannot be registered with CIW if they run for under two hours. For holiday playschemes and peripatetic open access playwork, sometimes two hours is a desirable delivery model. Meanwhile, some settings who struggle to meet the requirements of the NMS can opt to run for less than two hours to avoid regulation. The Welsh Government consulted on removing the two-hour exemption in 2016. The majority of respondents to the consultation were in favour of the change. However, the recommendation was considered disproportionate, with cost implications for UK tax and benefit schemes for registered provision and not ultimately accepted. Children told us as part of this review that all playwork provision should be registered with CIW.<sup>139</sup> It is timely to consider again the implications of this exception and associated legislation particularly as children highlighted this as a concern.

**Coaching and tuition exception<sup>140</sup>** – The coaching or tuition to children exception from registration means that groups which provide certain children's activities are able to run longer sessions without adhering to the NMS. The original purpose of this exception was to ensure activities which were focused on coaching, and so more about learning, were not captured by legislation governing childcare because it was based on the assumption that care was incidental to the provision. However, over time that purpose has become diluted. Many such groups that now run during the school holiday periods often focus on more general sports or cultural activities (including delivery through the medium of Welsh). Whilst some such schemes have oversight from an umbrella body this is not the same level of legal oversight provided by CIW.

Steering Group members also raised concerns that this exception has the potential to negatively influence the market for registered childcare providers when parents use sports or arts clubs as childcare. Childcare Sufficiency Assessments would give a clearer view of the extent of this issue.

The exception states that any care provided to children during the coaching or tuition sessions is incidental to the provision of that coaching or tuition. However, if children attend a setting for a prolonged amount of time it is difficult to argue that care – or safeguarding – is incidental. Children attending these settings can be as young as five and still in need of considerable care. There is recognised concern regarding the lack of understanding by parents and carers of the difference between registered and unregistered provision and the level of care and safeguarding provided, particularly when such unregulated provision is being endorsed or run by local authorities or schools.

As part of the review, concern was also expressed that some playwork provision had changed its purpose to be more about sports or arts and crafts to use the exception order to avoid registration. A much clearer picture is needed of the impact of this exception and also clarity for settings about what is actually meant by coaching and tuition. Furthermore, a better understanding of safeguarding arrangements in settings covered by the Exceptions Order is needed.

**Holiday playschemes** – This review has highlighted the view that the focus of inspection and regulation should be on safeguarding children. For some holiday provision that operates for as little as two weeks per year, the time spent for inspection visits and also the frequency of visits (every three years) is the same as for year-round playwork settings. The result is that two-week holiday provision is currently, in effect, subject to a two-day inspection every six weeks of operation. Consideration needs to be given to making the inspection process more proportionate and balanced, reflecting the different nature of provision, whilst enabling the inspectorate to maintain the rigour of scrutiny regarding safeguarding and staff suitability.

**Community groups** – Historically, provision has evolved out of community needs with Town and Community Councils, community groups or even small groups of parents establishing very local playwork provision. Feedback from Town and Community Councils during this review suggests that the perceived burden of becoming registered with CIW in the first instance has inhibited community action. Consideration needs to be given to how the registration process could be made simpler to promote community-led playwork settings whilst maintaining the rigour regarding safeguarding and staff suitability.

**Multiple sites** – For organisations which offer playwork provision from multiple sites, particularly peripatetic provision, each site must be individually registered with CIW. For open access playwork providers this may mean registering multiple parks or community buildings across an area whilst the staff team, playwork practice, policies and management remain the same. This is disproportionate for the provider themselves but also for the inspectorate who must register and inspect each site separately. This challenge has been a major reason behind local authority run open access playwork being unable to register and makes any peripatetic provision almost impossible to register. This same requirement is also applicable to out of school childcare where holiday clubs are sometimes operated from multiple settings across different school sites or community buildings. Although in this instance, it has been reported that CIW's online registration system has helped to lessen this challenge.

Whilst it has been raised as an issue within this review and previously, it is recognised that changing the registration from the site itself to the provider would require an amendment to primary legislation.

**Proportionality** – The Review of the NMS in 2019 recommended that a proportionate approach to inspection and regulation be considered. Feedback from the review stated that the term 'proportionality' is to be used and that it needs to be clearly defined. The ability to include multiple sites within a single registration would support a more proportionate approach for open access playwork settings in particular. Playwork settings, both open access and out of school childcare, that only operate for a few weeks in the year, currently have the same inspection regime as year-round settings and will receive a full inspection every three years. Any proposal to amend the registration and inspection process should consider a range of factors and ensure it is not a relaxation of expectations around safeguarding, management and staffing arrangements. Feedback from providers as part of this review indicates that a proportionate approach needs to take account of: ease of registration, frequency of full inspection visits, whether there are certain exclusions in the NMS and if there could be a move to primarily undertake 'focused inspections' once registered. Focused inspections normally only happen when concerns are raised or to follow up on areas of improvement identified at previous inspections. These inspections may only look at some aspects of a service.

**Youth work** – The Child Minding and Day Care (Wales) (Amendment) Regulations 2016<sup>141</sup> increased the age range for regulated childcare provision from 8 years to 12 years of age. Whilst statutory youth work from the age of 11 was excepted from regulation, there is considerable junior youth work provision and transitional youth work for children under the age of 11 operating in Wales, particularly in the voluntary sector. In some cases, these services have been required to register with CIW. However, there is no clear set of NMS to encompass youth work provision, youth work qualifications are not eligible for registered settings and youth workers are regulated by another body, the Education Workforce Council. However, recent transitional qualifications including the Level 2 Award in Playwork Practice (L2APP) and the updated Award in Transition to Playwork (2021) have been designed to support youth workers to gain additional playwork qualifications where needed.

## Insights from the COVID-19 pandemic

The pandemic led to playwork settings pausing delivery. For out of school childcare settings, many have been adversely affected by the change in demand for childcare. For those operating playwork provision on school sites, the change in use of school buildings has meant that some playwork has been able to resume in the same way.

Playworkers also reported feeling undervalued<sup>142</sup> but also provided positive examples of how they continued to support children and families<sup>143</sup>. Some open access playwork providers moved towards more targeted delivery to comply with guidance around 'bubbles' and in some cases were unable to resume provision at all due to the numbers of children attending in public spaces. The future sustainability of playwork needs to be based upon the evolving needs for these services as a result of the pandemic and Childcare Sufficiency Assessments and Play Sufficiency Assessments are the most appropriate mechanisms to continue to assess this.

Where schools were re-purposed to be used as childcare hubs there are examples from some parts of Wales where playwork staff were used to support provision for children of key workers. This had a benefit to the professional development of school staff, supporting them to better understand playwork approaches to supporting children's play.

CIW changed how it inspected provision through the temporary relaxation of some aspects of the NMS.<sup>144</sup> Circular Letter WG 009/2020 summarises the relaxations and some of the previous circulars relating to COVID-19. Learning from this change in the way settings were inspected and regulated during the pandemic, may provide insights into solutions to some of the challenges to playwork regulation articulated in this review.

## Key recommendations

**Key recommendation 10: Ensure there are adequate safeguarding arrangements in playwork settings.**

**Key recommendation 11: Review child minding and day care regulations and orders relating to playwork.**

## Theme 5: Workforce and qualifications

The Welsh Government places a high value on ensuring that those whose work impacts on children's play are suitably knowledgeable, skilled and appropriately qualified. The 10-year *Childcare, Play and Early Years Workforce Plan*<sup>145</sup>, articulates the vision for the sector. The plan focuses on three key themes of: recruitment, raising standards and skills, and investing in building capacity and capability. Within *Wales – a Play Friendly Country*<sup>146</sup> the Welsh Government requires local authorities to support the development of the workforce, including the involvement and training of other professionals within the children's workforce, volunteers and community members.

*Wales – a Play Friendly Country* makes a distinction between the workforces involved in supporting children's play. The playwork workforce (adults who directly facilitate children's play) and the play workforce (everyone whose work impacts on children) are different and their professional requirements are distinct. This review, whilst focusing on the needs and requirements of the playwork workforce, also considers the ongoing needs for continuing professional development for the wider play workforce. The definitions below are drawn from *Wales – a Play Friendly Country*.<sup>147</sup>

### **Playwork workforce**

Playwork is a highly skilled profession which enriches and enhances children's play. It takes place where adults support and facilitate children's play but is not driven by prescribed education or care outcomes. This may include (although not exclusively) those working in open access playwork provision, out of school childcare, or youth provision.

### **Play workforce**

Encompasses anyone employed whose role has an impact on children playing – those who may either directly facilitate their play, design for playing, or those with the power to give permission for children to play, or not. This includes those working in: local and national government, town and country planning, highways, health and social care, education, parks and open spaces, housing, community development, and youth work as well as those elected to positions in the Welsh Government, local authorities and Town and Community Councils.

The United Nations Committee on the Rights of the Child's *General Comment no. 17*<sup>148</sup> recognises that play can take place when children are on their own or with supportive adults, as they relate to children through their play. *General Comment no. 17* also recognises that "adults often lack the confidence, skills or understanding to support children's play and to interact with them in a playful way".

### Playwork settings

Playwork provision may occur in a range of settings, including, but not restricted to:

- Staffed adventure playgrounds
- Out of school childcare
- Doorstep and neighbourhood play projects (such as play streets)

- Integrated Children's Centres
- Schools
- Peripatetic playwork (such as playbuses and play ranger services)
- Holiday playschemes
- Play centres
- Hospital play rooms or areas
- Youth services
- Prison play rooms.

Some of these professions also have their own qualifications systems, such as youth work, hospital play specialists and schools. In this case, playwork qualifications can support and enhance practice.

Theme 4: Playwork provision and regulation, gives more detail on types of playwork settings.

### Playwork roles

The role of the playworker is highly diverse, with a focus on creating spaces where all children can play. Playworkers need to be able to access qualifications, opportunities for training and Continuing Professional Development (CPD) that enable them to build skills in planning and facilitating environments for play and working directly with children, as well as a range of other areas of work. Some of these relate directly to supporting the work of play sufficiency: the 2020 research study highlighted how significant playworkers have been in this:

“The influence of playwork on and the contribution of playworkers to the development and enactment of the Play Sufficiency Duty nationally and locally cannot be overstated. Those with playwork backgrounds and/or remits have repeatedly been the instigators or enablers for actions, pulling people together, developing collective wisdom, facilitating and developing responses to research with children, promoting the value of Play Sufficiency to relevant departments and organisations at national and local level.”<sup>149</sup>

The skills playworkers need are described in the table below:<sup>150</sup>

**What does a playworker do?**

**(A play friendly workforce for Wales, Play Wales' workforce development plan, 2020)**

**Facilitating children's play** – playworkers are sensitive to their own interventions and how they impact on children's self-directed play. Playworkers support all children in the creation of spaces in which they can play whilst balancing risks with the developmental benefit and wellbeing of children.

**Working with the community** – playworkers address barriers to playing in the community generally and this will involve engaging with all those with an interest or impact on the places where children play.

**Working with parents** – in some cases playworkers will be supporting the wider family as well as children if there are other issues within the family. Also, where children require additional support to be included within play sessions (such as disabled children), work is required with families to meet children's requirements.

**Working with other professionals** – because of the range of issues that playworkers encounter, playworkers may need to engage with other professionals, including: family support, family information services, health professionals and social workers.

**Working with schools** – many playworkers continue their playwork by working in schools to support playtimes, train staff and provide play resources.

**Gathering resources** – playworkers will spend time visiting local businesses and building relationships with them to ensure a good supply of loose parts for children to play with.

**Reflective practice** – playwork is a profession that relies on reflective practice to improve and adapt practice and as a form of CPD. Playworkers should be spending part of their working hours engaged in reflective practice either individually or with the team.

**Writing funding bids** – due to the lack of a single source of funding for playwork, year-round provision tends to gain funding from a number of smaller funding pots.

**Monitoring and evaluation** – multiple funders also require multiple monitoring and evaluation reports on an, at least, quarterly basis – even non-managers may be involved in gathering evidence for these.

## Playwork qualifications and funding

Playwork is a profession and playworkers train to do their job. Playwork is underpinned by the Playwork Principles<sup>151</sup>, the professional and ethical framework for playwork, which were developed in 2005 with funding from the Welsh Government and are recognised both across the UK and internationally. Historically, the Welsh Government has supported the development of playwork qualifications with European funding. This led to the development of the National Centre for Playwork Education and Training which ran from 2007 to 2010 and funding to develop a suite of playwork qualifications. Play Wales, working in partnership with Addysg Oedolion Cymru | Adult Learning Wales, has worked to sustain the outcomes of the national centre.

Playwork qualifications have been developed in line with the NMS<sup>152</sup> for playwork and are intended for all those working in playwork roles. Those working in settings that are regulated by CIW, under Part 2 of the Children and Families (Wales) Measure 2010 (Amendment) Order 2016<sup>153</sup>, must have regard to the National Minimum Standards for Regulated Childcare Provision (NMS), updated in 2016<sup>154</sup>. The NMS state that qualifications for playwork are included in the PETC Wales *Required List of Qualifications to work in the Playwork Sector in Wales*.<sup>155</sup>

The Welsh Government has funded the playwork sector in Wales to develop two new qualifications designed to support those working in holiday playscheme provision to meet the NMS requirements: The Agored Cymru Level 2 Award in Playwork Practice (L2APP) and the Agored Cymru Level 3 Managing a Holiday Play Scheme Award (MAHPS). The Welsh Government also funds Play Wales, which has developed a suite of playwork qualifications known as Playwork: Principles into Practice (P<sup>3</sup>). Learners will be eligible for these funded qualifications through the Progress for Success programme until March 2023.

Through the all age apprenticeship scheme and Progress for Success programme, the Welsh Government also funds Level 2 and Level 3 playwork qualifications from awarding bodies Cache and City and Guilds, to support those working to gain qualifications on the job through work-based learning. Whilst the apprenticeship model is a useful funding programme for those working more than 16 hours per week, feedback from this review and from the evaluation of the Progress for Success Programme has found that for those in seasonal, part-time and zero hours contracts, it is not suitable. The Progress for Success programme has been amended to enable learners to also access playwork qualifications through a further education (non-apprenticeship) route.

The Level 3 Award in Transition to Playwork from Early Years has also received funding through the Progress for Success programme which supports those with existing Level 3 early years qualifications to work in regulated playwork settings. This qualification was reviewed in 2021 and broadened to include other professions with relevant Level 3 qualifications such as youth work, education and care. It should be noted that there is currently no transition from playwork to early years and that the restriction<sup>156</sup> of early years qualifications by Qualifications Wales may make this challenging in the short to medium term.

The full range of qualifications that are eligible for funding in Wales are included in the PETC Wales *List of Required Qualifications to work in the Playwork Sector in Wales*.<sup>157</sup>

The playwork sector faces challenges in meeting these qualification requirements. Some of the particular issues include:

- **Access to funded training** – The Progress for Success programme, funded by the European Social Fund, has responded to many of the concerns from the sector around funding for playwork qualifications. However, this funding ends in March 2023 and consideration needs to be given to funding the ongoing qualification requirements of the sector. Timescales and procurement approaches for future funding programmes need to be suitable to ensure learners can access training and qualifications when they need them from the training provider that best meets their needs. Future funding for playwork should enable both work-based learning (apprenticeships) and further education progression routes. Restrictions on work-based learning funding for upskilling means that it is generally not possible for learners to complete two full qualifications at the same level (such as a Level 3 childcare and a Level 3 in playwork) although this will be considered on a case by case basis.
- **Availability of relevant courses** – It is difficult for some playworkers to work sufficient hours to undertake the practical elements of work-based learning to gain qualifications as playwork is often seasonal and part time. Those wishing to undertake apprenticeships need to be in regular employment for a minimum number of hours. The relatively small size of the sector also leads to some courses being unviable due to low numbers.
- **Competing sectoral requirements** – A person working in a registered playwork setting has to hold a playwork qualification. However, in practice, depending on the nature of the setting it may, in some instances, be more pragmatic to undertake a childcare qualification and a

transitional course in playwork which would, arguably, provide a more transferable set of qualifications. This may also be a barrier to someone deciding whether or not to undertake (or to an employer's decision to fund) a full playwork qualification. These transition qualifications have been developed to support mobility across the sectors, and are valid progression routes, but shouldn't adversely affect the priority or funding available to learners completing full playwork qualifications.

- **Relatively low pay** – This may put people off investing time and money into undertaking qualifications. There is no nationally agreed pay structure for playwork so rates of pay vary across settings and regionally.
- **Weak infrastructure of occupationally competent tutors** – There is a small pool of occupationally competent professionals who are teaching and assessing playwork and have direct experience of working in playwork settings and fully understand playwork.
- **Welsh language capacity** – A lack of qualified tutors, assessors and training bodies able to run Welsh language courses. This infrastructure is slowly growing but is also related to the development of careers in playwork: we first need more bilingual playworkers to develop competent, bilingual tutors and assessors.
- **Issues for seasonal provision** – Some seasonal provision relies on an annual recruitment of staff. This brings with it challenges of giving staff adequate training or qualifications when they may not be looking at long term careers in the sector. There is a need to ensure that qualification routes mirror current practice on the ground to ensure that learners can gain the qualifications they need to work in regulated settings. This would support settings to be regulated in line with the recommendations in the safeguarding section of Theme 4: Playwork provision and regulation.
- **Portfolio workers** – As roles in playwork are often part-time, staff may also work in other roles and require other qualifications (such as early years, youth work or learning support). This means that some playworkers also hold, or require, other qualifications and are 'portfolio workers'.
- **Competence of line managers** – Helping line managers to gain the appropriate knowledge and skills to effectively support learners on placement.

During the summer/autumn of 2021, Play Wales worked with Swansea University to undertake comprehensive workforce research, with playworkers, play practitioners, play sufficiency leads and playwork organisations. This research provides an up to date insight into the needs and challenges facing the sector and help with future planning of qualifications delivery, funding and CPD opportunities as well as recruitment and retention.

There are a range of concerns expressed by both employers and learners about the quality of delivery of playwork qualifications. These were highlighted in the Qualifications Wales 2016 Review of Health, and Social Care Qualifications<sup>158</sup> including childcare and playwork. The concerns cover a broad range of areas and include:

- the competence of assessors and their sector specific knowledge
- the impact of essential skills testing on learners
- the unsuitability of apprenticeships as a progression route for those in part-time and seasonal playwork roles
- a heavy assessment burden on learners
- a need for those currently holding childcare qualifications to understand how to support children's freely chosen play. This has been partially resolved with the close involvement of the sector in the development of the Children's Care Play Learning and Development



(CCPLD) qualification, but this does not replace the regulatory requirement for playwork qualifications.

Early in the Qualifications Wales review it became apparent that having two lists of qualifications for childcare (Social Care Wales) and playwork (formerly SkillsActive and now PETC Wales) is not helpful. In response, the Playwork Education and Training Council for Wales (PETC Wales) developed a Playwork Qualifications Flow Chart<sup>159</sup> which simplifies understanding of the links and relationships between childcare and playwork qualification requirements.

Qualifications Wales approves qualifications to be funded and regulated in Wales. To ensure that new playwork qualifications meet the needs of the sector in Wales, a formal process of consultation with PETC Wales would strengthen the current approval process.

### Quality assurance

Quality assurance supports settings to reach agreed quality standards, take actions to maintain these standards and to identify areas of improvement. In terms of the workforce, quality assurance supports the workforce to reflect on and improve their practice which has a direct bearing on skills and knowledge. Furthermore, settings that meet recognised quality assurance standards are more able to support their staff to undertake qualifications through quality placements and supporting assessment of practice.

The Welsh Government is developing a Quality Framework for Early Childhood Education and Care (ECEC)<sup>160</sup>, the aim of which is to develop a common understanding of what a child needs in the earliest years of life. The framework will provide a standard against which providers and staff can reflect to continually develop their offer to children. The ECEC quality framework will link to other initiatives intended to assure quality across the sector.

In 2001, Play Wales published *The First Claim ... a framework for playwork quality assessment* which paved the way for the development of the Playwork Principles. This was the first quality framework for playwork and has been used widely over the last 20 years and was referenced in previous versions of the NMS. Play Wales has now developed, in partnership with representatives from the sector and the Welsh Government, 'Chwarae o Safon' – a playwork quality assurance framework, due for launch in 2023. This playwork quality assurance framework will support all those using a playwork approach to consider the practice and setting based factors that contribute to quality provision and support the ongoing professional development of practitioners.

### Continuing Professional Development

Continuing Professional Development (CPD) is a process through which individuals improve their performance in practice by undertaking learning in a broad range of activities that maintain, develop, and enhance their skills and knowledge.

CPD can be achieved in a number of ways. A programme can include:

- Attendance at key meetings, seminars and conferences
- Undertaking short courses or larger qualifications
- Private study and reading
- Observation, mentoring and feedback on working practice.

In addition to undertaking qualifications, the Welsh Government views opportunities for CPD to be a key way of ensuring that the playwork workforce remains highly skilled.

## Sector support and representation

SkillsActive has historically held the sector skills council license for playwork in the UK. However, the status of this license is ambiguous as the role of sector skills councils has diminished considerably in recent years. In the past, SkillsActive facilitated strategic leadership with governments across the UK on the development, implementation and quality assurance of playwork qualifications, on behalf of employers. During this time, SkillsActive established and maintained a national and regional infrastructure that supported the participation of all stakeholders in the playwork sector. The UK Playwork Education and Training Council and its sibling organisations in the devolved nations, were a key mechanism for the promotion, progression and coordination of playwork.

PETC Wales<sup>161</sup> was established to provide a forum for the sector to discuss issues of strategic importance on all aspects of playwork education, training and qualifications in Wales and make recommendations to the Welsh Government, Social Care Wales and PETC UK. PETC Wales members include national organisations, employers and training providers who attend meetings and contribute to tasks as part of their commitment as members.

Since 2013, SkillsActive has not received core funding from the UK Government. From May 2017, SkillsActive ceased any representation for the playwork sector on PETC Wales and until August 2017, reduced its involvement to publishing the required and recommended list of playwork qualifications on its website. This ended with the publication of the September 2019 version of the list. In 2019, the Welsh Government agreed through legal opinion that as part of its executive function, PETC Wales approves qualifications to be included in the list of required qualifications to work within the playwork sector in Wales.

Following this process of withdrawal of support and significant work on the part of PETC Wales to address the gaps, in June 2021, PETC Wales passed a formal vote of no confidence in SkillsActive, stating that it no longer recognises them as the sector skills council. The Education Workforce Council undertakes some sector skills council roles for the youth work sector and Social Care Wales represents early years and childcare. For other sectors, many sector skills council roles have now been subsumed into the Regional Skills Partnerships in Wales.

The absence of an active specific sector skills council for playwork has been felt acutely during recent years and PETC Wales has taken on large parts of the role. However, this is not a sustainable or sufficiently strategic approach in the long term. This review has identified the need for the following functions:

- Represent the needs of playwork employers in respect of qualifications, training and CPD.
- Represent the needs of playwork employers in respect of recruitment and retention of the playwork workforce.
- Represent the wider needs of the sector, including employers and learners, in any future qualifications development impacting on the playwork workforce.
- Support the development of the National Occupational Standards – the last playwork NOS were updated in 2016.
- Lead the development and review of the apprenticeship frameworks in Wales.

- Represent the needs of the playwork sector with the Welsh Government and other sector bodies including Social Care Wales, CIW, Education Workforce Council and Qualifications Wales.
- Maintain and approve the *List of Required Qualifications to work in the Playwork Sector in Wales*.
- Undertake research to inform and address skills gaps and shortages.

Currently, PETC Wales undertakes many of the functions outlined above and is planning how to continue to fill this shortfall. Play Wales leads on these actions as part of its secretariat to PETC Wales and as part of agreed objectives for which it is funded by the Welsh Government. In the medium to long term, consideration should be given to an appropriate organisation to co-ordinate the different functions of sector skills support for playwork in Wales. Given the diminished role of sector skills councils across the UK, it may no longer be appropriate for one organisation to undertake all of these functions for the playwork sector. Other sector skills councils do not undertake all of those functions listed above for the sectors they represent.

There are a number of potential options for sector representation for playwork and the implications of each will need proper consideration and appraisal. Playwork has strong connections across a number of related sectors: it connects with the childcare workforce, whose skills needs are represented by Social Care Wales, and with the education workforce, including youth work, independently regulated by the Education Workforce Council (EWC). The potential benefits and disadvantages of each of these possibilities, as well as any others, should be subject to a full options appraisal before any final recommendation is made. It should be noted that any such change is likely to require regulatory amendment and would likely not be a short-term solution for the playwork sector. The four national UK play organisations are supporting the development of their respective PETCs (in different stages of development) by providing a secretariat and planning strategically for future reviews of the NOS for playwork. Feedback from this review suggests that PETC Wales is currently working effectively to address the gaps highlighted and this should form part of a short to mid-term solution to the issue of sector representation.

The Welsh Government is currently undertaking work to explore the professional registration of the early years and childcare workforce. This will involve establishing and maintaining a professional register of practitioners and identifying the requirements for practitioners to be allowed to work within the early years and childcare workforce. Social Care Wales already undertakes this role for social care while Education Workforce Council undertakes this role for those in education, including youth work. The decision on who should undertake this role for the childcare and playwork workforce has not yet been made. The implications of this work have been the subject of an independent review undertaken by the Education Policy Institute during 2022 and includes consideration of the implications for early years, childcare and playwork<sup>162</sup>.

The 10-year *Childcare, Play and Early Years Workforce Plan*<sup>163</sup> articulates the vision for the sector and future implementation of the plan relies on up to date scoping of the needs of the sector. Play Sufficiency Assessments, Childcare Sufficiency Assessments and workforce research should inform the development of this plan.

## Play workforce

The play workforce is a highly diverse group, most of whom do not require formal qualifications in play to undertake their roles. The range of stakeholders encompassed by the definition 'play workforce' includes those whose role impacts directly or indirectly on the various Matters defined

within *Wales – a Play Friendly Country*. This includes those working in: planning, housing, open spaces, parks, cultural services, environmental services, education, early years and childcare, health, travel, highways, community development, youth services, leisure and sport across statutory services and a range of third sector organisations but may also include other stakeholders.

*Wales – a Play Friendly Country* recognises the need to upskill, and side-skill, the wider play workforce so that they have knowledge of what play is, of its critical importance to children and a shared understanding of how their role can impact on the vision for children's play. There is evidence from the PSAs that where play development teams exist in an area, whether as part of the local authority or through the third sector, that the training and professional development needs of the wider play workforce are being identified and attempts made to provide for their needs. In Theme 2: Play Sufficiency Duty and funding, we discussed PSAs and recommended consideration of a dedicated funding stream for a play sufficiency role in every local authority in Wales. Such a role should provide consistency and support for the whole of the sector and support workforce development opportunities for the play workforce.

Currently, the funding that is available for upskilling tends to be for formal qualifications rather than training and CPD. Qualifications may not be an appropriate route for people working within sectors that already have pre-defined access requirements and existing career paths and where funding may be even more difficult to access. Added to this, a reduction in overall funding to local authorities and third sector organisations has led, in many cases, to fewer staff on the ground and remaining staff taking on additional roles and responsibilities. This may mean that 'play' is part of someone's much broader remit, and in some local authorities PSAs are being undertaken by people with little experience of play and playwork. Training and CPD for those in the wider play workforce have supported those involved in the assessment and securing of play sufficiency. At a local level, the funding available through the All Wales Play Opportunities Grant (AWPOG) has supported conferences, training and events for the play workforce.

To support the foundation phase workforce with implementing the new curriculum for Wales, the Welsh Government has developed national online professional development modules that will support practitioners in schools and non-maintained settings. The modules look at outdoor learning, risk management and other key areas of the new curriculum and include a module on the importance of play and play-based approaches to learning.

### Insights from the COVID-19 pandemic

The Coronavirus pandemic affected the delivery of training and qualifications. Over the 2019/20 to 2020/21 academic years there was a move towards offering more 'blended learning', using both face-to-face and online methods of delivery. This has brought many benefits in terms of access to courses, meeting childcare commitments and developing novel methods of teaching and assessment. However, it has also highlighted digital literacy gaps and access to technology to ensure equitable access to learning online. With settings also closed and staff on furlough, it has made the assessment of competence challenging and new arrangements have had to be developed.

Playworkers reported having more time to access CPD online due to services being closed. The uptake of online CPD opportunities has been reported by a number of the steering group as being a positive outcome.

For many playworkers, despite a desire to remain working with children, the pressure of the pandemic on setting delivery has meant people have left the sector to work in other professions.

For the wider play workforce, uptake of online play sufficiency related events, aimed at community councils, planning officers, educational psychologists, schools and childcare workers has allowed for national events to be attended without the challenges associated with venues and travel.

Finally, people's personal experience of the pandemic has raised awareness across the workforce of the crucial importance of children's play.

### Key recommendations

**Key recommendation 12: Develop a strategic infrastructure for playwork workforce development.**

**Key recommendation 13: Ensure sufficient funding is available for play and playwork workforce development.**

## Theme 6: Play and education

It is important to note at the outset of this theme that the Welsh Government recognises the importance of play in the recovery from COVID-19. *Renew and reform*, the Welsh Government's education COVID-19 recovery plan<sup>164</sup> notes that "all learners, but especially our younger learners, will ... need time and space to play and to socialise with one another, to support their wellbeing and help them adjust to the many changes taking place around them".

This is covered in more detail in the section on Insights from the pandemic within Theme 4: Playwork provision and regulation, but noted here because it threads through all of the Welsh Government's actions in terms of the Ministerial Review of Play and education policy.

A child spends more than six hours a day and 28 weeks of the year at school, for at least 12 years of life, so children have considerable opportunities to play in this setting. International empirical evidence suggests that school playtime initiatives aimed at enriching play opportunities are linked to a range of improvements in academic skills, attitudes, attention and behaviour, and to improved social skills, improved social relations between different groups of children, and better enjoyment of and adjustment to school life.<sup>165</sup>

Children of all ages feel that schools and the education sector are responsible for ensuring that there are sufficient opportunities to play. They are clear that playing is not only important for children in primary school. Children aged between 12 and 18 feel that schools and education providers should allocate more time for play and more opportunities for children to meet up during the school day. They suggest that this review should consider playtime or break time for children aged 12 to 18 in schools and colleges.<sup>166</sup>

Teachers also note the benefits of playing, particularly playing outdoors:

- 97% of teachers say that outdoor play is critical for children to reach their full potential.
- 88% of teachers say that children are happier after playing outdoors.
- 86% of teachers say that playing outdoors gives children a better understanding of the environment.<sup>167</sup>

The Welsh Government<sup>168</sup> notes that schools provide an important opportunity for children to play during the school day. The PSAs should assess the extent to which:

- children are provided with an interesting play environment for breaks during the school day
- schools provide play opportunities during out of school times, including before school, in the evenings, at weekends and during holiday periods, as well as open access to school grounds and use of premises for activities
- schools encourage children to walk or cycle to school
- children are provided morning, lunchtime and afternoon play breaks.

The United Nations Committee on the Rights of the Child's *General Comment no. 17*<sup>169</sup> emphasises that the rights under Article 31 are of positive benefit to children's educational development and should be facilitated during the course of every day throughout early childhood education, as well as in primary and secondary school.

The committee identifies the pressure for educational attainment as potentially denying children of their right to play, highlighting:

- “Early childhood education is increasingly focused on academic targets and formal learning at the expense of participation in play and attainment of broader development outcomes;
- Extracurricular tuition and homework are intruding on children’s time for freely chosen activities;
- The curriculum and daily schedule often lack recognition of the necessity of or provision for play, recreation and rest;
- The use of formal or didactic educational methods in the classroom do not take advantage of opportunities for active playful learning;
- Contact with nature is decreasing in many schools with children having to spend more time indoors;
- Restrictions on the type of play in which children can engage in school serve to inhibit their opportunities for creativity, exploration and social development”<sup>170</sup>

*General Comment no. 17* notes that schools have a major role in the promotion of the right to play across the following areas:

- Curriculum demands
- Educational pedagogy
- Physical environment of settings
- Structure of the day.

This reinforces that children’s opportunities for playing in all settings – including schools – are dependent on a range of issues, which are arranged across three themes, specifically time, space and permission, as pointed out in the *Wales – a Play Friendly Country*:

“For children to have sufficient play opportunities, they need time to play, space to play and the recognition by adults that this is every child’s right so that all children are allowed this time and space”.<sup>171</sup>

## Play, the curriculum and educational pedagogy

*General Comment no. 17* emphasises the importance of play as a medium for learning. It states that inclusive education and inclusive play are mutually reinforcing and should be facilitated daily throughout early childhood education and beyond. In addition to its intrinsic value, *General Comment no. 17* refers to the instrumental value of play – as an important means through which children learn. Providing a broad and balanced teaching and learning environment, whilst also embracing the health and wellbeing of the child, can potentially provide a better and more positive learning experience.

The Welsh Government’s foundation phase for three to seven year olds is built on the principles of learning through play and is an essential ingredient in the curriculum. It is well-established<sup>172</sup> that learning through play is a powerful tool. It can help children to develop and extend their language and communication skills. Play allows children to be creative, to investigate and explore different materials, and gives them opportunities to experiment and predict outcomes. It can also help children to develop their confidence, self-motivation and control of their own thoughts and actions. Play also allows children to test their abilities, use initiative, take risks and make mistakes without fear of failure. Through play, children learn the skills of negotiation and the art of forming relationships with their peers.

The new Curriculum for Wales,<sup>173</sup> which is being adopted across schools and settings in Wales in 2022, builds on the approach and principles developed through the foundation phase. The new curriculum provides a good opportunity for creativity-led learning. The purpose of every school's curriculum will be to support children of all ages to be:

- “ambitious, capable learners, ready to learn throughout their lives;
- enterprising, creative contributors, ready to play a full part in life and work;
- ethical, informed citizens of Wales and the world;
- healthy, confident individuals, ready to lead fulfilling lives as valued members of society”.

To support the workforce to embed play within learning structures particularly as part of the recovery from the pandemic, the Welsh Government has developed national professional development training modules. An online module about play has been developed that explores the relationship between play and learning. This is intended to support teaching staff with embedding play as part of the Curriculum for Wales.

*Enabling Pathways*, additional guidance for all learners in the period of learning leading to Progression Step 1, stresses that play and playful learning must be considered when schools or settings are designing their new curriculum. The guidance notes that free play is important and should be one of the pillars of delivery within the early years. A curriculum for non-maintained settings that delivers education for three to four year olds has also been developed to support the sector to implement the Curriculum for Wales. Throughout this curriculum, play is recognised as the main vehicle for learning for our youngest children. The guidance notes that the outdoor environment is important in supporting a young child's development.

The Welsh Government is moving towards an approach which brings together all aspects of early childhood education and care. Early Childhood Education and Care (ECEC) is a term that is often applied internationally to describe provision that works together to support the holistic needs of the child. When supporting a child, equal value is attributed to all aspects of care, development, education and play, regardless of the setting the child attends.

Learners learn best when they are active participants in their own learning. Playful learning has characteristics which include curiosity, enjoyment and ownership. It is best viewed on a continuum “ranging from child-initiated and directed activities to more adult-initiated and guided experiences”.<sup>174</sup>

The steering group stresses the importance of play for older children too. Playing, particularly in terms of children's development, tends to receive much greater attention in the early years of children's lives than in later childhood, potentially dismissing its value for older children. Research from the field of neuroscience has shown that our brains continue to develop into adolescence<sup>175</sup>. In adolescence, the prefrontal cortex is more developed than in younger children, meaning older children have a great potential for learning and creativity. At the same time, the rewards areas of the brain are particularly active, meaning older children are driven to seek out new experiences and thrills and can often be impulsive. Playing can help bridge these two aspects of brain development in adolescence.<sup>176</sup>

*General Comment no. 17* describes the importance of learning environments being active and participatory. Schools can make playful activities central to learning, for older children as well as for those in the early years. Where the boundaries between schoolwork and play are more ‘blurred’, children feel a greater sense of control over their own learning experience.<sup>177</sup>



## Structure of the day: time and permission to play

A review of the 2019 Play Sufficiency Assessments<sup>178</sup> indicated that across local authorities, school playtime was decreasing, despite efforts locally to address this. Concerns about diminished opportunities for play, especially for vulnerable groups, for example disabled children and children living in poverty, have been highlighted by the British Psychological Society's Division of Educational and Child Psychologists in its *Right to Play Position Paper*<sup>179</sup> and curriculum pressures have led to reduced opportunities for play in schools<sup>180</sup>.

The Active Healthy Kids Wales 2021 Expert Group recommends that providing sufficient breaks for play would contribute to overall physical activity for children.<sup>181</sup> Children's physical activity during unstructured playtimes can be significantly more than during organised PE lessons, with a higher level of engagement, especially if the space supports different forms of playing.<sup>182</sup> In a 2019 inquiry into physical activity in children, Senedd Cymru's Health, Social Care and Sport Committee expressed disappointment to hear that reductions in lunch breaks and break times are common in schools. It urged the Welsh Government to review how widespread this practice is in schools across Wales<sup>183</sup>.

The steering group discussed an increase in parental concern about the shortening of school days which was resulting in reduced playtime, and also, the withdrawal of playtime as part of behaviour management policy.

The removal of break time as a punishment for behaviour and its inclusion within behavioural management policies can cause stigmatisation and is in conflict with children's right to play. It can also be counterproductive, as it is often the very children who find it difficult to focus in class that need to get out and move.<sup>184</sup> The Welsh Government's *Framework on embedding a whole school approach to emotional and mental well-being*<sup>185</sup> makes this explicit – play should not be removed from children at school as a form of punishment.

Undeniably, for children, playtime is a vital part of the school day, contributing strongly to their mental health and wellbeing. We need to do more to ensure that it is protected and of high quality. This holds for both local authority and non-maintained settings.

## Space to play both in and out of school hours

Creating the conditions for good playtimes in schools is about both the physical space and the culture of the school: both operate in tandem to produce a space where children can play. Research into interventions to improve playtimes shows they are most effective when schools have clear policies and those supervising are familiar with playwork methods, as well as providing a physically rich play environment.<sup>186</sup>

Individual schools vary in the space and facilities available for play and some introduce restrictions including separating younger and older children, zoning, restricting more adventurous equipment to specific occasions, and declaring green areas out of bounds for some or most of the year.<sup>187 188</sup> Play Wales has produced a number of resources to support schools to improve playtimes and offer a broader range of opportunities for children's play.<sup>189</sup>

Estyn's *Healthy and happy – school impact on pupils' health and wellbeing* report<sup>190</sup> evaluates how well primary and secondary schools in Wales support the health and wellbeing of their pupils. The report makes several references to school play and break times. The report highlights that schools

that apply a whole school approach to supporting health and wellbeing provide an environment, facilities and space to play, socialise and relax at break times. It also notes that:

- access to outdoor play space across many schools is often compromised during inclement weather
- some schools have limited outdoor space and have to restrict access to some groups of pupils
- pupils in these schools are less physically active as a result, and can find it harder to relax quietly during break times which affects their wellbeing.

A key issue in schools supporting children's play lies in safety concerns. Children report being prevented from engaging in traditional play activities, such as climbing a tree, because they are perceived by adults as being "too dangerous".<sup>191</sup> In 2012, the Health and Safety Executive (HSE) published a high-level statement that recognises the importance of play and opportunities to take risk in play and makes clear that the goal is not to eliminate risk, but to weigh up the risks and benefits.<sup>192</sup> This statement also emphasises that:

- play is important for children's wellbeing and development
- those providing opportunities to play should focus on controlling the real risks, while securing or increasing the benefits – not on the paperwork
- accidents and mistakes happen during play – but fear of litigation and prosecution has been blown out of proportion.

As part of their Play Sufficiency Assessments, local authorities must also assess to what extent schools provide play opportunities during out of school times. The importance of community access to schools, particularly in under-resourced communities, is recognised.<sup>193 194</sup> School facilities, in most cases, offer significant opportunities to satisfy not only the learning needs of students, but many of the social and recreational needs for the community. School grounds often represent the largest single outdoor asset in many communities. Successive reviews of the Play Sufficiency Assessments suggest that most school grounds are still under-used for this purpose.

There are several constraints faced by schools that must be overcome if school facilities are used for activities other than the primary function of educating pupils. These include:

- school leaders and governors express a number of concerns, including insurance issues, security or safety and supervision
- the design of schools is often in conflict with opening up to community use, specifically security aspects
- there may be issues with the facilities and layout
- opening up out of school hours can bring extra maintenance and operational costs.

However, the potential benefits in terms of community engagement and wellbeing, the positive effects on children and young people's health and happiness, and enhancement of the local sense of community make it worthwhile. A key finding of an action research project that used school grounds for play was that all staff interviewed realised that many of their fears were unfounded. As a result, they were happy to share control of the space, thus fostering community links and a more trusting and democratic use of the space.<sup>195</sup>

The 21<sup>st</sup> Century Schools and Colleges Programme is a long-term Welsh Government investment for schools and colleges to develop them as hubs for learning and reduce buildings in poor condition. The programme is supported by guidance, templates, Building Bulletins and grant funding.

### Insights from the COVID-19 pandemic

The impact of the pandemic on children's learning has been significant and varied. Some have talked about the benefits of spending more time with family and engaging in home learning. Those who struggle with school have also found benefits. For many, however, the home environment has not supported home learning, and children have also missed other aspects of regular school attendance such as meals, contact with friends and staff, as well as additional support services. As with other aspects of the pandemic, school closures have exacerbated existing inequalities.<sup>196 197</sup>

Children report that they struggled with not being able to go to school during lockdown periods and were happier when schools reopened and when they had access to play provision. Children also commented that the level of homework they were expected to complete was significantly higher than usual and this contributed to added pressure that they experienced. In terms of school, they felt that the lockdowns of 2020/21 were not much fun for them.<sup>198</sup>

Children cannot learn effectively when they are stressed or overwhelmed. Studies of brain development indicate that children who have experienced trauma find it difficult to maintain attention, remember things, manage behaviour and regulate emotions, and can have mental health issues in adolescence and adulthood.<sup>199</sup>

In the context of COVID-19, a focus on play and its significant contribution to health and wellbeing is particularly critical during and in recovery from the pandemic. *Play First: Supporting Children's Social and Emotional Wellbeing During and After Lockdown*, a letter sent to Welsh Government ministers<sup>200</sup>, urged governments to prioritise children's play and socialising with friends over formal lessons and academic progress when schools reopen, and lockdown restrictions are eased. Children's rights advocates<sup>201</sup> called for the focus to be on play and mental health, rather than curriculum catch up.

This has been recognised in the Welsh Government's Renew and reform plan<sup>202</sup>, published by the Minister for Education and the Welsh Language. The plan sets out how learners and practitioners will be supported as part of the recovery from COVID-19. The plan confirms a commitment to learner and practitioner wellbeing and mental health, supporting learners to make the progress they need, and addressing the educational impacts of inequality which have been highlighted by the pandemic.

Consequently, and to avoid pressure for formal learning to catch-up as a result of the pandemic, the Welsh Government developed a set of communications<sup>203</sup> for senior leaders and parents to ensure there is a clear understanding of the benefits of play-based learning and the positive impact on long term outcomes.

Children's access to outdoor space for play, exercise and enjoyment differs greatly across Wales and this was heightened during the pandemic. Some children live in accommodation with gardens, ample outdoor community space and supportive carers with time to support play, whilst others don't. Opening school grounds for play has a significant role to play in addressing the urgent need to ensure that more children can access outdoor play. The Welsh Government has provided funding to Sport Wales and Arts Council for Wales to enable them to develop a series of pilots looking at how to provide sporting and cultural activities around the school day. The review has highlighted the

need to be aware of existing provision when looking to set up new activities, and particularly existing out of school clubs, which have faced financial challenges during the pandemic and need to be supported to continue to avoid losing such provision.

### Key recommendations

**Key recommendation 14: Promote the importance of play and the use of school grounds as a community asset for play through community focused school policy.**

**Key recommendation 15: Increase and improve play and break times in schools.**

## Conclusion

All the evidence considered throughout the Ministerial Review of Play reinforces the same point: that playing benefits children, families and the neighbourhoods in which they live. The Welsh Government has taken a global lead on play through ground-breaking policy development, enactment of legislation and the allocation of funds for play. There is now a real need to maintain this momentum and to build on this work by addressing the issues raised in this review.

The established precedent of a direct Welsh Government allocation of funding for play should be continued. It should be developed to provide a consistent and dedicated source of funding for play sufficiency. Funding committed over a period of years will be a more effective way of enabling the development of strategic approaches to delivering play sufficiency. Clear criteria about which provision is eligible will allow sufficient time for consultation, planning, and year-on-year employment of staff.

The national infrastructure for supporting play, play development and play sufficiency across Wales needs to be strengthened and resourced to meet these challenges. Direct funding for play sufficiency lead officers in each local authority in Wales will significantly help local authorities implement the range of Welsh Government policy discussed in the Ministerial Review of Play. The funding programme should also be used to highlight and strengthen the role of the voluntary play sector. This will provide it with the support it needs to take on both strategic and delivery roles in ensuring play sufficiency.

The rights-based approach of the Welsh Government to its child related policy-making allows the Play Sufficiency Duty to explicitly articulate the intrinsic value of play as a right. This sits alongside the more instrumental value of its role in contributing to other policy agendas – for example, tackling child poverty, health and wellbeing, learning and development, and community cohesion.

The Well-being of Future Generations (Wales) Act 2015 requires public bodies in Wales to take a joined-up approach, helping to create a Wales we all want to live in, now and in the future. Successful implementation of the Play Sufficiency Duty aligns well with the act's five ways of working and its seven wellbeing goals. The duty should be explicitly incorporated into guidance for wellbeing assessments at national and local levels to help public bodies identify and reach wellbeing goals for children and communities.

Leadership is needed at national level. Given the potential for the Play Sufficiency Duty to address other social policy agendas, more must be done to promote the duty. This needs to be done throughout the Welsh Government and local authority departments, as well as with national bodies, voluntary and community organisations and the public.

The Welsh Government must work cross-departmentally to ensure the cross-cutting nature of play is acknowledged and embedded in national policies, practices and funding streams. This way of working will be supported by the establishment of a cross-policy play sufficiency strategy and monitoring group that will review national priorities, produce and monitor strategic actions and report to a minister.

The vision and commitment to children's play will be strengthened by the appointment of a clearly named and identifiable Minister for Children and Young People within the Cabinet, with a portfolio that includes play and has oversight of cross-policy working between play and other policy areas.

Such a role will support post-COVID-19 recovery plans and contribute to a coherent policy framework for play in Wales.

The development of a more strategic approach to promoting opportunities for play for all children in Wales will help stakeholders support more children to realise their right to play. It will also simultaneously work towards broader policy agendas such as the Well-being of Future Generations (Wales) Act 2015.

There is an urgent need to implement these recommendations to create a more sustainable environment for delivering opportunities for children's play in Wales. There will inevitably be a cost associated with implementing these recommendations, but given the importance of play to the health and wellbeing of children it is a price worth paying.

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- <sup>18</sup> Welsh Government (2018) *National Survey for Wales, 2016-2017* [data collection]. UK Data Service.
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- <sup>21</sup> <https://www.legislation.gov.uk/ukpga/1974/37>
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<sup>33</sup> Children's Commissioner for Wales (2020) *Coronavirus and Me*. Swansea: Children's Commissioner for Wales.

<sup>34</sup> Children's Commissioner for Wales (2021) *Coronavirus and Me*. Swansea: Children's Commissioner for Wales.

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- <sup>70</sup> See Play Wales website: [Play Sufficiency Research](#)
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