2. Children's Rights Impact Assessment

1. In this document, "Welsh Contracting Authorities" or "WCAs" means all contracting authorities undertaking procurement in Wales or spending Welsh public funds, unless the context indicates otherwise. References to a legal duty to have regard to the Wales Procurement Policy Statement (WPPS) apply only to those WCAs within the scope of section 14 of the Procurement Act 2023. However, the Welsh Government intends the principles and expectations described in this document to be relevant to all contracting authorities undertaking procurement in Wales or spending Welsh public funds. WCAs that are not subject to the statutory duty are therefore strongly encouraged to apply the WPPS, where relevant and appropriate.

3. Policy objectives

- **What is the proposal you are impact assessing?**

2. The WPPS provides the strategic direction for public procurement in Wales and seeks to maximise the economic, social, environmental and cultural value generated through more than £11 billion of annual public expenditure.
3. The WPPS introduces a single overarching priority: strengthening the Welsh economy through public procurement. It aims to build a stronger, fairer and more resilient economy, retain more value within Wales, and increase the benefits delivered to Welsh businesses, workers and communities.
4. It provides the strategic direction for public procurement in Wales and is not specifically directed at children, but procurement influenced by it may affect goods, services and works used by children and families, including schools, hospitals, transport, housing, care, digital services and community infrastructure. Procurement activity undertaken by WCAs may influence services and infrastructure used by children and young people, including education, health, transport, housing, digital services and community facilities. The WPPS includes priorities relating to jobs and skills, fair work, stronger communities, community wealth building, sustainability and wider well-being outcomes.
5. Whether the impacts are positive or negative depends on how the procurement levers within the WPPS are implemented by individual WCAs in individual procurements. WCAs should apply the WPPS as appropriate, according to the statement given at paragraph 1. There is scope for positive opportunities through proposals relating to apprenticeships and supporting workforce development which may affect younger people entering work.
6. Potential negative impacts may result where insufficient consideration is given to how individual procurements that affect children – for example, though relating to services for schools, transport, housing – impact the lives of children and young people.
7. Public consultation will enable the wider public to review the WPPS and the Integrated Impact Assessment (IIA) and provide comment on both documents. Feedback from this consultation will be reviewed and, if specific impacts (positive or negative) are identified, these will be acknowledged and the draft Children's Right Impact Assessment (CRIA) updated. The IIA and the CRIA will be provided as a supporting document when the WPPS is laid before the Senedd in early 2027. The intention is to publish the CRIA and the IIA following this process.

2. Gathering evidence and engaging with children and young people

- What existing research and data on children and young people is available to inform your specific policy?
- Using this research, how do you anticipate your policy will affect different groups of children and young people, both positively and negatively?
- What participatory work with children and young people have you used to inform your policy? If you have not engaged with children and young people, please explain why.

Response

8. No specific evidence has been identified in relation to children and young people. Public consultation will enable the wider public to review the WPPS and provide comment. If specific impacts are identified these will be acknowledged and the draft CRIA updated.
9. The WPPS provides the strategic direction for public procurement in Wales and seeks to maximise the economic, social, environmental and cultural value generated through more than £11 billion of annual public expenditure. As a result, direct engagement with children and young people was not considered proportionate during its development. Potential impacts on children and young people are expected to arise through individual procurement exercises rather than from the statement itself. Where procurement activity directly affects services used by children and young people, WCAs should consider how children's views and interests can be appropriately taken into account.
10. Potential positive impacts are indirect and may arise through improved public services, stronger communities, increased family economic security, improved employment and skills opportunities, and wider well-being outcomes. Potential risks include inconsistent implementation across WCAs or situations where children's needs are not adequately considered during individual procurement exercises. As the WPPS does not direct service delivery, impacts will depend on how the procurement levers within the WPPS are applied within individual procurements. WCAs should apply the WPPS as appropriate, according to the statement given at paragraph 1.

3. Analysing the evidence and assessing the impact

- Using the evidence you have gathered, what impact is your policy likely to have on children and young people? What steps will you take to mitigate and/or reduce any negative effects?
- How does your proposal enhance or challenge children’s rights, as stipulated by the UNCRC articles and its Optional Protocols? Please identify each relevant article which applies to your policy and provide an explanation of how your proposal enhances or challenges that right. Where a potential negative impact has been identified, explain any mitigating actions that will be taken.

Response

11. Impacts will depend on how the procurement levers within the WPPS are applied within individual procurements. WCAs should apply the WPPS as appropriate, according to the statement given at paragraph 1. There is potential for the WPPS to have an indirect positive impact on children and young people. Through support for fair work, jobs and skills, apprenticeships, community wealth building, sustainability and improved public services, the policy may contribute to conditions that support children's well-being and development.

12. No direct adverse impacts on children and young people have been identified. Potential impacts are expected to arise through individual procurement activities undertaken by WCAs. There is a risk that positive outcomes may not be realised consistently if children's needs are not appropriately considered in procurement planning and delivery leading to potentially negative impacts. However, negative impacts may not be realised, where risk is mitigated through proportionate consideration of those needs when relevant procurements are undertaken.

13. The following articles have been deemed relevant:

Article 2, non-discrimination

14. The WPPS promotes apprenticeships where appropriate, which may impact young people who are old enough to work.

Article 3, best interests

15. For procurements which impact children, (for example, relating to schools e.g. school catering), WCAs would be responsible for ensuring that the best interests of children are considered and incorporated into their procurement processes and contract delivery and monitoring. There is the potential for positive impact where WCAs apply the relevant opportunities within the WPPS, such as how their procurements can benefit community wealth building, improving social and cultural well-being, and Welsh language opportunities.

Article 6, life, survival and development

16. For procurements which impact children, (for example but not exhaustive, procurement relating to schools, care facilities for children and young people, or apprenticeships aimed at providing skills for young people looking to enter the workforce), WCAs within statutory scope must have regard to the WPPS, including how the measures within the WPPS would impact the life, survival and development of the child. Other WCAs are strongly encouraged to also consider these measures. The WPPS promotes principles such as fair work terms through secure employment, workforce development and apprenticeships, as well promoting sustainability as a cross-cutting expectation. There is the potential for positive impacts, where young people are able to gain skills through apprenticeships for future employment. Sustainable procurement has the potential for positively improving the environment, which would indirectly impact the lives of children and young people, by securing a healthy natural environment for future generations.

Article 12, views of the child

17. The WPPS supports pre-market engagement. WCAs should apply the WPPS as appropriate, according to the statement given at paragraph 1, including considering how they can use pre-market engagement, where appropriate, to engage with children and young people where they would be impacted by the services to be delivered by their procurement. This could potentially foster a positive impact with the procurement/contract specifications addressing concerns raised by children, and outlining methods to engage with children once the contract is in place, so as to monitor whether the contract is delivering successfully against the agreed outcomes. Other WCAs are strongly encouraged to apply this approach where relevant and appropriate.

Article 24, health

18. WCAs within statutory scope must have regard to the WPPS, and while the WPPS does not cover health services, it does include the commitment to consider the health well-being of Wales, and reminds WCAs of their duty (where they are in scope) under the 'Well-being of Future Generations (Wales) Act 2015'. Other WCAs are strongly encouraged to apply this approach where relevant and appropriate.

Article 28 and 29, education

19. The WPPS does not directly support children's education, however, it promotes fair work principles that support workforce development, investment in local skills and progression opportunities. The WPPS also supports the use of apprenticeships through public procurement where appropriate and proportionate. This may contribute to a positive impact for children entering the workforce.

Article 30, language and culture and Article 31, Leisure, play and cultural activities

20. WCAs within statutory scope must have regard to the WPPS, including the expectation that they understand how public spending contributes to cultural well-being and the Welsh language. Other WCAs are strongly encouraged to apply this approach where relevant and appropriate. For appropriate procurements, this could impact children from Welsh-speaking families or in Welsh medium schools, where contract specifications could introduce measures to assist in expression and learning of the Welsh language and culture. Positive or negative impacts would be dependent on how well WCAs understand the needs of the children, and how successfully they monitor contract delivery against desired outcomes.

21. The final Children's Rights Impact Assessment will be published alongside the final IIA and the WPPS, in accordance with Welsh Government impact assessment requirements.

4. Communicating with Children and Young People

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

22. N/A

5. Monitoring and Review

As implementation is undertaken through individual procurements by WCAs, any impacts on children and young people will depend on how the WPPS is applied in practice. The intention is to keep the WPPS under review to ensure that it continues to reflect current procurement legislation and procurement policy. When reviewing the WPPS, Procurement Policy will consider how implementation of the WPPS has impacted children and young people in relevant procurement contracts, and if required, updated the CRIA accordingly. It is likely that such a review will consist of surveys / questionnaires to WCAs, reviewing contract management practices and monitoring key performance indicators utilised in contracts through available procurement tender notices (such as the 'contract performance notice'). Any future amendments to the WPPS will be subject to further consultation.