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## Comisiynydd Plant Cymru Children's Commissioner for Wales

Sally Holland

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By e-mail only

To: Lynne Neagle AM, Chair of the Children, Young People and Education Committee, National Assembly for Wales

27 October 2017

Dear Chair,

During the scrutiny session of my Annual Report and Accounts 2016/17 on 18 October 2017, I promised to send you a further note about the Welsh Government's approach to Children's Rights Impact Assessments (CRIA).

[This particular CRIA](#), on Communities First, is an example of a thorough and well-argued CRIA, which performs the required balancing exercise well. Whilst the policy changes it relates to (i.e. how Communities First will be replaced), have not yet occurred, it identifies a number of different potential consequences that should therefore feed into future policy setting, provided it is used as intended.

I believe this particular CRIA could and should be used as a training example for others within Welsh Government, demonstrating how CRIAs can play an active part of planning and analysing the potential impact on children's rights from the outset of policy making, and helps to mitigate the identified risks to children's rights if taken into full consideration during the life-cycle of policy making.

I trust the above adequately responds to your question. If you require further information or discussion about this, please do not hesitate to contact my office.

I would like to extend my gratitude, once again, to you and your members for a stimulating discussion around my Annual Report.

With best wishes,



Sally Holland  
Children's Commissioner for Wales



## **Children's Rights Impact Assessment (CRIA) Template**

<b>Title / Piece of work:</b>	Potential phasing out of Communities First and the new approach to Resilient Communities (updated after engagement and analysis)
<b>Related SF / LF number (if applicable)</b>	MA-(C)CS/0003/17
<b>Name of Official:</b>	Laura Reed/Richard Self/Amelia John/Zoe Holland
<b>Department:</b>	Communities Division, EPS
<b>Date:</b>	30/1/2017
<b>Signature:</b>	

Please complete the CRIA and retain it for your records on iShare. You may be asked to provide this document at a later stage to evidence that you have complied with the duty to have due regard to children's rights e.g. Freedom of Information access requests, monitoring purposes or to inform reporting to the NAFW.

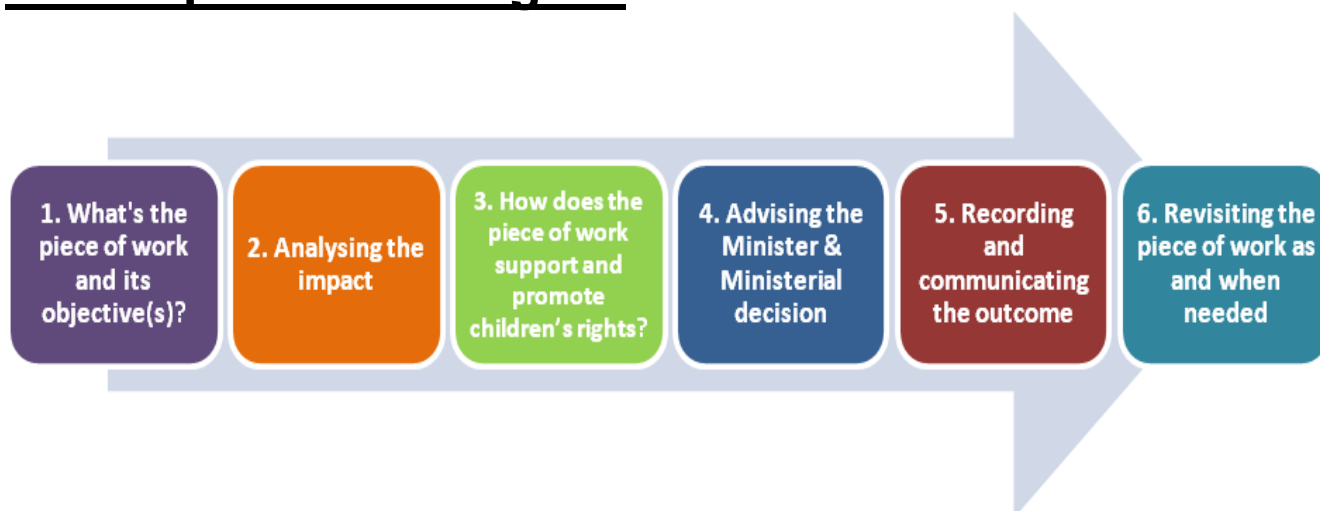
Upon completion you should also forward a copy of the CRIA to the Measure Implementation Team for monitoring purposes using the dedicated mailbox [CRIA@wales.gsi.gov.uk](mailto:CRIA@wales.gsi.gov.uk)

If officials are not sure about whether to complete a CRIA, they should err on the side of caution and seek advice from the Measure Implementation Team by forwarding any questions to our mailbox [CRIA@wales.gsi.gov.uk](mailto:CRIA@wales.gsi.gov.uk)

You may wish to cross-reference with other impact assessments undertaken.

**NB. All CRIAs undertaken on legislation must be published alongside the relevant piece of work on the WG website. All other CRIAs must be listed in the WG CRIA newsletter and must be made available upon request. Ministers are however, encouraged to publish all completed CRIAs.**

# Six Steps to Due Regard



## **Step 1. What's the piece of work and its objective(s)?**

### **Context**

On the 11th October 2016 the Cabinet Secretary ("CS") for Communities and Children announced that he is minded to phase out the Communities First Programme ("CF"), and would engage with stakeholders on a proposed new approach to building resilient communities, focusing on early years, employment and empowerment. Prior to this, an Equality Impact Assessment was carried out with as much data and evidence as was available, though it was recognised that more needed to be gathered through engagement with a cross-section of stakeholders.

The CS made clear that no decision would be made until after the first phase of engagement ended and that he would make a statement in early 2017. As such, the purpose of this Impact Assessment relates to:

- a) The potential phasing out of the CF Programme during the financial year 2017-18 and a new approach to building resilient communities. During the lead up to the potential closure there will be a transitional period of 12 months with reduced funding.
- b) Development of the new approach to building resilient communities focusing on early years, employment and empowerment.

CF is 17 years old and has had many successes but, since it was launched and then refocused in 2012, there have been enormous changes in the economic and political landscape, including a new administration and Programme for Government, 'Taking Wales Forward', a new legislative context, including the Well-being of Future Generations (Wales) Act 2015 ("WFG Act") and the introduction of Public Services Boards ("PSBs") as well as proposed local government reform.

*Taking Wales Forward* is the Welsh Government's new Programme for Government, for

the period 2016 -2021. Published in November 2016, it sets out the Government's programme to drive improvement in the Welsh economy and public services, delivering a Wales which is prosperous and secure, healthy and active, ambitious and learning, united and connected. The approach set out in *Taking Wales Forward* is intended to be cross-government, integrated, collaborative and long-term.

It has become clear that jobs growth and full-time employment opportunities for low income households are essential, particularly if we are to reduce the number of people living in workless households and also tackle rising levels of in-work poverty. For some time, CF Lead Delivery Bodies ("LDBs") have been encouraged to focus more on employability outcomes. It is evident that employability is key to tackling poverty in our most deprived communities. We know that 70% of those who move out of poverty do so because they have found employment.<sup>1</sup>

The decision to review CF is in a context where a number of other programmes and policies are refocusing their outcomes, in line with the Government priorities set out in *Taking Wales Forward*. For example, the Revised Child Poverty Strategy for Wales has a new strategic objective 'to use all available levers to create a strong economy and labour market which supports the tackling poverty agenda and reduces in-work poverty in Wales'. In addition, this is a time of continuing public sector austerity with the consequent pressure on budgets and need to find increasing cost savings.

The new approach to resilient communities and the phasing out of CF is set firmly within the context of the WFG Act which has come into force since the re-launch of CF in 2012. The Act places expectations on Local Authorities, and other public bodies subject to the Act, including the Welsh Government, to involve people in decision-making, work together, and take account of the long-term and look for opportunities to prevent things getting worse. In addition, it places PSBs under a duty to assess local needs and set out their plans to improve the economic, social, environmental and cultural well-being of their local area and the communities they represent.

The new approach to building resilient communities will be developed using the WFG Act's 5 ways of working, involving communities and partners from across the third, public and private sectors. We want to ensure our offer to communities is based on an integrated, cross-government approach that equips them for the long-term challenges and opportunities they face and empowers them in the decisions that affect their lives. Working in this collaborative way to get this approach right will take time, but will ultimately deliver better results for our communities.

More broadly the new ways of working established by the Act, focussing on much more integrated and partnership working at a local level, with much greater involvement of local communities, calls into question the appropriateness of a 'top-down' Welsh Government grant programme targeted at very geographically limited areas and feedback from the engagement identifies the need for greater community involvement, engagement and empowerment going forward. This is in tune with Local Government reform proposals which are likely to include measures aimed at strengthening local democracy and participation. It also supports the Welsh Government's increased expectation on local authorities to act as 'place shapers', to improve their engagement with communities and to

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<sup>1</sup> Over the period 2007 to 2012, of people aged 18 to 59 who were not working and living in a household in poverty, 70% of those who entered employment left poverty (Source: <http://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/povertyandemploymenttransitionsintheukandeu/2015-03-10>)

understand, reflect and meet their needs.

Whilst there has been a great deal of feedback from CF staff and service recipients on the value of individual projects, there is no evidence to suggest that overall CF has been effective in tackling poverty at a population level Wales-wide (with a higher proportion of certain groups with protected characteristics and their children living in poverty, e.g. disabled people and some BME groups), or promoting prosperity at a Wales-wide level. Whilst the programme assists people on an individual basis, statistics on those living in poverty in Wales suggest that it makes no impact on poverty levels in the general population. Independent evaluations of CF's effectiveness to date have not provided strong evidence.

Decisions around the future of CF will be taken in the context of *Taking Wales Forward* and evidence about where resources are best directed to promote prosperity and tackle disadvantage and poverty. Within the context of continuing austerity, it is clear that if new priorities are to be funded then some existing programmes will have to cease. If this does not happen, there will not be sufficient funding for the priorities outlined in *Taking Wales Forward*. These priorities are set within a Wales-wide context, rather than being focused on 52 small areas and it is acknowledged that communities, public services, third sector organisations and partners are best placed to understand local need and where to focus efforts to tackle disadvantage. The local authority and PSB roles are important in this context as well as the information gathered in the well-being assessment.

The first phase of engagement focused on the new approach to resilient communities and, within that context, the potential impact of any proposed decision to phase out CF. The proposed new approach to resilient communities particularly focuses on the priorities of employment, early years and engagement and people's views on those. It ran for 12 weeks, ending on 15<sup>th</sup> January 2017. Engagement activities were undertaken with a wide range of individuals and organisations, including delivery partners, those with experience of CF, as well as the wider public and Third Sector. These activities included an online survey, focus groups and face to face meetings. There was a specific engagement with children and young people ("CYP") in two focus groups run by the Wales Council for Voluntary Action with 71 attendees. An additional 5 CYP attended the focus groups for CF participants. CYP also took part in the Talk Communities online survey and there were 54 written responses from young people.

This Impact Assessment has been prepared in light of the responses received during the engagement period.

### ***Will the piece of work have an effect on a particular group of children?***

CF is an area based initiative i.e. it tries to improve the profile of an area by addressing the needs of individuals resident in those areas. CF is delivered in 19 of the 22 local authorities in Wales (it does not cover Ceredigion, Powys and Monmouthshire) in specified areas known as Clusters. The Clusters of which there are 52, are made up of Lower Super Output Areas ("LSOAs") initially selected from the 10% most deprived LSOAs (as measured in Welsh Index of Multiple Deprivation 2011). There are a small number of areas now in the top 10% of WIMD not included in CF as it is based on 2011 data. CF is also a 'cradle to grave' programme which people can access on multiple occasions. There is a particular focus on the 'hardest to reach'. However, principally for reasons of scale and viability only 41% of current CF Clusters are within the 10% most deprived LSOAs in the 2011 Welsh Index of Multiple Deprivation.

The range of projects and target client groups varies across the LDBs and Clusters as CF is designed to be a needs based programme that is responsive to local need. Review of submissions from CF LDBs has highlighted that all LDBs deliver projects that either target CYP directly or would benefit them indirectly (e.g. parenting classes). Across the 19 LDBs there is variation as to which groups of CYP receive CF projects. However LDBs report that there are some groups of CYP which receive a particular focus within CF:

- Early years through support to pregnant women, and new mothers;
- School age children;
- Not in Education, Employment or Training (NEET) 16-24 year olds;
- BME CYP;
- Disabled CYP;
- Refugee and Asylum seeker CYP;
- CYP in socio-economically deprived households.

Out of the 647 CF projects in 2016-17, 207 (32%) are focused particularly on CYP.

## **Step 2. Analysing the impact**

### ***What positive impacts will this piece of work have on children, young people or their families?***

Should a decision to phase out CF be made, the future approach implemented by the Welsh Government will take account of the needs of CYP and their families to ensure that support for them is maximised, and offers many opportunities to promote positive impacts on CYP Wales-wide. In his October announcement, the Cabinet Secretary outlined that the new approach would be based on the 'three E's': Early years; Employability; and Empowerment. Employment and employability are widely recognised as the best way out of poverty and disadvantage. This focus on Early Years and Employability will naturally have a positive impact on CYP. Feedback from the engagement saw support for this approach with an additional area on which many respondents thought should be focused on – early intervention.

Whilst some elements of the future approach are still in development, particularly how best to empower communities (and on which there will be ongoing engagement), the intention is that the new future approach would no longer be solely and prescriptively area-based, so that the benefits of any approach would not be restricted to CYP resident in CF LSOAs only, but instead be Wales-wide. This should help in reaching significantly more CYP and provide for an increased impact and improved service provision.

Elements of the new approach already being taken forward include the ACE (Adverse Childhood Experiences) Hub and the launch of Children's Zones pilots, both of which are focused on improving the lives of CYP, particularly those facing most barriers and disadvantage. Children's Zones bring together organisations in a strategic way to work with a defined community on the long term needs of CYP in that area. The Zones will drive a clear focus on how all the programmes and interventions within an area can work together to best effect. By focusing on prevention, building resilience and working together to provide seamless support to CYP, especially through the many transitions they face, they will improve CYP's life chances.

ACEs are traumatic experiences that occur before the age of 18 and are remembered



throughout adulthood. These experiences range from suffering verbal, mental, sexual and physical abuse, to being raised in a household where domestic violence, alcohol abuse, parental separation or drug abuse is present. Evidence shows children who experience stressful and poor quality childhoods are more likely to develop health-harming and anti-social behaviours, more likely to perform poorly in school, more likely to be involved in crime and ultimately less likely to be a productive and happy member of society. Tackling ACEs requires us to be smarter about earlier intervention in the lives of the very youngest members of our society, shifting resources into prevention and protection. In order to tackle ACEs at a population level, Cymru Well Wales is taking a whole-system approach to preventing and mitigating their ongoing effects. The ACE Hub is being established to drive the achievement of the collective vision for Wales as a world leader in ACE-free childhoods. It will help create the environment for change, enable and support individuals, communities and organisations to achieve their local ambitions around the ACEs agenda. There will be a small team in the hub who are skilled, knowledgeable and experienced to work on further research, co-ordinate activity, push for opportunities and leads in each sector (housing, health, education, etc) to drive forward change and engage in those areas.

In addition, the £13.5 million Parents, Childcare and Employment ('PaCE') programme which targets parents who face childcare barriers which prevent them accessing education, employment or training opportunities has been extended to 2020.

The new approach will build on other programmes particularly focused on the wellbeing of CYP, which include:

- Building a Brighter Future
- Work to support Public Health Wales First 1000 days initiative
- Flying Start
- Families First
- Team around the Family
- Childcare offer
- New school curriculum
- Jobs Growth Wales
- Careers Wales support
- Youth Engagement and Progression Framework
- Apprenticeships

This new approach has at its heart the five ways of working set out in the sustainable development principle in the Well-being of Future Generations (Wales) Act 2015 ("WFG Act"), with a long-term and preventative approach, with collaborative and integrated delivery which involves people and communities. In addition, future approaches around resilient communities in addition to the grants and initiatives already announced will be developed within the context of the WFG Act and *Taking Wales Forward*.

For example, delivery of the future approach will be based upon the statutory well-being assessments prepared by PSBs under the WFG Act. The Act prescribes that those assessments must include consideration of a number of issues including the adequacy of nursery education and childcare provision as well as play opportunities in the area. The statutory requirement on PSBs to consult on both their assessment of well-being and their local well-being plan will give children, parents, guardians and representatives chosen by or working with children considerable opportunities to raise any concerns they have over how their well-being has been assessed and how the local well-being plans address those concerns.

In *Taking Wales Forward*, the Welsh Government set out its well-being objectives required under the WFG Act. Some of the objectives directly relate to CYP e.g. “create conditions to give every child the best start in life” but all 14 have a strong connection to the themes of the United Nations Convention on the Rights of the Child and action taken to achieve each/all of them will have positive impacts on Welsh CYP.

***What are the negative impacts and what compensatory measures may be needed to mitigate them?***

CF has delivered significant activity through a range of projects directed at the well-being of younger people, often through the delivery of projects which engage parents, children or both.

There has also been a range of projects delivered for young people of pre-school age and early years, working closely with Families First and Flying Start. CF also works closely with young people who are Not in Education, Employment and Training. There has been significant activity around employment related projects focused on around basic skills, CV building and interview skills together with the social skills needed to progress to employment.

Feedback from stakeholders during the engagement activities raised the following issues/concerns relating to CYP:

- CF Staff in many of the focus groups highlighted that there is limited provision currently for children and young people aged 4–16 other than what is provided by CF; there is a risk that provision for ‘older’ young children will be reduced.
- CF provides targeted support that aims to address the needs of the whole family. There were recurring concerns among staff that a scaling back of the programme – including activities to support vulnerable families – may have a particular effect on children and young people.
- LDBs highlighted a wide range of ways in which provision for CYP and families would be impacted by the potential phasing out of CF if the services were not maintained. These include parenting programmes, training programmes targeting parents, targeted support for young people who are NEET or at risk of becoming NEET, activities providing a link with the local community and addressing mental health needs of people, including young people. However, LDBs did note that some of this activity is jointly funded by CF and the other tackling poverty programmes, Families First and Flying Start. LDBs were unanimously of the view that any phasing out of CF will result in less opportunity for CYP to socialise with their peers and others experiencing similar challenges.
- Feedback from CF staff noted that CF in many areas provides a link between schools and residents, and participants in three of the focus group explained that this had led to improved attendance.

Mitigation

If CF in its present form ceases, the projects it currently delivers will potentially be lost depending on the greater onus placed on other programmes and policies to ‘fill the gap’ and the nature of the future approach. However, as noted by LDBs, a number of the CF



projects are already provided in conjunction with other government programmes e.g. Flying Start and Families First and these programmes will continue so it is quite possible that not all provision will cease. Also, it is envisaged that a more integrated delivery of other programmes may deliver as/more effectively for more communities.

In developing the new approach to Resilient Communities, officials will seek to ensure that due regard to the best interests of children will be taken in respect of any new programmes. Should the CS decide to phase out CF, LDBs will be expected to produce exit strategies and officials will work closely with them and local authorities on developing and delivering these strategies and maintaining and sustaining valued services, including those for CYP and their families.

In addition, the CS has signalled that, should he decide to phase out CF, there will be a phased closure over 12 months with reduced funding of 70% of 16-17 levels. From April 2018, a specific grant of £6m per annum will be established to fund some legacy activities of Communities First (continuing successful projects or maintaining provision of facilities). Funding will be distributed through local authorities to determine local priorities. The specific grant, distributed in line with current CF budgets, will operate for two financial years before being rolled into the RSG to manage the long term legacy of CF.

There is a proposed additional £4m per annum made available for 4 years from 2017-18 for capital investment in community buildings to make them sustainable.

Work is underway to develop a new employability policy for Wales, underpinned by a new All Age Employability Programme. While important progress is being made to reduce unemployment in Wales, levels of economic inactivity remain high. Evidence shows that bespoke support (such as that provided by Lift and Communities for Work) for those furthest away from the labour market (and those closer to employment) plays a critical role in reducing unemployment. There is also evidence that increasing employability is particularly important for certain groups (who are more at risk of being economically inactive). This includes young people aged 19-24 years.

From April 2018, it is proposed that a new employability grant will be established to support Lift and Communities for Work and to provide additional funding for employability programmes, at a cost of £11.9m per annum. Many of the participants in the CF employment/prosperity projects will be able to access support through this strengthened employment programme. In addition, under these new arrangements the geographical scope of Lift and Communities for Work will be widened from CF Clusters to being Wales-wide. Should this proposal be agreed by the CS, this means that more CYP will become eligible for support from these programmes, including those living in deprived areas not currently covered in the CF Clusters.

The Citizens Advice Bureau project and Streetgames, aimed at engaging children and young people, will continue to be funded. As referenced above, pilots of Children's Zones and an ACE hub will be launched to support the early years and early intervention approaches. This will complement the work of Flying Start, Families First, the refresh of Building a Brighter Future, the child care offer and that of other public and third sector organisations such as Public Health Wales' focus on the first 1000 days. In addition, within the new Programme for Government and the new approach to resilient communities, there are currently a number of Welsh Government projects and programmes in addition to the ACE hubs and Children's Zones that are designed to address the needs of CYP across the Welsh population, some of which are detailed below (and cited above in answer to

question ):

- Building a Brighter Future
- Work to support Public Health Wales First 1000 days initiative
- Flying Start
- Families First
- Team around the Family
- Childcare offer
- New school curriculum
- Jobs Growth Wales
- Careers Wales support
- Youth Engagement and Progression Framework
- Apprenticeships
- Parents, Childcare in Employment
- Proposed legislation on chastisement.

In addition, the Welsh Government's Strategic Equality Plan 2016-2020 contributes significantly to any potential negative impact of a phasing out of CF. It is the cross Welsh-Government plan to advance equality, eliminate discrimination and promote good relations. All objectives will contribute to equality for CYP. In particular, objective 1, 'Put the needs of people with protected characteristics at the heart of the design and delivery of all public services, in particular health and mental health services, education, housing social services and transport. Specifically to ensure support and tackle barriers to enable disabled people to enjoy their right to independent living and have voice, choice and control in their lives' will mitigate the impact of closure of any education-related programmes. Government action on this includes the Additional Learning Needs Transformation Programme. It includes ensuring all children and young people aged 0-25 with additional learning needs are provided for within an inclusive education system, where needs are identified early and addressed quickly and where all learners are provided for in an inclusive education system so that they can reach their potential.

Equality objective 3, and cross-Government work to deliver on it will help to mitigate the impact on young people: 'Identify and reduce the causes of employment, skills and pay inequalities related to gender, ethnicity, age and disability including closing the attainment gaps in education and reducing the number of people not in education, employment or training (NEET)'. This includes plans to publish an Employability Plan to underpin future approaches to delivery aimed at assisting young people and adults to gain, retrain and progress within employment, as well as the recent extensions to funding for CfW and proposed Wales-wide Lift and CfW infrastructure.

So too objective 4 will mitigate negative impact, 'Reduce all forms of harassment and abuse, including (but not limited to) violence against women, hate crime, bullying, child abuse, domestic abuse and abuse against older people'. Action is included on addressing bullying in schools and safeguarding through education settings. In addition, there is a commitment to action under the Social Services and Wellbeing Act 2014 in respect of reducing child abuse.

Objective 7, and the actions to support it, cite children and young people, 'Reduce poverty, mitigate the impacts of poverty and improve living conditions for those groups most at risk of living in low income households, particularly disabled people, lone parents, certain ethnic minority groups and families with disabled children', including numerous specific

actions to address child poverty.

**How will you know if your piece of work is a success?**

**Have you considered the short, medium and long term outcomes?**

**Have you developed an outcomes framework to measure impact?**

With regards to a decision on the future of CF, there won't be a specific outcomes framework, but LDBs will be expected to have an exit plan which includes:

- Striving to maintain valued services and make them sustainable;
- Plans for engaging and empowering their communities;
- Plans for an infrastructure for the CfW and LIFT employability programmes, with extended funding for CfW to 2020.

The short-term outcome should CF be phased out would be a potential reduction/cessation of CF-funded projects for CYP resident in CF LSOAs and the consequent reduction of support. The medium to long term outcomes are dependent upon the future approach, but in line with the new employability programme, the expectation is that this will have a far wider geographical reach, with the resultant positive impacts for CYP and their families, due to the move away from a delivery model focused on specific post codes (this being one of the criticisms of CF).

Measures of success for the future approach will be considered as part of the development of the new approach, in discussion with people, communities and organisations. They will include not only how individual programmes operate but integration between them and the extent to which communities are engaged and empowered. Any outcomes/indicators/methods for measuring success will be developed in line with the National Indicators set under the WFG Act. Where appropriate, the exact nature of any outcomes/indicators will be influenced by engagement with stakeholders as part of the ongoing engagement.

**Do you need to engage with children & young people and/or stakeholders to seek their views using consultation or participatory methods?**

**Do you need to produce child friendly versions of proposals/consultations?**

The views of CYP have been sought via an online survey and, as outlined above, two of the focus groups were specifically for CYP. In addition LDBs and CF Clusters have been encouraged to engage directly with CYP in their regions. Child friendly versions of questions used in the engagement activity were employed to facilitate the participation of CYP.

As the engagement is continued, we will ensure it is inclusive of, and appropriate for, CYP.

**If yes to above, how have their views influenced your work?**

Feedback from the various engagement activities has been incorporated into the analysis of stakeholder feedback conducted by an independent research company, Arad Research, commissioned by the Welsh Government.

Arad's analysis has been incorporated into the assessment of impacts in this document, e.g. in the impacts section. If the CS decides to phase out CF, Arad's analysis will be published.

**Does the piece of work have any links to delivering the key objectives of the Child Poverty Strategy for Wales?**

CF is one of the four Tackling Poverty programmes (Supporting People, Families First and Flying Start) that formed key elements of the previous Welsh Government's Child Poverty Strategy.

**If so, state how the work may impact on child poverty.**

The future approach is cross Government and based on the 5 ways of working in the WFG Act. The approach will focus on early years, early intervention, employability (which evidence shows is the best route out of poverty) and community empowerment. This should have a positive impact on child poverty, in particular the focus on employability, and Wales-wide rather than focused solely on 52 small areas. CfW and Lift are targeted on those furthest from the jobs market, offering intensive one to one support.

One of the new strategic objectives for tackling poverty in the Revised Child Poverty Strategy for Wales is 'to use all available levers to create a strong economy and labour market which supports the tackling poverty agenda and reduces in-work poverty in Wales'. The new approach will contribute towards this strategic objective.

**Step 3. How does your piece of work support and promote children's rights?**

As highlighted above in detail, should the decision to phase out CF be taken, the new approach to building resilient communities will be developed in the context of *Taking Wales Forward* and the WFG Act and will support and promote children's rights. The Welsh Government's well-being objectives, set out in *Taking Wales Forward*, including that of creating conditions to give every child the best start in life, are consistent with the themes of the UNCRC. The focus in the new approach on early years, in particular, will support CYP's rights and build on the foundations of the other Welsh Government programmes designed to support CYP, which include:

- Flying Start
- Families First
- Refresh of Building a Brighter Future
- Team around the Family
- ACE Hubs
- Children's Zones
- Childcare offer
- New school curriculum
- Jobs Growth Wales
- Careers Wales support
- Youth Engagement and Progression Framework
- Apprenticeships
- PaCE
- Strategic Equality Plan 2016-20.

Consideration has been given to the rights of the child enshrined in the UNCRC and those articles that are not necessarily engaged given the policy rationale and intent are, in summary, as follows:-

- Article 6-11 regarding inherent right to life, right to a birth name, preservation of identity, separation from parents against their will, family reunification and the illicit transfer and non-return of children abroad.
- Articles 15-18 regarding freedom of association, arbitrary or unlawful interference, access to media and parental rights.
- Articles 20-22 which enshrine the rights of a child to their family environment, adoption and refugee status.
- Article 25 about the right of looked after children to have their situation periodically reviewed.
- Article 26 about provision of social security for children of families in need.
- Article 32 –33, 35-38 and 40 protection from dangerous work, illicit drugs, abduction, exploitation and harmful activities, cruel punishments, and armed conflict.
- Article 34 regarding protection from sexual exploitation and abuse - while the policy proposals do not directly address this they will indirectly assist by supporting children through provision of the 3 E's.
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- Article 39 - while the policy proposals do not directly address measures to promote physical and psychological recovery and social reintegration of a child victim the work towards employment, early intervention and empowerment will provide support levers in this regard, particularly via ACE Hubs and Children's Zones.

However, the new approach to building resilient communities will engage, and has the potential to positively support, a number of UNCRC articles. These include:

- Articles 1-5 - the Welsh Government observes these articles in taking forward the policy proposals.
- Articles 12 - 14 (freedom to form and express views and for those views to be taken into account) – as referenced above, the new approach will focus particularly on empowerment.
- Article 19 (protection from violence and abuse) – the Welsh Government publishes an annual action plan for its Hate Crime Framework for Action, and Objective 4 in the Strategic Equality Plan also focuses on hate crime and other forms of abuse. The policy proposals will also provide support in this regard via work on ACE's and Children's Zones.
- Article 23 (disabled children's right to a full and independent life) – the focus on Children's Zones and actions around legislating for those with Additional Learning Needs ('ALN') will contribute to delivering in respect of this right.

- Article 24 – (right to good quality health care) – by focusing on early years, the new approach will help to improve children’s life chances by preventing problems rather than tackling them after they have happened. In addition, the ACE Hub will help to ensure that children who have experienced traumatic events grow up to be as healthy as possible.
- Article 27 (right to an adequate standard of living) – the focus on employability and the proposed extension of Lift and Communities for Work and PACE will focus on enabling both young people and people with dependent children to gain employment. This will help to lift families and young people out of poverty. The focus on those who are not in education, employment or training, including in the SEP, will support this as will the creation of 10,000 apprenticeships.
- Articles 28 and 29 (right to education and development) the policy will assist in supporting learning and development of children, as will ALN legislation and the new curriculum.
- Article 30 (not to be denied the right to enjoy minority culture, religion or language) ) the new policy approach together with the new way of working required by the WFG Act will work towards cohesion and inclusion which in turn will see a strengthened approach in relation to this right.
- Article 31 (right to relax and play) - the Welsh Government will continue to fund Streetgames (a charity dedicated to helping CYP living in disadvantaged areas to access sport).
- Articles 41 and 42 - relate to existing statutory provision and promotion of the Convention which, the Welsh Government will continue to work towards in respect of the policy proposals.

In developing the new approach, officials will continue to be mindful of the need to ensure that, as far as possible, it supports the UNCRC.

#### **Step 4. Advising the Minister and Ministerial decision**

This Children’s Rights Impact Assessment has been developed to ensure due regard is given to Children’s Rights when ministerial decisions are made about the future of CF.

The CS has been advised of the possible impacts on CYP in CF cluster areas and a copy of this CRIA will be included as part of the advice to him before he makes the final decision on CF and on the future approach to resilient communities.



### **Step 5. Recording and communicating the outcome**

**Final version to be retained on i-share**

All paperwork relating to the potential phasing out of CF, including this Children's Rights Impact Assessment has been stored on the Welsh Government's record management system. Should the Cabinet Secretary decide to phase out CF, this CRIA will be published on the Welsh Government website, along with a summary of the responses received during the engagement.

### **Step 6. Revisiting the piece of work as and when needed**

As highlighted above, this is a living document and has been revisited following the engagement exercise. It will be assessed and updated as the new approach to resilient communities develops and evidence of impact is gathered.

### **Budgets**

**Does the piece of work have any associated allocation of budget?**

**Can you identify how much of this budget will be used for children and young people?**

It is important that where any changes are made to spending plans, including where additional allocations or savings have been made, that this has been assessed and evidenced as part of the CRIA process.

**Has any additional spend been identified to ensure children and young people have been given an opportunity to contribute to the piece of work and have their opinions heard? If so, how much?**

**Please give any details:**

In 2016-17, CF clusters were allocated a budget of £31.782 million. It is not possible to

disaggregate how much of this spend is specifically targeted at CYP. All aspects of communities related funding for 2017/18 will not be confirmed until later this spring.


Should the CS decide to proceed with a phasing out, there will be cost savings and further advice will be submitted outlining options for the alternative use of this funding in 2017/18

In addition to usual staff costs, an additional £25,000 was spent on the engagement exercise – some of this spend was to ensure the involvement of CYP and that their views were properly/fully taken into account in the analysis of responses.

### **Monitoring & Review**

<b>Do we need to monitor / review the proposal?</b>	<b>Yes</b>
<b>If applicable: set the review date</b>	<b>July 2017</b>

Please forward a copy of this CRIA to [CRIA@wales.gsi.gov.uk](mailto:CRIA@wales.gsi.gov.uk) for monitoring purposes



**See next page for a  
Summary List of the  
UNCRC articles**

# THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

[www.uncrcletsgetitright.co.uk](http://www.uncrcletsgetitright.co.uk)

The United Nations Convention on the Rights of the Child is an international agreement that protects the human rights of the children under the age of 18. On 16 December 1991, the United Kingdom of Great Britain and Northern Ireland formally agreed to make sure that every child in the UK has all the rights as listed in the convention. The Welsh Government has shown its commitment to the convention by adopting it as the basis for policy making for children in Wales.

Altogether there are 54 articles in the convention. Articles 43-54 are about how adults and governments should work together to make sure all children are entitled to their rights. The information contained here is about articles 1-42 which set out how children should be treated.



Llywodraeth Cymru  
Welsh Government

[www.cymru.gov.uk](http://www.cymru.gov.uk)

## Article 1

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

## Article 2

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

## Article 3

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

## Article 4

Governments should make these rights available to children.

## Article 5

Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.

## Article 6

All children have the right to life. Governments should ensure that children survive and develop healthily.

## Article 7

All children have the right to a legally registered name, the right to a nationality and the right to know and, as far as possible, to be cared for by their parents.

## Article 8

Governments should respect children's right to a name, a nationality and family ties.

## Article 9

Children should not be separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.

## Article 10

Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact or get back together as a family.

## Article 11

Governments should take steps to stop children being taken out of their own country illegally.

## Article 12

Children have the right to say what they think should happen, when adults are making

decisions that affect them, and to have their opinions taken into account.

## Article 13

Children have the right to get and to share information as long as the information is not damaging to them or to others.

## Article 14

Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should guide their children on these matters.

## Article 15

Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

## Article 16

Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

## Article 17

Children have the right to reliable information from the mass media. Television, radio and newspapers should provide information that children can understand, and should not promote materials that could harm children.

## Article 18

Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.

## Article 19

Governments should ensure that children are properly cared for, and protect them from violence, abuse and neglect by their parents or anyone else who looks after them.

## Article 20

Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.

## Article 21

When children are adopted the first concern must be what is best for them. The same rules should apply whether the children are adopted in the country where they were born or taken to live in another country.

## Article 22

Children who come into a country as refugees should have the same rights as children born in that country.

## Article 23

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

## Article 24

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

## Article 25

Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

## Article 26

The Government should provide extra money for the children of families in need.

## Article 27

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

## Article 28

Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.

## Article 29

Education should develop each child's personality and talents to the full. It should encourage children to respect their parents, and their own and other cultures.

## Article 30

Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.

## Article 31

All children have a right to relax and play, and to join in a wide range of activities.

## Article 32

The Government should protect children from work that is dangerous or might harm their health or their education.

## Article 33

The Government should provide ways of protecting children from dangerous drugs.

## Article 34

The Government should protect children from sexual abuse.

## Article 35

The Government should make sure that children are not abducted or sold.

## Article 36

Children should be protected from any activities that could harm their development.

## Article 37

Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.

## Article 38

Governments should not allow children under 15 to join the army. Children in war zones should receive special protection.

## Article 39

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

## Article 40

Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences.

## Article 41

If the laws of a particular country protect children better than the articles of the Convention, then those laws should stay.

## Article 42

The Government should make the Convention known to all parents and children.

For further information on the United Nations Convention on the Rights of the Child please visit: The Welsh Government's UNCRC Website: [www.uncrcletsgetitright.co.uk/](http://www.uncrcletsgetitright.co.uk/)

Cic - The National Information and Advice Service for Young People  
[www.ciconline.co.uk/news/](http://www.ciconline.co.uk/news/)