

Comisiynydd Plant Cymru
Children's Commissioner for Wales

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Report & Accounts
2002 - 2003

Children's Commissioner for Wales - The Commissioner & his Team



Maria Battle

Assistant Commissioner (Deputy, Legal & Administration)



Peter Clarke

Children's Commissioner for Wales



Sara Reid

Assistant Commissioner (Communications)

Legal & Administration Team



Sharon Davies

Systems Development Manager



Charlotte Blair

Finance & Administration Manager



Administration Assistants



Jon Murphy



Michelle Holland



Nicola Jobbins

Finance Assistant



Carol Roberts



Manus Sheridan



Sharon Clapton

Personal Assistant



Communications Team



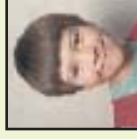
Julie Griffiths

Senior Communications Officer



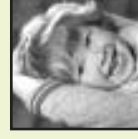
Karen Burrows

Communications Officer



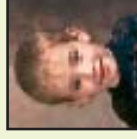
Elin Jones

Communications Officer



Damien Edgell

Trainee Project worker



Rhian Davies

Assistant Commissioner (Policy & Service Evaluation)



Policy & Service Evaluation Team



Mair Jones

Senior Policy & Service Evaluation Officer



Peter Hosking

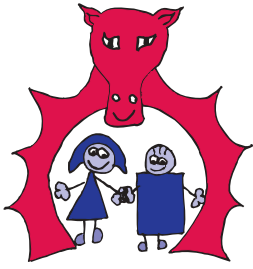
Senior Policy & Service Evaluation Officer



Lisa Turnbull

Policy & Service Evaluation Officer





Comisiynydd Plant Cymru
Children's Commissioner for Wales

Foreword

When we are focused on the tasks with which we are charged, time passes quickly and it is often difficult to appreciate how much we are achieving. This report looks back over our first operational year as a full team, and the growth in our activity and the volume of work completed has amazed me.

While my second year has felt just as exciting and challenging as the first, the task facing myself and my team is not inconsiderable, and sometimes achieving the progress we seek can seem a struggle. However, I hope that when reading this you will be as encouraged as I am – not only by the significant work undertaken by my office, but by progress made by those working in partnership throughout Wales to improve children and young people's lives. Having a Children's Commissioner is no substitute for well run services that are experienced by young people as sensitive to their needs and hopes.

One of the most consistent messages I have received from the children and young people of Wales has been their clear impression that they are not respected by adults. The desire for respect from adult society has continued to be a consistent theme from year to year. I believe passionately that we should respect children and young people as individuals who can contribute to our society, if we give them a real opportunity to do so.

National leaders often lament the lack of interest young people have in public affairs. In my experience young children often have a great deal of enthusiasm for engaging in decision-making processes. Too often this enthusiasm is stripped

from them by repeated experiences of adult indifference or hostility. It continues to surprise me that we expect 18 year olds to be fully engaged in our representative processes when we have not given them any real experience of decision making in the things that affect them most. A radical increase in children's participation in decisions helps them gain confidence as citizens, improves the services we provide for them and makes it harder for adults to sustain some of the strange and wrong ideas we have about young people. Participation of this sort, with adults and young people negotiating together to achieve shared goals, will help foster a climate of mutual respect.

Since my last report, the Welsh Assembly Government has continued to be a strong advocate for young people's participation in decision making, and I applaud them for it. There is, as ever, a long way to go before we convince our young that we have a generally respectful attitude toward them.

Once again I take this opportunity to urge all adults to reflect on the opportunities they are affording young people – both in their private lives and in their public responsibilities – as we work together to create a country in which our young people play an equal, active and proud role.

Peter Clarke
Children's Commissioner for Wales
October 2003

Contents

Introduction	1
PART ONE:	
What's a Children's Commissioner?	3
What we do	3
How we do this	5
PART TWO:	
What did we do in 2002 - 2003?	6
Listen, hearing and learning	6
Reviewing	7
Investigating	8
Keeping our fingers on the pulse	9
Getting the message across	9
Building a strong organisation	10
Facts & figures	11
PART THREE:	
Children's Commissioner's Review of Issues relevant to the rights and welfare of children	15
Follow up on 2001 - 2002	15
Child poverty	15
Education	15
Priority issues 2002 - 2003	16
Child & adolescent mental health services	16
Planning	17
Play and leisure	18
Antisocial behaviour	19
PART FOUR:	
Accounts	20
Notes to the Accounts	30

We're grateful to all the young people and children who have worked with us during the year, whether in person or through backchat. Many of their comments and photographs appear throughout this report.

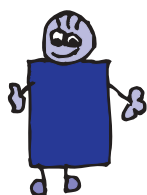
This report can be made available in alternative formats on request.

**Children's Commissioner for Wales,
Oystermouth House, Charter Court,
Phoenix Way, Llansamlet, Swansea SA7 9FS
Tel: 01792 765600 Fax: 01792 765601**

**Penrhos Manor, Oak Drive,
Colwyn Bay, Conwy LL29 7YW
Tel: 01492 523333 Fax: 01492 523336**

**Email: post@childcomwales.org.uk
Website: www.childcomwales.org.uk**

Part 1



What's a Children's Commissioner?

A Children's Commissioner is sometimes described as a children's champion and an independent human rights institution for children. Exactly what a Children's Commissioner does, and how they do it, varies from country to country – but they always have the best interests of children and young people at heart.

The post of Children's Commissioner for Wales – the first of its kind in the UK – was established by the Care Standards Act 2000. The Children's Commissioner for Wales Act 2001 broadened the post's remit and set out its principal aim, which is to safeguard and promote the rights and welfare of children in Wales.

Peter Clarke is the Children's Commissioner for Wales. He took up his post in 2001, and he and his team are there to help make sure that children and young people in Wales:

- **are safe from harm and abuse**
- **get the opportunities and services they need and deserve**
- **are respected and valued**
- **have a voice in their communities and are able to play as full a part as possible in decisions that affect them**
- **know about their rights and the UN Convention on the Rights of the Child.**

The main focus is on everyone aged 18 or under living in Wales, or who normally lives in Wales. But, he can also act in relation to older young people under certain circumstances – e.g. if they have been looked after by a local authority. If there are implications for today's children and young people, he can also investigate things that happened to adults when they were children.



What do the Commissioner and his team do?

Under the legislation, the Children's Commissioner role isn't limited to what are usually considered to be children's issues, such as health, education and social services. Planning, transport, the environment, economic development and rural affairs also fall within the scope of his role.

The Commissioner can:

- review the effects of policies, proposed policies and the delivery of services to children.
- examine the case of a particular child or children if it involves an issue that has a more general application to the lives of children in Wales
- require information from agencies or persons acting on their behalf, and require witnesses to give evidence on oath.
- provide advice and assistance to children and young people, and others
- consider and make representations to the National Assembly for Wales about any matter affecting the rights and welfare of children in Wales. This means that he can deal with issues outside the responsibility of the National Assembly, such as youth justice, the family courts and social security benefits.

He must also:

- make sure that children and young people know where his offices are and how to contact him and his team
- encourage children to contact him and the team
- ask children what they think about his work and future work, and allow them to influence his work programme

- make sure that he and his staff go and meet children wherever they are.
- pay particular regard to children who are 'hard to reach', subject to social exclusion or are marginalised in some way
- have regard to the United Nations Convention on the Rights of the Child in everything he or his team, do.

Want to find out more?

- The Care Standards Act 2000 and the Children's Commissioner for Wales Act 2001 can be found on the HMSO website at: www.legislation.hmso.gov.uk
- The Assembly passed legislation in July 2001 and this can be found on the HMSO website at www.wales-legislation.hmso.gov.uk
- The Assembly's consultation document on proposals for the Commissioner regulations provides further details on the full remit and range of powers. It can be found on the Assembly's website at: www.wales.gov.uk/subichildren.
- There's lots of information and an easy to understand version of the UN Convention on the Rights of the Child on www.therightssite.org.uk, www.savethechildren.org.uk/rightonline, www.childreninwales.org.uk, www.unicef.org.uk or www.crights.org.uk
- For more information on Children's Commissioners and ombudspersons all over Europe try www.ombudsnet.org.
- Have a look at the introduction to the accounts in Part 4 of this report.

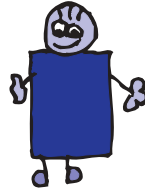
PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

The best thing about being a child in Wales is that there aren't any wars. The worst thing is that there's too much pollution.

One of the best things about being a young person in Wales is that I can speak a different language. It's good being able to watch Welsh tv programmes and listen to Welsh music.

I think there needs to be more youth clubs and clubs for teenagers to join - like sports clubs and stuff.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES



... and how do they do this?

The Children's Commissioner and his staff are based in offices in Swansea and Colwyn Bay, but work all over Wales. They are divided into three smaller teams, but all working together. Each team is headed by an Assistant Commissioner.

The **Legal and Administration team** provides legal expertise and deals with the day-to-day business of running the organisation.

The **Policy and Service Evaluation team** analyses and influences policy, and evaluates practice and promotes better services for children.

The **Communications team** leads on direct contact with children and young people – involving them in our work and making sure that their views and opinions are communicated to others. This team also raises awareness of children's rights in general, and gets the message out about the Children's Commissioner and what the other teams are doing, to the wider world.

Advice work

One of the ways we work together across the organisation is on advice work. Every day we get calls from children and young people, or adults who are concerned about them, and we give them information and advice. In many cases the Children's Commissioner intervenes, and works alongside the child or young person. Sometimes policy needs changing, sometimes it's a service that needs to improve, sometimes legal action is necessary, and sometimes somebody just needs to communicate with the children or young people. Each of the teams is part of the advice work rota, and each brings particular expertise to the advice work team.

Well, I'm being bullied at college. I don't like it, but that is the way life goes. I've been to the college about it, but they don't do nothing, and I don't know what to do.

Listen to children! Gwrandewch ar blant! People and children should have the right to be free to live.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Part 2



So what did you do in 2002 – 2003?

Listening, hearing and learning from children and young people

The Children's Commissioner has been committed to reaching out to children and young people from the outset. Face-to-face contact, allowing them an opportunity to discuss their concerns with him directly continues to be a priority. Despite increasing demands from the more office based aspects of the role, he has continued with a demanding series of visits, public speaking engagements and attendance at events where children and young people are given a voice.

Now that there is a larger staff team, this activity has been extended, and the messages from children and young people are recorded and accessible to all staff. We've also conducted surveys on specific issues (e.g. school toilets) and all teams work together to make sure that we really do hear what we're told and that all our work is informed in some way by what we have learnt from our dialogue with children and young people.

The legislation makes it clear that the Commissioner and his team must get out there and meet children and young people – not just wait for the phone to ring or an email to arrive. But setting up mechanisms so that they can reach us is important, and a range of ways in which children and young people can have their voices heard and play a part are currently in development. This already includes an innovative email group called **Backchat/Atebnôl**, and in future a dedicated phone line and an SMS text service.

As well as speaking at conferences, during the year the Commissioner and his team attended events such as Eisteddfodau, youth festivals and fundays and visited youth forums, schools, projects and groups – making sure that people know about the Commissioner and why we're here. We're also promoting the concepts and ideas behind children's rights and encouraging others to respect children and young people's rights in everything they do.

backchat

A chance for children and young people to have their say

This email survey group was piloted during the year and has now been formally launched. It gives children and young people a safe and quick way of telling the Commissioner's team about what really matters to them, and lets them contribute to the work the team then do with service providers, politicians and policymakers.

We only hold the bare minimum of information about **backchat** members. We don't even have their addresses or surnames, and only the coordinator sees the email addresses. We email everyone regularly to ask about their views on things that are going on in the Assembly, soaps and celebrities, key stories in the news and for general suggestions. It's also a route that can be used to deal with more specific complaints or concerns.

The group started without a name, but the first members came up with a list of suggestions and **backchat** emerged as the winner after an on-line election. Matthew from Swansea and Jâms from Cardiff came up with the bilingual **backchat/atebnôl** combination.

We want children and young people to be kept up to date with what we're doing even if they don't always feel like contributing. Through **backchat** they also get to contribute to what some regard as our more serious work, and to suggest new topics. We don't expect a reply every time, but with the burning issues we do get a strong response. When we made a presentation on bullying in schools to an Assembly committee a few months ago, **backchat** members contributed views and personal experiences that not only illustrated the points we made, but influenced what we chose to focus on.

To join - or to find our more – email us on backchat@childcomwales.org.uk

Reviewing

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Conducting a review gives us an opportunity to look more closely at how policies and practice are promoting and safeguarding children's rights and welfare. The first review was conducted in the second half of 2002 and returned to the main impetus for the establishment of a Children's Commissioner for Wales – the recommendations of the Waterhouse Report, **Lost in Care**. The Wales-wide exercise looked at arrangements for children's advocacy and procedures for dealing with complaints and whistleblowing in social services department in each of the 22 local authorities. A report including the review findings and recommendations – **Telling Concerns** – was published in late February 2003.

Telling Concerns provides the most comprehensive survey to date of advocacy provision for children and young people by local authority social services in Wales. Where good practice was identified it will be promoted through Practice Guides currently in production. However, **Telling Concerns** gives an overview of the systems and procedures in place, and in terms of complaints, whistleblowing and advocacy it is clear that children are not getting the best possible deal. Among the findings were that local authorities failed to appreciate the importance of whistleblowing policies to safeguard children, to any services they are responsible for – whether delivered in-house or commissioned. It was also clear that no specific attempts were made to ensure that children from the most marginalised groups had access to these services. Most local authorities admitted that they could not meet the support needs of looked after children living a long way from home, who are often the most vulnerable.

We think being a young person is very hard because of the bullying, lack of transport, lack of jobs and lack of things to do in our community.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

The contribution made by the groups of children and young people involved in the review was crucial, and we're grateful to them for giving up their free time to take part. Those involved in the review clearly recognised the importance of telling, and of the need to tell; but without more child-focused systems and a knowledge of their existence, they are unlikely to do so. The review showed that there was a low incidence of complaints initiated by children and young people. We need to be confident that such a crucial process in safeguarding children's interests is child centred and accessible to them rather than matching adult notions of what that means. This review is the first stage of a wider process to review such systems in all services impacting on children's lives. In coming months, we intend to review local education authorities' arrangements for complaints, whistleblowing and advocacy.

Telling Concerns

Among the key recommendations are:

- that the Welsh Assembly Government should establish a unit to coordinate the provision of advocacy services across Wales.
- a thorough and genuinely participative study with children and young people to make systems more child-centred.
- that whistleblowing policies for staff in social services should be more directly linked to child protection, and in line with Waterhouse's recommendations, the failure to report malpractice should be made a disciplinary offence.
- a streamlined, 'one-stop-shop' approach to responding to children's issues and concerns.

Investigating

The Commissioner has a legal power to conduct another kind of review or investigation – one that looks at a particular case in more detail. He can also hold an Examination – a formal public inquiry into circumstances surrounding a situation of particular concern. This aspect of our work is growing and restructuring will be taking place in 2003-2004 to account for this.

During 2002-03 the Clywch Examination continued. This Public Inquiry is examining statements by former pupils of the late John Owen and service providers to:

- identify lessons to be learned from the way abuse allegations were investigated and whether current guidance, procedures are adequate
- evaluate the adequacy of present arrangements to encourage children to share their concerns with adults
- examine safe practices and procedures for working with children in the performing arts

Fifty witnesses attended and gave evidence during the 23 days on which the inquiry sat during the year. A total of 120 statements were received and 2,937 pages of evidence gathered.

The public phases of the Clywch Examination will be completed in November 2003, and the final report will be published in 2004.

To complain when I'm living somewhere is really difficult.

I want to complain about bullying in schools.

People need to speak up and not be scared.

I didn't like speaking up for myself. Advocacy is a good idea for people who can't speak up for themselves.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Keeping our fingers on the pulse

It isn't enough to just listen to children and young people. In many cases the key information will come from organisations or professionals or other adults working with them or on their behalf. It is essential that communication channels with such groups or bodies function efficiently and effectively. A schedule of meetings between the Commissioner, Assistant Commissioners and team members, and such organisations and associations is maintained. We have representation as observers on many WAG and other working groups and are members of alliances such as End Child Poverty Network Cymru, 'Sdim Curo Plant!/Children are Unbeatable! Cymru and the European Network of Ombudspersons for Children (ENOC). Where appropriate regular meetings take place with key reference groups – either made up of children and young people, their advocates and relevant professionals, or a mixture of both.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Getting the message across

A children's champion needs to speak out and represent the views and interests of children to the public, and to government and policy makers. We've responded to policy documents, given evidence to subject committees and select committees, and made representations to the Welsh Assembly and UK government.

Getting those messages across is very important, and by giving interviews to national, local and UK newspapers, magazines, journals, television and radio programmes, we try to reach as many people as we can. At all times we try to reflect what children and young people have told us, as well as what we feel is in their best interests. While press releases are issued for key events and launches, in most cases the journalists come to us, and the high profile of the Children's Commissioner, his team and children's rights in the Wales and UK media in both Welsh and English has been maintained.

We're currently working on an Information Pack, and a more extensive range of leaflets, posters and other materials. We also publish the findings and recommendations of the inquiries and reviews we do. Hard copies of leaflets and reports are available from either of our offices.

Advocacy is there to protect children and young people – helping you understand your rights and making other people listen to you.

I worry a lot about stupid things! These are a few of my worries at the moment: war against Iraq, boys, money & school stuff like homework or general work in class.

Damien's project – the information pack

Damien Edgell joined the team in January 2003 with a mission to develop an information pack in conjunction with children and young people. Damien is 17 years old and a Save the Children Fund Trainee Project Worker who is placed with the Children's Commissioner's Team as part of the Saying Power Scheme. He's busy asking children and young people what sort of publications and freebies they would like to see in the pack – and we're going to be looking at how the pack can be adapted so that it meets the needs of different children and young people. Soon he'll be involving them in deciding on their preferred designs and leading the work on developing this important information resource.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Building a strong organisation

The Children's Commissioner's Office couldn't have the freedom to work proactively towards its aims without a strong organisation and a firm foundation on which to build such a broad range of activity. The team of finance and administrative staff help keeps things ticking over smoothly, and provides essential support for the rest of the staff.

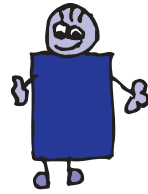
Without a clear framework of policies and systems it would be difficult to realise the vision. In January 2003, Sharon Davies joined the Legal and Administration team on secondment from the National Assembly as Systems Development Manager. Through working closely with the Legal and Administration team and the rest of the Senior Management Team, the work to give the Children's Commissioner's work the strong and secure organisational underpinning needed is progressing well.

If people under 18 weren't under age drinking in bars, what and where would they go on Friday and Saturday nights?!! At 17 it's fun to go in the clubs!!

I think peer pressure plays a big part in drug abuse. Friends and other drug users can influence you, but it is also the individual's choice whether they follow the path of drug users.

I wasn't fairly treated because I wanted a mainstream school (with support) but they made me go to a special school. They promised me they would review it but they didn't.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES



Sounds like a lot of work. Anything else?

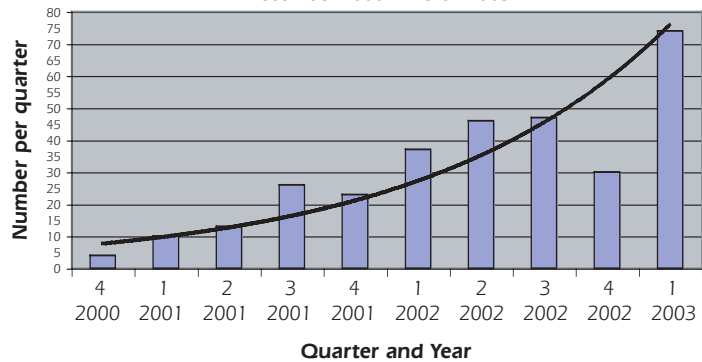
Supporting children and young people: the facts and figures

The Advice Team is drawn from the other teams within the office on a duty rota basis. They provide advice and support to individual children and young people and those who call on their behalf.

This is a significant area of work. In the year 2002-2003 197 people contacted the Advice Team for the first time – a 76% increase on last year and, of course, we are still working with many of the people who have contacted us in the past. At the time of writing we have acted in relation to over 450 of the contacts received.

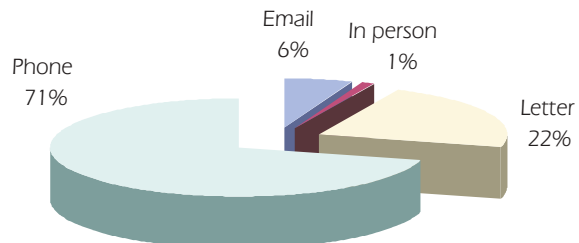
Advice team - new referrals per quarter

December 2000 - March 2003



The ways in which people contact us has also changed since the first year. Most cases came to our attention by letter (52%) in 2001-2002, but there has been an increase of nearly 30% in telephone contacts overall. Email contact has also increased from 1% to 5%.

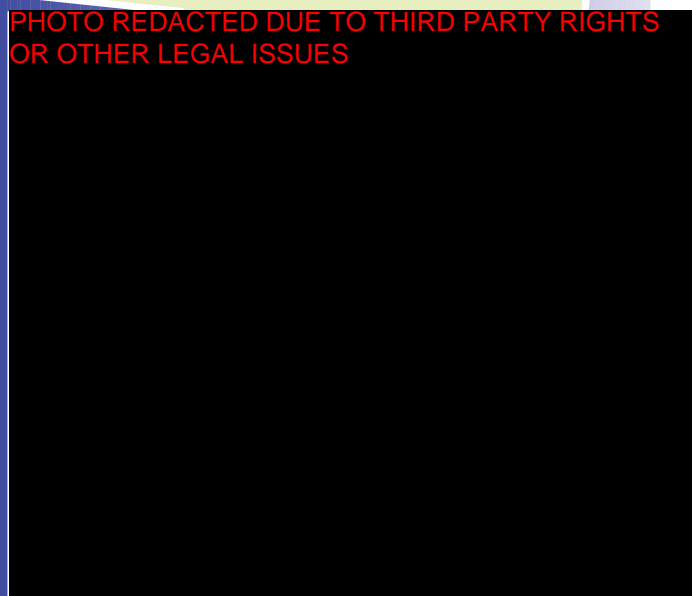
Methods used to contact the Commissioner



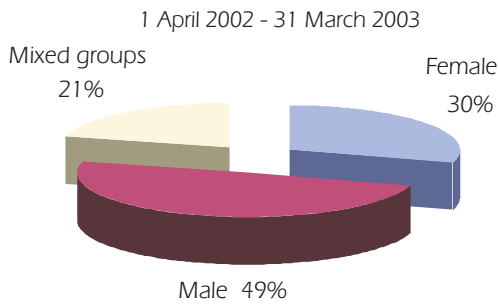
The gender distribution has also changed since the first year, with the large number of SEN issues raised perhaps accounting for the increased representation of boys and young men among the advice work workload for the year.

I think having a Children's Commissioner will change the way people are treated and solve problems and get more activities going ... stuff like that. People who make the complaints will be able to discuss it with the people you've met and so people you've met will discuss this with the children.

I think a lot of young people, myself included, cannot see themselves living in West Wales when they are older, because of the lack of jobs in the region. Bus services only run to some villages once a week. For young people who are into shopping, West Wales is probably the worst place in Britain!

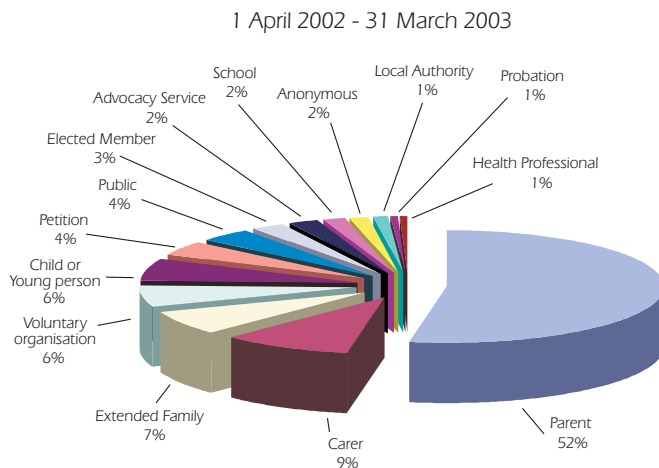


Gender of children and young people on whose behalf action was taken



Most initial contact comes from a parent or carer, but advice workers always ensure that they speak to the child or young person as soon as possible. In many cases it is appropriate that the adults – whether carers or professionals – act as advocates for the child or young person and they will be our main contact point. This is particularly appropriate in the case of very young children or those with certain communication needs. In some cases we will help the child get an independent advocate. As the communications systems we are developing for children and young people become operational, the proportion of initial contacts from them will increase. Adults contacting the advice team are always informed that we act on behalf of the child or young person and their best interests and wishes will guide any action we take, rather than the wishes of the adults involved.

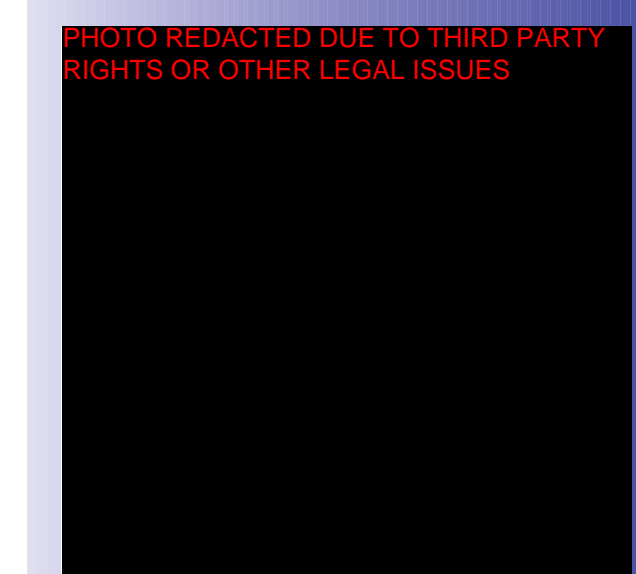
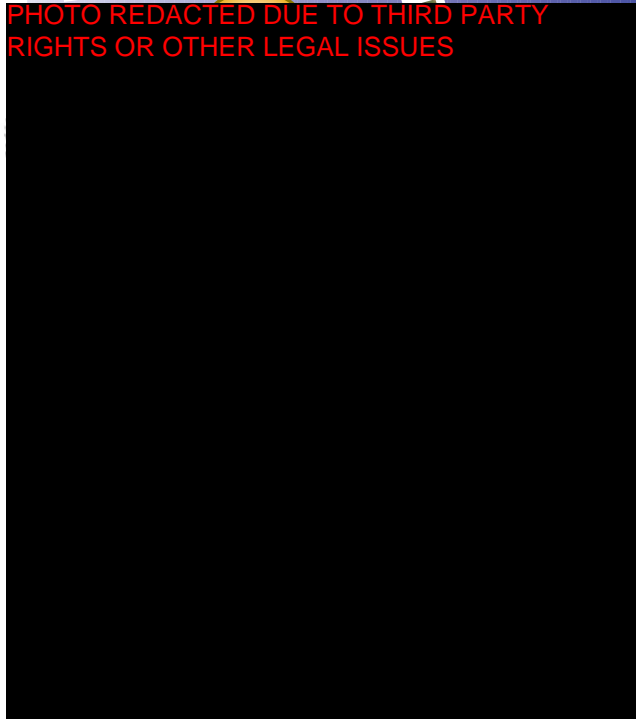
Who made the initial contact



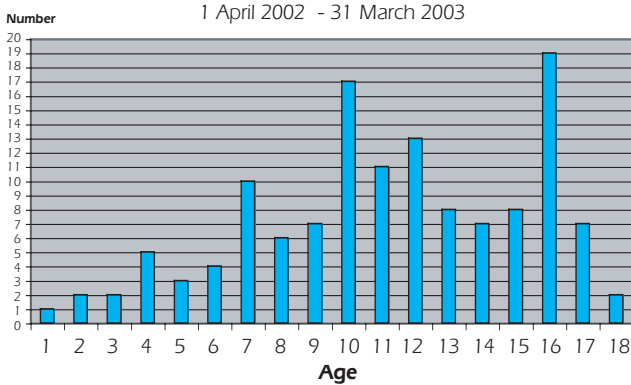
The age distribution of advice work demonstrates certain emerging trends. Even at this early stage it is clear that advice is most likely to be sought at key transition points, e.g. between primary and secondary education, and the transition from school to work or training.

There should be NO SMOKING in front of children – and we need more things to do like games and cross country.

I always see bullying at school. I think it's quite sad to see someone get bullied. I try to keep out of people's way when they're arguing, but if somebody is being mean to my close friends I get involved with it.



Ages of children and young people on whose behalf action was taken



The Advice Team doesn't duplicate the work of existing agencies and organisations and the Advice Team often signposts callers to those agencies that can provide the help they need. It's clear that the general public are often unaware of where to turn, and in coming year developing awareness should be a priority. In many cases we advise callers to follow the established complaints procedures in the appropriate agencies. This has proved problematic for many people and they have often needed the support of the Advice Team in order to lodge a formal complaint.

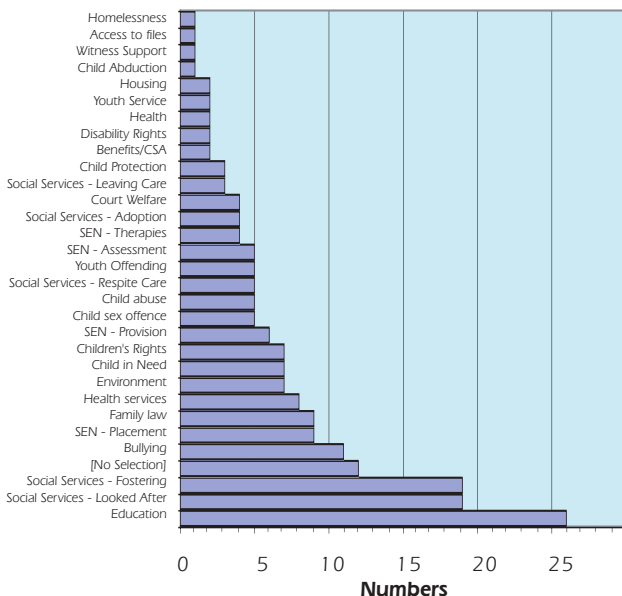
Case example: a typical difficulty

Young people and parents complained about bullying in school. The Head Teacher wouldn't accept the complaint because he said that "there is no bullying in my school".

We encouraged him to listen to what his students and their parents had to say.

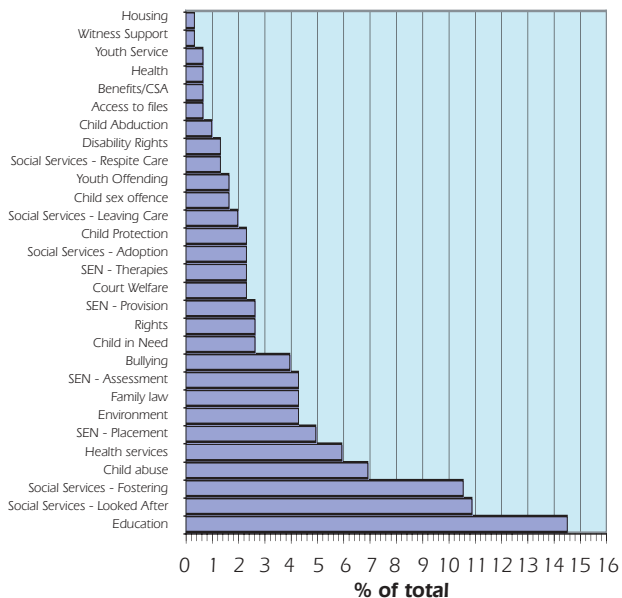
Types of issue dealt with by Advice Team

1 April 2002 - 31 March 2003



The range and types of issue drawn to the Children's Commissioner's attention was similar in both 2001-02 and 2002-03. Education in general and Special Educational Needs matters in particular figured significantly. The Commissioner's review of issues (Part 3 of this report) explores this further.

Types of issue brought to the Children's Commissioner since established



As well as helping to achieve better outcomes, increased protection or redress for the child or young person concerned, individual cases provide a valuable pointer to the need for a change of policy or working practices. Analysing what went wrong for one young person can give insights that inform our contribution to more general debate or consultation.

Case example: Policy

A young person placed in a residential home in another county was unable to access mental health services and became seriously ill.

We made sure the young person got the help they needed and asked what went wrong? We'll be putting pressure on policymakers and service providers to make sure that they get it right in future.

Sometimes an individual's concern in one area of Wales may highlight the need to get an all-Wales picture. In this case, we canvass the opinion of children and young people across the country.

Case example: School buses

Following a tragic accident involving a school bus many people contacted the office with concerns about the age and mechanical condition of the buses as well as the lack of adult supervision.

Not only are we looking into this individual case, but we're also exploring the policies behind this and how they're implemented, AND involving children in the work. We're using a mock radio interview technique to let children and young people tell us how they feel about safety on their school bus – including whether bullying is a problem.



So what will you be doing next?

As well as continuing with the work and new initiatives outlined above, we're already working towards the following in 2003-04:

- Developing the arrangements for providing advice and assistance to children and young people, and for undertaking investigations of individual cases.
- Increasing awareness of the Commissioner's existence and visiting even more schools, projects, youth groups, festivals and other events – and having more children and young people visit us!
- Beginning work to set-up advisory groups, so that children and young people are more systematically involved in everything we do.
- Launching phase 1 of our new website and beginning extensive consultation to develop it.

In the following year we'll be:

- promoting the services we offer, and the achievements made in innovative ways
- recruiting schools ambassadors and increasing our work on monitoring the UNCRC
- involving children and young people fully in the planning process for 2005-06
- monitoring the implementation of the Clywch Examination recommendations continuing to listen and learn, review, investigate, promote good practice and speak up for children and young people in Wales.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

The bus we travel on is awful – when it turns a corner the door opens, when it rains the water pours in through the roof and there's chewing gum on every seat.

Not all bus stops are safe, dry and clean. What are you going to do about that?

I don't know a lot about school transport because I don't use it, I'd much rather walk to get fresh air and exercise.

Our school hasn't got any special teacher to help children with autism. We need money from the Government!

Part 3

Children's Commissioner's Review of issues relevant to the rights and welfare of children in Wales

In last year's report I highlighted a number of key issues for children and young people in Wales. These came to my attention in many cases as a result of direct conversations with young people themselves. I want to draw attention to some new issues that I have become aware of in a similar way during the last year.

The matters I raised last year have not all been sorted out, however. I will therefore first review progress on what I consider to be the most important.

Follow-up on 2001-02 priority issues

Child Poverty

I was heartened by the speedy and positive response of the Welsh Assembly Government to the major issue of child poverty highlighted in last year's report. The promise to create an Assembly strategy to tackle child poverty will complement UK government's efforts to halve child poverty in a generation.

This is commendable, but they are missing their own targets by a considerable margin. It is the children who suffer the consequences of this failure. The Chancellor has announced that a review will take place for 2004 but this timescale will not put the policy back on track in time for large numbers of young people. Problems with the Inland Revenue's administration of Child Tax Credits compound this omission.

I will continue to monitor the impact of Assembly and Governmental policies on child poverty in Wales in all my future reports. Children continue to describe the effects of poverty to me and my staff, and no-one could fail to be moved by their struggles. I still believe that the

eradication of child poverty would be the biggest single thing we could do for them.

There are links between poverty and poor health in children. Some children have a poor diet, leading sometimes to obesity. Following up ideas from children and young people on how to improve their diet and healthy leisure opportunities should be a priority for the Welsh Assembly Government. The provision of healthy food in the school environment is crucial. I welcome moves by many schools to ensure that drinking water is always available to pupils.

The level of child poverty remains a national disgrace, both for Wales and the United Kingdom.

Education

I continue to get a high number of people contacting my office about education issues. Children raise many concerns about the state of buildings (and yes, school toilets!) and about what they experience as unfair treatment. Many young people also continue to tell me about the amount and type of excessive stress put on them, and their teachers, by our current testing regime. This is being reviewed in Wales, and I will be monitoring progress.

A number of schools in Wales are adopting a far more rounded view of education, to the benefit of teachers and pupils alike. Some are refocusing school activity as a consequence of structured discussions with pupils and parents. I am strongly supportive of such initiatives. Problems with services for children with special educational needs continue to dominate my postbag. I hope that joint planning and service delivery mechanisms being put in place will start to impact on this.

Children and Young People's Frameworks have the potential to ensure joint working and young people's participation and I look forward to reading examples of this in practice. I will, of course, also be watching closely as we move towards the date by which the WAG aims to have a school council in every school in Wales (late 2004).

The provision and safety of school transport is another education related issue that I have begun discussing with young people and concerned adults. It is already apparent that there is a great variation in the quality of vehicles and arrangements in Wales, and the issue has been brought into sharp focus by a fatal accident in South Wales. I have approached the National Assembly about this, and have received assurances that transport for young people will be a priority issue for review.

Priority issues 2002-03

Child and Adolescent Mental Health Services (CAMHS)

The publication of **Everybody's Business** - the all-Wales strategy for child and adolescent mental health services - was welcomed by many practitioners and commentators. It set out a clear strategic direction designed to ensure that adequate and appropriate emotional and mental health services were available for young people in Wales. It made prominent mention of a child centred approach which was welcome, although other elements of the strategy did not display as explicit a commitment to participation as they should. Nonetheless, the strategy was a bold and imaginative attempt to put mental health services for young people on the right track.

It is therefore all the more surprising that no funding has been identified and ringfenced to implement the strategy by the Welsh Assembly Government (WAG), who commissioned the report in the first place and action must be taken in order to address this.

The consequences are all too clear. I have been approached directly by professionals and their associations, and by individuals acting on behalf of young people. Their message is the same: They speak of a service in crisis, with poor and patchy provision, and a worrying drain of skilled and professional workers. Those remaining talk of low morale. Some of the particular service deficiencies include:

- a lower number of adolescent inpatient beds per head of population in Wales than anywhere else in the UK
- no children's inpatient beds in Wales
- no adolescent forensic service in Wales
- no eating disorder beds in Wales
- virtually no service for children with a learning disability
- no emergency adolescent beds in Wales

Why isn't information easily available for young people - especially on certain health issues like contraception?

I think younger people should be allowed to vote, at the age of 15 or 16

Children should say what gets built for them and not the adult council.

What we need is more facilities for young people, and more facilities in the valleys.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

This last point means that some young people have to be admitted to adult psychiatric wards or children being placed hundreds of miles from home away from their families and their country, and that is wholly unacceptable. We have also been made aware of consultants with waiting lists of well over 12 months, and of significant staff vacancies in psychiatric and psychological services.

The lack of appropriate and timely help to young people with mental health problems can blight their entire lives. WAG is now working on National Service Frameworks including mental health. There seems little point in this further refinement of intention without a commencement of realisation. I am aware that in England £80 million was allocated to CAMHS with a further £140 million promised over the next 3 years.

It is about time the WAG either directly funded its much applauded strategy or gave up the pretence that it was committed to it. Without a clear, immediate and funded way forward for CAMHS many of its other statements of commitment to children's wellbeing ring a little hollow.

Planning – concerns from children

My office has had a number of approaches from individual young people or community groups concerned about the impact planning decisions will have on their environment, health and quality of life. Particular issues have involved the siting of mobile phone masts, landfill or incinerator sites and low flying planes.

The issue of public space for children and young people is also an area of urgent public concern. Children and young people need both well equipped play parks and simple open space where they can play and socialise freely. A number of children and their families contacted us this year with problems arising from this lack of designated space. Other problems arise where routes to and from play spaces expose children to danger. Children have described to me how unsafe they feel when cycling on busy roads. They are often very creative in thinking of ways to get round the problems, but their views and suggestions are rarely sought.

Young people should be given much more freedom to choose subjects taught in schools, also the option of home education and learning outside of school.

It's an individual's decision as to how they lead their lives and what they do, and at the end of the day its very difficult to touch every individual in a positive way without provoking a negative reaction.

I'm not worried about whether I can vote or not because I'm not worried about those sort of things because I think they're a waste of time for everyone!

A three-way dialogue needs to be created between adult members of communities, the children themselves and those responsible for designing and planning the community's physical development.

Although there are some noteworthy exceptions, many planning authorities are not tuned into children's direct involvement in decision making. This is even the case in some Local Authorities where other staff, eg Social Services, have considerable expertise in the field. Children and young people's participation has yet to be mainstreamed.

It is clear that what is needed is a national drive to involve children and young people directly in the development of community planning strategies and a simultaneous effort by planning agencies to take account of the health and social needs of children and young people. My office is now preparing to take forward this work in liaison with the Welsh Assembly Government.

'Nuffing to do....': Play and leisure

Even where children and young people do not feel inhibited from going out because of worries about their safety, many complain that there is nothing to do - nowhere to go.

Also, many facilities like leisure centres are simply too expensive for young people to use regularly. Even if many of them can find the admission cost, getting there can put the total cost beyond their means. Many young people have noted Assembly support for older people's travel, and would like a similar approach for them.

Young people do not always have provision like youth clubs nearby, and many do not want to make use of the ones that do exist. We really do need to listen to these young people. As an adult community we so often complain about young people 'just hanging about' or 'not getting out and doing things'. Yet we are also often quick to object when resources for them are being proposed. I was impressed, in a meeting with Operational Commanders of South Wales Police, by their keenness for Local Authorities to provide shelters for young people to meet and 'hang out' together. These mock bus-shelters have proved very successful. I was surprised and disappointed to hear that most proposals are turned down because of objections by local residents.

Why do we have to pay full for the cinema and on buses and stuff when we're too young to leave school and earn money?

I suppose I worry about stuff like GCSEs and schoolwork, but I don't really have much in my life 2 worry bout. After all life is a rollercoaster, let it take u were u wanna go.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

I really don't go out coz all the things that happens around here, we get the blame for.

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Similar scenarios have emerged where skateboard facilities are planned. It is perhaps unsurprising that so many young people feel confused and alienated by adult attitudes that simultaneously tell them to get off street corners and do something useful while also systematically blocking facilities they would want to use.

Anti-Social Behaviour

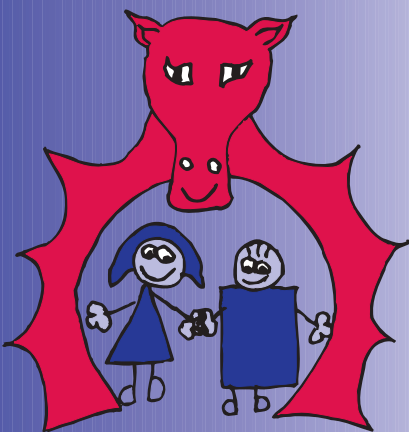
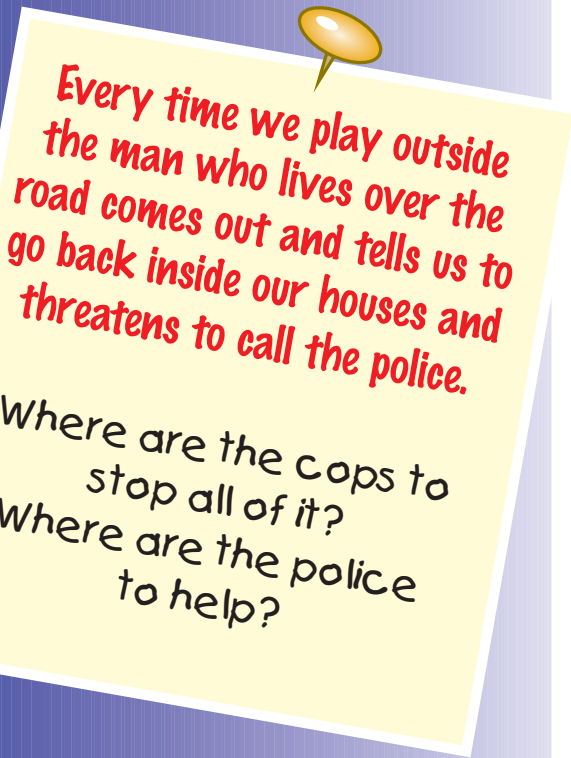
The language through which our public debate on anti-social behaviour is conducted continues to cause concern. Senior politicians, and the media, often talk as if it is only, or mainly, children and young people who engage in anti-social behaviour. Similarly, they are often highlighted as the main perpetrators of crime, when in fact they are its major victims.

Young people hear this talk, and some have said to me that they feel the government is hostile to youthful energy and exuberance; and that it hides this behind the more acceptable term of 'anti-social behaviour' to describe this.

Proposed legislation gives police the power to designate areas where they can disperse groups of young people who are deemed intimidating. They can be judged as intimidating even where there is no intent. This will entail very difficult judgements for the police, and could lead to forms of curfew for young people that would be in clear breach of Article 31 of the UN Convention on the Rights of the Child, and of the European Human Rights Act.

The power to take unaccompanied young people home late at night also poses dangers. Under the proposed legislation, if a police officer finds someone who he reasonably believes to be under 16 who is not under the effective control of a parent, they may be removed to their place of residence. There may be good reasons for young people to want to stay away from home. We must ensure that they are not simply being returned to their abusers.

I would also like to see government talking tough on the causes of anti-social behaviour, and in particular showing equal polemical and actual commitment to providing resources for young people to pursue activities of their choice as they do to criticising them.



Part 4

Resource Accounts for the period 1 April 2002 – 31 March 2003

FOREWORD TO THE ACCOUNTS

Function and operation

The Children's Commissioner for Wales was established by the Care Standards Act 2000. The powers, duties and functions of the Commissioner are set out in this Act and the Children's Commissioner for Wales Act 2001 and the Children's Commissioner for Wales Regulations which came into force in August 2001. The first Commissioner, Mr Peter Clarke, took up duties on the 1st March 2001.

The legislation is 'permissive' in the sense that it lays few specific duties on the Commissioner, but enables actions and interventions over a wide sphere under the general power to act as the 'champion of children and young people in Wales.' This means that the Commissioner's activities are likely to vary from year to year, depending on what are perceived as the most important matters for children and young people's wellbeing. The Commissioner is under a duty to involve, and ascertain the views of, children and young people in the planning and delivery of his work.

The Commissioner's powers are primarily to access to information from persons or agencies providing services to children. They are restricted to areas devolved to the National Assembly for Wales under the Government of Wales Act 1998. These include the exercise of functions of:

The National Assembly for Wales
Local Government (e.g. Education, Housing, Social Services, Leisure etc. including inspection)
Health Services
A number of Assembly Sponsored Public bodies

The Commissioner can make representations to the National Assembly for Wales about any matter that affects children in Wales.

The Children's Commissioner is a 'corporation sole' in law and is the accounting officer. He is required to produce an Annual Report to the First Minister of the National Assembly for Wales which summarises action taken in the exercise of his functions, a review of issues relevant to the rights and welfare of children in Wales and a summary of his work programme for the following financial year. The Commissioner shall also produce a version of the annual report which is, so far as reasonably practicable, suitable for children. Copies of his report will be sent to the libraries of the Houses of Parliament and the National Assembly for Wales.

AIMS AND OBJECTIVES OF THE CHILDREN'S COMMISSIONER FOR WALES

Aims

To safeguard and promote the rights and welfare of Children and in exercising all of his functions to have regard to the UN convention on the rights of the child.

Objectives

1. To promote the rights and welfare of Children.
2. To ensure that the children and young people of Wales are aware of the existence of the Commissioner, of his role and function; the location of his offices, the way that they can communicate/access the Commissioner and his staff and the rights of children and young people, particularly those set out in the UN convention on the rights of a child; to encourage that communication/access; and ensure that public bodies of Wales area aware of the rights of children and young people.
3. To ensure that the views of children and young people are sought as to how the Commissioner should exercise his function and to the content of the Commissioner's annual work programme.
4. To review and monitor the operation of complaints, advocacy and advice and whistleblowing arrangements to ascertain whether and to what extent they are effective in safeguarding and promoting the rights and welfare of children.
5. To review and monitor the effect on children of the exercise or proposed exercise of any function of the Nation Assembly for Wales and/or bodies listed at Schedule 2a of the Children's Commissioner for Wales Act 2001.
6. To examine cases of particular children who are or have received regulated services from bodies listed at Schedule 2a of the Children's Commissioner for Wales Act 2001.
7. To provide or arrange for advice representation or other assistance to a child in making a formal complaint or representation to a service provider.

8. To provide or arrange advice representation or other assistance to a Child in any proceedings which concerns the provision of services, if in the Commissioner's reasonable opinion the proceedings relate to matters which have a more general application or relevance to the rights and welfare of children in Wales.
9. To give advice and information to any person.
10. To manage the office of the Children's Commissioner for Wales efficiently, economically and effectively ensure the propriety and regularity of the finances.
11. To keep under review the powers of the Commissioner and the effect on Children.
12. To consider and make representations to the Nation Assembly for Wales about any matter affecting the rights and welfare of children in Wales.

Funding

The Children's Commissioner for Wales is independent of, but funded by the National Assembly for Wales.

Format of the accounts

These financial statements have been prepared in accordance with Paragraph 7(2) Schedule 2 of the Care Standards Act 2000 and the Accounts Direction issued by The National Assembly for Wales. A copy of that direction can be obtained from The Children's Commissioner, Charter Court, Phoenix Way, Swansea, SA7 9FS.

These accounts have been prepared for the period from 1st April 2002 to 31st March 2003 and reflect the assets, liabilities and financial outturn of the Children's Commissioner only.

Results for the year

The Operating Cost Statement shows a net operating cost, for the period, of £1,122,000. The general fund balance as at the year-end is £186,000 in credit.

Review of Activities and Future Developments

As stated a review of activities and future developments will be reported in the Annual Report of the Children's Commissioner for Wales which is due to be laid before the National Assembly in October 2003. This will be the second annual report of the Commissioner.

Senior officers

The members of the Management Team during the period were:

Peter Clarke	Children's Commissioner for Wales & Accounting Officer
Maria Battle	Assistant Commissioner, Legal & Administration & Deputy Commissioner
Rhian Davies	Assistant Commissioner, Policy & Service Evaluation
Sara Reid	Assistant Commissioner, Communications

Senior official appointments

The Commissioner was appointed by the National Assembly for Wales and took up office on 1st March 2001. The appointment was for a maximum of 7 years.

The remaining senior officers took up appointments during January 2002 through to March 2002 and were appointed by the Commissioner under Schedule 2 paragraph 4 of The Care Standards Act 2000.

Remuneration of members of the Management Board
The National Assembly for Wales determines the remuneration of the Children's Commissioner for Wales in accordance with Schedule 2 paragraph 3 to the Care Standards Act 2000.

For other members of the Management Team, remuneration was determined by the Children's Commissioner for Wales based on guidance from civil service recruitment specialists. Further details on remuneration are set out in note 2 to these accounts.

Pension scheme

Present employees have an option to join a scheme administered by the Pension Trust which is a contributory unfunded scheme (see note 1.8 to these accounts).

Equal opportunities

All applications for employment with the Children's Commissioner for Wales were considered on the grounds that all job applicants should have equal opportunity for employment and advancement on the basis of their ability, qualifications and suitability for the work.

No job applicant or employee should receive less favourable treatment on grounds of race, colour, sex, sexual orientation, age, marital status, disablement, religion, family/domestic responsibilities or working patterns e.g. part-time, nor should any individual be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

Payment policy

Under the Late Payment of Commercial Debts (Interest) Act 1998, the Children's Commissioner for Wales is required to pay suppliers' invoices not in dispute within 30 days of receipt of goods or services or valid invoice, whichever is the later.

This was achieved for 91% of all such payments made during the period.

Auditors

The Children's Commissioner for Wales's accounts are examined and certified by the Auditor General for Wales in accordance with paragraph 9 of Schedule 2 to the Care Standards Act 2000. In accordance with current best practice, the Children's Commissioner has set up an audit committee and the first meeting was held in February 2003.

Events since the end of the financial year

There have been no events since the balance sheet date that affect the understanding of these financial statements.

Peter Clarke

Children's Commissioner for Wales
and Accounting Officer
23rd July 2003

STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES

Under Schedule 2 to the Care Standards Act, the Children's Commissioner for Wales is required to keep proper accounting records for each financial year, in conformity with a National Assembly for Wales direction, detailing the resources acquired, held, or disposed of during the period and the use of resources by the Commissioner for Wales during the period.

The resource accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Children's Commissioner for Wales, the net resource outturn, resources applied to objectives, recognised gains and losses and cash flows for the period.

Schedule 2, paragraph 10 of the Care Standards Act 2000 states the Accounting Officer shall be the Commissioner and, in accordance with schedule 2 paragraph 9 shall submit the Children's Commissioner for Wales Accounts to the Auditor General for Wales.

In preparing the accounts the Accounting Officer is required to comply with the Resource Accounting

Manual prepared by the Treasury, and in particular to:

- observe the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards, as set out in the Resource Accounting Manual, have been followed and disclose and explain any material departures in the accounts; and
- prepare the accounts on a going concern basis.

The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which an Accounting Officer is answerable, for keeping of proper records and for safeguarding the Children's Commissioner for Wales's assets, are set out in the Accounting Officers' Memorandum issued by HM Treasury.

STATEMENT ON INTERNAL CONTROL

Scope of responsibility

As accounting officer I have responsibility for maintaining a sound system of internal control that supports the achievement of my aims and objectives as set in legislation, and my policies, whilst safeguarding the public funds and assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Government Accounting.

As a small organisation all of the key day to day financial and operational decisions are made either by me, by the senior management team or with my agreement by individual members of the senior management team.

The purpose of the system of internal control

The system of internal control is designed to manage risk to a reasonable level rather than eliminate the risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness.

The system of internal control is based on an ongoing process designed to identify the principal risks to the achievement of my policies, aims and objectives, to evaluate likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, and economically. I expect to have the procedures in place before March 2004 necessary to implement Treasury guidance. This takes account of

the time needed to embed fully the processes which the senior management team has agreed should be established, and to improve their robustness.

Development of process of internal control and review processes

This has been the first complete year in which the senior management team has been in existence and during the year I have established:

- A programme of regular meetings with my senior management team;
- A formal process for the development of internal systems throughout the organisation;
- an Audit Committee with two members independent of my office;

- a system of reporting from the chairman of the audit committee, to myself and the senior management team, concerning internal control; and
- regular reports from Internal Audit, to standards defined in the Government Internal Audit Manual, which include the Head of Internal Audit independent opinion on the adequacy and effectiveness of the system of internal control together with recommendations for improvement.

I have also commenced work on:

- a formal risk management policy and framework;
- the development of the organisation-wide risk register; and
- the establishment of a corporate planning process and the incorporation of risk management into that process.

I enclose a broad timetable of action planned for 2003-04:

	Date
<ul style="list-style-type: none"> • Present the approved risk management policy and framework to the Audit Committee 	June 2003
<ul style="list-style-type: none"> • Present the organisation-wide risk register and communicate the framework to all staff and introduce training on risk management to all staff 	July 2003
<ul style="list-style-type: none"> • Incorporate risk management into the corporate planning process for 2004 - 05 	July – September 2003
<ul style="list-style-type: none"> • Complete the development of internal systems 	December 2003
<ul style="list-style-type: none"> • Review the evaluation criteria and revisit the organisation-wide risk register by the whole team 	January – February 2004
<ul style="list-style-type: none"> • Establish risk register for 2004 - 05 and annual assurance from senior management team 	March 2004

Review of effectiveness

As accounting officer I also have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and of the senior management team who have responsibility for the development and maintenance of the internal control framework, and by comments made by the external auditors in their management letter and other reports. I have been advised on the implications of the results of my review of the effectiveness of the system of internal control by the senior management team, the Audit Committee and plan to ensure continuous improvement of the systems in place.

As the process of internal control is in the development stage, the processes that I have applied in maintaining and reviewing the effectiveness of the system of internal control are as follows:

- collectively the senior management team discussed and reviewed the operation of internal financial controls; and
- The National Assembly for Wales Internal Audit Services provides the Internal Audit for my office. They operate to standards defined in the Government Internal Audit Manual. They submit regular reports which include the HIA's independent opinion on the adequacy and effectiveness of the Commissioner's system of internal control together with recommendations for improvement.

Peter Clarke

Children's Commissioner for Wales and Accounting Officer
23rd July 2003

The Certificate and Report of the Auditor General for Wales to the Members of the National Assembly for Wales

I certify that I have audited the financial statements on pages 25 to 34 under paragraph 9(2) of schedule 2 to the Care Standards Act 2000. These financial statements have been prepared under the historical cost convention as modified by the revaluation of certain fixed assets and the accounting policies set out on pages 15 and 16.

Respective responsibilities of the Children's Commissioner for Wales and Auditor

As described on page 22, the Children's Commissioner for Wales is responsible for the preparation of the financial statements in accordance with the Care Standards Act 2000 and National Assembly for Wales directions made thereunder and for ensuring the regularity of financial transactions. The Commissioner is also responsible for the preparation of the other contents of the Annual Report. My responsibilities, as independent auditor, are established by statute and guided by the Auditing Practices Board and the auditing profession's ethical guidance.

I report my opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Care Standards Act 2000 and National Assembly for Wales directions made thereunder, and whether in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them. I also report if, in my opinion, the Foreword is not consistent with the financial statements, if the Commissioner has not kept proper accounting records, or if I have not received all the information and explanations I require for my audit.

I read the other information contained in the Annual Report, and consider whether it is consistent with the audited financial statements. I consider the implications for my certificate if I become aware of any apparent misstatements or material inconsistencies with the financial statements.

I review whether the statement on pages 22 to 23 reflects the Commissioner's compliance with Treasury's guidance 'Corporate governance: Statement on Internal Control'. I report if it does not meet the requirements specified by Treasury, or if the statement is misleading or inconsistent with other information I am aware of from my audit of the financial statements.

Basis of audit opinion

I conducted my audit in accordance with United Kingdom Auditing Standards issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Commissioner in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Commissioner's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by error, or by fraud or other irregularity and that, in all material respects, the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them. In forming my opinion I have also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In my opinion:

- the financial statements give a true and fair view of the state of affairs of the Children's Commissioner for Wales at 31 March 2003 and of the net resource outturn, resources applied to objectives, recognised gains and losses and cash flows for the year then ended, and have been properly prepared in accordance with the Care Standards Act 2000 and directions made thereunder by the National Assembly for Wales ; and
- in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them.

I have no observations to make on these financial statements.

John Bourn

Auditor General for Wales
Audit House, 3-4 Park Place
Cardiff CF10 3DP
31st July 2003

Schedule 1

Summary of Resource Outturn

for the period 1 April 2002 to 31 March 2003

	2002-2003						2001-2002	
	Estimate			Outturn			Net total outturn compared with Estimate	Prior-year outturn
	Gross expenditure	Income	Net total	Gross expenditure	Income	Net total		
£000	£000	£000	£000	£000	£000	£000	£000	
Administration costs	1,063	-	1,063	1,122	-	1,122	(59)	706

Reconciliation of resources to cash requirement

	£000
Net total resource outturn (Schedule 2)	1,122
Fixed asset acquisitions (Note 4)	25
Cash received from disposal of fixed assets	(3)
Accruals adjustments:	
Non-cash items (Note 3)	(100)
Changes in working capital other than cash (Note 5)	12
Net cash requirement (Schedule 4)	1,056

The notes on pages 30 to 34 form part of these accounts

Schedule 2

Operating Cost Statement

for the period 1 April 2002 to 31 March 2003

		2002-2003	2001-2002
	Note	£000	£000
Administration costs			
Staff costs	2	480	154
Other administration costs	3	642	552
Gross administration costs		1,122	706
Operating income		-	-
Net operating costs		1,122	706
Net resource outturn (Schedule 1)		1,122	706

All income and expenditure is derived from continuing operations.
There are no gains or losses other than those reported in the Operating Cost Statement.

The notes on pages 30 to 34 form part of these accounts

Schedule 3

Balance Sheet

as at 31 March 2003

	Note	2003		2002	
		£000	£000	£000	£000
Fixed assets					
Tangible Assets	4		222		292
Current assets					
Debtors	6	17		4	
Cash at bank and in hand	7	23		16	
		<u>40</u>		<u>20</u>	
Creditors:					
amounts falling due within one year	8	<u>(76)</u>		<u>(75)</u>	
Net current liabilities			(36)		(55)
Total assets less current liabilities			<u>186</u>		<u>237</u>
Financed by:					
Taxpayer's equity					
General fund	9		<u>186</u>		<u>237</u>

Peter Clarke

Children's Commissioner for Wales and Accounting Officer
23rd July 2003

The notes on pages 30 to 34 form part of these accounts

Schedule 4

Cash Flow Statement

for the period 1 April 2002 to 31 March 2003

		2002-03	2001-02
	Note	£000	£000
Net cash outflow from operating activities		(1,034)	(542)
Capital expenditure	4	(22)	(378)
Financing from the Assembly		<u>1,063</u>	<u>936</u>
Increase in cash in the period		<u>7</u>	<u>16</u>
Notes to the Cash Flow Statement			
		£000	£000
Reconciliation of operating cost to operating cash flows			
Net Operating Cost		1,122	706
Adjust for:			
Non-cash transactions	3	(100)	(93)
Movements in working capital other than cash	5	<u>12</u>	<u>(71)</u>
Net cash outflow from operating activities		<u>1,034</u>	<u>542</u>
Analysis of capital expenditure			
Payments to acquire tangible fixed assets	4	25	378
Receipts from the disposal of tangible fixed assets	4	<u>(3)</u>	<u>-</u>
Net cash outflow from capital expenditure		<u>22</u>	<u>378</u>
Analysis of financing			
Financing from the Assembly		1,063	936
(Increase) in cash	7	<u>(7)</u>	<u>(16)</u>
Net cash requirement		<u>1,056</u>	<u>920</u>

The notes on pages 30 to 34 form part of these accounts

Schedule 5

Resources by Aim & Objectives

for the period 1 April 2002 to 31 March 2003

AIMS AND OBJECTIVES OF THE CHILDREN'S COMMISSIONER FOR WALES

Aim: To safeguard and promote the rights and welfare of children and in exercising all of his functions to have regard to the UN convention on the rights of the child.

Objectives	Gross £000	2002-2003 Income £000	Net £000
1 Promotion.	90	-	90
2 Relationship with children and young people and awareness.	179	-	179
3 Views and work programme.	56	-	56
4 Review and monitoring arrangements.	191	-	191
5 Review and monitor the exercise of functions.	11	-	11
6 Examination of cases.	157	-	157
7 Advice and assistance to a children and young people.	90	-	90
8 Advice and assistance to a children and young people in any proceedings.	-	-	-
9 Advice and information to any person.	34	-	34
10 Management of the office and finances.	303	-	303
11 Legal powers.	-	-	-
12 Consideration and representations.	11	-	11
Net operating cost	1,122	-	1,122

The notes on pages 30 to 34 form part of these accounts

Notes to Schedule 5

The apportionment of operating costs to objectives has been made with reference to the relative amounts of time spent by staff on objectives. Time spent on the setting up and development of the organisation has been allocated against objective 10. Time apportioned to those objectives that fell to be less than 1% of the total time will not register on the return.

With the development of the role and office of the Commissioner, during 2002-03 a review of the objectives set in 2001 - 2002 was undertaken and the Commissioner has concluded that the above objectives are more representative of his role and function.

In 2001-02 the total operating costs of £706,000 were disclosed against the objective "to ensure that children and young people are aware of the role and powers of the Children's Commissioner for Wales". The costs disclosed in 2001-02 have not been reapportioned against the above objectives as in the Commissioner's view this would not provide a meaningful comparison.

1. Notes to the departmental resource accounts

1. Statement of accounting policies

The financial statements have been prepared in accordance with the Resource Accounting Manual issued by HM Treasury. The particular accounting policies adopted by the Children's Commissioner for Wales are described below. They have been applied consistently in dealing with items considered material in relation to the accounts.

1.1 Accounting convention

These accounts have been prepared under the historical cost convention modified by the revaluation of fixed assets where material, at their value to the Commissioner by reference to their current costs.

1.2 Tangible fixed assets

The Commissioner has valued all fixed assets at historic cost as any revaluation adjustments are, in the Commissioner's opinion, not material. The minimum level for capitalisation of individual assets is £1,000. Large numbers of the same type of asset have been grouped together in determining if they fell above or below the threshold.

1.3 Depreciation

Depreciation is provided at rates calculated to write off the value of tangible fixed assets by equal instalments over their estimated useful lives. Lives are as follows:

- IT Equipment 3 years
- Furniture 5 years
- Office Equipment 5 years
- Fixtures & Fittings 5 years

A full year's depreciation is charged in the year of acquisition.

1.4 Administration expenditure

Administration costs reflect the costs of running the Children's Commissioner's office as defined under the administration cost-control regime, together with associated income.

1.5 Programme expenditure

The Commissioner does not have any programme expenditure.

1.6 Capital charge

A charge, reflecting the cost of capital utilised by the Commissioner, is included in operating costs. The charge is calculated at the government's standard rate of 6 per cent in real terms on the average value of all assets less liabilities, except for cash balances held with the Office of HM Paymaster General, of which there were none.

1.7 Value Added Tax

The Commissioner is not registered for VAT. Expenditure and fixed asset purchases are accounted for VAT inclusive, as they are irrecoverable.

1.8 Pensions

The pension scheme offered to all staff members is administered by the Pensions Trust. It is a contributory defined contribution scheme for which all liabilities are recognised during the period. There are no future liabilities to take into account for the scheme.

1.9 Operating leases

Operating lease rentals are charged to the Operating Cost Statement in equal amounts over the lease term.

2. Staff numbers and costs

a) For the 12 month period staff costs consist of:

	2002-2003	2001-2002
	£000	£000
Wages and Salaries	434	136
Social security costs	42	14
Pension costs	4	4
	<u>480</u>	<u>154</u>

The Pension Trust scheme is a defined contribution scheme. For 2002-03 normal employer contributions of £4,084 and normal employee contributions of £4,084 were payable to the scheme at a rate of 5% employers and 5% employees contributions of pensionable pay. For 2001-2002 normal employer contributions of £3,791 and normal employee contributions of £3,791 were payable to the scheme at a rate of 5% employers and 5% employees contributions of pensionable pay.

There are no outstanding or prepaid contributions at the balance sheet date. Contribution rates for the coming year will continue at 5% for employer and employee.

- b) The average number of whole-time equivalent persons employed (including senior management) for the period was as follows:

	2002-2003
Objective 1	1
Objective 2	3
Objective 3	1
Objective 4	3
Objective 5	-
Objective 6	2
Objective 7	1
Objective 8	-
Objective 9	1
Objective 10	4
Objective 11	-
Objective 12	-
Total Number	16

The apportionment of operating costs to objectives has been made with reference to the relative amounts of time spent by staff on objectives

In 2001-02 the total number of staff disclosed against the objective "to ensure that children and young people are aware of the role and powers of the Children's Commissioner for Wales" was 3.6. The number of staff disclosed in 2001-02 has not been reapportioned against the above objectives as in the Commissioner's view, this would not provide a meaningful comparison

The apportionment of total staff numbers to objectives has been made with reference to the relative amounts of time spent on core activities by staff with the Commissioner's office.

- c) For the 12 month period the salary entitlements of the most senior managers of the Children's Commissioner were as follows:

	Age	Salary range (as defined below) £000	Benefits in Kind To nearest £100	Total accrued pension at 65 at 31st March 2003 £000
Peter Clarke - Children's Commissioner for Wales	54	70-75	7,800	0-5
Maria Battle – Deputy Children's Commissioner	46	35-40	-	-
Rhian Davies – Assistant Children's Commissioner	45	35-40	100	0-5
Sara Reid – Assistant Children's Commissioner	41	35-40	-	-

3. Other administration costs

	2002-2003 £000	2001-2002 £000
Rental under operating leases:		
- vehicles	4	4
- accommodation	51	17
Other accommodation & related costs	20	29
IT & telecommunications	59	50
Vehicle/office maintenance	10	8
Publicity/Advertising/Translation	74	9
Travel, subsistence & hospitality	39	14
Recruitment	3	188
Auditor's remuneration	9	9
Other expenditure	273	131
Non-cash items:		
- depreciation	90	86
- loss on disposal of fixed assets	2	-
- cost of capital	8	7
	642	552

4. Fixed assets

	IT Equipment £000	Fixtures & Fittings £000	Office Furniture and Equipment £000	Total £000
Cost				
At 1 April 2002	78	142	158	378
Additions	9	9	7	25
Disposals	(8)	-	-	(8)
At 31 March 2003	79	151	165	395
Depreciation				
At 1 April 2002	26	28	32	86
Charged in year	27	30	33	90
Disposals	(3)	-	-	(3)
At 31 March 2003	50	58	65	173
Net book value At				
31 March 2003	29	93	100	222
At 31 March 2002	52	114	126	292

5. Movements in working capital other than cash

	2002-2003 £000	2001-2002 £000
Increase in debtors	13	4
(Increase) in creditors	(1)	(75)
	<u>12</u>	<u>(71)</u>

6. Prepayments

	2002-2003 £000	2001-2002 £000
Amounts falling due within one year:		
Prepayments	17	4
	<u>17</u>	<u>4</u>

7. Cash at bank and in hand

	2002-2003 £000	2001-2002 £000
Balance at 1 April 2002	16	-
Net cash inflow	7	16
Balance at 31 March 2003	<u>23</u>	<u>16</u>

8. Creditors: amounts falling due within one year

	2002-2003 £000	2001-2002 £000
Trade creditors	22	32
Taxation and social security	14	13
Accruals & deferred income	40	30
	<u>76</u>	<u>75</u>

9. Reconciliation of net operating cost to changes in the general fund

	2002-2003 £000	2001-2002 £000
Net operating cost for the year (Schedule 2)	(1,122)	(706)
Net funding from the National Assembly for Wales	1,063	936
Non cash adjustments:		
- cost of capital	8	7
Net increase/(decrease) in the general fund	<u>(51)</u>	<u>237</u>
General fund at 1 April 2002	237	-
General fund at 31 March 2003 (Schedule 3)	<u>186</u>	<u>237</u>

10. Commitments under operating leases

	2003 £000		2002 £000	
	Land & Buildings	Other	Land & Buildings	Other
At 31 March 2003 the Commissioner was committed to making the following payments during the next year in respect of operating leases expiring:				
- within one year	-	4	-	-
- between two and five years	-	4	-	9
- after five years	51	-	52	-
	51	8	52	9

11. Derivatives and financial instruments

The Commissioner has no borrowings and relies primarily on National Assembly grant for his cash requirements, and is not therefore exposed to liquidity risks. He also has no material deposits, and all material assets and liabilities are denominated in sterling, so he is not exposed to interest rate risk or currency risk.

12. Capital commitments

There were no capital commitments as at 31st March 2003.

13. Contingent liabilities

The Commissioner is in the process of conducting the Clywch public Examination. The funding of legal representation has been fixed and the costs have been accounted for during this financial year. Any claims by legal representatives for fees above the fixed costs will be referred to a District Judge for detailed assessment at the end of the Examination process. At present it is not possible to estimate the value of the liability over and above the fixed costs.

14. Related Party Transactions

The National Assembly for Wales is a related party. The Commissioner has had a small number of material transactions during the period with the National Assembly for Wales. None of the key managerial staff have undertaken any material transactions with the Children's Commissioner for Wales during the period.