



PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES



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Children's Commissioner's Team: organisation chart

Centre spread

We are grateful once again to all the children and young people who have worked with us during the year, whether as members of our Advisory Groups, through our direct work, as school ambassadors, Backchat members, or as participants in our consultations, events or reviews. Many of their views and comments on the two priority themes of schools and education and play and free time, as well as their photographs, appear throughout the report.

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

what
we're
about...

...what we've
been up
to...

...and what
we think
needs doing...

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www.childcomwales.org.uk > 3

A word from Peter Clarke

Each year my annual report has been a very welcome opportunity to look at the work we've been doing during the previous year. It gives us a chance to tell people a little more about how the Children's Commissioner's office was established in Wales, what powers I have to help me with my task of safeguarding and promoting children and young people's rights and welfare, and what work is planned for the years ahead. One of the best things about the report, however, is that it gives us a chance to highlight the issues that have come to our attention through all aspects of our work. Some of what we learn from listening to children and young people is positive, but as one might expect, we hear a lot of negatives as well.

Thanks to a change in the regulations, I am not required to put detailed financial information in this report. I am still committed to making sure that this is a document that informs the public about children and my work for them. It also sets out what actions we think should be carried out by a range of agencies.

2005-06 was a year of many achievements, when I had the pleasure of seeing many of my plans for the development of the organisation put into action. Most notably there has been progress on the two priorities identified in my last two Annual Reports, namely establishing a dedicated advice and support service and also increasing the participation and involvement of children and young people.

Regrettably, there have been a few setbacks too, and while I am pleased (and relieved) to be back at the helm following a period of serious illness, it did affect our ability to fulfil all our plans and some timescales have had to be revised. Most notable is the delay in completing our thematic review on the issue of bullying – although it

would be wrong to assume that this issue did not remain at the top of our agenda while I was not able to contribute actively to the work. More than ever, I feel a sense of gratitude to my growing team of staff for translating my vision into a reality.

My illness also gave me the chance to reflect on what is most important in my work. A major part of my job is to speak out and stand up for the rights of children and young people who are so often criticised and so rarely given the chance to speak out for themselves. This is still the most fundamental thing that we need to get right for our children in Wales. We need to have systems, processes and attitudes in place that allow children – especially vulnerable children – to express their views and concerns, to be involved in decisions that affect them. The theme of listening and acting has been consistent in the work of my office and there are two issues that have caused far greater concerns than I had anticipated: advocacy and counselling for all children. I will continue to push for the proper development of these.



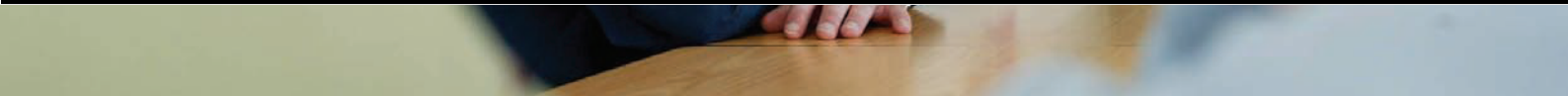
I have often commented that the main aim of a Children's Commissioner should be to make their job unnecessary. If everyone is looking out for children and encouraging them to play a full part in society then a Commissioner would not be needed. While true, this still does not comfort me when I realise that my next report will be my last as Commissioner. It will in effect be my 'End of Term Report' as I reach the end of my period of tenure. In terms of my reflections on the performance of Welsh Assembly Government and other bodies on what I believe to be the fundamental issues, it is my hope that it will end on a positive note, not with a 'could do better'.

A handwritten signature in black ink, consisting of a stylized 'P' and 'C' followed by a long horizontal line.

Peter Clarke

*Children's Commissioner for Wales
October 2006*

respect
involve
voices
rights
listening
open
support
fairness



What we're about ...

Introduction

We are fortunate in Wales to have had a great many of the UK's firsts in relation to children's rights. The years of campaigning and lobbying, of awareness raising and emphasising the need to involve young people and to take them seriously, have borne fruit. At least it appears to be so on paper.

Some of the challenges that now face those working in the field of children's rights in Wales seem a little more daunting. The quick wins of the early days of the National Assembly certainly gave us more than a few reasons to be cheerful. The next few years, despite the fact that it can seem a bit of a struggle, are the years when we mustn't lose our determination to drive forward change and to

make sure that the warm words are much more than just window dressing.

As a team we are committed to making the United Nations Convention on the Rights of the Child a reality in Wales. Listening to children and young people, empowering them, learning from and acting on what we have heard are foundation stones of our approach. The broad remit of the Children's Commissioner's role is reflected in the breadth and variety of what we do. There is still much to be done and we hope that this report will tell readers as much about the process of doing our work as it does about the conclusions and outcomes.

What is a Children's Commissioner?

Someone who speaks out and stands up for children and young people's rights and welfare

A children's champion

An independent human rights institution

Someone who helps make sure children and young people have their rights and have a say

Exactly what each 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 number of Children's Commissioners is growing in Europe and throughout the rest of the World as countries become more aware of the need to promote and safeguard the rights and welfare of children and young people, and to take them seriously. Each of the countries of the UK now has a Commissioner for Children and Young People in post.

"It's good that there are lots of different ways of learning at school, like play-acting, the whiteboard, art and IT."

Why does Wales have a Children's Commissioner?

Sometimes children's rights are ignored, or forgotten about

Children lack economic and political power

Sometimes children don't get what they need

Sometimes children are at risk

Children's organisations in Wales campaigned for a Commissioner for children for over 10 years. Politicians in the National Assembly were also keen on the idea. They wanted someone who would speak up for children and young people's rights and help strengthen and improve the systems there to protect them.

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How did Wales get a Children's Commissioner?

In early 2000, Sir Ronald Waterhouse published his report – Lost in Care – after a long inquiry into child abuse in children's homes in North Wales. He recommended that Wales should have a Children's Commissioner to try and stop such things happening again. This speeded up the campaign and legislation was passed in the UK Parliament to create the post and give it the powers needed. 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 remit and set out the Commissioner's principal aim, which is to safeguard and promote the rights and welfare of children in Wales.

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Who is the Children's Commissioner for Wales?

Peter Clarke is – and he took up his post on St David's Day 2001. He was appointed by the First Minister of the National Assembly for Wales after being interviewed by children, young people and adults.

The Children's Commissioner 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. However, the Children's Commissioner can also act on behalf of older young people under certain circumstances – for example 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.

“In the youth club not everyone can join in.”

What is the UN Convention on the Rights of the Child?

The UNCRC is a list of rights and nearly all the different countries of the world have signed up to it. It says that all children and young people should be kept safe, they should have the things they need to grow and develop as people, and they should be involved in decisions about their lives.

How do the Commissioner and his team do their work?

How we do it

- Listen to children and young people
- Tell people who can make a difference what needs to change
- Give advice and support
- Check that people do their best for children and young people, take them seriously and treat them with respect
- Tell everyone – including children and young people – about children's rights

The Children's Commissioner for Wales doesn't just look at things which are usually considered to be children's issues, like 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 in more depth the case of a particular child or children if it involves an issue that has a 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 concerned about their rights and welfare.

The Children's Commissioner for Wales also has an important additional power to consider and make representations to the National Assembly for Wales about **any matter** affecting the rights and welfare of children in Wales.

The Children's Commissioner is committed to:

- making sure that children and young people know where his offices are and how to contact him and his team
- encouraging children to get in touch with him and the team
- asking children what they think about his work and future work, and allowing them to influence his work programme
- making sure that he and his staff go and meet children wherever they are
- paying particular regard to children who are 'hard to reach', subject to social exclusion or marginalised in some way
- the United Nations Convention on the Rights of the Child, having regard to it in everything he and the whole team do.

How we work

The Children's Commissioner and his staff are based in offices in Swansea and Colwyn Bay, but work all over Wales. As well as the Commissioner and his PA, there are four different staff groups, each headed by an Assistant Commissioner or equivalent. These are:

- Communications and Participation
- Corporate Services
- Legal and Investigations
- Policy and Service Evaluation.



Each staff group contributes specialist skills and knowledge and many projects and pieces of work involve staff from different areas working together as a cross-functional team.

"The thing that's good about my school is the teacher, Miss Roberts."

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.opsi.gov.uk/legislation
- The Assembly passed Regulations for the Children's Commissioner in July 2001 and this can be found on the HMSO website at www.opsi.gov.uk/legislation/wales/wales_legislation
- 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/subchildren
- There's lots of information and an easy to understand version on the UN Convention on the Rights of the Child on www.unicef.org.uk/youthvoice/rights, www.childreninwales.org.uk, www.unicef.org.uk or www.crae.org.uk. You could also have a look at www.funkdragon.org or <http://cypi.carnegieuktrust.org.uk/cypi/home>
- For more information on Children's Commissioners and ombudspersons all over Europe try www.ombudsnet.org
- To find out more about the different Commissioners for children and young people in the UK check out their websites: Scotland www.sccyp.org; Northern Ireland www.nickey.org; and England www.childrenscommissioner.org
- Have a look at our website: www.childcomwales.org.uk



Section 2

what we've been up to ...

Using the tools in the toolbox: the Commissioner's statutory powers

The powers set out in the laws that created the Children's Commissioner for Wales can be compared with the tools needed to do the job. Not all the tools in the toolbox get used every day, but the year's activities and work programme mean that the legal powers are used effectively. The legislation also sets out some things that Peter Clarke has to do to be an informed champion of children and young people, driving forward change to secure a brighter and safer future for Wales' children.

Giving advice and support

The legislation states that the Children's Commissioner for Wales can, as part of his work, give advice and support to children to let them know about their rights and help them express their views and wishes. The Commissioner can also give advice and information to any person concerned about the rights and welfare of a child, or of children in general. He can also assist, including by giving financial assistance in legal proceedings, children and young people whose rights have not been respected. While the powers of the Wales Commissioner's office are wide, there are also things we cannot do – for example, we cannot look into any matter as far as it is subject to legal proceedings or has been determined by a court or tribunal. Also, we cannot duplicate the work of CAFCASS Cymru.

Case example

A young man was in secure accommodation following a conviction for sexual assault. He had a disability and was in great need of therapy to help prevent him reoffending. He was also disclosing the abuse he himself had suffered when he was younger. The need for therapy had been identified but not acted on because of a funding dispute between the Youth Justice Board, the local authority and the local health board. The local authority contacted us for help on his behalf. We negotiated with the Youth Justice Board who have agreed to fund a sex offender treatment programme.

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Our advice and support service

This important service is now provided by a dedicated team of staff, supported by expertise from across the organisation and specialist advice from external experts. The telephone service is currently available via our main switchboard numbers and is open between 10.00am and 1.00pm each day for adult callers. A child or young person can access the service at any time when our office is open (normally 9.00am to 5.00pm, Monday to Friday).

Anyone calling the service will get to speak to a member of the multi-disciplinary advice and support team.

Children and young people, their families and carers as well as professionals working with them contact the team. The professionals contacting us include social services staff, health practitioners, teachers and trade unions. We also get calls from children's advocates, solicitors, Assembly Members and MPs.

The cases dealt with by the advice and support team are a valuable source of information. As well as helping to achieve better outcomes, increased protection or redress for the child or young person concerned, individual cases are frequently a pointer towards issues, policies or practices that are causing a lot of difficulty. Analysing what went wrong for one young person gives an insight that informs our contribution to a more general debate, consultation response or focused campaign and helps identify priorities for further work.

How the service works

We listen to callers, speaking to the child or young person concerned as soon as possible if an adult has called on their behalf. We often meet with them to get a fuller picture of their situation and their wishes and feelings. After gathering all the information we may deal with matters in a number of ways, but we are always solution focused – negotiating, facilitating communication, attending meetings, mediating or advocating as necessary. In some cases our intervention will be more formal; using our statutory powers, for instance, by conducting an investigative review into the circumstances of a particular case because it has implications for other children and young people.

"Mam worries too much when I go out to play."

Some facts and figures

Case example

A parent contacted the office concerned that the Local Education Authority was not completing the statutory assessment for their child as they had made a formal complaint against the officers concerned. We mediated between the LEA and the parents and a meeting took place to discuss any outstanding issues.

"My education is in Welsh and that's good, and I learn other languages like French."

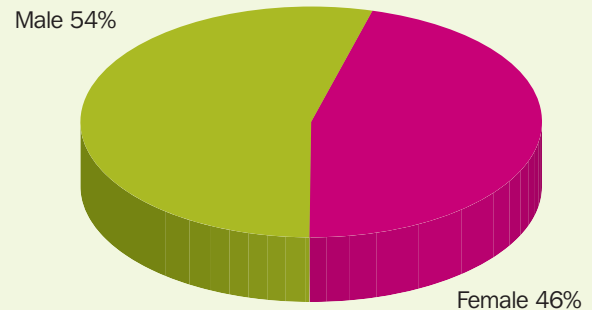
Case example

A foster carer called us about a boy with behavioural problems who had been placed with her out of his home county for 4 years. He had problems dealing with anger, was hearing voices, having morbid thoughts, had self harmed and had started a fire deliberately. While he had been assessed as needing specialist CAMHS support a dispute between two local health boards over who should foot the bill meant that he had been waiting two years for treatment. The foster carer was at the end of her tether and the lad had become involved in criminal activities and was excluded from school. We intervened and brought the situation to the attention of the Minister for Health and Social Services. The LHB in the county where he was placed agreed to pay for his treatment. Clearer guidance will be issued from Welsh Assembly Government to ensure that it is clear that the placing LHB is responsible in such cases in future.

During 2005-06 the advice and support service dealt with cases involving 566 children and young people. Of these cases, 30% were signposted to other agencies or sources of advice and support. Out of the total number of cases, 90% were resolved, 7% partly resolved and just 3% unresolved at the end of the year.

Advice and support:

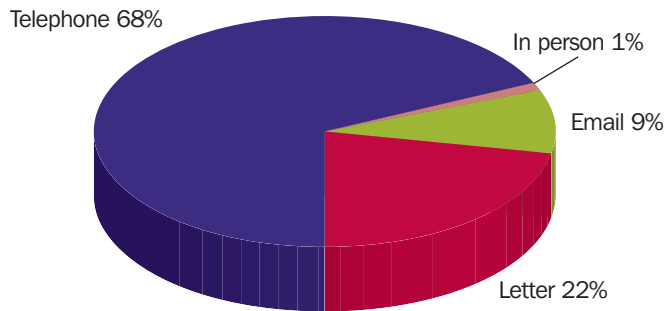
Gender of child or young person 2005-06



During the year in question, the proportion of cases that came to the attention of the service through telephone contact remained the most substantial, with little change in the percentages of those writing to us by email or by letter.

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Advice and support: How initial contact was made 2005-06



In most cases the initial contact is made by a parent, carer or the extended family. Adult professionals such as advocates, teachers and health workers also contact us, but as previously mentioned in all cases we will speak to the child or children as soon as possible to make sure that we understand the child's point of view, and that it isn't an adult agenda that is being promoted. In some cases, with the agreement of the child or young person, an adult – either a carer or a professional – will be our main contact point. However, adults are always informed that we act on behalf of the child or young person and it is their best interests, wishes and feelings that will guide any action we take, rather than the wishes of the adults. It is therefore essential that they are kept informed and are involved in decisions.

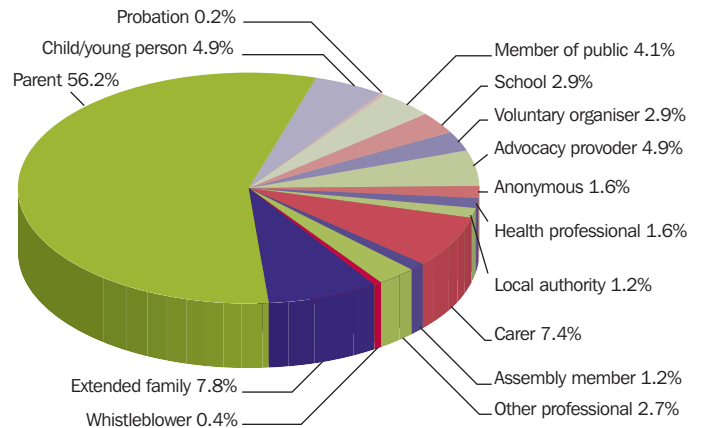
Case example

A young person leaving care contacted the advice and support service for advice on living independently and about further education. We contacted their local authority and told them of her situation, reminding them that they should fulfil their duty towards her. A funding package was agreed to meet this young person's needs.

Case example

A mother contacted us about her young child, who was looked after and was also excluded from school for aggressive behaviour. We contacted the school and the local social services department and negotiated that the school would educate the child until a specialist school could be found. This happened and the child went on to a residential placement shortly afterwards.

Advice and support: Who made the initial contact 2005-06



In previous years, analysis of the information about the age of the children on whose behalf we were taking action indicated that the transition stages – from infant to junior schooling, from primary to secondary education and from school to further education and independent living – were flashpoints where difficulties were likely to occur. Many of the issues we dealt with supported this earlier analysis, however overall there was a steady increase in the percentage of young people in their mid-teens experiencing difficulty or feeling that services were failing them.

Case example

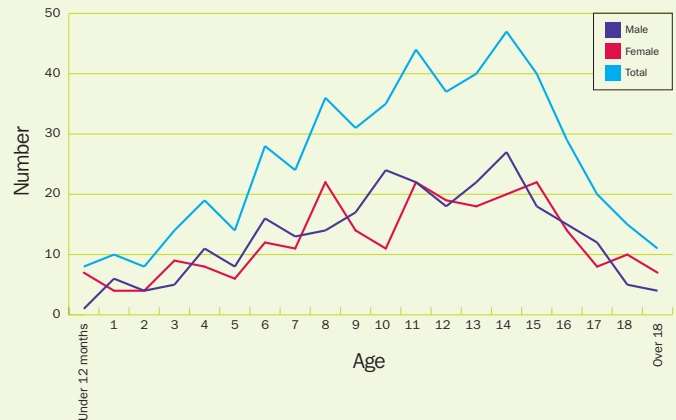
A grandmother contacted the advice and support service because she was concerned about the level of domestic violence witnessed by her grandchildren. She felt that social services were not taking the domestic violence issue seriously, that the children were frightened and that social services were not having access to the house. She was concerned that the children were not only having to protect themselves, but also to some extent their mother. After speaking to the children we put pressure on the social services department to call a multi-agency meeting. A large number of agencies attended and social services took the matter seriously. A multi-agency plan was put in place to assess the risk to the children of continuing to live at home.

“We can't do some things because we're too young or too old.”

Case example

A young person phoned the office because she was being bullied at school and in the community and it had been going on for the past 5 years. We met with her and listened. The police were involved and she was no longer attending school because she was frightened. We contacted the school and made arrangements for her to attend school solely for her exams and we called a multi-agency meeting with all professions, including the police, so that the relevant information could be shared and an action plan agreed. The young person has now returned to school full time.

Advice and support 2005-06: Age and gender of children accessing service



What kinds of issues do people contact us about?

Individual complaints and concerns about education and social services dominated the work of the advice and support team once again, with just under 43% of all cases being about issues around school and education. The number of child protection issues drawn to the attention of the office decreased slightly, although the increase in the total number of cases concerned with social services matters meant that as a percentage change this was not as significant an issue as in the previous year. Overall nearly 23% of cases were about social services issues.

When such cases are raised with us we listen to the children and young people and their representatives and meet with the relevant agencies to try and make sure that any risks we bring to their attention are assessed. We also closely monitor subsequent investigations.

Case example

A nurse on a mental health ward telephoned us on a Friday afternoon. She was concerned that two young people had been placed on an adult mental health ward. We telephoned Health Commission Wales who informed us there was a funding hiccup. The children were moved within an hour.

“Better buildings would make our education better.”

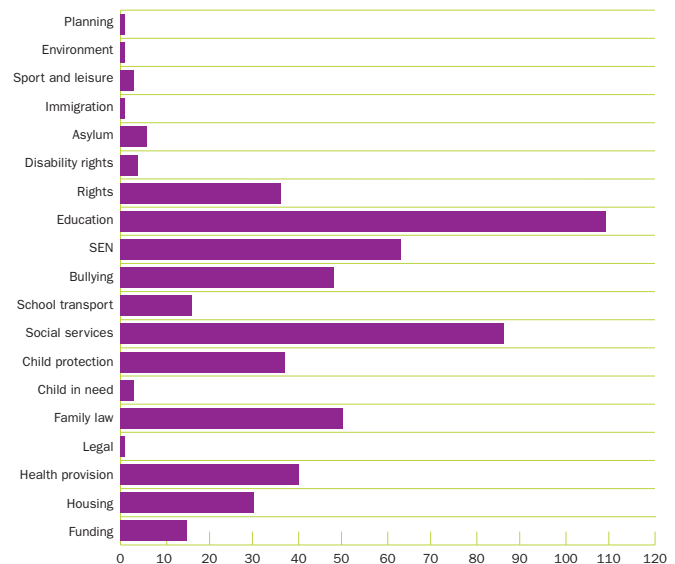
Case example

A young person who was looked after got in touch with us because she was unhappy with what was happening in her foster home. She said that she was being hit and shouted at by her foster carer and that her social worker wasn't listening to her when she was trying to explain what had happened. She wanted to meet us away from the foster placement so that she could talk freely and we arranged to meet her at school where she felt comfortable and safe. The Head teacher got in touch with us to say that he had been contacted by the Head of Children's Services and told not to let us enter the school to interview the young person. We negotiated with the Head, explaining our role and the rights of the child concerned. The meeting took place and we raised the young person's concerns with the social services department. She moved to a new foster placement.

We have lobbied to have a right of entry to institutions to interview children for some time. We now have that power under Section 61 of the Children Act 2004.

Child protection cases are also raised directly with other bodies such as local health boards. We are aware that some of the children and young people who get in touch with us have lost faith in the statutory agencies. To encourage them to come forward to tell us about their welfare and the welfare of other children, particularly those in care, we have a higher level of confidentiality than the statutory agencies and will only share information with the child's permission or if we judge that a child or another child is in immediate danger. We would inform the young person if we decide to do this and support them during the process that follows.

Advice and support: Issues raised 2005-06



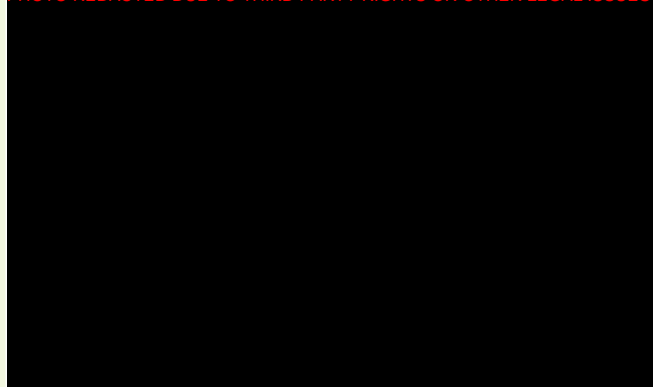
With so many similarities in some of the cases brought to our attention we have been able to consider carefully what steps need to be taken. For example, we have gathered information based on the speech and language cases and

one of the main issues we are picking up is a lack of formal assessment of children with emotional and behaviour difficulties, which would help identify other problems, such as speech and language difficulties. It is commonly the case that this is being diagnosed too late. This leaves young people vulnerable to exclusion and unable to access the support they need and are entitled to.

There is also continuing concern about the availability of services for children and young people with autistic spectrum disorders, particularly those with a diagnosis of Asperger's Syndrome. While there are committed professionals delivering a quality service in some areas, there is little provision in most parts of Wales. It is of concern that parents still have to fight hard to ensure that their child receives the educational provision they have a right to expect. We are also concerned about the future of tertiary autism services in Wales and await the publication and implementation of the Autism Strategy with interest.

In many cases we have intervened to speed-up progress where children have remained in hospital because arrangements have not been in place for support in the community for disabled children and children with complex health needs. Again it is worrying that such delays persist unless there is intervention to facilitate joined up working among the agencies concerned.

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Case example

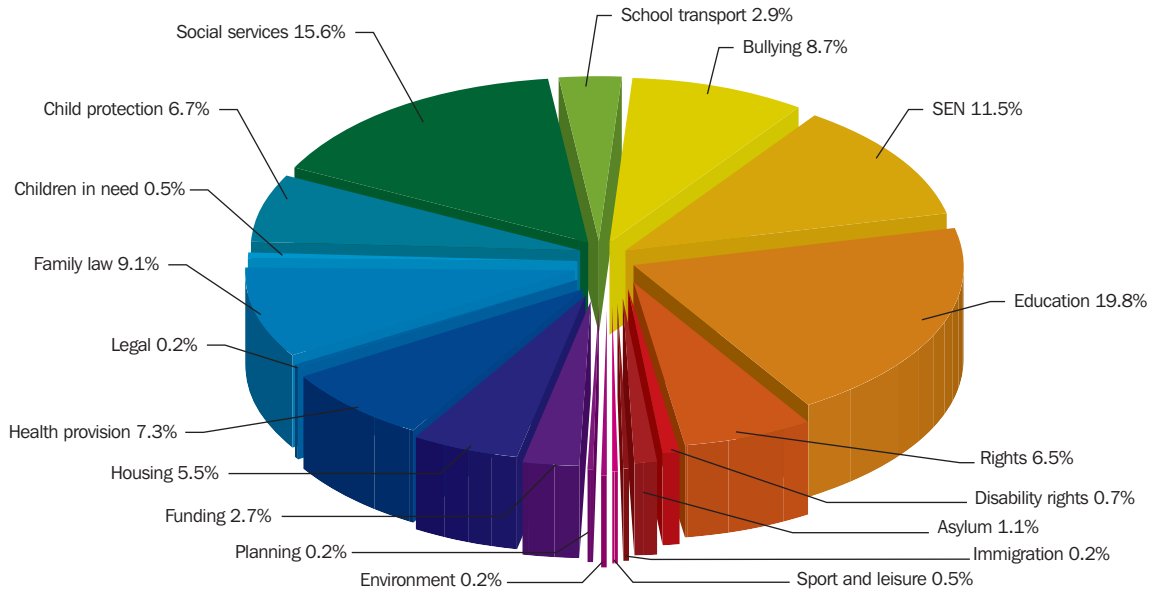
A 14-year old on the child protection register was living with his grandmother, who had 'kicked him out'. When he contacted us he was homeless. We met with him and he told us all about his situation: how desperate he felt, how he felt social services weren't helping him and he had spent weeks feeling frightened, not knowing what he should or should not do, or where he should live. His substance misuse worker told us about how this young person was left to 'fend for himself' and that he took responsibility for sorting out where he could sleep each night. We were told that there were no visits or support from a social worker. We intervened and the young man is now living with relatives and is being supported by social services. He told us that after meeting with the advice and support officer he felt 'listened to and important'. He asked us to help him write a letter to social services to tell them how he felt about his experience.

"I can play with my sister in the garden."

Case example

A young person had been through an emotionally difficult time following the death of one of his parents and as a result found it difficult to get up for school in the mornings. The school had a problem with the young person's attendance and this was causing additional stress. An advice and support officer met with the young person and spoke to the educational welfare officer and the school. A meeting was held to draw up a co-ordinated support plan which made it easier for him to continue to attend school.

Advice and support: Issues as percentage of total 2005-06



Child protection issues drawn to our attention often don't just relate to physical or sexual abuse, or the witnessing of domestic violence, but also to neglect. We have often shared information with social services where cases of neglect have been brought to our attention, usually by members of the extended family. This action leads to additional assessments which inform decision making about safeguarding children. Our experience shows that there needs to be more training for professionals in this area, and early intervention is crucial. In many cases local authority intervention occurs only at crisis point and sometimes there is serious abuse before neglect is taken seriously.

Despite highlighting the issue in previous annual reports and demanding greater resources for child and adolescent mental health services, the cases dealt with by our advice and support service show that this is still a patchy and inadequately resourced service which is unable to meet

the needs of many of our vulnerable children and young people. This is discussed further in section 5 of this report.

Case example

A foster carer contacted the Children's Commissioner because they wanted the social services department to pay for additional music lessons for a young person in their care. We met with the young person and spoke to social services to put the young person's point of view. It was agreed that they would assess the request and take the young person's views seriously. It was also agreed that he would be offered an advocate to represent his views in future.

"I like learning through singing"

Future developments for advice and support

During the year a Volunteer Co-ordinator was recruited as part of a number of developments in the advice and support service. Volunteers are now being recruited with the involvement of the young people from our advisory groups.

These new team members will help staff our Freephone and free SMS text services for children and young people which will be launched in spring 2007. While open to all children and young people in Wales who want to contact us about any aspect of our work, it will be promoted in particular as a service for children who are looked after by the local authority, excluded or at risk of exclusion from school, and young people in secure accommodation or prison.

Work on promoting the advice and support service to these particular groups of young people has already started; one example of this being that advice and support Officers now make regular visits to prisons. As a joint initiative with the Communications and Participation staff group, training has also been provided to Police School Liaison Officers throughout Wales so that they are clear about the role of the Children's Commissioner's office and the advice and support service in particular, when they visit schools as part of their work.

"We've got lots of things to do where I live. Me and my friends go out and play on our bikes."

Case example

A young person was being bullied – in school and outside. An advice and support officer met with the young person and supported them in their preferred option, which was to move to a new school. The move came about relatively quickly and the young person made new friends in the community and at her new school.

"Education is a good way of learning about all the cultures of the world"

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Making things change for the better

Influencing policies and procedures

One of the main characteristics of Children's Commissioners is that they work in a way that means that many children benefit. Influencing policy development and pressing for improvements in practice and procedures are therefore essential. It isn't enough just to repair the holes in the safety nets that individual children fall through.

Often children's rights aren't respected because a system or procedure has been set up to suit the organisation rather than a child or young person. While some of our influencing work happens as we promote the recommendations of a particular report or document, others look specifically at whether children and young people have had a say or are involved in proposals and decision making. We have developed links with Local Health Boards and NHS trusts throughout Wales, advocacy providers, children's NGOs and professional associations, as well as with special interest groups and Welsh Assembly divisions and Assembly Sponsored Public Bodies.

During the year we have responded to Assembly consultations, basing our policy calls on information gathered through our participation, advice and support, and communications work as well as on what we believe to be in children's best interests. Throughout the year we have continued to respond to consultations on draft guidance and to undertake reviews - exceeding our target by 25%.

"I like the variety of different lessons"

Here are some examples of documents and consultation papers we responded to:

- Formal Investigation into Physical Health Inequalities Experienced by Children and Adults with Mental Health Problems and Children and Adults with Learning Disabilities in Wales and England
- Guidance for School Governing Bodies on Procedures for Complaints Involving Pupils
- Consultation on Welsh Assembly Government School Uniform Financial Assistance Scheme
- Consultation on Proposals for Legislation on Discharge of Duties to Homeless People (March - June 2005)
- Parenting Action Plan - Supporting Mothers, Fathers and Carers with Raising Children in Wales
- Inclusion and Pupil Support
- Complaints and Representations Procedures in Local Authority Social Services
- Statutory Guidance on Making Arrangements under Section 28 of the Children Act 2004
- Safeguarding Children Together - Guidance to Local Safeguarding Children Boards in Wales
- Children and Young People: Rights to Action (Stronger Partnerships for Better Outcomes)
- Estyn's Arrangements for Assuring the Quality of Contracted Out Work in Relation to Section 10 School Inspections
- Education Act 2002 – Section 175
- Evidence to Education and Lifelong Learning Committee of National Assembly for Wales policy review of Special Educational Needs

- Review of Local Service Delivery (the Beecham Review)
- Flying Start Consultation.

We also contributed significantly to the National Assembly's Safeguarding Vulnerable Children Review and promoted awareness of the need for local authority services for children with sexually harmful behaviours and other issues identified through advice and support work.

Reviewing and monitoring progress on recommendations

A frequent criticism of reports is that once they have been published and given some publicity they just sit on a shelf. The ability to require a response to any recommendations made, and to monitor them, ensures that this does not happen to the Children's Commissioner's reports.

We continue to monitor the implementation of recommendations made in our reports:

- Telling concerns (advocacy, whistleblowing and complaints in local authority social services departments)
- Clywch report
- Children don't complain... (advocacy, whistleblowing and complaints in local education authorities)
- Lifting the lid (on school toilets)
- As long as I get there safe (on school buses).

"I like my play facilities because I think playing is more important than TV."

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Working with others

Since our work covers such a wide range of issues we are very aware that we shouldn't duplicate the work of other agencies. To be clear about how we work together with some other key bodies we draw up a Memorandum of Understanding with them. These documents are signed by both sides to the agreement and are very clear about our responsibilities and what we can expect from each other. A memorandum of understanding helps us work collaboratively with agencies whose work impacts on the rights and welfare of children and young people.

This year we have met regularly with the Public Services Ombudsman to explore how we can best work together. We have agreed to undertake a joint investigation into a case involving out of county (or country) placement of children through a private fostering agency, looking specifically at the respective roles and responsibilities of social services and the agency. We feel that this will be an example of how we can work with other bodies to benefit children by bringing together not only expertise, but the statutory powers of the two organisations.

Influencing and networking

We try to influence and change culture, within organisations or wider society, and this needs a broad-brush approach. Members of the Commissioner's team take part and contribute to networks and working groups – often with observer status to protect our independence – making sure that we influence developments and achieve improvement early in the life of a policy initiative or working practice. Having observer status on many working groups means that we were able to keep an eye on progress and developments, but also make suggestions, for example about how the working groups could help children and young people participate and contribute. We also contribute to a number of other networks and groups related to our work.

During the year the groups and networks we were part of, or had observer status on, included the following:

- Complaints and Representations Advisory and Implementation Group (CRAIG)
- Safeguarding Vulnerable Children Review, National Assembly for Wales.
- Domestic Abuse: Child contact task and finish group considering the Children and Family Court Advisory and Support Services (CAFCASS) approach to children's issues in relation to domestic abuse.
- the group reviewing the process followed when Social Services Inspectorate Wales and the National Audit Office Wales jointly review the performance of local authority social services in Wales.
- Combating Child Sexual Exploitation working group
- Swansea Family Court Inter-agency Forum
- Wales Public Law and Human Rights Lawyers Association
- Family Justice Council
- Development of the Self Assessment and Audit Tool for the National Service Framework for Children Young People and Maternity Services (NSF)
- Parenting Action Plan working group
- WAG Grandparenting working group
- Child Protection Policy Forum
- Wales Family Law Association
- Wales Non-governmental Organisations Children's Policy Group
- End Child Poverty Network Cymru
- 'Sdim Curo Plant!/Children are Unbeatable!
- United Nations Convention on the Rights of the Child Monitoring Group
- Children's Legal Network (UK)
- WAG Child Poverty Task Group
- Children in Wales Children's Rights Practice Exchange groups in North and South Wales
- Fatherhood Wales
- Wales Participation Consortium/Unit steering group and sub-groups
- All Wales Young People's Organisations (AWYPO).

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Seeing the bigger picture

Regular contact with children and young people and those who work with or act for them is essential. While we can be mainly focused on certain issues, we also need to keep our fingers on the pulse where some of the other big issues are concerned. As an office it is important that we fulfil our role as systemic advocates, seeking to influence policy development and implementation and driving the agenda forward. Broader issues come to our attention in three main ways:

- direct contact with children and young people, for example through participation work or advice and support
- information shared with us by professionals and organisations
- key aspects of reviews.

This means that we are able to give informed comment on a range of issues – indeed any matter that impacts on the rights and welfare of children and young people.

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United Kingdom, Europe and beyond

European Network of Ombudspersons for Children (ENOC)

ENOC was established in 1997 and links the independent officers for children in the European countries that have them. Peter Clarke is a former President of ENOC and we are committed to its aims of encouraging the fullest possible implementation of the UNCRC throughout Europe. We also benefit from sharing information, approaches and strategies and learning from the experience of other Children's Commissioners and Ombudsmen.

British and Irish Network of Ombudsmen and Children's Commissioners (BINOCC)

Established as a sub-committee of ENOC, the creation of a new network of the Commissioners for children in the UK and the Republic of Ireland has brought many benefits. BINOCC meets independently of ENOC every two months. The Commissioners and their teams share information and discuss issues and approaches of joint interest. During 2005-06 two joint statements – on the treatment of Asylum Seeking Children and Young People and on Physical Punishment – were issued and received considerable publicity. Staff from each of the offices are also able to co-ordinate work and share resources and learning on a day-to-day basis. This includes work on reporting on progress towards full implementation of the UN Convention on the Rights of the Child.

“A new school building and better meals would help.”

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Promoting the United Nations Convention on the Rights of the Child

The legislation says that the Children's Commissioner must have regard to the UN Convention on the Rights of the Child (UNCRC) in everything that he does. Workshops and presentations for children and young people or those who work with them would be incomplete if the role of the Commissioner was not explained in the context of the human rights of children and young people.

We promote the UNCRC and children's rights in a number of ways. We encourage awareness of the principles that underpin the convention among those providing services

“There’s not much to do for teens in my town, which is really sad because we need a place to go as well. ”

to children and those responsible for policy areas that impact on their lives. The rights to protection, provision and participation are central to our approach to advice and support. Activities or direct work with children and young people and those who work with them are almost invariably centred on the UNCRC and rights.

All the work of the Office is underpinned by the United Nations Convention on the Rights of the Child (UNCRC) but the focus has been sharpened because the UK government must report to the UN Committee on the Rights of the Child on progress in 2007. The UK Children’s Commissioners will have the opportunity to report independently to the UN Committee on the Rights of the Child.

The office is represented as an observer on the Wales NGO UNCRC Monitoring Group and we also conduct workshops and events, with children and young people and adults who work with them, to raise their awareness of the UNCRC.

We try to make sure that the UNCRC is referred to in all relevant legislation and that agencies help and support children to exercise their rights under the convention to be involved in decisions that affect them. For example, we are discussing with the Special Educational Needs Tribunal for Wales changes to legislation that would mean that children and young people could appeal to them about aspects of their special educational needs or disability discrimination – a right only open to their parents at the moment.

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Latest reviews and reports

Someone to listen: Something to do

In previous annual reports we have drawn attention to the fact that many young people feel that they have nothing to do and are not respected in their communities. We have also noted that many young people, as well as adults, are concerned about behaviour which they – rightly or wrongly – perceive as threatening or ‘anti-social’. This has struck a chord with many organisations working on their behalf.

We were keen to not only highlight the issue and object to the stance taken by some political leaders and certain sections of the media, but to make a constructive contribution to reversing this apparent trend.

As part of a series of meetings with Wales’ Police Chief Constables, Peter Clarke met with the Chief Constable of South Wales Police, Barbara Wilding. They discussed ways to improve matters and were concerned that while Wales has developed a number of excellent strategies and key policies in the field of supporting children and young people and solid foundations are being laid from which improved services could be delivered, it was still unclear how well some agencies were linking in with others to support young people.

We had feedback from many statutory and voluntary bodies that there was good work taking place but often in isolation and sometimes in direct competition. We met with a number of Chief Executives, senior WAG officials and experienced front line practitioners. It became clear that an holistic and co-ordinated approach was needed to make this work truly productive for the benefit of children and young people at risk. The document,

Someone to listen: Something to do, was developed by an independent consultant. The practice model for the South Wales police area outlined in the publication uses the policy and strategic framework set by the Welsh Assembly Government and addresses the need to overcome barriers to good practice.

Someone to listen: Something to do does not claim to have all the answers, but aims to:

- outline the key principles of a holistic multi-agency approach that has the active involvement of children and young people at its core.
- examine how universal, targeted and individual services can be integrated to best effect.
- give clear and practical information on what might be done to engage with and provide services for the children and young people most at risk.
- provide a practice model that can be adapted to meet the specific needs of local areas, whether they are urban, valleys, rural or semi-rural.

The publication will be a useful resource for many of those delivering services for children and young people in local communities across South Wales. There has been considerable interest from practitioners and senior managers and three areas have already expressed an interest in piloting the practice model. We hope that it will also be a source of ideas and inspiration to those working in other parts of Wales and across the UK.

“We don’t have enough musical instruments to learn on.”

Tackling bullying in Wales: a thematic review

Identified as one of the three current 'Commissioner's projects' in the corporate plan, this review seeks to identify gaps and barriers to the effective implementation of anti-bullying initiatives and policies. Although focused primarily around schools, the approach is holistic and considers relevant issues around community, cultural and even family life.

Through all our work with children and young people we've learnt that bullying is something that affects virtually everyone in some way. Children and young people from all backgrounds can be bullied. Even if they aren't being bullied themselves, knowing of its existence can still have an impact on behaviour and feelings of confidence and safety. Despite the existence of anti-bullying policies and good work in many schools in Wales, we know that it is still in many ways an issue about which many of those affected remain silent. While many are unhappy with the way a school has dealt with bullying once it's been reported, by not taking it seriously, we've also heard that children will often prefer to deal with it and cope themselves with the support of peers and staff, because when adults have become involved things have sometimes got worse.

Bullying is still very common and often the schools who deal with it best are the ones who are open about it being an aspect of human behaviour that occurs in all kinds of contexts, including the home, the community and the workplace. During the year we've been encouraged by work conducted in local authority areas to encourage an holistic approach and involving both schools and the youth service, and even the local press, in promoting positive messages.

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What we've done so far

Phase 1 of this wide-ranging review started in 2005-06 and included a survey with children and young people; this has helped inform our work on this issue. Children and young people, and some parents and carers, were given an opportunity to have their say about their awareness of anti-bullying policies and initiatives. We have sifted through all the evidence that we have gathered and we are now in a position to take the work forward directly with children and young people.

Paper evidence has been gathered as well as research and examples of best practice across Wales, the UK, and further afield. We have looked at various aspects or forms of bullying, such as racial harassment, homophobic bullying, and bullying that takes place by means of new technologies such as mobile phones and the internet. We've looked at the current legal and policy framework and looked at what agencies and organisations working with or for children promote or have put in place to prevent bullying and to deal with it when it arises. Unfortunately, we were unable to appoint a secondee as a project co-ordinator to help us with this important work as planned, for financial reasons.

"I'd like more PE lessons."

What we'll be doing next

While work on the issue of bullying continued throughout the year there were inevitable consequences to not being in a position to appoint a dedicated co-ordinator. Significantly also, as a project to which the Commissioner himself is personally committed Peter Clarke's sickness absence also meant that timescales for Phase 2 have had to be amended.

Next steps in Phase 2 of the review are to:

- find out more about children and young people's experience of bullying by text, emails, blogs and websites – and what can be done about it. This will take place through much of our direct work with children and young people.
- meet with and talk to groups of young people who have been involved in initiatives to prevent bullying and promote a listening culture within schools about what they feel works or doesn't work.
- analyse all the information we have in order to produce a final report
- continue networking and influencing work by other bodies and organisations on this important issue
- make sure that recommendations from the review are taken seriously and acted upon to help reduce the incidence of bullying in schools and other places where children and young people spend their time.

All our publications are available from our offices, or they can be downloaded from our website

www.childcomwales.org.uk

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Section 3

Keeping children and young people at the heart of what we do

Early beginnings

From the start – even before there was a team of staff in place – the Children’s Commissioner for Wales was determined that children and young people were key players in setting his agenda and influencing his work programme. While this commitment was clearly shown in reports such as ***Lifting the lid*** and ***As long as I get there safe***, we wanted to do better. We wanted to give children and young people a real say in our decisions on

what we did next and we wanted to make sure that the things that are important to them really were at the heart of what we do. We consulted with children and young people and came up with a new framework to do this in a more systematic way.

Involving children and young people in our work

How we do it

Children and young people's involvement in our work and decision making

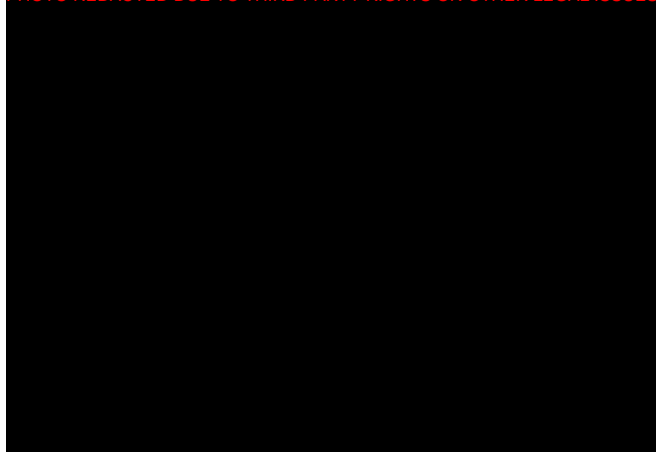
- **What next? events and prioritising Commissioner's projects**
- **2 Advisory groups**
- **gathering information from all aspects of our work**

This year was the first year for the implementation of our new Framework for Children and Young People's Involvement. This included holding two events to let children and young people have a say in prioritising issues for the office and establishing two young people's advisory groups who support various aspects of our day-to-day work.

"We need more time to have lunch and more time to play."

With so many different kinds of issues coming to our attention through different aspects of the work we needed to set up a fair and accurate system to give them a say in what we choose as priorities for action, rather than making all those decisions ourselves. We also needed to make sure that young people had a chance to be involved in our day-to-day work and a way of ensuring that what they have told us is accurately reflected in the influencing activity and policy development of the organisation. Our experience to date made it clear that that a one size fits all solution wasn't available so – in addition to the work we were already doing – we developed two new ways to allow children and young people to be involved and to participate in different aspects of what we do.

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Children and young people's direct influence on our work programme

Five themes were brought to the prioritisation or 'What next?' events. These were drawn from all the information gathered from children and young people and adults over the previous year. These issues emerged from all aspects of our work, including workshops and discussions with

children and young people, advice and support and policy issues. Children's organisations, professional associations or other bodies may also have brought issues of concern to our attention, and these all go into the pot when we decide what key themes are emerging.

For 2005-06 the five themes identified were:

(i) Play and Leisure

Children and young people had told us about having nothing to do, or nowhere to hang out, in their free time. They also talked about vandalised parks, a lack of local facilities, being moved from place to place and feeling unsafe when spending time outside.

(ii) Education and Schools

Children and young people had many concerns about education and school. The key issues were about not feeling listened to, bullying being dealt with badly and often making the situation worse. Other issues were around not being given feedback or not knowing the outcome of decisions. The overall sense was that anything outside of the school curriculum was not dealt with well and frequently children and young people did not feel listened to or respected.

(iii) Emotional health

Issues around mental health, such as self harm, depression, eating disorders, and anxiety and panic attacks, were raised by children and young people through workshops and events, and the Advice and Support service. While our response in these instances is usually to refer the child or young person to the relevant and appropriate service, this has frequently been easier said than done. This highlighted the lack of appropriate services in Wales to support children and young people who have any form of emotional or mental health difficulties.

(iv) Support and services for children and young people who need them

Many issues raised were from looked after children and disabled children and young people. They said that there were not enough services to support them outside their mainstream services.

(v) Respect

The theme of respect ran through each of the other four themes and over the previous year the most commonly raised general issue was that of children and young people feeling that they were not being listened to or taken seriously by adults and professionals. They also felt that they were often unfairly labelled and not seen as full members of their communities.

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What next? events

We held the first of our events for children and young people to have a say in setting our future work programme during the year. These were the first in an annual series of activities that are part of a more systematic framework to ensure that we focus on what children and young people feel are the Commissioner's priorities.

One hundred and fifty children and young people attended each of the two events. The 7-11s' event was held at Bodelwyddan Castle, and the over 11s' event at the Millennium Stadium. Children and young people were able to explore five themes at these events, drawn from all aspects of the Commissioner's work, and then prioritise the two themes they felt we should focus on in more detail. The events are intended to be as inclusive and accessible (and enjoyable) as possible and places are allocated through schools, organisations and projects throughout Wales. Those organisations are told that applications are particularly welcome from disabled young people, lesbian, gay and bisexual young people, travellers, homeless young people, those looked after or recently leaving care, young offenders and other marginalised groups. But we don't need to know about their backgrounds unless it means that we have needs to meet to help them participate. They aren't there to talk about their own circumstances or to represent the interests of a particular group, but it's important that those taking part reflect the diversity of backgrounds and life experiences of Wales's children and young people.

Overall over 1,000 children and young people contributed

to the voting process which also took place during our other workshops, when attending events such as the Urdd and National Eisteddfodau, and via Backchat and our website. The two issues that were chosen were Play and Leisure and Education and Schools. These are now being taken forward as Commissioner's Projects for the next financial year.

Advisory groups

Two new advisory groups were established and developed this year. Based around the two offices, with members recruited through existing youth forums from each local authority area to ensure that young people from all over Wales participate, these groups have been developed to act in an advisory capacity. Their function is to have an influence on and input into our policies and procedures, publications, recruitment, methods of working, organisation of the What next? events and our physical environment. The advisory groups do not decide on the work programme for the Children's Commissioner and his team, but they contribute to identifying the issues put forward for the 'What next?' process and also to planning and running the events.

Members of the advisory groups were involved in recruiting 13 new members of staff during the year and have been involved in developing their own terms of reference and ways of working with support from the Communications and Participation staff.

"I enjoy playing with my friends and play football on a Saturday."

Advisory group members

We had the pleasure of working with the following young people during the year:

North Wales (including deputies)

Aaron	Katie
Alaw	Katie
Beth	Kirsty
Carwyn	Mark
Ceindeg-Fflur	Maurice
Chloe	Ryan
Debbie	Susannah

South Wales (including deputies)

Adelle	Hannah
Anasse	Jessica
Angharad	Kyle
Ben	Laura
Billie	Lexie
Cameron	Mary
Cara	Matthew
Cerys	Mitchell
Elaine	Paige
Ethan	Robert
Georgia	Sophie

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Reflections on being interviewed by children and young people

When I got the letter inviting me to attend an interview for the post of Policy Officer with the Children's Commissioner for Wales, I was pleased to see that young people were to be part of the interview panel. I was, however, not sure what kind of experience it would be – or whether I'd be able to answer their questions.

On the interview day it was a real pleasure to be interviewed by the panel, which included 2 young people from the South Wales Advisory Group. I know now that everyone on the panel worked on the questions together, but I found their questions very interesting and challenging. I found that I concentrated more on explaining myself clearly and avoided using jargon. It was actually quite hard to do this during an interview.

I really enjoyed the experience and I certainly hope that other organisations that work with children and young people follow this example.

Gareth

... .. and what it's like to be on the panel

This was the first time that I'd been involved in recruitment, but I was on the panel for three of the posts so I have quite a bit of experience now. The training was very good and we learned how to ask clear questions, how to treat everyone fairly and to be non-biased. I really enjoyed doing it and felt that my opinions were taken seriously. The interviewing itself was the best bit, although I found evaluating how different people had done hard at times.

I'm already looking forward to being involved in recruitment again. It wasn't so much that it was hard work, but it was a challenge, which I always enjoy. I really felt that we all worked together and I was very much part of the decisions made.

Cerys

Maintaining a dialogue with children and young people

How we do it

Communicating and promoting participation

- visits
- workshops
- targeted programme – vulnerable, marginalised and hard to reach groups
- attending events
- awareness raising and training with adults
- school ambassadors
- Backchat – our email group
- website
- media and promotion

Reaching out to all children and young people

Peter Clarke ensures that by regularly visiting schools and groups of young people, speaking at conferences and attending events, he can keep up to date with what

children and young people feel is important to them and what is currently impacting on their lives. Through the advice and support service and links with outside organisations and bodies he also gets more information about what is causing particular concern.

But ensuring that he gathers such information from ALL Wales' children and young people is a difficult task, and although the work of involving children and young people and maintaining a dialogue with them has been underway for some time, the programmes of visits and workshops are designed to make sure that we are systematic in our attempts to reach everybody.

As well as visits to schools, youth groups and forums we have a systematic and targeted programme of work with children and young people who are marginalised, vulnerable or 'hard to reach'. Given the wide geographical area and the broad range of groups involved this means working alongside other organisations and is a long-term commitment. By having different strands or activities that contribute to this programme we aim to have a balanced and inclusive dialogue, ensuring that those who often lack a voice are able to have their say. In recognition of the value of this type of work we hope to secure funding to employ more Communications and Participation staff in coming years to make this substantial and significant task more effective and to spread the word.

“School is a brilliant place to make friends. It’s fun making new friends!”

Following on from the 2004-2005 School Ambassadors’ pilot preparation is underway for the next phase of the scheme. The School Ambassadors’ toolkit is being re-developed based on the feedback from the pilot evaluation in 2005. We’re also aware that without the increase in participation staff that was originally planned, the toolkit needs to provide sufficient resources for ambassadors and for their link teachers to take the initiative forward without the level of direct support originally built into the scheme.

The toolkit now includes more resources and a section on evaluation to help the Ambassadors in their work. A teachers’ toolkit is also being developed, containing parallel information to the Ambassadors’ toolkit and includes additional notes to provide guidance for teachers and show links with the National Curriculum.

School ambassadors

The schools ambassadors' initiative is one example of how the aim of raising awareness and improving channels of communication with the Commissioner's team is coupled with promoting the UN Convention. As well as identifying two pupils in a primary school to be our main contact points within the school, the scheme encourages and supports the creation of rights aware environments and empowers and supports Ambassadors to take projects particularly relevant to their school forward. Clearly the added boost given to the creation of schools councils by making their existence mandatory will increase the potential for links between Ambassadors and their school councils, as well as between the Children’s Commissioner and the other new structures for involvement and participation.

Improving Backchat/Atebnôl

A working group of children and young people has been looking at how the Backchat initiative – an email survey group – can be improved to be more effective as a communication tool; both for children and young people and for the Children’s Commissioner’s office. The group has been addressing areas such as how to increase the membership, how to ensure that the messages received by children and young people are used most effectively and how to make the initiative more child and young person focused.

Equality of opportunity

It is essential that the Children's Commissioner's team is accessible and welcoming to all the children of Wales, celebrates diversity and embraces anti-oppressive practice. We are committed to working towards this end. Often this will mean working with those experienced in certain communication methods or in working directly with a specific group of children and young people.

"I don't think that things are too expensive or far away. There's a park down the road and lots of people to play with on the street."

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Welsh language scheme

Around half of the staff team are fully bilingual in Welsh and English, while several other members of staff already have a working knowledge of the language or are active learners. We are fortunate that each specialist area of work has at least one member of staff able to provide a service and communicate in Welsh. Work on our Welsh Language Scheme was completed during the year, and this has now been approved by the Welsh Language Board. The Young People's Advisory Groups will be helping to develop a plan to publicise and promote the scheme to the public – children and young people in particular. Contact our offices for a copy of the scheme, or download it from our website.

"The teachers in my school explain things really well."

Evaluation research: how are we doing?

Involving children and young people in evaluating and reviewing the services that they receive is something that we regularly encourage other organisations to do. The need for this approach holds as true for our organisation as for any other children's organisation or service in Wales. Consequently, a team from Swansea University has been commissioned to review and evaluate the effectiveness of the office, and to involve children and young people and work with them directly in the process.

This is a long term study which is due to report in 2008. The research team have spent time with my staff, attended the children and young people's events, met with the Advisory Groups and observed our work. They are also surveying and working with children and young people across Wales. The evaluation research will be invaluable for the next Children's Commissioner for Wales and for the whole team in developing and shaping our work.

Spreading the word and speaking out on behalf of children and young people

Getting the message across loud and clear is crucial if a children's champion is to be effective. All members of the Commissioner's team have a part to play in promoting our work and what we stand for. We have leaflets and freebies and use different ways of telling people about our work. Sometimes we use flyers or young people's versions of our reports. Sometimes we run workshops or seminars or give speeches or presentations to explain what we've found out and what we think needs to change.

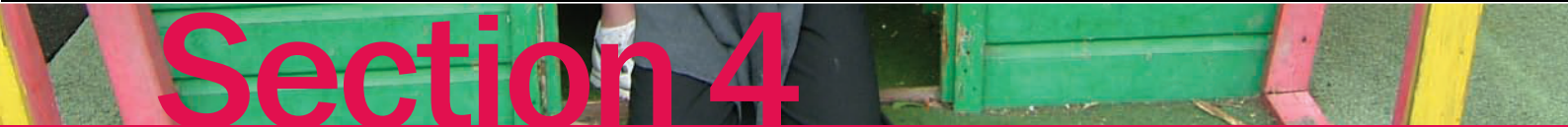
Children and young people need feedback on what we do

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with the information they give us and we need to make sure that policy makers and those who can make a difference know about the Commissioner's views and recommendations. At all times we try to reflect what children and young people have told us – not just what we think is in their best interests.

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. Media enquiries are plentiful, and while we do issue press releases the majority of media opportunities come from external developments, so we have to be responsive.



Section 4

Our future work programme

“School would be better if the subjects were fun so that we can relax more and concentrate better in the lessons.”

What's next?

As well as the new activities described in the previous sections of this report and continuing with the ongoing elements of our work programme, key aspects will be:

- continuing to raise awareness of the Commissioner's office and UNCRC through all aspects of our work
- launching a freephone service to provide greater access to the Children's Commissioner for children and young people throughout Wales
- providing a high quality advice and support service
- investigating complex cases and conducting investigative reviews
- raising awareness of the advice and support service in particular with children and young people throughout Wales starting with children and young people who are looked after, are excluded from school or are in prison
- relaunching the revised school ambassadors programme to gradually recruit Ambassadors in primary schools in all parts of Wales
- further increasing the involvement of children and young people in the planning process and in setting priorities within our future programme of work
- launching a new and improved Backchat initiative
- continuing to monitor the implementation of the recommendations made in our reports
- completing work on the thematic review of bullying

- forming stronger links with children and young people's framework partnerships
- continuing to listen and learn, promote good practice and speak up for the children and young people of Wales
- contributing to co-ordinated work in relation to the UNCRC reporting mechanism
- monitoring, reviewing and responding to consultations, and ensuring that children and young people have a voice in the things that affect them
- undertaking two distinct Commissioner's projects – identified by children and young people – within the themes of Play and Leisure and Education and Schools.

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The work programme for the following year starting in April 2007 will naturally include maintaining and further developing the various aspects of our work and the services we provide. There will be – as always – provision for children and young people's contribution to our priority setting and to influence the way in which we undertake some of the work to which we are already committed.



Section 5

... what we think needs doing ...

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

In previous years this section of the Annual Report has raised new issues which cause me concern and then revisited issues raised in previous years where progress has either been exemplary, or unsatisfactory. It is with some disquiet that I have found that I needed to change this approach for the current year. Several of the key issues highlighted in previous years – some of them concerning fundamental systems and processes designed to give vulnerable children and young people a voice – are familiar ones. Reports of inquiries, including those of Waterhouse and Carlile, have drawn attention for the need

for action and for resources and quality services. It is of serious concern therefore that I have to revisit some issues which are cause for continuing concern despite my own, and others', recommendations for improvement.

Independent advocacy services

In my report, **Telling Concerns**, I made recommendations that addressed what I consider to be the key requirements of a national strategy to meet the needs of children and young people. I consider the establishment of a national advocacy unit by Welsh Assembly Government, to monitor and advise on the provision of consistent standards of advocacy for children across Wales, to be essential. The purpose of advocacy is of course to enable children and young people to participate in decisions about their lives and to give appropriate support at stages that present particular difficulty – such as when they have serious concerns or want to complain about an aspect of their care. Advocacy should be available for all children wishing to make a complaint about any local authority service; providers of advocacy should be able to act independently and purely on behalf of the child they represent. Such advocacy must also be easily accessible to children and young people, wherever they live.

When **Telling Concerns** was published, Welsh Assembly Government stated that they accepted all of the recommendations. Key elements of the report were that there should be a central advocacy unit to ensure an adequately resourced, independent, consistent and quality

assured service for children. This recommendation was made with a view to addressing many of the long-standing and persistent concerns about how provision is currently commissioned and handled, with providers regularly changed and young people often deprived of an opportunity to develop relationships of trust with an adult who is there to represent them. Such instability is unhelpful, particularly when we are considering the rights and welfare of children and young people who may be very vulnerable and have had extremely negative relationships with adults in the past.

However, I have been severely disappointed by developments since that date. Notably, recent draft guidance makes no mention of an Advocacy Unit and I have serious concerns about the proposed model. I am therefore unconvinced that the resulting services will be an improvement on those currently provided. The document appears to espouse a model for commissioners, rather than attempt to meet the needs for advocacy of children and young people.

It is equally disappointing that the draft makes no mention of the report on my second review of advocacy, whistleblowing and complaints arrangement, **Children don't complain ...**, which looked at local education authorities. This report recommends the extension of advocacy services to children and young people who may wish to make a complaint about education services. The draft guidance is unclear about whether advocacy services would be available under these circumstances.

I believe that a vital opportunity to improve and extend children's advocacy – to give them a voice they are entitled to – has been missed. At the time of writing I am giving careful consideration to using the legal powers available to me to review the ways in which WAG makes decisions affecting children. It is sad that I am in a position where I feel that the exercise of these powers is necessary in relation to the institution which created my post as part of its response to the need identified in the Waterhouse Report to give children and young people a voice.

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Implementation of Clywch recommendations and counselling support

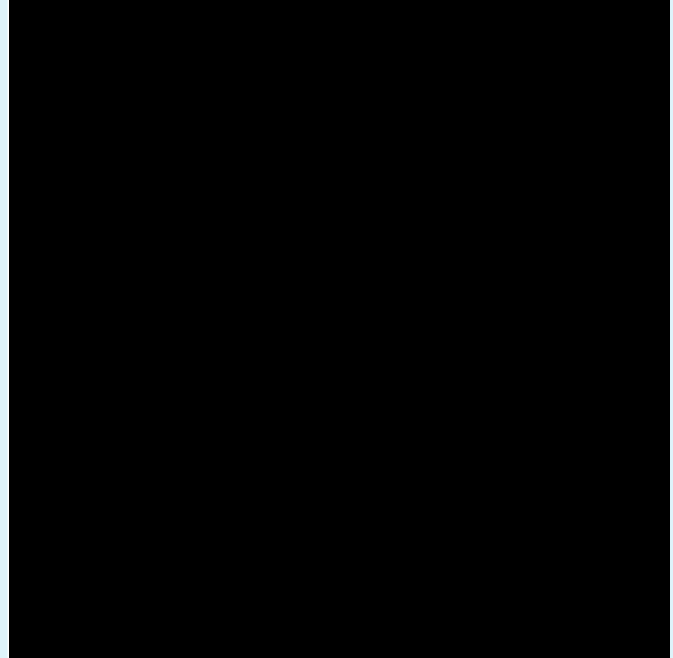
Overall I have been pleased that the majority of the 31 recommendations made in the Clywch report have been implemented – many of them very soon after publication. I am satisfied that this will have gone some way towards improving safeguards for our schoolchildren. However, progress on a few of the key recommendations has been slower than I would have liked and the final steps needed in order to put policies into action remain outstanding. The responses received from local education authorities and the Area Child Protection Committees throughout Wales has been reassuring, with the majority having implemented relevant recommendations. In addition, the Welsh Joint Education Committee, the media and other organisations have accepted the recommendations specific to them.

However, the publication of a number of key documents is still awaited specifically in relation to recommendations directed to the Welsh Assembly Government. While I understand that some significant next steps have been taken in relation to the National Strategy for Children’s Counselling Services in Schools, the fact that these developments have taken so long is regrettable. I find this lack of progress surprising and disappointing, especially given the strong public commitment to improvement made by both the Minister for Education and Lifelong Learning and the Minister for Children when the Clywch Report was published, and in the period that followed.

“There are people in my area who aren’t good so my parents don’t let us go out sometimes.”

I regard the recommendation made regarding the development of a counselling strategy for schools in Wales as one which would have had a tangible impact on the lives of children and young people within a relatively short period of time. Such is my concern about the delay in the completion of preparatory work, the development of the strategy and the real benefits to pupils that I have decided that I shall personally contribute to the working group taking matters forward. While access to counselling in schools may be a fairly new development, it is not unheard of. It is disappointing that WAG in its scoping document did not make the most of the research and evidence already available. This is an opportunity for innovation and inspired thinking. Having someone to turn to would have made such a difference to the lives of not only the young people abused by the late John Owen, but also the victims whose stories we have heard in many other inquiries. I strongly urge WAG to make the implementation of this recommendation a priority.

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Child and Adolescent Mental Health Services (CAMHS) and other health services for children and young people

I have made comments previously about the funding of CAMHS and it has become clear that provision of many services across Wales are unequal and so not all children may be able to access the services that they need. As mentioned earlier in this report, my office is continuing to deal with issues around the provision of mental health services for children and young people. It is clear that my concern over the lack of financial backing for the WAG strategy was legitimate. Indeed, it would seem that very little has changed since I last highlighted this issue.

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“ More toilet paper would make my education better. ”

To date the funding made available has been insufficient to take forward the strategic and service delivery proposals outlined in Everybody's Business and the National Service Framework for Children, Young People and Maternity Services (Children's NSF). The relatively small increase in funding has only addressed a tiny proportion of the need. I would remind WAG that the CAMHS implementation group estimated that an additional £10m per year would be needed for the first three years of delivering on the strategy outlined in Everybody's Business. Despite the commitment made in that document and in the Children's NSF, CAMHS provision is in crisis across Wales.

My advice and support service has been involved in a range of cases that have substantiated that Wales has insufficient adolescent inpatient beds. Within a two-week period the service dealt with three cases – two of young people with eating disorders and one where there was self harm – where Health Commission Wales refused to fund the placements CAMHS professionals considered to be appropriate for their needs. Young people in dire need of specialist treatment are experiencing weeks of delay before they are admitted. Adolescents are also being treated on adult mental health wards, which are not attuned to providing services for this age group and where the experience can be a frightening and damaging one for young people. Through the advice and support service I have also become aware that the one inpatient bed for CAMHS in West Wales was closed by the trust without consultation.

During the year my team has had considerable contact with health professionals. I am aware that there is some innovative and good practice and we were pleased that many health settings now recognise children's rights and welfare to a greater extent. Nevertheless, professionals have expressed considerable concern about the lack of funding for many of the new developments within the health service for children and young people.

For example, we are aware of projects that aim to tackle the issue of self-harm and 'hidden harm'. These are short-term projects which may only last for a few years

and in some cases are being funded by Lottery money. The National Assembly for Wales must end this situation whereby important services are being run with short term funding. The Children's NSF has raised expectations but has not received sufficient resources to enable it to deliver all of its targets.

There are considerable differences in terms of guidance and funding for children's health when compared to adult health. Professionals tell us that guidance materials from Welsh Assembly Government are incomplete and that funding to make changes for adult services is not replicated for children's services. A further concern for professionals is that many needs are identified for children, but the means to meet these needs are not available and current funding formulas increase the inequalities of service provision.

Not all the targets that were flagged in the Children's NSF and due to be put in place by March this year have been achieved. However, instead of reinforcing a commitment to achieve the targets set by WAG in their Service and Financial Framework Document (the SAFF), those targets are now dropped for the next financial year. Indeed the SAFF contains no targets for achieving the standards laid down within the Children's NSF. I am unclear how exactly, if there is no financial commitment, implementation will be achieved.

"Nothing in my area is cheap enough, or close like a park."

Child poverty

While there has been some improvement in child poverty statistics in Wales since I first highlighted the issue in my annual reports, it seems clear that persistent poverty in Wales is a tough nut to crack. I am pleased that political parties show a commitment to tackling child and family

poverty and that the issue is not slipping off the agenda in the run up to the National Assembly elections. I have continued to monitor the steady progress that is being made at a national level and through the End Child Poverty Network Cymru I have also been able to keep up to date with developments at an early stage.

To emphasise the role of national governments in dealing with this issue is necessary, but it does not always result in an immediate alleviation of the consequences of poverty on a child's life. It is useful to consider the role we all have to play, particularly as service providers, in reducing inequalities and decreasing the stigma associated with child poverty. The impact schools and education can make in this context is substantial. Yet it would seem that even a state education is far from free.

Figures published by the ECPN Cymru estimate that on average there will be additional costs of around £14,000 per child across their whole school career. Some of these costs are hidden, but they include not only the costs of uniform, sports equipment, school trips but the cost of having access to a computer and the internet. Many of these costs are not for luxuries or extras, but for things that are essential if a child is to get the most out of their time in school.

Education offers children and young people a chance to learn, to make friends and to reach their potential and can help those living in poverty to overcome many of the challenges that they face. It is cause for increasing concern that even state education places additional financial pressures on families already struggling to make ends meet. It is unacceptable that having to meet significant costs for things which are necessary if they are to achieve educationally, puts many young people at a severe disadvantage in a system where they are meant to be treated on the basis of equality. I urge all concerned – at school, local authority and national level – to consider what they can do to address this inequality.

Services for young people with sexually harmful behaviour

There are certain issues that are never vote winners, but the fact that they may not receive popular endorsement doesn't mean that they are not a public concern. The issue of services for young people with sexually harmful behaviour is something that affects a significant number of children and young people in Wales – and that number doesn't just include those who need to access such a service. This is a public health priority – as are all child abuse services.

While those who are abused deserve our protection and help to deal with what has happened, it is important that children and young people should not be judged by adult standards regarding their sexual behaviours. A coherent, strategic, response is needed to meet the needs of children and young people with sexually harmful behaviour in order to decrease the incidence of child sexual abuse and to help these children from becoming child abusers in adulthood.

We have gathered information from each Local Authority Area Child Protection Committee (ACPC) about the resources and services that are in place to meet the needs of children and young people with a sexually abusive behaviour. Currently, 11 ACPCs have service level

agreements with the Barnardo's Taith project or with the NSPCC or NCH. The remaining ACPCs do not provide a specialist service in-house and rely on spot purchasing those services at the time of need. Some ACPCs also confirmed that they do not have a written policy and procedure for dealing with such a referral.

Children and young people who exhibit sexually harmful behaviours have the right to a Child Protection Conference, and a specific and specialist assessment of their needs, followed by an appropriate treatment programme. I regard the provision of specific and specialist services for the assessment and treatment of children and young people with sexually harmful behaviours to be a right. I will therefore be commenting upon the development of resources to meet these children's needs in the report I make to the UN Committee.

Education of looked after children and the impact of good corporate parenting

In 2005, there were around 4,400 children looked after by local authorities in Wales of which around 3,000 are placed with foster carers. It costs around £40,000 a year to look after a child and the number of looked after children in Wales has increased by around 20% in just four years. We must remember that these children are the responsibility of local authorities in their role as corporate parents. In this role I would hope that all local authorities strive to ensure that the service provision to each looked after child is what they would expect for their own children or grand children. While the concept of a 'pushy parent' may be an uncomfortable one for many, it is proven that to have parents who take an interest in your education and who encourage you to fulfil your potential can have a very positive impact on your achievements in school, education and training.

Data shows that educational outcomes for looked after children are much lower than their peers. For example, only one per cent of care leavers attend higher education (university) and in 2004 while 41 per cent obtained at least one GCSE or equivalent qualification, 58 per cent left school without a single GCSE or equivalent qualification. Other research has shown that over half of those children who have been in care will become unemployed long term. It is data and outcomes such as these that lead to my concern that there is an urgent need to address the needs of these children and to improve corporate parenting.

Funding of £1m a year has been allocated by Welsh Assembly Government to local authorities in Wales for 2006-2007 and 2007-2008. Whilst I welcome the allocation of this additional grant for the education of looked after children in Years 10 and 11, the targeting of a grant solely at looked after children in Years 10 and 11 could be viewed as a short term measure addressing the lower educational attainment at Key Stage 4. I would suggest that there is a need for a more sustained focus on the underlying issues and improving education for all looked after children.

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“We need more sports equipment and more variety in the lessons.”

Voluntary withdrawals or informal exclusions from school

We have become increasingly aware of a practice adopted by some schools of asking parents to keep children at home because the school cannot cope with their children’s behaviour. Often it is suggested that parents will want to avoid exclusion ‘as it will look bad on the pupil’s school record’. This practice is preventing many pupils from obtaining the support they need to remain in class and placing some of them at risk. If a child is excluded because of problematic behaviour, the governors and the local education authority will be aware of the fact and are able to question whether the child has needs for extra support. The child’s needs should be properly assessed.

While it is understandable that parents do not want their child to be labelled, in virtually all circumstances, parents will be doing the best for their child if they insist that the school either makes appropriate provision for their child or formally excludes them. Exclusion would give the parents and the LEA the opportunity to decide on a long-term strategy to meet the child’s needs.

My staff will be monitoring the use of these ‘voluntary withdrawals’ and will be reporting on the practice to Welsh Assembly Government.

“There’s only a play area for little children in our area, and there’s nothing for older children to do without travelling a long way.”

The Mosquito device and the issue of respect

During the last year I have been concerned by news reports about the deterrent device commonly known as the Mosquito. The device emits an ultrasonic noise which the manufacturers claim can only be heard by young people under the age of 25. It is marketed as a way of discouraging anti-social behaviour by teenagers. The highly irritating noise drives away the young people who can hear it.

What strikes me about this device is that it is indiscriminate and does not tackle the issue of why young people may choose to hang out in a particular area. Although it may disperse young people who – in the words of the manufacturer – ‘loiter with no intent’ from the immediate area, they merely relocate to another place. These other places may be less well lit or safe than where they had chosen to gather. The Mosquito also does not only affect those who ‘loiter’ but in fact attacks the hearing of all young people exposed to it.

The use of such a device clearly limits the right of children and young people to gather in public places which is a right under the UNCRC. The device also highlights the way in which society today demands respect from children and young people at the same time as limiting their rights.

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Limousines and vehicle safety

I have expressed concerns in the past about the safety of children and young people travelling to school by bus. In the past year, it has come to my attention that many children and young people may be travelling in unlicensed and uninsured limousines. This is a mode of transport that has grown in popularity, transporting young people to events such as birthday parties and school proms. Many of the vehicles are imported from the United States after they have been deemed to be unsuitable for service. In some cases they may be too large and difficult to manoeuvre on Welsh roads.

In terms of child safety there are a number of issues which cause me further concern. These include requirements for drivers to report previous criminal convictions and the requirement that all passengers use safety belts. There is an urgent need for central and local government to consider revising the legislation that governs this growing industry and for parents to be aware of these safety issues before hiring such vehicles. I have spoken with relevant government departments about this issue; however it would seem that due to lack of funding it is difficult for them to monitor the use of limousines when carrying children. This welfare issue must be addressed immediately by both local and national governments.

Children and food

The issue of the food children and young people eat in schools has been the focus of unprecedented attention during the past year. There have been debates about healthier eating and concerns about junk food and vending machines selling only high-sugar, or artificially sweetened, carbonated drinks for a number of years. Welsh Assembly Government also published their strategy – Appetite for Life – which outlines how they aim to improve the food served in our country’s schools.

However, there is a need to recognise the experience in some areas of England and Scotland, where improved school meals have been found to cost more and the number of children eating school meals has fallen. I wait to see whether the ideas in Appetite for Life will improve school meals for all children and make better school food available to more children without becoming overly expensive. The quality of the food available in schools is something that children and young people have told me is important. It is essential that they – possibly through school councils – are involved in proposals for change, whatever they may be.

Food and drink companies spend millions advertising foods high in fat, sugar and salt to children. It is clear that this influences the food choices of children and young people and their families; but will also have a major impact on their future health in terms not only of obesity but also cancer and coronary heart disease. These are often preventable illnesses and there is a clear need to ensure that children and young people are well informed so that they can make healthy choices as often as possible. I call on the advertising industry to act responsibly when advertising to children. I will be monitoring the outcomes from the proposed self-regulation.

School nurses

In my last annual report I highlighted the key role played by school nurses in ensuring children's health and wellbeing, and emphasised how – in partnership with counselling support as recommended in the Clywch Report – that this was a matter that should be taken seriously. I also quoted from the various reports published looking at the future of the school nursing service in Wales.

Sadly, one year on, progress in Wales has been less than satisfactory and it is hard to understand why key messages echoed in three academic reviews of the community nursing service have failed to secure appropriate and urgent action. The findings of each review

led to calls for an increase in resources for the school nursing services.

If this service was adequately resourced, consistently managed and well supported there would be benefits for the physical and emotional health of Wales' children and young people. It is also extremely likely that there would be benefits for their educational attainment and the performance of schools. I shall be monitoring developments during coming months to ensure that this service is developed as a high quality additional safeguard within a reasonable timescale.

“Round about where I live lots of people like playing.”

Safe use of the internet and information communications technology

While the increasing use of technology by children and young people is to be encouraged, the issue of internet safety has become urgent for the protection of children and young people in Wales. The Welsh Assembly Government have stated that as a condition of ICT funding Local Education Authorities (LEAs) must have arrangements in place to make sure that pupils do not have access to inappropriate materials via the internet including material published on the Internet by pupils and schools.

It is also a requirement that LEAs ensure that schools also address these issues through their individual school development plans. The LEAs control, plan and manage internet access for schools but also rely on the schools themselves to ensure best practice. The blocking of specific websites and advice to schools on internet safety policies addresses the use of the internet within a school setting,

but does not provide pupils with an effective education on safe usage in general. I welcome the fact that a review of the ICT curriculum is currently being undertaken. I consider it essential that responsible use of the internet and other new communication technologies is part of the curriculum in Wales. Providing blocks and walls is no substitute for education in how to protect oneself and why it is not acceptable to misuse the technology to bully others. I am encouraged by all the work undertaken by children's organisations in this respect and hope that a strategic approach will make sure that access to such advice and materials is promoted in all schools, primary and secondary.

While the Welsh Assembly Government has not as yet developed a strategy for ICT in Wales, the ICT Strategy Policy group are due to release a draft strategy for public consultation in March 2007. 'Keeping us Safe' is the Safeguarding Vulnerable Children Review Group's report on the Review of Services to Vulnerable Children. Challenge 7 of the report is entitled 'The New Risks' and points 3 and 4 urge "WAG to take urgent action to respond more comprehensively to the existing threat posed by the internet and new technologies" and to "make more use of available initiatives". I shall continue to take an interest in how this action is taken forward.

"It would be good to have extra help for children who have to miss school."

School transport

I commented on school transport issues in my report **As long as I get there safe...** and my team has been monitoring progress on the recommended improvements. We were grateful to be invited to the Welsh Assembly Government's School Transport Co-ordination Group and were pleased to hear of many improvements ranging from the age and condition of the vehicles to be used to

policies on improving behaviour on buses suggested by young people. We were also encouraged by the level of children and young people's participation in the planning of services facilitated by some local authorities which has led to other innovative approaches.

However, such good practice does not exist in all areas of Wales and is unlikely to do so until the tenders are assessed on the quality of the service rather than simply the cost. This will require guidance from the Welsh Assembly Government.

During the year the practice of one local education authority including confidential information about pupils with Special Educational Needs with their invitations to tender for taxi services caused us great concern. After making enquiries we established that the practice was by no means uncommon. Fortunately we were also able to identify some good practice.

We presented our findings to the Welsh Assembly Government with a recommendation that they contact all LEAs with a view to stopping this practice. We welcome the fact that Guidance will be issued to ensure that tender documents do not include the identity of pupils to be transported or information that could be used to identify them.

Child protection in activity centres

Children benefit greatly from attending activity centres where they will face new challenges and experiences and will be exposed to carefully assessed and managed risk. However, I am aware of shortcomings in the way that child protection policies are prepared and implemented in these centres. Most activity centres have, quite sensibly, prepared child protection policies and procedures. However, no agency has the responsibility for inspecting these policies and procedures. The Adventure Activities

Licensing Authority inspects the safety of activities but their remit does not include child protection. We have proposed that their remit be extended to do so. This would not only ensure consistency, but the centres themselves would be able to benefit from being able to obtain advice and share experience of good practice. Again, we await action on our proposal by the Welsh Assembly Government.

UNCRC reporting

When the UK government ratified the United Nations Convention on the Rights of the Child it made a commitment to bring its guidance and legislation in line with the Convention. It also agreed to report to the Committee on the Rights of the child every 5 years on progress made.

The last UK government report was in 2002 and the next is due in March 2007. The Committee will then also welcome reports from non-governmental organisations and, for the first time, separately from the Children's Commissioners from Wales, Scotland, Northern Ireland and England.

I intend to make full representations to the Committee and highlight not just the many areas in which more needs to be done but also the progress Welsh Assembly Government have made in some areas of children's rights in Wales. While mention of the UNCRC is conspicuously made in relevant policy documents, I would also like to see WAG do more in terms of its duty under Article 42 of the convention. Along with a number of voluntary agencies, my office is engaged in promoting the convention on a daily basis to the public of Wales and especially to children and young people. While not wishing to undermine the value of this work, one has to acknowledge that it is on a scale that cannot have a long-lasting and permanent impact. I therefore call on Welsh Assembly Government to resource a co-ordinated

programme of awareness raising on the Convention and its implications for children, parents, service providers, policy makers and government at all levels. It would also be an opportunity to educate the public about the achievements made in terms of realising the convention rights in Wales.

I am pleased and proud of the fact Welsh Assembly Government made a principled stand on banning the smacking of children and am supportive of its work in promoting positive parenting. Yet without legislative change it is a confusing situation. This is not a devolved issue and the UK government took the opposite view to WAG during the parliamentary passage of the Children Act 2004. Smacking is still allowed in the UK, albeit only certain kinds of smacking. The current position is clearly a nonsense and needs to be remedied as soon as possible. This issue is one where the UK government has been severely criticised in the past and it is likely that the Committee will question them on how and why they allowed an opportunity to comply with the UNCRC to be missed.

"When people don't think play is important, it gets on my nerves."

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rights play
speaking out
investigate
recognising
advocacy
monitoring
entitlements

Section 6

SUMMARY FINANCIAL STATEMENT

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Introduction

The following financial information is based on the full Annual Report and Resource Accounts of the Children's Commissioner for Wales for the year ended 31st March 2006. This section is an overview and does not contain all the relevant information to allow for a full understanding of the results and state of affairs of the Children's Commissioner for Wales as would be provided by the full annual report and accounts. These were laid before the National Assembly for Wales (the Assembly) and contain the detailed information required by law and the Financial Reporting Manual. A copy of the annual report and accounts can be obtained, free of charge, by writing to the Commissioner at his registered office:

**Oystermouth House
Charter Court
Phoenix Way
Llansamlet
SWANSEA SA7 9FS**

Under Schedule 2 to the Care Standards Act 2000, the Children's Commissioner for Wales is required to keep proper accounting records for each financial year, in conformity with an accounts direction as determined by the Assembly, detailing the resources acquired, held, or disposed of during the period and the use of resources by the Children's Commissioner for Wales during the period.

Audit Committee

The Commissioner has established an Audit Committee to provide advice and assurance in respect of corporate governance, risk management and control within the Commissioner's office and the adequacy of the internal and external audit arrangements.

The Audit Committee meets at least bi-annually and is made-up of senior officials of the Commissioner and three independent members, these are:

Brian Charles, Chair of the Committee – former chair of Dŵr Cymru/Welsh Water

Tom Cassidy – Ex-Chief Executive of CADW

John Cory – Ex-Finance Director of the Wales Tourist Board

Senior officers

The following served as the Senior Management Team during the year:

Peter Clarke	Children's Commissioner for Wales and Accounting Officer
Maria Battle	Assistant Commissioner, Legal and Investigations and Deputy Commissioner
Rhian Davies	Assistant Commissioner, Policy and Service Evaluation
Sara Reid	Assistant Commissioner, Communications & Participation
Andrew Robinson	Acting Head of Corporate Services (until 25 January 2006)
Tony Evans	Head of Corporate Services (from 15 May 2006).

Between the departure of Andrew Robinson (Acting Head of Corporate Services) in January 2006 and the appointment of Tony Evans as the new Head of Corporate Services in May 2006 the corporate services function was managed by Maria Battle in her role as Deputy Commissioner.

Funding

The Children's Commissioner for Wales is independent of, but funded by the National Assembly for Wales. In 2005-06 the Commissioner received £1.4 million (2004-05: £1.8 million) to fund his activities. Since the establishment of the office of the Children's Commissioner the amount of funding, received from the National Assembly for Wales has increased steadily to match the ever increasing workload of the Commissioner.

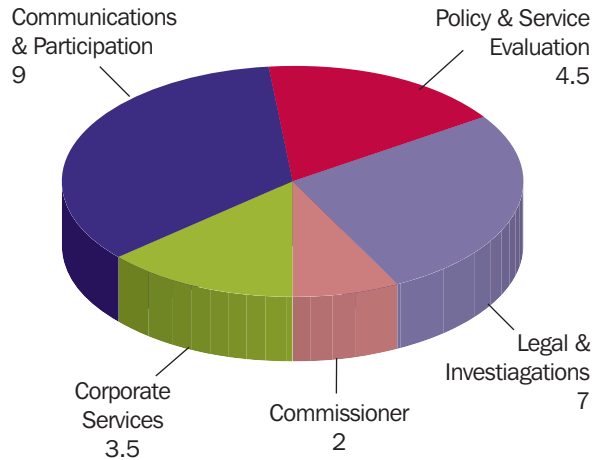
We received funding in 2004-05 of £296,250 which related to the 2005-06 period.

Results for the year

The Operating Cost Statement shows a net operating cost, for the period, of £1,525,000 (2004-05: £1,497,000) representing an increase in net expenditure of 2 percent compared to 2004-05. The general fund balance as at the year-end is £118,000 (2004-05: £202,000)

Between April 2005 and March 2006 the Commissioner's staff has increased from 20 (full time equivalent) to 27 (full time equivalent) to reflect the increasing workload of the Commissioner and his teams.

Staff in post (by staff group) April 2006:



Equal opportunities

All applications for employment with the Children's Commissioner for Wales are 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.

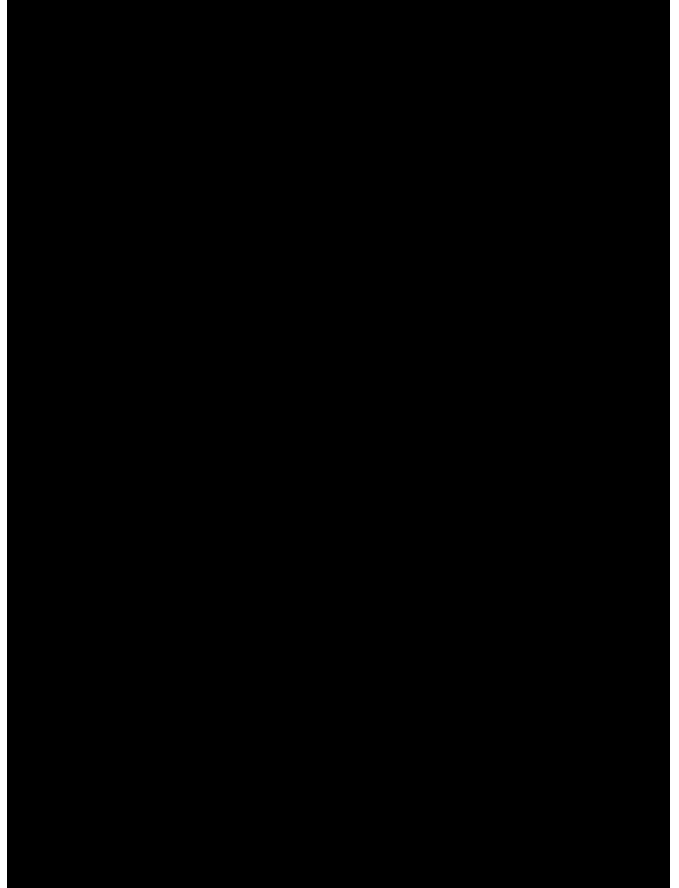
Auditors

The Children's Commissioner for Wales 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.

The Assembly's Internal Audit Service provided internal audit services to the Commissioner during the period.

During the period no remuneration was paid to the auditors for non-audit work.

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Resources by organisation aim and objectives for the period 1st April 2005 to 31st March 2006

AIM 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.

Objective:	2005-2006			2004-2005		
	Gross £000	Income £000	Net £000	Gross £000	Income £000	Net £000
Objective 1	787	-	787	430	-	430
Objective 2	235	-	235	272	-	272
Objective 3	55	-	55	83	-	83
Objective 4	52	-	52	30	-	30
Objective 5	18	-	18	45	-	45
Objective 6	247	-	247	602	-	602
Objective 7	40	-	40	13	-	13
Objective 8	91	-	91	22	-	22
	<u>1,525</u>	-	<u>1,525</u>	<u>1,497</u>	-	<u>1,497</u>

Source: The Children's Commissioner for Wales Annual Report and Accounts for 2005-06.

The Commissioner's objectives were as follows:

1. To promote the rights and welfare of children, and 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 are aware of the rights of children and young people.
2. 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.
3. 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.
4. To review and monitor the effect on children of the exercise or proposed exercise of any function of the National Assembly for Wales and/or bodies listed at Schedule 2a of the Children's Commissioner for Wales Act 2001.
5. 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.
6. To provide or arrange for advice representation or other assistance to a child in making a formal complaint or representation to a service provider; and/or 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. To give advice and information to any person.
7. To keep under review the powers of the Commissioner and the effect on children.
8. To consider and make representations to the National Assembly for Wales about any matter affecting the rights and welfare of children in Wales.

Objectives are subject to regular review to ensure that they reflect the role and function of the Commissioner. The apportionment of operating costs to objectives has been made with reference to the relative amounts of time spent by staff on the above objectives.

Corporate Services Gwasanaethau Corfforaethol



Tony Evans
Head of
Corporate Services
Pennaeth Gwasanaethau
Corfforaethol



Nicola McIntosh
Finance Assistant
Cynorthwy-ydd Cyllid



Ros Madge
Finance Assistant
Cynorthwy-ydd Cyllid



Charlotte Blair
Finance and
Administration Manager
Rheolydd Cyllid
a Gweinyddol



Eleri Bingham
Receptionist
Derbynnydd



Jon Murphy
Administrative Assistant
Cynorthwy-ydd Gweinyddol



Christine Roach
Personal
Secretary
Ysgrifennydd
Personol



Kay Williams
Advice and Support Officer
Swyddog Cyngor a Chymorth



Elaine Cloke
Legal and
Investigations Manager
Rheolydd Cyfreithiol ac
Ymchwiliadau



Ken Hinton
Volunteer
Co-ordinator
Cydlynnydd
Gwirfoddolwyr



Maria Battle
Assistant Commissioner
Is-Gomisiynydd

Legal and Investigations Cyfreithiol ac Ymchwiliadau



John Harford
Advice and Support Officer
Swyddog Cyngor a Chymorth



Peter Clarke
Children's Commissioner
Comisiynydd Plant



Monica Roberts
Personal Assistant
Cynorthwy-ydd Personol

Children's Commissioner Comisiynydd Plant Cymru

Communications and Participation Cyfathrebu a Chyfranogiad



Jessica Mills
Communication and
Participation Officer
Swyddog Cyfathrebu
a Chyfranogiad



John Tudor
Communication and
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Swyddog Cyfathrebu
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Lucy Payne
Media and
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Cynorthwy-ydd Cyfngau
a Chyfathrebu



Julie Griffiths
Senior Communication
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Uwch Swyddog Cyfathrebu
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Sarah Lewis
Communication and
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Swyddog Cyfathrebu
a Chyfranogiad



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Administrative
Assistant
Cynorthwy-ydd
Gweinyddol



Sara Reid
Assistant Commissioner
Is-Gomisiynydd



Jo Sims
Senior Communication
and Participation Officer
Uwch Swyddog Cyfathrebu
a Chyfranogiad



Jamie Gwilliam
Web and IT
Co-ordinator
Cydlynnydd y
Wê a TG



Elaine Canniffe
Information
Officer
Swyddog
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Shaun Raymond
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Cynorthwy-ydd
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Mair Jones
Senior Policy and Service
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Uwch Swyddog Polisi a
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Gareth Jones
Policy and Service
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Swyddog Polisi a
Gwerthuso Gwasanaethau



Rhian Davies
Assistant Commissioner
Is-Gomisiynydd

Policy and Service Evaluation Polisi a Gwerthuso Gwasanaethau