



# **Children's Commissioner for Wales Annual Equality Report 2011-12**

## 1. Introduction by the Children's Commissioner for Wales

As Children's Commissioner for Wales, it is essential that I engage with the most vulnerable children and young people who often find it more difficult to have their voices heard and sometimes find themselves at a disadvantage because of the way services are provided. The public sector equality duty provides me with a useful tool to continue promoting the rights of particular groups of children and young people, such as children and young people with disabilities, who often face additional barriers. It helps to ensure that I do so systemically, enables me to assess how effective we are as a team, and helps ensure all my staff take responsibility for giving a voice to all children and young people in Wales. This may mean taking specific positive action in particular circumstances.

I want to inspire all service providers to improve the way in which we deliver services in Wales. One of the ways I'll do this is by being a standard bearer in the way I implement the duty and also by raising awareness of the need to always consider the needs of children and young people within the equalities context.

I intend to use my status and powers as an independent human rights institution to hold public bodies to account in how they apply the equality duties, ensuring that whilst disappointingly, the Equality Act does not offer protection on the basis of being under the age of 18, it does apply to every single child or young person under the age of 18 who have a protected characteristic.

It is clear that my office has an important role in Wales to progress equality of opportunity for all children and young people in Wales. I will utilise the equality duties to do so in order that the rights of all children and young people are upheld.

A handwritten signature in black ink that reads "Keith Towler". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right.

**Keith Towler**  
Children's Commissioner for Wales

## 2. The purpose of this document

The Children's Commissioner for Wales is a listed authority under the Equality Act (Statutory Duties) (Wales) Regulations 2011 and therefore must adhere to the general duties to promote equality and from April 2012 publish a Strategic Equality Plan incorporating objectives.

The purpose of this document is to report on how the Children's Commissioner for Wales has sought to reflect its commitment to the Equality Act 2010.

This report is a position statement covering the period April 2011 to March 2012 which predates the requirement to have equality objectives in place. Future reports will be focused more on updating and noting progress against the equality objectives that came into effect on 2 April 2012.

This report seeks to cover the requirements of the annual equality report in the following way:

- Section 3 outlines the process for developing the Commissioner's Strategic Equality Plan and objectives which was published in April 2012.
- Section 4 outlines the Children's Commissioner for Wales' position in relation to the collection of equality relevant information.
- Section 5 outlines actions taken by the Children's Commissioner for Wales in 2011 -2012 to address the general duty to promote equality.
- Section 6 covers the Children's Commissioner for Wales' employment and work force information.

## 3. Developing our Strategic Equality Plan

Our statutory requirement to develop equality objectives did not come into force until April 2012. We will therefore be reporting on progress in meeting these objectives in our 2012-13 Annual Equality report.

### Objectives

The Commissioner's Scheme and Objectives are in place for 4 years. These can be found at [Equality Plan.pdf](#).

The Scheme and its Objectives were developed throughout 2011.

The Children's Commissioner for Wales' equalities priorities are general in nature and at this stage do not identify specific objectives in relation to protected characteristics. This decision was taken in order to enable the office to address in the short to medium term:

- Effective data collection
- Effective mainstreaming of equalities work via governance structures and planning processes

Compliance reports for the Strategic Equality Plan as well as the Welsh Language Scheme have now become standing items for review at each Management Team meeting. It is our intention to amend the strategic objectives accordingly through this reporting process as our equality work develops.

### **Assessing Impact**

The Commissioner's team has developed an equality impact assessment tool and a full package of guidance and support materials for the tool which is available on the staff intranet. As part of this process the office also held a series of training sessions for all staff which will continue into 2012-2013. The training was used to increase staff's understanding of the changes to Equality legislation; and to help staff understand the use of equality impact assessment tools.

The office has engaged some external support for quality assurance of its Equality Impact Assessment process and peer review of its equalities work. This development work will continue in 2012-13.

All staff have been actively involved in drawing up the draft objectives both through a staff away day in November 2011 and a team meeting in December 2011. Staff have engaged in challenging debates around the recording and collating of data in sensitive circumstances, and many of the solutions arrived at in the objectives reflect these discussions.

### **Engagement**

A fundamental element of the Commissioners' remit is engaging with children and young people and the people who work with or care for them, in order to ensure that our work is informed by their views.

Children and young people are involved in all aspects of our work, Policy, Investigations and Advice, Communications, Corporate Services and Participation. In 2011 all staff job descriptions were reviewed to include the requirement to work with children and young people at a level appropriate to their role and our

Participation Officer roles reviewed to provide expertise and support for other staff in this work.

We routinely work with lots of children and young people from all over Wales in different ways;

- Individually ( through advice and support casework)
- In schools ( through our Ambassadors project and school visit programme)
- In youth clubs and 22 Local Authority forums
- With many other organisations that work with and for children and young people ( e.g. Funky Dragon)
- With other organisations that work with particular groups of children and young people (e.g. looked after children, children with disabilities, gypsy traveller children)
- Face to face (through advice and support case work)
- Electronically (twitter, backchat/e-mail/website based and webinars)
- Through written correspondence ( Letters/questionnaire)
- Via phone/text

The Office will adopt different levels of engagement depending on the project and the children and young people involved. We may engage with a group once, for example a school visit or as part of a recruitment panel for new members of staff; there may be a time limited project like a short consultation on a Welsh Government policy or a review of services like the Missing Voices review in 2011(usually 1 or 2 months). There are also longer term ongoing relationships like our Ambassador Scheme and collaborative work with Funky Dragon.

Whatever the level of engagement we try and make sure we work well with others by being clear about how and why we are going to work together and making it clear that it's a choice to work with us.

Our well established engagement practices will provide us with excellent opportunities for the future development of our equality objectives.

## **4. Equality Relevant Information**

The Commissioner's office utilised the equality impact assessment process in each function to identify the equalities objectives described in the Strategic Equality Scheme and this process will continue on an ongoing basis via an annual schedule of EIAs.

In relation to information the equality impact assessment process highlighted the need to improve the quality of equality relevant information gathered by the different functions of the office. Improving the quality of information recorded by the Commissioner's Office will enable the Office to mainstream all equalities considerations. This will directly impact on the way in which the Office delivers services and will also enable the Office to prioritise particular areas of work relating to equalities within the annual work plans from a robust, evidence based position.

Improving the quality of equality relevant data includes the refinement of existing corporate data management systems and will include:

Investigations and Advice function – will further develop the case management database to expand upon equality information recorded in relation to case work.  
Policy function – correspondence and policy issues brought to the Commissioner's office will be collated centrally.

Participation function – collation of evidence from visits.

Corporate services – improving access to facilities.

Human Resources function – improving the monitoring of equality characteristics for the workforce.

## **5 Addressing the General Duty**

The majority of the Children's Commissioner for Wales' business involves working with others to affect changes in policies and practices. The Commissioner's specific age remit should also be considered as the focus of CCFW is bound to be pre dominantly aimed at children and young people.

The Commissioner's Advice and Support service is there for children and young people, and the people who care for them, to have someone to turn to when they run out of all other options when dealing with a problem they're experiencing. It's also a service which provides information and advice to professionals working with young people. This is a free service, providing independent and impartial advice

based upon the UNCRC where the aim is always to seek resolution to a problem at an early stage.

The Officers, take calls, tweets, text messages, emails and letters from children and young people.

This year, advice was sought on 427 separate occasions from the service. Contact was received:

- 266 times over the phones;
- 94 times via email;
- 14 times in person;
- 47 times by letter;
- 6 times text message.

Contact was made by:

- 206 parents;
- 41 child or young person;
- 33 Other – includes elected members, foster carers, voluntary organisations and teachers.

Examples of cases:

- Special Educational Needs (SEN): a parent contacted the office with concerns relating to her daughter who had not attended school for over six months. Although the local authority had tried to help the parent contacted the office as she did not know what to do next. Following intervention by the office the concerns of the young person were taken on board by all parties and resolution of the issues was achieved.
- Child protection: a parent contacted the office concerning allegation their child made concerning a member of the teaching staff. The parent was unsure how to resolve the situation. Advice was provided to the parent on the procedures to follow. As a result of this, and further discussions, the issue was resolved and the local authority revised its safeguarding procedures.
- School Based Counselling: a teacher, from the independent sector, contacted the office concerning a pupil who was self-harming. The office was able to negotiate support for the young person. The lack of Counselling service

provision for the independent school sector was also taken forward by the Commissioner's policy function.

- Looked After Child and Education: a foster carer contacted the office regarding a young person who had not been in school for some time. The foster care was provided out of county and there was a dispute between the two local authorities over funding. Following the offices' intervention agreement was reached and the young person received the necessary support.

The Commissioner's policy function has submitted numerous consultations responses to Welsh Government on their legislative programme which raised issues of equality that directly impact on children and young people. These include:

- Social Services (Wales) Bill;
- Schools Standards (Wales) Bill;
- The Housing (Wales) Bill; and
- Cosmetic Piercing (Age Consent) (Wales) Bill.

In addition to the work undertaken through the Commissioner's advice and support service, work was also focused on direct engagement with specific groups to help advance equality of opportunities. Examples of this work are:

- Working with young people in care and those who have recently left care, the office developed a resource to help support those in care. The resource was produced following consultation with those in care and care leavers. The information gathered from this work was also used to help support the Commissioner's report Lost After Care which was published in July 2011.
- During the year the Commissioner produced his report into his review of independent advocacy arrangements for looked after children. His report, Missing Voices, was published in March and contained 29 recommendations to Welsh Government. The report was developed through direct engagement with looked after children and professionals in the field.

A part of the overall aim of the Commissioner is to speak up for children and young people nationally on important issues. As part of this process the Commissioner's communication function has played a key role in helping develop and enhance the rights and welfare of children and young people. For example:



- Increased media coverage compared to the prior year was up by 149 percent;
- 524 pieces of media coverage was secured;
- The Commissioner's website saw a 34 percent increase in hits;
- The commissioner's twitter account reported 1,200 (English language) and 160 (Welsh language) followers.

During 2011-12 development work continued on his Positive Images campaign, designed to foster a better understanding of children and young people in the media.

Also in 2011-12 the Commissioner completed his development work on a participation plan which is aimed at helping the office develop the way it works with children and young people.

The Commissioner's Ambassadors scheme also grew. The scheme is designed to help communicate children's rights as listed in the UNCRC.

The office has also strengthened its links with other organisations fostering children's rights and welfare, for example, Funky Dragon (the Youth Parliament of Wales).

## **6. CCFW's employment and workforce information**

The Commissioner collects employment data as part of normal human resource work. The Workforce Profile figures for 2011-12 are provided at Appendix A. However, further development of workforce profile data including equality strands will take place in 2012-13.

### **Gender**

In the Children's Commissioner for Wales' office on 31<sup>st</sup> March 2012 women occupied 70% of posts and men occupied 30% of posts (see table 1.1), this exceeds the gender split in the general population in Wales.

### **Pay Differentials**

The Commissioner is a public appointment made by the First Minister, the appointment is made for a fixed term of seven years. The terms and conditions of the Commissioner's team mirror those of Welsh Government. During 2011-12 the Commissioner employed 22.6 (full time equivalent) employees.

The pay system in the Children's Commissioner for Wales is underpinned by the Job Evaluation and Grading System (JEGS) which allocates a banding to individual posts based on seven different work factors: autonomy, problem solving, decision making, impact, management of resources, contacts and communication, knowledge and skills. This system ensures that differences in pay relate to specific job requirements. The Children's Commissioner for Wales also conducted a job evaluation exercise in 2009 which ensured job descriptions were consistently described and independently assessed. This exercise also resolved any inequity present in additional responsibility allowances.

However, analysis of our current work force by gender, pay band, contract and working pattern reveals some gender pay differences which will not be addressed by a fair job evaluation system.

Of the 19 female staff employed on 31<sup>st</sup> March 2012 5 (27%) are employed in the two lowest pay bands compared to 0% of men in these two pay bands. And of the 19 female staff employed only 1 (5% of the female workforce) is employed in the three highest pay bands compared to 3 (37% of the male workforce). In addition to this of the 19 female staff employed 9 (47%) are employed in part time roles compared to only 1 (12%) of the male staff employed. So although women make up the larger part of the workforce the average salary for a female worker on 31<sup>st</sup> March 2012 was £22,945 and the average salary for a male worker was £ 45,049.

### **Training**

The Commissioner has completed five training events in 2011- 2012 which have been offered to all staff. Table 1.7 lists the training events facilitated in 2011-12 which included equality and diversity training

The Children's Commissioner for Wales delivers an in house learning and development timetable for staff each year and the staff survey in 2011 evidenced that all staff without exception had taken part in some learning and development during the preceding year.

It was, however, interesting to note that during the financial year April 2011 - March 2012 ten staff members successfully applied for external training courses. The records show that 2 applications made during the financial year April 2011 to March 2012 were not approved. Of those 10 workers who successfully applied for training, 2 were men and 8 were women (see table 1.6). Therefore 44% of the total female workforce applied for external training courses but only 25% of the total male workforce applied for external training courses.

It is also very clear from the table that the only pay bands applying for external training courses in 2011- 2012 were Management Band 3 and above.

### **Procurement**

The majority of services provided by the Commissioner are relating to the internal business needs of the office. Rather than services provided directly to the general public.

However, where contractors are used they are made aware of the Commissioner's and their responsibility relating to equality.

### **Annual Reporting**

The annual report has been developed by a working group consisting of members of the Commissioner's Management Team. The annual report, once approved by the Management Team, is made available on the Commissioner's website.

However, hard copies are available directly from the Commissioner's office by writing to the following address:

The Children's Commissioner for Wales  
Oystermouth House  
Charter Court  
Phoenix Way  
Llansamlet  
Swansea SA7 9FS

Or by sending an email to:

[post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)

## **7. Future Actions**

The Commissioner's work programme, until March 2015, has identified a number of key objectives which raise issues of equality or promote equality for children and young people. These include:

- Raise awareness of the UN Convention on the Rights of the Child (UNCRC) and the Children's Commissioner for Wales, making sure children and young people know about the UNCRC. And in particular we will target particular groups of children and young people prioritising looked-after children and young people, children and young people with disabilities, gypsy traveller children and young people and those in the youth justice system.

- Raise awareness of the UNCRC and Children's Commissioner for Wales with adults and make sure that professionals working with children and young people know about the UNCRC.
- Invite all primary schools in Wales to become Children's Commissioner for Wales Ambassadors Schools.
- Welcome groups of children and young people to our offices.
- The Children's Commissioners staff will visit at least one group of children and young people a week with the Commissioner visiting at least two groups a week. We will listen to the views and experiences of children and young people and make sure we act on what they say.
- Have champions to promote children's rights and the Children's Commissioner across Wales.
- Increase awareness of the advice and support service and the national advocacy helpline and increase the calls to our service from children and young people.
- Co-ordinate and produce a report on the state of children's rights in Wales in the UK for the UN Committee on the Rights of the Child and report positive changes for children's rights in Wales.
- Best practice for working with children and young people is understood by professionals working with children and evidenced by inspectorates and inspection frameworks.

-

## Appendix A

### Children's Commissioner for Wales Workforce Profile and Equal Pay Profile

The Children's Commissioner for Wales has introduced annual monitoring of workforce equality data early in 2013. In advance of this initiative some equality data was available from standard personnel records but was not routinely sought.

#### 1. Financial year April 2011 to March 2012

| Table 1.1 HEADCOUNT ON 31 <sup>ST</sup> MARCH 2012 BY GENDER AND COMPARISON AGAINST CENSUS POPULATION DATA 2011: WALES (3,060,000) |      |    |           |    |                                 |
|--|------|----|-----------|----|---------------------------------|
| GENDER   | CCFW |    | WALES     |    | % DIFFERENCE AGAINST POPULATION |
|  | No.  | %  | No.       | %  |                                 |
| Male   | 8    | 30 | 1,500,000 | 49 | -19.00                          |
| Female   | 19   | 70 | 1,560,000 | 51 | 19.00                           |

| Table 1.2 HEADCOUNT BY GENDER, PAY-BAND, CONTRACT TYPE AND WORKING PATTERN ON 31 <sup>ST</sup> MARCH 2012: |               |               |               |               |                 |                 |                 |                 |           |
|--|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------|
| Job  | F/T male perm | F/T male temp | P/T male perm | P/T male temp | F/T female perm | F/T female temp | P/T female perm | P/T female temp | Totals    |
| Team Band Officer<br>£17- 20k pa   |               |               |               |               | 1               |                 | 3               |                 | 4         |
| Officer band 3<br>£20 – 25k pa   | 1             |               |               |               | 1               | 1               |                 |                 | 3         |
| Officer band 2<br>£25 – 33k pa   | 3             |               | 1             |               | 5               |                 | 5               |                 | 14        |
| Officer band 1<br>£33 – 42k pa   |               |               |               |               | 1               |                 | 1               |                 | 2         |
| Exec. Officer band 2<br>£ 44 – 54k pa  | 2             |               |               |               |                 |                 |                 |                 | 2         |
| Exec Officer band 1<br>£ 54- 66k pa  |               |               |               |               | 1               |                 |                 |                 | 1         |
| Commissioner £   | 1             |               |               |               |                 |                 |                 |                 | 1         |
| <b>Total</b>   | <b>7</b>      |               | <b>1</b>      |               | <b>9</b>        | <b>1</b>        | <b>9</b>        |                 | <b>27</b> |

**Table 1.3 HEADCOUNT OF LEAVERS BY GENDER, PAY BAND, CONTRACT TYPE AND WORKING PATTERN BETWEEN APRIL 11 AND MARCH 12:**

| PAY - BAND                            | F/T male perm | F/T male temp | P/T male perm | P/T male temp | F/T female perm | F/T female temp | P/T female perm | P/T female temp | Totals   |
|---------------------------------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|----------|
| Team Band Officer<br>£17- 20k pa      |               |               |               |               |                 | 1               |                 |                 | 1        |
| Officer band 3<br>£20 – 25k pa        |               |               |               |               |                 |                 |                 |                 |          |
| Officer band 2<br>£25 – 33k pa        | 1             |               |               |               |                 |                 |                 |                 | 1        |
| Officer band 1<br>£33 – 42k pa        |               |               |               |               |                 |                 |                 |                 |          |
| Exec. Officer band 2<br>£ 44 – 54k pa |               |               |               |               |                 |                 |                 |                 |          |
| Exec Officer band 1<br>£ 54- 66k pa   |               |               |               |               |                 |                 |                 |                 |          |
| Commissioner £                        |               |               |               |               |                 |                 |                 |                 |          |
| <b>Total</b>                          | <b>1</b>      |               |               |               |                 | <b>1</b>        |                 |                 | <b>2</b> |

**Table 1.4 HEADCOUNT BY AGE ON 31<sup>ST</sup> MARCH 2012**

| 16-24 | 25-34 | 35-44 | 45-54 | 55-64 | 65 & Over |
|-------|-------|-------|-------|-------|-----------|
| -     | 7     | 11    | 5     | 4     | -         |

**Table 1.5 PREGNANCY AND MATERNITY**

|   |   |
|---|---|
| Number of pregnant employees during 2011/12               | 0 |
| Number of employees taking Maternity Leave during 2011/12 | 0 |

**Table 1.6 HEADCOUNT OF EMPLOYEES WHO SUCCESSFULLY APPLIED FOR EXTERNAL TRAINING COURSES BY GENDER, PAY BAND, CONTRACT TYPE AND WORKING PATTERN BETWEEN APRIL 11 AND MARCH 12**

| <b>PAY - BAND</b>                  | <b>F/T male perm</b> | <b>F/T male temp</b> | <b>P/T male perm</b> | <b>P/T male temp</b> | <b>F/T female perm</b> | <b>F/T female temp</b> | <b>P/T female perm</b> | <b>P/T female temp</b> | <b>Totals</b> |
|------------------------------------|----------------------|----------------------|----------------------|----------------------|------------------------|------------------------|------------------------|------------------------|---------------|
| Team Band Officer<br>£17- 20k pa   |                      |                      |                      |                      |                        |                        |                        |                        |               |
| Officer band 3<br>£20 – 25k pa     |                      |                      |                      |                      |                        |                        | 1                      |                        | <b>1</b>      |
| Officer band 2<br>£25 – 33k pa     | 2                    |                      |                      |                      | 5                      |                        | 2                      |                        | <b>9</b>      |
| Officer band 1<br>£33 – 42k pa     |                      |                      |                      |                      |                        |                        |                        |                        |               |
| Exec. Officer band 2 £ 44 – 54k pa |                      |                      |                      |                      |                        |                        |                        |                        |               |
| Exec Officer band 1 £ 54- 66k pa   |                      |                      |                      |                      |                        |                        |                        |                        |               |
| Commissioner £                     |                      |                      |                      |                      |                        |                        |                        |                        |               |
| <b>Total</b>                       | <b>2</b>             |                      |                      |                      | <b>5</b>               |                        | <b>3</b>               |                        | <b>10</b>     |

**Table 1.7 LEARNING EVENTS ALL STAFF APRIL 11 TO MARCH 12**

| <b>Subject</b>  | <b>Audience</b> | <b>When</b>                             |
|---|-----------------|---|
| Participation skills reinforcing values principles shared understanding | All staff       | Tuesday 7 <sup>th</sup> June 2011       |
| Child protection and safeguarding                                       | All staff       | Tuesday 13 <sup>th</sup> September 2011 |
| Equality, Diversity and Rights  | All staff       | Tuesday 8 <sup>th</sup> November 2011   |
| HSE - Risk Assessment   | Management Team | 28 <sup>th</sup> June 2011              |
| Gypsy Traveller ( priority group)                                       | All staff       | 24 May and 17 June 2011                 |