

## Children, Young People and Education Committee

**From: Welsh Government**  
**Date: 8 November 2018**  
**Time: 10:45 – 12:15**  
**Title: Draft Budget 2019-20**

### Introduction

This budget includes spending plans for 2019-20, together with indicative capital plans until 2020-21.

This paper provides evidence to the Committee on the Health and Social Services, Local Government and Public Services and Education MEG allocations as relevant to children and young people relevant to the Minister for Children, Older People and Social Care's portfolio. These budget proposals were outlined in the Detailed Draft Budget which was laid on 23 October 2018.

### 1. Allocations within the Health and Social Services MEG

SPA	Supporting Children				
Action	Supporting Children				
BEL	2017-18 final outturn £'000	2018-19 forecast outturn* £'000	2018-19 First Supp £'000	Change £'000	2019-20 Draft Budget £'000
Support for Childcare and Play	8,871	30,345	30,345	13,006	43,351
Support for Children's Rights	78	930	991	0	991
Supporting Children	2,254	2,739	1,989	-1,000	989
Children's Commissioner	1,543	1,543	1,543	0	1,543
Advocacy	963	1,100	1,100	-1,100	0
Support for Families and Children	8,375	2,538	3,122	0	3,122

\*2018-19 forecast outturn is based on forecasts provided as at the end of September 2018

No indicative revenue allocations have been set for 2020-21.

Changes to the **Supporting Children Action** between Draft Budget 2019-20 and First Supplementary Budget 2018-19 are due to:

- £1m transfer out of Supporting Children BEL in respect of the St Davids Day Fund. £1m has been transferred into the Children and Communities Grant in the LGPS MEG;
- Support for Childcare and Play BEL increased due to additional funding of £15m for the Childcare offer which has increased from £25m in 2018-19 to £40m in 2019-20;
- £2.3m transfer out of Support for Childcare and Play BEL in respect of the Out of School Childcare Grant; and,
- £306k allocated into the Support for Childcare and Play BEL during restructuring of the MEGS during 2018-19 draft budget.
- £1.1m transfer out of Advocacy BEL transferred to Safeguarding & Advocacy in Social Care and Support SPA (see table below).

<b>SPA</b>	<b>Social Care and Support</b>				
<b>Action</b>	<b>Social Care and Support</b>				
<b>BEL</b>	<b>2017-18 final outturn £'000</b>	<b>2018-19 forecast outturn* £'000</b>	<b>2018-19 First Supp £'000</b>	<b>Change £'000</b>	<b>2019-20 Draft Budget £'000</b>
Safeguarding & Advocacy**	285	563	560	1,100	1,660

\*2018-19 forecast outturn is based on forecasts provided as at the end of September 2018

\*\* Does not reflect the full BEL total only the portion relevant to the portfolio of the Minister for Children, Older People and Social Care as relevant to children and young people

No indicative revenue allocations have been set for 2020-21.

Changes to the **Social Care and Support Action** between Draft Budget 2019-20 and First Supplementary Budget 2018-19 are due to the transfer in of £1.1m from the Advocacy BEL in the Supporting Children Action.

<b>SPA</b>	<b>CAFCASS</b>				
<b>Action</b>	<b>CAFCASS Cymru</b>				
<b>BEL</b>	<b>2017-18 final outturn £'000</b>	<b>2018-19 forecast outturn* £'000</b>	<b>2018-19 First Supp £'000</b>	<b>Change £'000</b>	<b>2019-20 Draft Budget £'000</b>
CAFCASS Cymru	10,219	10,298	10,267		10,267

\*2018-19 forecast outturn is based on forecasts provided as at the end of September 2018

No indicative revenue allocations have been set for 2020-21.

There are no changes to the **CAFCASS Action** between Draft Budget 2019-20 and First Supplementary Budget 2018-19.

The Director of Communities and Tackling Poverty within Education and Public Services has policy responsibility for the following BELs:

- Support for Childcare and Play;
- Support for Children’s Rights;
- Children’s Commissioner; and,
- Support for Families and Children.

Budgets are monitored by the EPS Operations Finance Team who co-ordinate with the Health and Social Services Operations Finance Team to ensure that the MEG as a whole is properly monitored.

The Director for Social Services & Integration within Health and Social Services has policy responsibility for the following BELs:

- Supporting Children
- Safeguarding and Advocacy
- CAFCASS Cymru

Budgets for these BELs are monitored by the HSS Finance Team.

## 2. Allocations within the Local Government and Public Services MEG

SPA	Enabling Children and Communities				
Action	Early Intervention, Prevention and Support				
BEL	2017-18 final outturn £'000	2018-19 forecast outturn* £'000	2018-19 First Supp £'000	Change £'000	2019-20 Draft Budget £'000
Prevention and Early Intervention**	113,624	112,344	109,750	-109,750	0
Children and Communities Grant**	n/a	0		113,050	113,050
<b>TOTAL</b>	<b>113,624</b>	<b>112,344</b>	<b>109,750</b>	<b>3,300</b>	<b>113,050</b>

\*2018-19 forecast outturn is based on forecasts provided as at the end of September 2018

\*\* Does not reflect the full BEL total, only the portion relevant to the portfolio of the Minister for Children, Older People and Social Care

No indicative revenue allocations have been set for 2020-21.

Over the course of 2018-19, we tested a new way of working in seven local authorities, the aim of which was to bring together a number of grants to strengthen the ability of local authorities and their partners to deliver preventative services focused on early intervention for those in the greatest need.

The interim evaluation of the work in the seven pathfinder local authorities demonstrates the potential for improved outcomes arising from better integrated services. Planning, commissioning and delivering services which reflect the complexity of people's lives and the inter-relationships between their support needs must be the right approach. It is only a few months since the pathfinders began their work the direction of travel looks promising.

The evaluation highlighted a variety of views about the opportunities for alignment between the grants included in the pathfinder arrangements. It identified a natural alignment between the housing-related grants which form part of the Early Intervention and Prevention Grant and a similar alignment between the non-housing-related grants. The interim evaluation does show that some of the pathfinders have managed to align both these areas and further investigation will be needed to see if and how this could be replicated across all local authorities.

After carefully considering the results of the evaluation, we have decided we should split the Early Intervention and Prevention Grant into two, separating the housing-related grants from non-housing elements for all local authorities.

From April 2019 we will establish a Children and Communities Grant, encompassing Flying Start, Families First, the Legacy Fund, Promoting Positive Engagement for Young People, St David's Day Fund, Communities for Work Plus and Childcare and Play.

We will also introduce a single Housing Support Grant encompassing Supporting People, Homelessness Prevention and Rent Smart Wales Enforcement.

These arrangements will remain in place for the remainder of this Assembly term and will apply to all local authorities in Wales. The Domestic Abuse Grant, National Advocacy Grant and Community Cohesion Grant will not be included in either the Children and Communities Grant or the Housing Support Grant.

An additional £13.4m has been allocated in 2019-20 to restore previously-planned cuts to the programmes by using £5m previously earmarked for the childcare offer, and allocating an extra £8.4m from reserves. All individual grants previously earmarked to form part of the Early Intervention, Prevention and Support Grant during 2019-20 will now receive the same budget as they did in 2018-19.

We believe that this approach has a number of advantages. It will allow us to work with all of our partners to ensure that the crucial services are integrated as effectively as possible and it will ensure that we are able to consider fully the evidence and recommendations emerging from recent committees and reviews. The future of these grants will be determined by the evidence of the outcomes for the people and communities in Wales.

We will continue to work in partnership with local authorities and our wider stakeholders, including by providing support to the non-pathfinders, to take forward the new arrangements to emphasise the importance of early intervention and prevention.

Changes to the **Early Intervention, Prevention and Support Action** between Draft Budget 2019-20 and First Supplementary Budget 2018-19 are due to:

- £2.3m transfer into the Children and Communities Grant BEL from the Support for Childcare and Play BEL in the HSS MEG
- £1m transfer into the Children and Communities Grant BEL from the Supporting Children BEL in the HSS MEG.

During 2018-19, the **Prevention and Early Intervention BEL** included the following grant allocations in relation to the Minister for Children, Older People and Social Care's portfolio:

- £73.772m in relation to Flying Start
- £35.978m in relation to Families First
- **£109.750 in total.**

During 2019-20 the **Children and Communities Grant BEL** will include the following grant allocations in relation to the Minister for Children, Older People and Social Care's portfolio:

- £73.772m in relation to Flying Start
- £35.978m in relation to Families First
- £2.3m in relation to Out of School Childcare Grant
- £1m in relation to St David's Day Fund.
- **£113.05m in total.**

Policy responsibility for Flying Start, Families First and Childcare and Play rests with the Director of Communities and Tackling Poverty in EPS. Policy responsibility for the St David's Day Fund rests with the Director for Social Services & Integration in Health and Social Services. All budgets are monitored by the EPS Operations Finance Team.

The distribution of funding provided to local authorities through the RSG for looked after children, adoption, fostering, safeguarding, and disabled children's services is the responsibility of the Cabinet Secretary for Local Government. Individual authorities are responsible for setting budgets, in line with the requirements and circumstances of their local population.

The funding formula is developed and agreed with Local Government, through the Distribution Sub Group and the Finance Sub Group of the Partnership Council for Wales

## Allocations within the Education MEG

SPA	Education and Training Standards					
Action	Estate and IT Provision Action					
BEL	2017-18 final outturn £'000	2018-19 forecast outturn* £'000	2018-19 First Supp £'000	Change £'000	2019-20 Draft Budget £'000	2020-21 Indicative Budget £'000
Education Infrastructure**	3,009 0	2,238 3,470	566 20,000	37 0	529 20,000	860 20,000
<b>TOTAL</b>	<b>3,009</b>	<b>5,708</b>	<b>20,566</b>	<b>37</b>	<b>20,529</b>	<b>20,860</b>

\*2018-19 forecast outturn is based on forecasts provided as at the end of September 2018

\*\* Does not reflect the full BEL total, only the portion relevant to the portfolio of the Minister for Children, Older People and Social Care

Changes to the **Estate and IT Provision Action** between Draft Budget 2019-20 and First Supplementary Budget 2018-19 are due to the previously agreed capital programme of spend published in the 2018-19 Final Budget.

The Director of Communities and Tackling Poverty within Education and Public Services has policy responsibility for Flying Start and the Childcare Offer.

Budgets are monitored by the EPS Operations Finance Team.

### 3. Transparency of allocations for children and young people

Instead of presenting the 2019-20 Draft Budget narrative as a series of chapters relating to each MEG, the Welsh Government presented the narrative and explained our allocations against our commitments in Prosperity for All and the cross cutting themes. The Early Years section of the Draft Budget narrative sets out the allocations and budgetary changes reflecting my portfolio.

In 2019-20 the planned Early Intervention, Prevention and Support Grant was due to be cut by £13.4m. A transfer of £5m from the Childcare Offer and a further allocation of £8.4m from reserves has reversed these cuts. The individual grants in the new Children and Communities Grant with a total budget of £135.442m will now receive the same allocations in 2019-20 as they did in 2018-19.

The £5m reduction in respect of the Childcare Offer reflects the demand led nature of this grant, and will not impact on plans for rollout of the offer.

The National Advocacy Scheme will no longer form part of the Children and Communities Grant and as a result £550k will be transferred back to the Safeguarding and Advocacy BEL in HSS MEG from the Children and Communities Grant in the LGPS MEG.

There have been no changes to the Flying Start and Childcare Offer capital budgets between the indicative draft budget figures published in the 2018-19 Budget and the 2019-20 Draft Budget.

## **4. Value for money and outcomes**

Clarity over how we use our resources effectively is central to delivering the priorities set out in Taking Wales Forward and Prosperity for All. My priorities are clear in putting the rights of children at the centre of our policy making. I am committed to removing barriers to employment by creating the most generous childcare offer anywhere in the UK, providing 30 hours a week of government-funded early education and childcare a week for all working parents of three and four year olds who wish it for up to 48 weeks a year. We will examine ways of ensuring looked after children enjoy the same life chances as other children and if necessary reform the way they are looked after.

Expenditure is planned in line with my priorities; I have well-established processes in place to ensure that resources are used effectively for the purposes intended. The governance and monitoring procedures in place reflect the nature of our relationships with delivery partners.

During the year budgets are monitored on a monthly basis. Teams are challenged to provide explanations for variances between budget profile and outturn to date as well as variances between budgets and forecast final outturn. Any overspends or underspends identified during the year are reviewed and aligned wherever possible with overspends and underspends elsewhere within the children's portfolio.

Local authorities receive part of their funding for children and family services from the Welsh Government via the Revenue Support Grant (RSG). The RSG is not ring-fenced as local authorities are considered to be best placed to judge local needs and circumstances and to fund provision accordingly. Once the RSG is distributed, it is the responsibility of individual authorities to set budgets, taking account of the other resources available to them, for the local services that they provide.

This approach to funding is a key part of the Welsh Government's policy that local authorities are best placed to deliver services in line with the requirements and circumstances of their local population, to whom they are accountable for the decisions they make.

## **5. Children's rights and other cross-cutting considerations**

### **New framework for impact assessments**

In line with the two-stage budget process, which was introduced in 2017, the Strategic Integrated Impact Assessment published on 2 October focussed on the decisions identified in the outline stage of the draft Budget. This stage identifies the sources of funding for the Welsh Government, including new Welsh taxes and borrowing powers, together with the high-level portfolio allocations and spending decisions. This was followed by the publication of the detailed portfolio spending proposals on 23 October. In response to feedback from the National Assembly's Finance Committee and the Future Generations Commissioner, this included a separate Integrated Impact Assessment of the spending proposals.

## **Child Rights Impact Assessment relevant to the portfolio**

As part of the budget setting process, there is a responsibility to consider decisions through a number of lenses to understand the impact. An integrated approach enables us to better understand the impact of decisions overall on different groups of people. Some of our responsibilities are statutory and all are essential to deliver positive outcomes. These are equalities and human rights, children's rights, the Welsh language, climate change, rural proofing, health, biodiversity and economic development. Socio-economic disadvantage is an underpinning consideration when assessing the impact of decisions. The Integrated Impact Assessment sets out how these considerations have informed our strategic budget allocations to improve the economic, social, environmental and cultural well-being of Wales.

## **CRIAs undertaken by Health Boards**

Health Boards are required to produce a three year integrated plan; as part of the planning requirements that are set out in the NHS Wales Planning framework they must ensure that services for children are integrated throughout the whole plan. In addition, they must confirm that they have taken on board the requirements of equality impact assessments and demonstrate plans have been developed in line with the requirements of the Well-Being of Future Generations Act and in accordance with the sustainable development principle.

Plans are submitted to the Welsh Government for scrutiny, whereby the relevant policy area are given the opportunity to scrutinise the plans to ensure that all priority areas have been represented adequately, followed by approval by the Cabinet Secretary.

Therefore ensuring that the rights of various priority areas are integrated in plans is the responsibility of Health Boards themselves. Welsh Government monitor, performance manage and hold Health Boards to account through a range of meetings and actions.

## **CRIA undertaken by CAF/CASS**

**Annex A** contains a copy of the CRIA undertaken on the budget for CAF/CASS as recommended by this Committee in its report on the Draft Budget 2018-19 and as accepted on page 25 of the Welsh Government's response.

## **Implications of UK withdrawal from the European Union**

The decision for the UK to leave the European Union has caused uncertainty. The Welsh Government established a specific team to co-ordinate European Transition

issues, which is working closely with the existing team in Brussels and policy departments.

As the impact of Brexit is so far-reaching many Welsh Government departments are also prioritising their existing resources for dealing with Brexit specific issues. Reprioritising existing resources is an important and responsible approach and one which will need to be utilised further as more information about future changes becomes available.

Policy development prioritises engagement through consultation around our legislative proposals and engaging with children and young people on the implications for them of Brexit.

We consulted with children during 2018-19 and are in the process of looking at options for further consultation in 2019-20.

## **6. Costs of legislation**

Assessing the costs of legislation and the impact on those it affects is an essential part of the policy development process. I recognise there cannot be a blank cheque for legislation and that every new commitment in this MEG will have to be paid for by a cutback somewhere else.

This is why every bill is subject to a robust assessment of costs and benefits, achieved through consultation and engagement with our stakeholders in the development of the regulatory impact assessments prepared for Government Bills. This is to ensure our decisions are informed by the people who will be affected by them.

Steps are being taken to improve the clarity and consistency of RIAs but changes to the bill during scrutiny and other factors will inevitably result in some variances between estimated costs at the published RIA stage and actual costs during implementation.

Allocations for specific pieces of legislation;

### **To remove the defence of reasonable punishment**

A regulatory impact assessment is currently being developed to set out the costs and benefits of the proposed legislation. This will be published in line with usual Government procedures.

We have awarded a three year contract to SBW Advertising to support our Parenting. Give it Time campaign between 2018 and 2021, with an allocation of up to £325,000 for 2019-20. The campaign supports our policy of encouraging positive alternatives to physical punishment, and we will further develop our approach to support the implementation of the proposed bill during 2019-20.

### **Childcare Funding (Wales) Bill.**

A Regulatory Impact Assessment has been completed for the Bill which fully sets out the costs and benefits. The £40million available in 2019-20 for the Childcare Offer will support the implementation of the Childcare Funding Bill.

There are no other pieces of legislation relevant to my portfolio.

## **7. Specific policy areas within the portfolio of the Cabinet Secretary for Health**

### ***Emotional and mental health of children and young people, including CAMHS***

#### **Allocations for specialist CAMHS for 2019-20 by health board**

Health boards are responsible for setting their budgets for mental health services in line with their population needs assessments and the requirements of the mental health ring-fence. Any additional funding which Welsh Government may make available to support specific service provision is subject to the 2019-20 budget setting process.

#### **Amount and percentage of Health Boards' ring-fenced mental health spending allocated for CAMHS.**

The ring-fence does not distinguish between different mental health services and we do not collect this data.

#### **Monitoring of the actual expenditure on CAMHS by Health Boards**

Additional targeted funding for these areas has been made available since 2015-16. This has amounted to £8m annually and we keep the progress with the development of the services and their performance under regular review. In line with normal practice, once new or expanded services financed by the additional funding were fully recruited into and embedded within wider CAMHS services, the funding is subsumed within the wider health board funding allocations.

#### **Projected budget for CAMHS services for 2019-20, 2020-21 and 2021-22.**

Health boards are responsible for setting their budgets for mental health services in line with their population needs assessments and the requirements of the mental health ring-fence. Any additional funding which Welsh Government may make available to support specific service provision is subject to the 2019-20 budget setting process. However it is noted that this is as an area that has been highlighted within the Draft Budget as a priority for the 2019-20 budget setting process.

#### **How the priorities in the Together for Children and Young People Programme will be delivered for 2019-20.**

The Together for Children and Young People Programme is currently in the process of finalising its 2019-20 work-plan to cover the period up to the end of September 2019. Once agreed we will engage with the programme leads to agree the plan and identify what resources are required to meet its objectives, where these are in line

with Welsh Government priorities for children and young people's mental health provision, however it should be noted that much of this work was highlighted in the response to the Mind Over Matter report.

The programme itself does not have specific funding, outside the resourcing of the central team. The core role of this team is to support health boards and other organisations to direct their funding to the delivery of the programme priorities.

## ***Perinatal mental health***

### **Allocations for perinatal mental health services**

Health boards are responsible for setting their budgets for mental health services in line with their population needs assessments and the requirements of the mental health ring fence.

We remain committed to improving perinatal mental health services. Since 2015 we've invested £1.5m a year in community perinatal mental health services across Wales, which help identify, treat and manage mental ill health before and after childbirth. This is no change since the draft budget 2018-19.

Health boards have also had the opportunity to submit additional proposals to increase capacity of perinatal mental health services from the £7m mental health transformation fund.

There was also recognition in the Draft Budget that further investment is required in this area. This will therefore be considered as part of the detailed discussion regarding the budget setting process.

### **Allocations to establish specialist in-patient perinatal mental health services**

The LHBs are currently finalising proposals via the Welsh Health Specialised Services Committee (WHSSC) arrangements for in-patient services and we have not provided any specific additional funding specifically for this purpose.

However, health boards are also able to submit proposals for the capital element of this project through the NHS Infrastructure Investment process.

Please also note comment above in relation to ongoing discussions regarding 2019/20 budget.

## ***Neonatal services***

### **Allocations to deliver the All Wales Neonatal Standards;**

The Wales Neonatal Network provides evidence based timely advice to Health Boards, Welsh Health Specialised Services Committee (WHSSC) and Welsh Government in relation to neonatal services. In October 2016, the Wales Neonatal

Network moved into the NHS Wales Health Collaborative, hosted by Public Health Wales having previously been under the umbrella of WHSSC.

The Wales Neonatal Network ensures regular monitoring of progress to full compliance. The Neonatal Network revised the Neonatal standards with the 3<sup>rd</sup> Edition having been approved at Neonatal Network Steering Group in September 2017. The standards use the most up to date evidence and best practice guidelines to make them clinically and operationally relevant. They are influenced by neonatal developments across the United Kingdom and take into account recommendations by the British Association of Perinatal Medicine (BAPM), the National Neonatal Audit Programme (NNAP), the Royal College of Paediatric and Child Health (RCPCH), Bliss and other standards published in England and Scotland.

From early 2019 Health Boards will be asked to self-assess annually against the Standards, as part of the peer review process currently in development at the NHS Wales Health Collaborative.

The Neonatal Network are developing an All Wales Neonatal dashboard that will provide oversight on activity and performance; provide assurance on the quality of neonatal services in Wales; provide a platform for monitoring the NNAP measures on an all Wales basis; support WHSSC and Welsh Government business requests for information on the provision of neonatal services.

### **Priorities for neonatal services**

Priorities for Neonatal services over the next 12 months include working with the Neonatal Network to secure a 24 hour transport, 7 day a week neonatal transport service across South Wales and ensure that the correct critical care capacity with the appropriate workforce is in place across South Wales. The Welsh Government also expects Health Boards to work with Neonatal Network to ensure their neonatal service plans are sufficiently robust to achieve the all Wales Neonatal Standards and improvements across the service.

### **How budget allocation for 2019-20 will help to drive change / deliver performance improvement**

Health board neonatal services are funded through the annual discretionary revenue allocation and health boards will set out their local priorities with regards to neonatal services in their Integrated Medium Term Plans (IMTP), which will also detail their neonatal budget allocation to WHSSC for 2018-19. WHSSC manages the majority of the health boards' budget for commissioning Neonatal Intensive Care (Level 4) and Neonatal High Dependency (Level 3) services. The Special Care Baby Unit budget is managed by the Health Boards.

Between 2015 and 2020, the Welsh Government will have invested just under £110m in neonatal developments across Wales. The investment is being made across a number of key acute sites in Wales with the aim of reducing the number of transfers of mothers and babies through the provision of a specialist, space

compliant environment to ensure that care for babies is safe and effective. The funding across this period will see:-

- £19m invested at the Sub Regional Neonatal Intensive Care Centre (SuRNICC) at Ysbyty Glan Clwyd which was opened by the First Minister in September 2018;
- £37m has been allocated for the Phase II developments at the University Hospital in Cardiff which is due to complete in 2019;
- £25m has been allocated for Phase II of the Women and Children's scheme at Glangwili Hospital, Carmarthen which is due to complete in 2020;
- £10m has been allocated for Neonatal and Post-Natal Capacity on the Singleton Hospital site which is due to complete in late 2019;
- £6m has been allocated for works on the neonatal unit at Prince Charles Hospital, Merthyr and is due to complete in 2018;
- £2m invested in works on the neonatal unit at the Royal Gwent Hospital site, Newport which was opened in spring 2017
- £10m was invested in phase I neonatal works at both the University Hospital of Wales and Glangwili to enable further investment to be made.

### ***Implementation of the School Nursing Framework***

#### **Allocations for school nursing framework**

An implementation and monitoring group is in place with representation from each health board. The budget for 2018-19 was £4,000 for the provision of a best practice conference in early 2019 and £3,000 for a leadership think-tank to develop skill mix within health visiting / school nursing workforce. This relates to £3,000 for joint health visitor / school nursing think tank in last financial year.

Until these events have taken place and the next steps are set out in the framework, we are unable to accurately estimate any associated spend in 2019-20.

#### **Anticipated additional costs in relation to implementing the school nursing framework part 2 – nursing in special schools when published.**

A budget of £5,000 has been allocated for 2018-19. This is allocated for the launch and also for a CPD event in the new year to support implementation. No additional costs are anticipated in this period.

A budget of £5,000 is anticipated to support the rollout of implementation in 2019-20.

### ***Childhood obesity***

## **Anticipated allocations required to implement the planned national obesity strategy..**

We will be consulting on a draft healthy weight plan for Wales later this year, with a final version of the plan being produced by October 2019. At this stage, with no firm proposals in place, no decisions have been made on the funding required, beyond that required to develop the plan.

Local health boards will continue to allocate funding to implement the Obesity Pathway for Wales in their respective areas.

## **Soft drinks industry levy**

The Welsh Government has discretion in how it chooses to use consequential funding from the UK Government. Alongside the introduction of the levy, the UK Government increased expenditure in a number of areas in England. As a result, we received some modest funding which we have already allocated in subsequent budgets in line with our priorities.

The purpose of the sugar tax was to incentivise manufacturers to reformulate their products by lowering the amount of sugar they contain. Early signs are positive. There is already evidence of a reduction in children's sugar intakes from sugary drinks, resulting from manufacturers reformulating their products before the sugar levy became operational. More than 50% of manufacturers have changed their formulas to cut sugar, according to figures from the Treasury.

## ***Resourcing for First 1,000 Days/ ACEs Support Hub***

### **Wales ACE Prevention and Support Hub**

Tackling ACEs is a priority for this Government. The aim is to create 'ACE aware public services', and one of the ways in which it is working to achieve this is through supporting the development of the ACE Support Hub for Wales.

The Hub is intended to be a centre of knowledge and expertise to help organisations, communities and individuals become ACE informed, to raise awareness and understanding of ACEs and support collaborative action to tackle ACEs.

The Welsh Government provided £400k for 2018-19, £300k and £100k from the Communities and Education budgets respectively. It is too early to say how much has been spent in year.

There is an in principle agreement to continue funding for 2019-20 at a similar level subject to agreeing the year 3 delivery plan.

In addition to this direct funding the Welsh Government supports work to prevent ACEs and mitigate their impact through its children and families support

programmes, Flying Start and Families First, and other initiatives such as Children First and the Parenting 'Give it Time' campaign.

### **First 1,000 Days work and the Healthy Child Wales Programme**

The focus on the first 1000 days, during pregnancy and to a child's second birthday, acknowledges the growing body of international evidence that a greater prioritisation of resources in the very early years would bring both additional lifelong benefits and a better return on investment for society and public services.

The First 1000 Days Collaborative Programme is delivered by Public Health Wales on behalf of Cymru Well Wales which is a partnership of strategic leaders from across public, private and third sectors in Wales. The programme works to mobilise local action by facilitating PSBs to take a collaborative approach to improving outcomes in the first 1000 days. In addition the programme identifies and communicates opportunities to build resilience and amplify protective factors, preventing problems from developing in the first place and intervening earlier when risks are identified.

The legislative context in which the Cymru Well Wales initiative exists includes the Wellbeing of Future Generations (Wales) Act and the Social Services and Wellbeing (Wales) Act. It is also guided by the principles of Prudent Healthcare and making the most effective use of available resources in Wales.

The Healthy Child Wales Programme sets the key direction for health boards in Wales with a focus on early intervention designed to ensure that children achieve optimum health.

The Programme is committed to safeguarding the health and welfare of children by putting in place a consistent range of evidence based preventative and early intervention measures and advice and guidance to support parenting and healthy lifestyle choices as well as identifying families in need of additional support.

## 8. Specific policy areas within the portfolio of the Minister for Children, Older People and Social Care.

	2018-19 First Supplementary Budget	2019-20 Draft Budget
<b>Family Support</b>	<b>£3.122m</b>	<b>£3.122m</b>

The Family Support allocation provides funding for a range of priority areas including the Parenting Give it Time campaign, Early years Integration Programme and the ACE Support Hub.

	2018-19 First Supplementary Budget	2019-20 Draft Budget
<b>Flying Start Revenue</b>	<b>£73.772m</b>	<b>£73.772m</b>
<b>Flying Start Capital</b>	<b>£566k</b>	<b>£529k</b>

The Flying Start revenue budget is unchanged from 2018-19 and confirms our ongoing commitment to this important programme. This restores funding levels to the previously-planned cuts to this programme. Retaining this level of support indicates our prioritisation of early intervention, prevention and support to provide children with the best start in life. From 1<sup>st</sup> April 2019, the Flying Start revenue grant will become part of the larger Children and Communities Grant.

A review of the programme is underway and is being carried out in full consultation with local authorities who deliver the programme on the ground. We want to build on the considerable achievements of the programme and learn from what works well, not least in how we can deepen partnership, collaborative and multi-agency working arrangements across sectors in support of young children and their families.

Following completion of Phase 2 of the review, Local Authorities have been granted the ability to use up to 10% of their revenue budget to fund Outreach, provided this does not negatively impact on or detract from the ethos and integrity of the programme, or reduce the number of children within a Flying Start area that could benefit from the programme. It does, however, enable a Local Authority which is not at their CAP (the target number of children set for them by the Welsh Government) to use the flexibility to support additional children to meet their CAP. Where a local authority is already operating to their total CAP limit it is less likely they will be able to extend outreach provision.

Since its inception, Flying Start has invested more than £62.5 million capital developing the infrastructure needed across Wales to deliver the programme. This includes creating new childcare settings to provide around 9,000 high quality, part time places needed for 2-3 year olds and a significant investment in developing accommodation for the multi-agency teams who deliver the programme. The capital budget for 2019-20 is £566k and local authorities are being encouraged to take a strategic approach to capital programme planning including 21<sup>st</sup> Century Schools and the Childcare Offer to enable key priorities to be delivered in a more joined-up way.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Families First</b>	<b>£35.978m</b>	<b>£35.978m</b>

The Families First budget is unchanged from 2018-19 and confirms our ongoing commitment to this important programme. This restores funding levels to the previously-planned cuts to this programme. This continuing investment is helping families create supportive and enriching environments for their children, and is helping to reduce incidence of adverse childhood experiences which impact on longer-term outcomes.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
Support for Childcare and Play	<b>£30.345m</b>	<b>£43.351m</b>

The delivery of the **childcare offer** supports working families of three and four-year-old children across Wales, helping parents to take up job offers and boost their employment choices, improving their family's circumstances. Plans for the full roll out of the offer by 2020 are well advanced and the early feedback from the first phase pilots suggests it is having a positive impact by helping parents financially and enabling them to balance the demands of work and family life.

Funding of £40m will be available in 2019-20 to support the early implementation of the childcare offer through a demand-led rolling programme. This is a reduction of £5m from the previously published budget in 2018-19, in response to predicted take-up levels and current projections. The reduction will not impact on the planned roll out. We are also investing £60m of capital funding over three years from 2018-19 to support the co-location of existing Foundation Phase provision with the new Childcare Offer provision on a single site, wherever possible, and to ensure there is sufficient childcare in the right areas, with a specific focus on developing new provision in areas that currently lack childcare services, in particular rural and disadvantaged areas.

The childcare offer has the potential to be a catalyst for a wider transformation in the childcare sector, increasing the accessibility, affordability and availability of childcare for all parents and children of all ages. This will build on the other support we currently provide for childcare and play sector including:

- Providing **£1.43m** per annum to the Cwlwm consortia, comprising the five main childcare organisations in Wales, to support the childcare sector and help us develop innovative flexible childcare solutions to meet the needs of families.
- Providing **£360,000** per annum to Play Wales for: the provision of strategic support to Local Authorities and partners for implementation of the Play Sufficiency Duty; the development of an international centre of excellence around play; providing advice to Welsh Government in relation to all policy areas where there are links to play; and providing advice to Welsh Government on development of play workforce.

- Providing funding to Social Care Wales (SCW) as a key delivery partner and the sector skills council for the childcare workforce. Funding will be allocated to Social Care Wales to support the implementation of the 10 year workforce plan which we published in December 2017, including a new suite of childcare qualifications due for introduction in September 2019.
- Under our Apprenticeship programme and utilising the European Social Fund we introduced our **Progress for Success (PFS)** programme to support existing practitioners to up-skill across levels 2 and 3. PFS has been successful in providing support and opportunities for over 950 existing practitioners to up-skill. We intend to build on the success of Progress for Success and are currently considering an extension to the programme, which will require match funding.
- We have also been working with the National Day Nursery Association on developing our Childcare Works project which aims to support those who are currently unemployed but who have the right skills and personal attributes to work with our youngest children. The project not only offered work experience, it provided bespoke introductory training to enable participants to pursue a career in the sector. We have seen a number of positive outcomes with a number of participants securing permanent employment. We are currently considering a proposal for a second Phase which could potentially operate across Wales.

In addition, the Cabinet Secretary for Finance announced in September that all children’s day nurseries in Wales from April 2019, will be exempt from paying non-domestic rates in a package of support worth £7.5m over three years. This additional help for childcare providers will not only support small businesses but it will support the roll out of the childcare offer, which will, in turn, make an important contribution to our ambitions in the early years priority.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Children First</b>	<b>£100k</b>	<b>0</b>

Children First is not a funded programme. There are currently five Children First Pioneer areas, which are being supported by the Welsh Government, which are in Cwm Taf, Gwynedd, Newport, Caerphilly and Carmarthenshire.

While Children First is not a funded programme, the Welsh Government has offered seed funding of £20,000 to each Pioneer area to help them to take forward the approach. This grant, totalling £100,000 will only be available for the 2018-19 financial year. Pioneer areas have submitted their plans on how they intend to use this funding and progress will be measured and evaluated against their agreed plan. The Pioneer areas will submit a progress report in the summer of 2019.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Family Information Services</b>	<b>Within RSG</b>	<b>Within RSG</b>

Funding for the Family Information Services (FIS) is delivered via the Local Authority Revenue Support Grant (RSG). Whilst previously a grant or contract arrangement has been in place providing external support to the FIS network, Children and Families Division now provide direct support to the FIS Network to ensure there is an awareness of Welsh Government and UK Government policies and programmes which may impact on children and families and to enable the sharing of good practice across Wales.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Parenting Support</b>	<b>£0.4m</b>	<b>£0.4m</b>

A budget of £0.4million has been identified to take forward positive parenting work next year through the Parenting. Give it Time campaign.

We have awarded a three year contract to SBW Advertising to support our Parenting. Give it Time campaign between 2018 and 2021. The campaign supports our policy of encouraging positive alternatives to physical punishment, and we will further develop our approach to support the proposed Bill during 2019-20.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Safeguarding</b>	<b>£0.560m</b>	<b>£0.560m</b>

Funding for Safeguarding primarily supports the continued implementation of the Social Services and Well-being (Wales) Act 2014 (The 2014 Act) and promotes a preventative agenda to improve outcomes for children and adults at risk.

Safeguarding priorities for 2018-19 fall under Taking Wales Forward. Key priorities for Safeguarding are; Safeguarding Policy Development and Implementation, including a review of the Wales Safeguarding Procedures (WSP), support for the 2018 Safeguarding Week, the development of safeguarding policy and practice guidance and support to the National Independent Safeguarding Board (the National Board) and regional Safeguarding Boards.

Taking Wales Forward states that we will “examine ways of ensuring children in care enjoy the same life chances as other children and if necessary reform the way they are looked after”. Building on this Social Care is also a top 5 priority in Prosperity for All and is clear that children should be listened to and helped to develop positive relationships.

Safeguarding funding will enable the continuation of work with the regional safeguarding boards to secure improvements in safeguarding policy and practice

throughout Wales for children and adults at risk. Funding will also be prioritised to deliver the Wales Safeguarding Procedures arising from the Social Services and Well-being (Wales) Act 2014, and accompanying statutory guidance and practice guides to assist better protection for children and adults at risk of abuse, neglect or other forms of harm. This work will help safeguard children and adults at risk to lead healthy and fulfilling lives.

In 2019-20 priorities will include continuation of support to Regional Safeguarding Boards to take the implementation of Wales Safeguarding Procedures and accompanying practice guides forward and funding for the National Independent Safeguarding Board which provides support to regional boards and advice to Ministers about the effectiveness of safeguarding arrangements in Wales.

Funding for Safeguarding week will continue to be a priority in 2019-20; this will contribute to both the prevention and protection of children and adults at risk work and objective of regional safeguarding boards by helping to raise awareness of the contribution communities, individuals and practitioners across organisations can make in safeguarding children and adults at risk

Building on this Social Care is a top 5 priority in Prosperity for All; safeguarding funding will ensure looked after children, children in need of care and support and other specified individuals are listened to and helped to develop positive relationships and receive as much help and support as possible and life chances as other children.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Edge of Care Services</b>	<b>0</b>	<b>0</b>
<b>Looked after children / care leavers</b>	<b>£0.270m</b>	<b>£0.270m</b>
<b>Adoption services including post-adoption support</b>	<b>£0.352m</b>	<b>£0.352m</b>
<b>Fostering Services</b>	<b>£0.173m</b>	<b>0*</b>
<b>St David's Day Fund</b>	<b>£1m</b>	<b>0</b>

'*Taking Wales Forward*' includes the chapter on Ambitions and Learning which states we will "examine ways of ensuring children in care enjoy the same life chances as other children and if necessary reform the way we are looked after". Building on this, Social Care is one of the top 5 priorities in '*Prosperity for All*' and is clear that children should be listened to and helped to develop positive relationships.

The Looked After Children Transition Grant (LACTG) provides funding for a number of initiatives which improve outcomes for looked after children so that all children in care have the same care and life opportunities as other children. Similarly, the Vulnerable Children budget supports children who have been adopted to ensure they and their family have the necessary access to support services to begin their family

life. Both of these budgets fall under the Supporting Children BEL and their funding work streams include:

- Funding to support the work of the Ministerial Advisory Group (MAG) (270k annual budget), including £100k to support the development and implementation of work which falls under the Residential Care Task and Finish Group work programme;
- The £1m St David's Day fund supporting care leavers to access opportunities that will support their independence and move towards adulthood;
- In 2018-19 funding of £90k has been provided to the National Adoption Service to further develop and deliver key elements of the Adoption Support Framework (2017-18 saw £215k provided, £125k of which was added to the Revenue Support Grant from April 2018) and to support its strategic and holistic approach to adoption support services. A further £178k has been invested to maintain a database to provide for the future Adoption Register for Wales. We are also looking to facilitate further research (£ £32k) by supporting the adoption cohort study and have allocated £25k for further work on sibling and contact arrangements in both looked after and adoptive children's arrangements across Wales during 2018-19. This will be in addition to reviewing the Foster to Adopt arrangements (£15k) in 2018-19.
- £0.173m has been committed in 2018-19 for the Fostering Well-Being pilot – Social pedagogy, this is a programme jointly funded by HSS and LG&PS. At present plans are in development for 2019-20.

During 2017-18 and in addition to the above, £8m of consequential UK budget funding was provided to support care experienced children. This funding has been used to develop and expand edge of care services, extend the Reflect project across all regions in Wales, increase support for care leavers such as introducing local authority traineeship schemes, extending personal adviser provision up to age 25 and accelerate the National Fostering Framework. This recurrent funding transferred to the RSG during 2018-19.

£1m has been transferred into the Children and Communities Grant in the LGPS MEG in respect of the St David's Day from the Supporting Children BEL in the HSS MEG for 2019-20.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Sustainable Social Services Third Sector Grant 2016-19</b>	<b>£6.885m</b>	<b>£6.885m</b>

The Sustainable Social Services Third Sector Grant 2016-19 was awarded in 2015 following a competitive bidding process. The grant provides project based funding to third sector organisations for projects that support the outcomes and key themes underpinning the Social Services and Well-being (Wales) Act 2014, as well as meeting specific criteria and demonstrating good value for money.

The grant has been extended for a period of one year, to March 2020, while plans for Phase 2 of the grant are finalised and a further competitive bidding exercise is run.

	2018-19 First Supplementary Budget	2019-20 Draft Budget
Advocacy Services	£1.100m	£1.100m

Development of the **National Approach to Statutory Advocacy** for looked after children, children in need and other specified individuals, is intended to deliver consistency of entitlement and good practice in the commissioning, delivery and awareness of statutory advocacy provision in Wales.

Welsh Government has funded the “Active Offer” to enable Local Authorities to provide a national approach to advocacy support to children and young people who are automatically entitled to an independent professional advocate when they become looked after or are included on the Child Protection Register. The Minister for Children, Older People and Social Care has approved funding of up to £550k to support the National Approach to Advocacy - Active Offer. Currently year 2 of a two year grant to support the Implementation of the National Approach to Statutory Advocacy for Children and Young People as set out in the Local Government Implementation Plan 2016-17.

**Meic Helpline:** Meic is the national information, advice and advocacy helpline providing children and young people with a single point of contact via Freephone, instant messaging and text.

The Welsh Government does not deliver this activity directly but carries out regular monitoring contract meetings with Pro-Mo Cymru who were awarded a two year contract (plus option for additional 2) in April 2016 following public tender exercise in 2015.

In December 2017, the Minister for Children, Older People and Social Care approved funding for a further 12 months. The maximum annual budget of £550,000 remains the same but the marketing element reduced from £50,000 to £40,000.

The extension has been granted while Welsh Government fully cost and considers alternative options for the delivery of a more integrated advice and advocacy service for Children and Young People

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>The Children and Family Court Advisory and Support Service</b>	<b>£10.267m</b>	<b>£10.267m</b>

Cafcass Cymru is a demand-led operational service delivers a statutory service to the Family Court in Wales on behalf of Welsh Ministers. Cafcass Cymru practitioners work with nearly 9,000 of the most vulnerable children and young people in the family justice system, ensuring our interventions promote the voice of the child, is centred on their rights, welfare and best interests to achieve better outcomes for the child involved in the Family Justice System in Wales.

The organisation seeks to influence the family justice system and services for children in Wales, providing high quality advice to Ministers and ensuring the needs of Welsh families and children are reflected in process and policy developments. Of the £10.267m budget, 92% is attributed to staffing costs and 8% to commissioned services and infrastructure costs. Aside from staffing and running costs for the organisation, the budget provides grant funding to support separated parents, when directed by the Family Court, to have contact with their children. The budget also funds the provision of the Working Together For Children programme which supports parents who have separated, or are separating, to better manage their own behaviour to ensure the emotional, practical and physical needs and best interest of their children are paramount.

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Children and young people's rights and entitlements</b>	<b>£0.991m</b>	<b>£0.991m</b>

Funding supports Children in Wales to deliver against their agreed plan; this includes supporting participation through Young Wales. In addition this budget supports the following activity:

- Raising public awareness of the UNCRC. This includes funding for a training contract with the University of Wales Trinity St David to raise awareness of the UNCRC.
- Promoting and supporting participation by children and young people, including support for the Young People's Website
- Promoting children's rights generally, and supporting the duty of due regard

	<b>2018-19 First Supplementary Budget</b>	<b>2019-20 Draft Budget</b>
<b>Children's Commissioner for Wales</b>	<b>£1.543m</b>	<b>£1.543m</b>

The Children's Commissioner for Wales is an independent children's rights institution established in 2001. The Commissioner's principal aim, under the Care Standards Act 2000, is to safeguard and promote the rights and welfare of children. The Care Standards Act 2000 makes provision for the Welsh Ministers to fund the Children's Commissioner and her office. The budget covers the running costs of the Commissioner's office for 2019-20 and the resources required in discharging her statutory functions.

*The **Child and Family Delivery Grant** came to an end on 30 September 2017.*



## Children’s Rights Impact Assessment (CRIA) Template

<b>Title / Piece of work:</b>	Cafcass Cymru budget planning.
<b>Related SF / LF number (if applicable)</b>	N/A
<b>Name of Official:</b>	Matt Wright
<b>Department:</b>	Cafcass Cymru
<b>Date:</b>	
<b>Signature:</b>	Matt Wright

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

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

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

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

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

# Six Steps to Due Regard



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

Cafcass Cymru is funded by the Welsh Government to deliver a statutory service, in accordance with The Children Act 2004, to the Family Court on behalf of Welsh Ministers. The organisation has been delegated a £10.627m annual budget from 2016-17 to 2018-19

Cafcass Cymru is a demand led operational service and in 2017-18 worked with almost 9,000 of the most vulnerable children and young people subject to family court proceedings in Wales. Children will come into contact with a Cafcass Cymru practitioner if they are the subject of proceedings within the family courts:

- Public law cases are when a public body, such as a local authority, is involved with a child in proceedings such as applying for care or supervision, adoption applications or emergency protection orders.
- Private law cases are when separating parents decide that they cannot agree on the best arrangements for their child either informally or through mediation.

Each year Cafcass Cymru Senior Management Team must decide how to allocate the budget for the coming financial year. Aside from staffing and running costs for the organisation, the budget provides grant funding to accredited contact centres to support children initiating or maintaining a relationship with separated family members when directed by the Family Court. Also, the budget funds the provision of the Working Together For Children programme which if so ordered by the court is provided to separated parents as a means of informing them of the affects of separation on children and the importance of positive inter-parental communication.

When considering how the budget should be allocated Cafcass Cymru takes into consideration the following:

The key principles underpinning our service:

- children and young people should be safeguarded from all forms of harm
- the needs of children and young people are paramount
- children and young people have a diverse range of backgrounds and needs
- where safe, children and young people are best brought up by their own family and within their own community
- safe and effective arrangements for contact with parents, siblings, extended family and friends should be in place for children and young people who are not able to live with members of their family
- children and young people have a right to be heard
- all forms of oppression and discrimination are damaging

- service users have a right to receive a bilingual and an equitable service, regardless of circumstances or where they live
- continuous improvement and securing a diverse and bilingual workforce are essential elements to continued effectiveness.

The Children Act 2004 and the guiding principles to:

- Allow children to be healthy
- Allow children to remain safe in their environments
- Help children to enjoy life
- Assist children in their quest to succeed
- Help make a contribution – a positive contribution – to the lives of children
- Help achieve economic stability for our children's futures

[The Children Act 2004](#)

The Social Services and Wellbeing Act 2014 and supporting the four priority areas:

- Wellbeing
- Prevention
- People
- Partnership and Integration

[Social Services and Wellbeing Act](#)

The Well-being of Future Generations 2015 and the 5 ways of working:

- Long Term
- Integration
- Involvement
- Collaboration
- Prevention

[Well-being of Future Generations \(Wales\) Act 2015](#)

The Strategic Plan 2016-2019 - *Providing a Voice* has provided four clear strategic goals setting direction and providing a long – term focus for the coming years:

- To provide high quality, timely, independent expert advice and information to children, families and courts
- To ensure our intervention promotes the voice of the child and is centred on their rights, welfare and best interests
- To influence the Family Justice System and services for children in Wales
- To enable staff to be the best they can be within a dynamic, diverse and open organisation.

The majority of Cafcass Cymru's core work, public law and private law casework, is carried out by our Family Court Advisors (FCA). Each FCA is a registered and qualified social worker with a minimum of 3 years post qualifying experience. A FCA is assigned to each case by Cafcass Cymru and their four main duties are:

- promoting the welfare of children;
- giving advice to any court(s) about applications made to it;
- helping children to be represented in proceedings; and
- providing information, advice and other support for children and their families.

## Step 2. Analysing the impact

Our statutory functions define our core responsibilities around providing independent social work advice in relation to children in family court proceedings. At a case level our role is to safeguard and promote the welfare of these children, and to ensure their voice is heard within proceedings. The Cafcass Cymru practitioner therefore has a dual role of ensuring the wishes and feelings of children are known, but also to advise on their best interests.

At an organisational level one of our key strategic goals outlined in our '*Strategic Plan 2016-19: Providing a Voice*' is centred on influencing the Family Justice System and services for children in Wales. This links, and is mindful of, the central tenets of the Well Being of Future Generations Act in terms of thinking about the long-term, working better with others to prevent problems and taking a more joined up approach. Some examples of this work include:

- Developing a performance framework that is more '*outcome*' focused i.e. trying to more systematically introduce mechanisms and proxy measures around impact and '*added value*', and linking and making this available to key stakeholders in the Family Justice system such as local authorities, judiciary and HMCTS (Her Majesty's Courts and Tribunals Service).
- Taking a pro-active role in the development of a Family Justice Observatory for Wales and England including a 4 ½ year project to maximise use of our administrative data for system-wide benefit and learning in conjunction with Cafcass (England), SAIL (Swansea University) and Lancaster University.
- Linked with the above, working together with colleagues in wider Welsh Government around the potential of maximising opportunities in utilising existing data sets for system wide learning and change, including developing a deeper understanding of some of the root causes for families becoming involved with the family justice system in Wales.
- Collaborating with local authority children services departments to share and analyse information together, and to inform opportunities for system-wide development and improvement at both a national and local level.
- Collaborating with other areas of Welsh Government on issues of mutual interest. For example, working closely with the Children and Families Division to enable our Working Together for Children course (aimed at separated parents) to become more accessible to families outside the Family Court system.
- Developing our participation agenda by working with groups such as the Family Justice Young Peoples Board (FJYPB) on a wide range of activities such as facilitating a Cafcass Cymru staff conference (May 2018), helping inform the redesign of our website and in developing child focussed information packs. Further, to ensure we are recruiting the best candidates to our practice based roles, representatives of the FJYPB now sitting on our interview panels and participate in the recruitment process.

No specific links between the key objectives of the Child Poverty Strategy for Wales and the statutory functions of Cafcass Cymru have been identified.

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

The fundamental purpose of Cafcass Cymru is to ensure the voice of the child is heard and listened to within family court proceedings. Cafcass Cymru practitioners safeguard and promote the well-being of children, enable them to contribute to proceedings and promote personal well-being outcomes. Our role once appointed by the court is to provide the family court with advice and recommendations as to the child's best interests.

As a child-focused organisation, our services are driven by a set of principles including:

- Children and young people should be safeguarded from all forms of harm.
- The needs of children and young people are paramount.
- Children and young people have a diverse range of backgrounds and needs.
- Where safe, children and young people are best brought up by their own family and within their own community.
- Safe and effective arrangements for contact with parents, siblings, extended family and friends should be in place for children and young people who are not able to live with members of their family.
- Children and young people have a right to be heard.
- All forms of oppression and discrimination are damaging.

In private law our work with families is aimed at advising the court and parties on what arrangements would be best for the child. This includes supporting them to reach agreed arrangements involving their child which are safe and in the child's best interests.

A Cafcass Cymru practitioner is also appointed by the court in specified public law family proceedings (i.e. in cases where there is local authority involvement). Their role is to capture and make known the child's wishes and feelings, and subsequently to provide advice as to the child's best interests.

In the private law area of work, grant funding is allocated to supported and supervised contact providers in order to support children developing and/or maintaining a relationship with separated family members in certain situations i.e. as part of family court proceedings. The Working Together For Children programme supports parents who have separated or are separating to better manage contact between family members and to emphasise the importance of recognising their own emotional, practical and physical needs and prioritising best interest of their children.

We continually work closely with stakeholders, including the Family Justice Young People's Board and other youth based groups to review and improve our service.

The work outlined in this section considers many aspects of the UN convention on the rights of the child (UNCRC), in particular the following:

#### Article 3

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

#### Article 9

Children should not be separated from their parents unless it is for their own good. Children whose parents have separated have the right to stay in contact with both parents

#### Article 12

Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.

#### Article 18

Both parents share responsibility for bringing up their children, and should always consider what is

best for each child.

**Article 19**

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

**Article 21**

When children are adopted the first concern must be what is best for them.

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

As explained above, the child or young person is at the very centre of the work Cafcass Cymru undertakes in completing its statutory functions. At the case level, consideration of the UNCRC is a key part of the service provided by Cafcass Cymru practitioners when working with children, young people and their families. This approach is supported by the organisation through its work with stakeholders, such as the Family Justice Young People's Board across a number of areas including our recruitment of practitioner staff and in developing accessible and meaningful services to children and young people. This approach is consistent with the principles and philosophy of the UNCRC.

The Minister is regularly briefed on the Cafcass Cymru budget position through the Welsh Government budget allocation and monitoring processes. Additionally, briefings have been provided on key developments within the organisation and the provision of service. These include:

- The development of a children and young person's version of the Cafcass Cymru annual report
- the development and publication of the Cafcass Cymru Strategic Plan and the Participation Plan
- the funding arrangements for child contact services in Wales
- provision of the Working Together For Children course

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

All of the information relating to the delivery of the Cafcass Cymru statutory functions is held on the Welsh Government's records management system, iShare and the Cafcass Cymru case management system, IRIS.

This assessment represents the Cafcass Cymru service as at financial year 2018-19 and will be updated in line with any significant future service or legislative developments.

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

As mentioned in Step 5 this assessment represents the Cafcass Cymru service as at financial year 2018-19 and will be updated in line with any significant future service or legislative developments.

As set out in Step 2 the outcomes achieved through Cafcass Cymru's interventions with children, young people and their families are monitored to ensure the effectiveness of the service and its contributions to the family justice system in Wales.

#### **Budgets**

<p><b>Does the piece of work have any associated allocation of budget?</b></p> <p><b>Can you identify how much of this budget will be used for children and young people?</b></p> <p>It is important that where any changes are made to spending plans, including where additional allocations or savings have been made, that this has been assessed and evidenced as part of the CRIA process.</p> <p><b>Has any additional spend been identified to ensure children and young people have been given an opportunity to contribute to the piece of work and have their opinions heard? If so, how much?</b></p>	<p style="text-align: center;">Yes</p> <p>The Cafcass Cymru budget enables the organisation to deliver a statutory service to the Family Court in Wales on behalf of Welsh Ministers. Of the budget, 92% is attributed to staffing costs and 8% to commissioned services and infrastructure costs</p> <p>The Cafcass Cymru Participation Plan 2016-19 sets out how the organisation has been building on our direct work with individual children in family court proceedings. It means we are able to give children and young people a voice about the way they receive our services and the opportunity to express their views, concerns and suggestions on how the organisation can be further developed and improved. This work is undertaken within the overall budget allocation.</p>
<p><b>Please give any details:</b> N/A</p>	

**Monitoring & Review**

<p><b>Do we need to monitor / review the proposal?</b></p>	<p>Yes</p>
<p><b>If applicable: set the review date</b></p>	<p>April 2020</p>

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



# THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

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

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

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



**Llywodraeth Cymru  
Welsh Government**

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## Article 1

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

## Article 2

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

## Article 3

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

## Article 4

Governments should make these rights available to children.

## Article 5

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

## Article 6

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

## Article 7

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

## Article 8

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

## Article 9

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

## Article 10

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

## Article 11

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

## Article 12

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

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

## Article 13

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

## Article 14

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

## Article 15

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

## Article 16

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

## Article 17

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

## Article 18

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

## Article 19

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

## Article 20

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

## Article 21

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

## Article 22

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

## Article 23

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

## Article 24

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

## Article 25

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

## Article 26

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

## Article 27

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

## Article 28

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

## Article 29

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

## Article 30

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

## Article 31

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

## Article 32

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

## Article 33

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

## Article 34

The Government should protect children from sexual abuse.

## Article 35

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

## Article 36

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

## Article 37

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

## Article 38

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

## Article 39

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

## Article 40

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

## Article 41

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

## Article 42

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

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

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

