



ENOC 15th ANNUAL CONFERENCE

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“The respect of the rights of children and young people in institutional care”

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14, 15 and 16th September 2011
Warsaw, Poland

Name of the member institution : Children’s Commissioner for Wales

Current Ombudsperson: Keith Towler

I. Role and structural organization

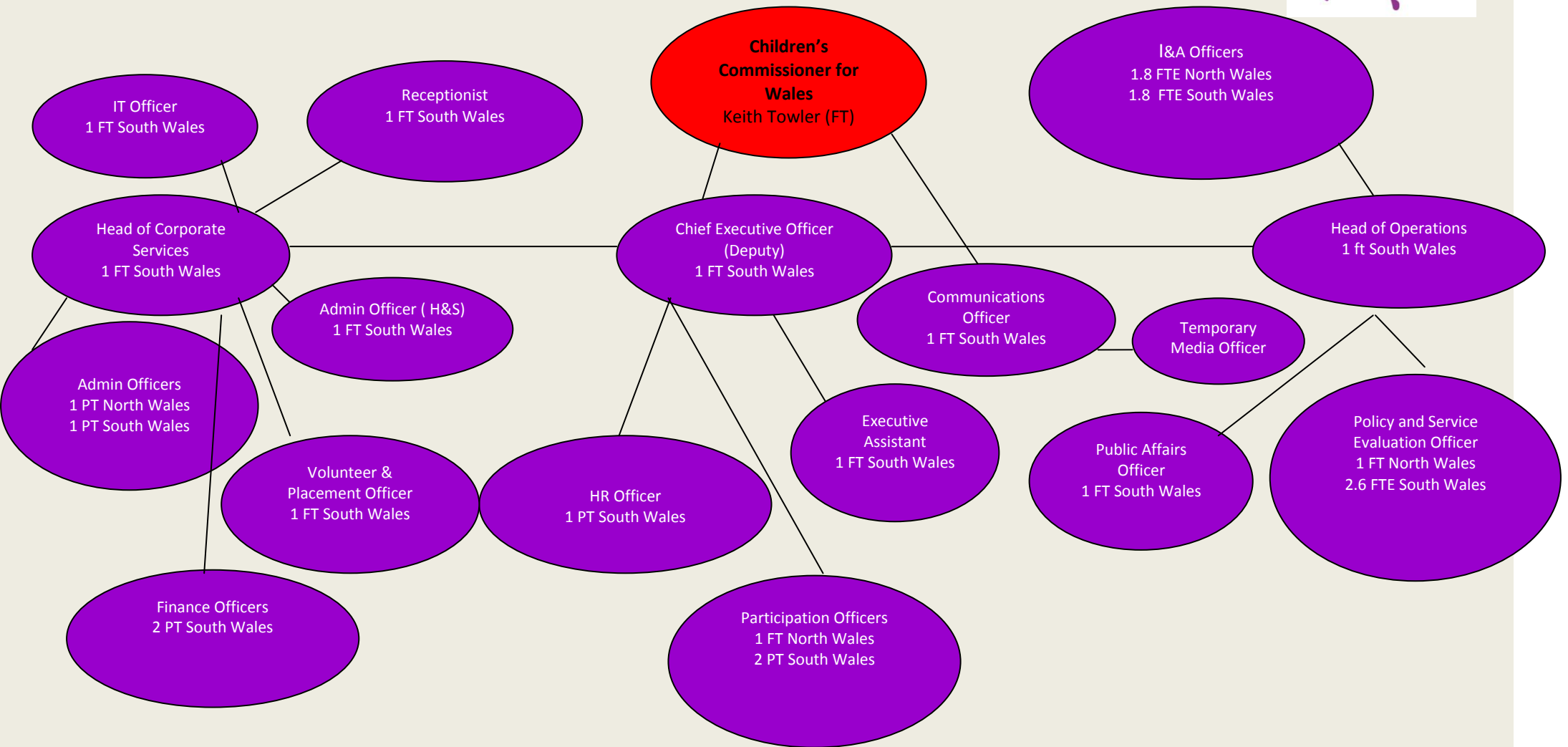
Under the legislation that established the Children’s Commissioner for Wales, the office must:

- have regard to the UNCRC in everything they do;
- make sure that children and young people know where their offices are and how to contact the team;
- encourage children to get in touch
- ask children what they think about the organisation’s work and its future work, and allow them to influence the work programme; and
- make sure they go and meet children and young people.

The Commissioner’s office can also:

- review the effects of policies, proposed policies and the delivery of services to children;
- examine in more depth the case of a particular child or children if it involves an issue that has a general application to the lives of children in Wales;
- require information from agencies or persons acting on their behalf, and require witnesses to give evidence on oath;
- provide advice and assistance to children and young people, and others concerned about their rights and welfare; and
- consider and make representations to the National Assembly for Wales about any matter affecting the rights and welfare of children in Wales.

CHILDREN'S COMMISSIONER FOR WALES – FAMILY TREE SUMMER 2011



II. Individual complaints (if the institution has a competence to handle individual complaints)

The Children's Commissioner for Wales was established by the Care Standards Act 2000. Under the Act, the Commissioner can:

- provide advice and information to children, young people as well as to professionals and other adults who are concerned about the rights and welfare of a child or of children in general;
- offer advice and support to children and young people, helping them to express their views and wishes;
- examine cases where services could have potentially failed a child or children; and
- assist children and young people - including providing financial assistance and representation in legal proceedings - whose rights have not been respected.

While the powers of the office are wide, there are also things the office cannot do; for example, we cannot look into any matter as far as it is subject to legal proceedings or has been determined by a court or tribunal.

SUMMARY OF ACTIVITY FROM 1 APRIL 2010 UNTIL 31 MARCH 2011

This year we opened 477 new cases

A **case** is when someone gets in touch with us about something that has happened, or something that they aren't happy about. A case could be about one or many young people and could be about one or a number of issues.

299 of these cases were signposted or given advice (as one-off cases),

Signposting a case means we tell the caller of another organisation that can help them out. We always make sure that we give the caller the contact details of the other organisation. Sometimes we also **refer** a case. This means that we contact another organisation on behalf of the caller and ask them to get involved.

The other 178 became full cases.

A **full case** is when we stay involved and support the child or young person to work with other agencies to reach an appropriate outcome.

Key facts

Who contacted us: parents (232) // child or young person (62)* // other family member (38) // foster carer (19) // elected member (14).

*It was encouraging to see nearly 15% increase in contact from children and young people this year. (Others included: advocacy service, social worker, voluntary organisation, teachers, solicitors, MEIC, CAFCASS Cymru and other professionals)

How people contacted us: telephone (300) of which 199 came via our freephone service // Email (97) // Letter (39) // In person (29) // Text message (12)

They contacted us about:

Social Services (206 cases) Education (198 cases) // Family Law (64) // General advice (47 cases) // youth justice (46 cases)

III. Expressed opinions, statements, policy recommendations and/or proposals for legislative and/or other reforms

One of the most significant legislative developments in Wales this year has been the passing of the Rights of Children and Young Persons (Wales) Measure 2011.

- What will Welsh Ministers have to do?

Duties within the Proposed Rights of Children and Young Persons (Wales) Measure 2011 include:

- Welsh Ministers to ensure that they consider children's rights in everything that they do;
- Welsh Government to prepare and report on a Children's Scheme;
- Duty to promote knowledge of the UN Convention on the Rights of the Child (UNCRC);
- Power to amend current legislation to bring it in line with the UNCRC; and
- Provision to extend the Measure to young people under 25.

Not all the duties will be applied immediately but instead Welsh Ministers will have to pay due regard to the UNCRC when making decisions on policy and legislation from May 2012 and then in all they do from May 2014.

Below is a copy of my media statement issued on the historic day when the UNCRC became a part of our domestic law in Wales:

"This is indeed a landmark piece of legislation, which has cross party political support in Cardiff Bay. We should be very proud that Wales and its Government are leading the way yet again in securing children and young people's rightful place as full citizens of our nation. We must now ensure this legislation makes a practical, positive difference to children and young people's lives."

In 2010/11 we also responded to 72 government consultations and staff engaged with nearly 30 external working groups.

IV. Research, investigation, studies

V. Communication, Promotion and Publications

Using traditional channels for communicating with people - via newspapers, TV and radio - we secured over 200 news articles and over 8,000 seconds of English and Welsh of broadcast coverage. This resulted in over 147 million opportunities to read or hear about the Children's Commissioner for Wales. To complement traditional media channels, we also rely on new media tools to raise awareness of the Commissioner's role and work – on 31 March 2011 we had over 450 followers on our English language and over 80 on our Welsh language profile; figures which are increasing daily. Our website – www.childcomwales.org.uk – is also a key instrument. Last year, we saw a 15% increase in unique visitors and secured over 1.7million hits.

To ensure a systemic approach to our participation work, in 2010 a new plan was devised: the *Big Picture*. Its aim is to help us develop the way we work with children and young people and makes it clear why and how we involve them in our work. Central to all our involvement work is to ensure it makes a real difference to children and young people's lives. We know that involving them:

- empowers children and young people to have their voices and opinions heard;
- creates learning opportunities;
- promotes democracy and works toward children and young people influencing positive change; and
- provides opportunities for services to improve, based on the needs of children and young people.

Identified within the *Big Picture* are opportunities for us to work in partnership with key organisations, including the Urdd. In 2010, we also began a pilot scheme with Funky Dragon, the children and young people's Assembly for Wales. The scheme's principal aim to establish an effective mechanism for the issues raised by the hundreds of Funky Dragon members to be shared with the Commissioner's team. Fourteen of the Assembly's young members have volunteered to work with us in 2011 to determine the exact details of the new working relationship.

We have continued working closely with our ambassadors –a network that has doubled in size this year and has expanded now to nearly 100 schools, spread across all 22 local authorities. The scheme, run in primary schools, requires that two pupils be elected by their peers to be the Commissioner's ambassadors

Work on publications this year included:

Working with care leavers and young people preparing to leave care to produce a resource packed with useful information and guidance about the transition process. Copies of *My Planner* will be sent to all local authorities in Wales and to coincide with its launch we will be producing a report on the lived experience of young people moving from care to independent living – *Lost After Care*. This report will highlight practice improvements for government and other professionals who work with this particularly vulnerable group of young people.

Copies of all our publications can be downloaded from our website: www.chilcomwales.org.uk/en/publications

Between us, we've attended over 190 conferences, ran 25 workshops, visited 50 schools and over 100 youth groups.

VI. Other activities

This year sees the Office of the Children's Commissioner for Wales reaching an important milestone – its tenth anniversary. It will be marked by a series of events and key publications, including the launch of a Review (which will be Keith's first as Commissioner) and a return to working with looked after children and young people – whose experiences all those years ago instigated the appointment of an independent children's champion.