



Children’s Rights Impact Assessment (CRIA) Template

Title / Piece of work:	Regulations and a code of practice under Part 6 of the Social Services and Well-being (Wales) Act (looked after and accommodated children)
Related SF / LF number (if applicable)	
Name of Official:	Henry Vaile / Huw Gwyn Jones
Department:	Health and Social Services Group
Date:	November 2015
Signature:	

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

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

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)?

You may wish to include:

- A brief description of the piece of work
- What the time frame for achieving it is?
- Who are the intended beneficiaries?
- Is it likely that the piece of work will specifically affect children?
- Will the piece of work have an effect on a particular group of children, if so, describe the group affected?
- Provide links to any supporting evidence, data or research which support your proposal.

• A brief description of the piece of work

The Social Services and Well-being (Wales) Act 2014 (the Act) provides a single Act that brings together local authorities' duties and functions in relation to improving the well-being of people who need care and support, and carers who need support. The Act provides the statutory framework to deliver the Welsh Government's commitment to integrated social services departments with a strong family orientation.

Part 6 of the Act requires:

- local authorities to secure sufficient accommodation for the children they look after
- local authorities to accommodate children without parents or who are lost or abandoned or are under police protection, in detention or on remand
- provides for the functions of local authorities in relation to the children they look after
- provides for the circumstances in which local authorities may or must provide support for young people who have left care
- provides for the placement of children in secure accommodation
- requires the assessment by local authorities of children who are accommodated and the provision of visits and services to those children
- makes provision about contributions towards the maintenance of children looked after by local authorities.

The Part 6 code of practice for looked after and accommodated children contains guidance on the duties contained in the Act and sets out the requirements local authorities must act in accordance to when exercising their social services functions.

Part 6 also contains a number of regulation-making powers under the heading of looked after and accommodated children and a set of regulations has been prepared. The Regulations prepared under Part 6 are:

- The Children (Secure Accommodation) (Wales) Regulations 2015,
- The Visits to Children in Detention (Wales) Regulations 2015,
- The Care Planning, Placement, and Case Review (Wales) Regulations 2015, and,
- The Care Leavers (Wales) Regulations 2015.

- **What is the time frame for achieving it is?**

The Social Services and Well-being (Wales) Act received Royal Assent on 1 May 2014. The Act and its associated codes of practice and regulations will come into effect in April 2016. The Key milestones in advance of April 2016 are:

May to July 2015 - Public Consultation on the Implementation of the Social Services and Well-being (Wales) Act 2014.

August to October 2015 - Consultation responses considered and amendments made to the Regulations and code of practice.

November 2015 -The Regulations and code of practice are to be laid before the Assembly

April 2016 - The Act, Regulations and code of practices come into force.

- **Who are the intended beneficiaries?**
- **Is it likely that the piece of work will affect children?**

The Social Services and Well-being (Wales) Act takes will benefit all people who need care and support and carers who need support. This will include children (defined in the Act as people who are aged under 18).

A strong voice and real control is central to the legislative framework. This optimises everyone's opportunity for well-being and an appropriate level of independence. Everyone, child or adult, can be given a voice – an opportunity – a right – to be heard as an individual, as a citizen, to have control over their day to day lives.

Directly involving children is central to all the approaches outlined under part 6, including the care and support planning process, how children are accommodated and maintained, the frequency of visits and arrangements for leaving care.

- **Will the piece of work have an affect on a particular group of children, if so, describe the group affected?**

This work will have an affect on all looked after and accommodated children and those leaving care who need care and support.

Step 2. Analysing the impact

- What positive impacts will this piece of work have on children, young people or their families?
- What are the negative impacts and what compensatory measures may be needed to mitigate them?
- How will you know if your piece of work is a success?
- Have you considered the short, medium and long term outcomes?
- Have you developed an outcomes framework to measure impact?
- Do you need to engage with children & young people and/or stakeholders to seek their views using consultation or participatory methods?
- If yes to above, how have their views influenced your work?
- Do you need to produce child friendly versions of proposals/consultations?

- Does the piece of work have any links to delivering the key objectives of the [Child Poverty Strategy for Wales](#)?
- If so, state how the work may impact on child poverty.

No specific negative impacts have been identified under this policy.

One of the over-riding principles of the Act, and the provisions for looked after and accommodate children under Part 6 of the Act is that people are best placed to determine the well-being outcomes they wish to achieve based on their own values and what matters to them. Local authorities will be expected to work in partnership with children and young people, and their carers, to build on their strengths and understand their needs. Local authorities must ensure that children, have a greater voice and control over the care and support that they receive by actively involving them in making decisions about their lives.

The Regulations and code of practice set out that local authorities, when undertaking its corporate parent responsibilities in relation to a looked after or accommodated child or a young person who is leaving or who has left care, must :

- ascertain and have regard to the child or young person's views, wishes and feelings, so far as is reasonably practicable
- have regard to the importance of promoting and respecting the child or young person's dignity
- have regard to the characteristics, culture and beliefs of the child or young person (including, for example, language)
- have regard to the importance of providing appropriate support to enable the child or young person to participate in decisions that affect them.

In the same regard, local authorities must consider the views, wishes and feelings of those with parental responsibility for the child and have regard to the importance of promoting the upbringing of the child by the child's family.

In relation to care and support planning, the Regulations and the code set out the care planning arrangements which the local authority must make for looked after children. These arrangements ensure that each child has a long term plan in place, where the developmental and well-being needs of the child are recorded. The care and support plan should be clear about the desired outcomes for the child and the roles and responsibilities of all individuals and agencies in the child's life. The planning process is an inclusive process where the child's wishes and feelings are taken into account to help identify options that are most likely to meet the needs of the individual child.

A key component of the care planning process is the review of the child's Part 6 care and support plan, to help monitor progress, discuss any changes that are required and to help make decisions about future arrangements. The child's participation and involvement in the review is a key aspect of the review process and the child must be provided with a clear explanation of the reason for any changes.

The Regulations and code set out the factors that need to be taken into account when deciding where to place a looked after child. A local authority must always be guided by its principal duty to safeguard and promote the child's well-being. Where possible, placement with a parent or with a foster carer who is a 'connected person' (e.g. kinship carer) is to be preferred. The local authority must have regard to the views, wishes and feelings of the child when making decisions about placements. The Regulations and Code also set out requirements for keeping in touch with a child, including a duty to appoint an independent person to be a child's visitor where it appears to them to be in the child's best interests. The 'Visits to Children in Detention (Wales) Regulations 2015' set out visiting requirements for children who cease to be looked after on account of having been convicted of an offence and detained in youth detention accommodation or prison. These

Regulations and the code clearly set out which local authority is responsible for visiting these children. The aim of the policy is to ensure that a child's needs continue to be met, and that they receive the advice and support they need.

The code and Regulations also sets out the support that should be provided by local authorities to those who are leaving care so that they are supported to make a successful transition to adulthood and move towards more independent living. Care leavers should expect the same level of care and support that others would expect from a reasonable parent. The code and regulations require local authorities to ensure that they are provided with the opportunities they need to come to terms with taking on the responsibilities of adulthood. This concern should encompass the child's education, health, housing and well-being and the pathway planning process sets the framework upon which care leavers needs can be met and planned for. The Regulations also provide for children in foster care to remain with their foster carers when they reach 18, if that is what they wish and if the foster carers agree. The code sets out the 'When I am Ready' scheme to deliver this.

The Children (Secure Accommodation) (Wales) Regulations 2015 put in place safeguards for placing children in secure accommodation, including the length of time a child may be held in secure accommodation before an order is sought from the courts, and special measures to ensure that a child under the age of 13 cannot be held in secure accommodation without the agreement of the Welsh Ministers.

Public consultations have been carried out throughout the life of this work. The Welsh Government undertook a public consultation on the Bill between March 2012 and June 2012 and a further public consultation on the Regulations and code of practice prepared under Part 6 of the Act for looked after and accommodated children was undertaken between May 2015 and July 2015. Two consultation events were held as part of the consultation process, with 200 attendees overall and workshops held to discuss the Part 6 proposals. 45 responses were received in response to the consultation from a wide range of individuals, stakeholder groups, local authorities and third sector organisations. Following consideration of the comments, amendments have been made to the Regulations and the code of practice.

Well-being will be measured nationally by the national outcomes framework. The national outcomes framework is made up of the well-being statement and national outcomes indicators. These national outcome indicators will be reported on by the Welsh Government and will provide evidence on whether care and support services are improving national well-being outcomes for children in Wales.

The well-being statement was initially built with looked after children. This work was developed using a rights based approach, building on the United Nations Convention on the Rights of the Child. The outcomes were co-produced with people themselves, including looked after children and carers; these specific groups traditionally have less of a voice, and it was important to find out what mattered to them.

Voices from Care facilitated a series of workshops with young people who are or have been looked after to identify what well-being outcomes were important to them. The results from this work were critical in establishing the methodology and in identifying well-being outcomes which apply to all people.

Care and Social Services Inspectorate Wales will be able to play a key role in monitoring the progress and impact of this duty as part of their registration, regulation and inspection requirements.

A young persons summary of the Social Services and Well-being (Wales) Act has been developed, available at:

<http://gov.wales/topics/health/socialcare/act/?lang=en>

A child friendly version of the well-being statement for people who need care and support and

carers who need support has been produced and is published on the Welsh Government website (<http://wales.gov.uk/docs/dhss/publications/140624wellbeingchildren.pdf>).

The consultation on the code of practice for Part 6 of the Social Services and Well-being (Wales) Act 2014 included a children and young persons summary, available at: <http://gov.wales/docs/phhs/consultation/150505pt6childfriendlyen.pdf>

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

Dependant upon the impact of your piece of work, use balanced judgement to assess:

- Which UNCRC articles are **most** relevant to the piece of work? Consider the articles which your piece of work impacts upon. <http://childrensrights.wales/images/PDF/UNCRCRights.pdf>
- Explain why these articles are relevant and how the piece of work promotes them.
- How are you improving the way children and young people access their rights?
- What aspects of children's lives will be affected by the proposal?
- What are the main issues that the CRIA should focus on?
- Does the piece of work help to maximise the outcomes within the articles of the UNCRC?
- If no, have any alternatives to the current piece of work been considered?
- Include any evidence from consultation(s), if applicable, here.

An assessment of relevant UNCRC articles took place as part of the Explanatory Memorandum process for the Social Service and Well-being (Wales) Bill. A link is attached (pages 91 to 93 within the linked document):

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs/pri-ld9181-em-e.pdf?langoption=3&ttl=PRI-LD9181-EM%20-%20Social%20Services%20and%20Well-being%20%28Wales%29%20Bill%20-%20Explanatory%20Memorandum>

Following Royal Assent and the development of Regulations and the code of practice under Part 6 of the Act the assessment has been updated. The positive impacts for children or their families can be related to the following articles of the UNCRC:

Article 1 - Everyone under the age of 18 has all the rights in the Convention;

And,

Article 2 - The Convention applies to every child whatever their ethnicity, gender, religion, abilities, whatever they think or say, no matter what type of family they come from.

The Regulations and code of practice apply to all local authorities in Wales when exercising their functions under the Act in respect of looked after and accommodated children. They determine local authorities responsibilities for assessing and meeting looked after and accommodated children's care and support needs, how they are to be maintained when under the care of a local authority and the arrangements and support that should be put in place for children and young people when leaving care.

Article 3 - The best interests of the child must be a top priority in all actions concerning children.

The Regulations and code of practice provide the framework for local authorities to act in the best interests of the child when determining whether a child's needs are such that they are entitled to have their needs met by the local authority.

Article 4 - Governments must do all they can to fulfil the rights of every child.

The Regulations create a consistent right for every child in Wales regarding the decision as to whether the child has needs which must be met by a local authority.

Article 6 - Every child has the right to life. Governments must do all they can to ensure that children survive and grow up healthy.

When determining whether a child has needs which must be met by the local authority, the regulations and code of practice require local authorities to promote and safeguard the well-being and of looked after and accommodated children ensure each child or young person achieves their personal well-being outcomes, as defined in section 2 of the Act.

Article 9 - Children must not be separated from their parents unless it is in the best interests of the child (for example, in cases of abuse or neglect). A child must be given the chance to express their views when decisions about parental responsibilities are being made. Every child has the right to stay in contact with both parents, unless this might harm them.

By establishing the extent to which a child's needs for care and support can be met by the child's family, the Regulations support the requirement in the Act for local authorities to enable the child to live with the child's family or promote contact between the child and the child's family. The Welsh Government's over-arching policy intention under Part 6 includes strengthening the capacity of families to care for their children wherever it is safe to do so.

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.

The Act, and the Part 6 Regulations and code of practice developed under it, seeks to promote independence and provide individuals with a voice and control in the decisions that affect them. Part 6 is clear that the child's voice is central to the assessment, planning and review process and those children and young people under the care of a local authority are given choice about the services supporting them and feel that their voice is listened to, in influencing the quality and direction of the support they receive.

The Act puts a new duty on local authorities to ascertain, when undertaking pathway assessments and planning, whether a child wishes to remain with their foster parents beyond the age of 18, up to the age of 21 (or 25 if in education or training), and to facilitate these arrangements where the child and foster parents both want this. The 'When I am Ready' scheme, put on to a statutory basis through the Part 6 code of practice, gives effect to this new duty. The Care Planning, Placement and Case Review (Wales) Regulations 2015 also set out what information must be provided by local authorities to children and their foster parents, so that they can make informed decisions about entering into a 'When I am Ready' arrangements. Children in residential care can only access the scheme by moving into a foster placement before their 18th birthday. However, the Welsh Government is considering the scope for extending 'When I am Ready' to children in residential care.

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.

The Regulations and code of practice under Part 6 is clear that information, advice and assistance should be provided to a child or young person as a central part of the overall care and support planning process so that it may assist the individual's understanding and ability to contribute to the decisions that affect them. Information provided to a child or young person must be appropriate to their age and level of understanding, and appropriate to their needs and circumstances, including through their language of need and preferred means of communication.

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.

The overall purpose of Part 6 and the legislative framework prepared in support of it is to safeguard and promote the well-being of looked after accommodated children and to enable each child or young person to achieve recovery and healing from past harm.

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.

When local authorities are considering and making arrangements for placing a looked after child in the care of the local authority they must consider the child's race, religion and culture. The Care, Planning, Placement and Case Review Regulations set out the information which must be included in the placement plan before a placement is made so that the child's carers are aware of how these are reflected in their daily life, including any help the child will need to maintain these links.

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.

The legal framework for adoption remains the Adoption and Children Act 2002. Part 6 of the Social Services and Well-being (Wales) Act includes a new provision for placement with prospective adopters – i.e. where it has been decided that adoption is in the child's best interests, and has been matched with a particular prospective adopter, the local authority must place that child in a foster placement with a the prospective adopter. This will apply in only a limited number of cases, but should ensure that there is no delay in placing a child with his or her new adoptive family. The Act also inserted a new section 3A into the 2002, giving the Welsh Ministers a power to direct local authorities to enter into joint arrangements for the delivery of adoption services. The Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015 came into force on 31 March 2015. The aim of the arrangements was to ensure consistent delivery of high quality adoption services across Wales.

Article 22 - Children who come into a country as refugees should have the same rights as children born in that country.

The Social Services and Well-being (Wales) Act, including the provisions under Part 6 in relation to looked after and accommodated children sets out that people exercising functions under the act must have regard to the characteristics, culture and beliefs of the individual. Unaccompanied asylum seeking children are subject to the same process of assessment and review as other children entering the care of a local authority. When undertaking assessments and reviews consideration should be given to wider asylum and immigration legislation and include contingency planning and the best interest of the child in the event of a child returning to their country of origin.

Article 23 – Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

When exercising social services functions in relation to disabled people who need care and support and disabled carers who need support, local authorities must have due regard to the United Nations Convention on the Rights of Disabled People. Short breaks for disabled children can be provided by local authorities either under Parts 3 and 4 of the Act (assessing and meeting needs) or under Part where the authority considers that the child's interests are best safeguarded and promoted by having looked after status when away from home. The code of practice sets out the factors to be taken into account when deciding whether a short break should be a placement under Part 6. The code of practice relating to Part 6 of the Act sets out the factors that need to be taken.

Article 25 – Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

The Care Planning, Placement and Case Review (Wales) Regulations 2015 and the Part 6 code of practice set out the procedures for reviewing a child's Part 6 care and support plan and the role and functions of the Independent Reviewing Officer. The local authority is required to carry out a first review of a child's case within 20 working days of the date on which the child becomes looked after, the second review should be carried out no more than 3 months from the first, and subsequent reviews should be no more than six months from the previous review.

Article 28 - Every child has the right to an education. Primary education must be free. Secondary education must be available to every child. Discipline in schools must respect children's human dignity. Wealthy countries must help poorer countries achieve this; And,

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.

Local authorities must ensure that a significant range of services are provided to looked after and accommodated children, including access to education, training, employment and leisure opportunities. Every looked after child must be provided with a personal education plan which forms part of their Part 6 care and support plan and which contains both their academic and non academic educational aspirations and how they can be best supported to achieve these. The Care Planning, Placement and Case Review (Wales) Regulations 2015 impose particular requirements upon local authorities when making placements for looked after children in Key Stage 4. The code of practice requires authorities to have special regard to the education and training of a looked after child when making any placement at any stage of a child's education, ensuring that the placement does not disrupt the child's education or training.

Article 33 – The Government should provide ways of protecting children from dangerous drugs; and,

Article 34 - Governments must protect children from sexual abuse and exploitation; and,

Article 36 - Governments must protect children from all other forms of exploitation that might harm them.

The overall purpose of Part 6 is to safeguard and promote the well-being of looked after and accommodated children and care leavers, and to enable each child or young person to achieve recovery and healing from past harm. It aims to promote resilience and achievement of personal well-being outcomes including protection from abuse and neglect.

- How are you improving the way children and young people access their rights?
- What are the main issues that the CRIA should focus on?

The Rights of Children and Young People Measure 2011 requires the Welsh Ministers to give due regard to the UNRC in the development of all legislation and policy. The Children Act 1989 and the UNCRC laid the foundation for the development of the definition of well-being in the Act. The Act requires that any persons exercising functions under the Act to have due regard of the UNCRC.

Well-being and the outcomes people wish to achieve is at the centre of the legislation; the definition of well-being in the Act, and the well-being statement, both recognise that securing rights and entitlements is key to ensuring that children can speak for themselves or have someone who can do it for them so that they are involved in the decisions that affect their life.

The well-being statement recognises that people should be provided with the information advice and assistance that they need to lead a fulfilled life. This may be to help people find out what care and support services they can receive or may be to help people access preventative services which will prevent them from needing help from care and support services in the future. It must be provided at the right time and in the way it is wanted and understandable to people. This requirement is also in the Act; it places a duty on local authorities to provide information, advice and assistance to all people who may need care and support and that assistance is provided to people in accessing care and support.

The Part 6 code of practice sets out that local authorities must ensure that all looked after and accommodated children are offered information, advice and assistance that is accessible to their needs. The assessment and planning process should determine and record what information, advice and assistance should be provided for the young person as they prepare for, and once they have left, care. The local authority must also be satisfied that the child is aware of and understands what their rights are. The child's voice is central to the assessment, planning and review process and local authorities must ensure that looked after children are given some choice about the services supporting them and are able to influence the quality and direction of the support they receive.

Step 4. Advising the Minister and Ministerial decision

When giving advice and making recommendations to the Minister, consider:

- Outlining the ways in which the piece of work helps to maximise the outcomes within the articles of the UNCRC?
- Has any conflict with the UNCRC articles within the proposal been identified?
- Outlining the wider impact; does the proposal affect any other policy areas?
- With regard to any negative impacts caused by the proposal; can Ministers evidence that they have allocated as much resources as possible?
- What options and advice should be provided to Ministers on the proposal?
- In relation to your advice on whether or not to proceed with the piece of work, is there any additional advice you should provide to the Minister?
- How undertaking this CRIA has influenced your advice to the Minister.
- Is it appropriate to advise the Minister to reconsider the decision in the future, in particular bearing in mind the availability of resources at this time and what resources may be available in the future?
- Have you provided advice to Ministers on a LF/SF and confirmed consideration of the UNCRC at the relevant paragraph i.e. statutory compliance?
- Is the advice supported by an explanation of the key issues?

Ministerial agreement has been sought throughout the entirety of this programme for work. The advice to the Minister of Health and Social Services confirms that this CRIA has been completed.

In considering the articles of the UNCRC, on balance, we believe that Part 6 of the Social Services and Wellbeing (Wales) Act 2014 gives greater effect to the UNCRC.

No conflict with UNCRC articles have been identified.

Step 5. Recording and communicating the outcome

Final version to be retained on i-share

Evidence should be retained that supports:

- How the duty has been complied with **(Steps 1-3 above)**
- The analysis that was carried out **(Steps 1-3 above)**
- The options that were developed and explored **(Steps 1- 3 above)**
- How have the findings / outcomes been communicated? **(Step 4 above)**
- 'Tells the story' of how the assessment has been undertaken and the results **(Step 4 above)**
- Include any hyperlinks to additional background information which may be of relevance.
- 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 website CRIA newsletter and must be made available upon request. Ministers are however, encouraged to publish all completed CRIAs.

The overall intended effect of the Part 6 Regulations and code of practice is to safeguard and promote the well-being of looked after and accommodated children and care leavers, and to enable each child or young person to achieve recovery and healing from past harm. It also aims to promote resilience and achievement of personal well-being outcomes.

The evidence provided in Steps 1-3 above sets out in more detail the way in which rights of children and young people have been addressed in drafting the Regulations and statutory guidance.

The Part 6 Regulations and code of practice were subject to a 12 week consultation that ran from 8 May 2015 to 31 July 2015. A series of engagement events were held with stakeholders as part of

the consultation process, including representatives from Association of Directors of Social Services, Welsh Local Government Association, Heads of Children’s Services, the Office of the Children’s Commissioner and a range of third sector organisations.

The Regulations and code of practice will be laid before the National Assembly for Wales in November 2015, ahead of them coming into force in April 2016. A learning and development plan has been developed by the Care Council for Wales to support implementation a communication plan will support general awareness of implementation of the Act more widely.

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

In revisiting the piece of work, consider any monitoring, evaluation or data collection that has been undertaken:

- Has your piece of work has had the intended impact as set out in Step 2.
- Have you engaged with stakeholders to discuss how the policy or practice is working.
- If not, are changes required.
- Identify where improvements can be made to reduce any negative impact.
- Identify any opportunities to promote children’s rights, bearing in mind any additional availability of resources at this time.

The Social Services and Well-being (Wales) Act 2014 contains provisions to allow for Ministers to monitor functions of the Act carried out by local authorities and other bodies. Ministers may require these bodies to report on their duties in implementing these regulations.

The Welsh Government intends to commission an evaluation to enable the impact of the new national model of assessment and eligibility to be considered.

Officials will continue to monitor the impact of the regulations in relation to UNCRC.

Budgets

Does the piece of work have any associated allocation of budget?

No

Can you identify how much of this budget will be used for children and young people?

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.

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?

Please give any details:

There has not been any impact on the budget as a result of this CRIA. A Regulatory Impact Assessment has been completed to show the cost implications of introducing the regulations.

Monitoring & Review

Do we need to monitor / review the proposal?	No
If applicable: set the review date	N/A

Please forward a copy of this CRIA to CRIA@wales.gsi.gov.uk for monitoring purposes



THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

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

www.cymru.gov.uk

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/

Cic - The National Information and Advice Service for Young People www.ciconline.co.uk/news/

