



Children's Rights Impact Assessment (CRIA) Template

Title / Piece of work:	Historic Environment (Wales) Bill
Related SF / LF number (if applicable)	LF/JG/0283/14; LF/JG/0417/14 and LF/JG/0610/14 set out the policy instructions for the Bill
Name of Official:	Historic Environment (Wales) Bill Team
Department:	Cadw, ES&T
Date:	27/06/2014
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.

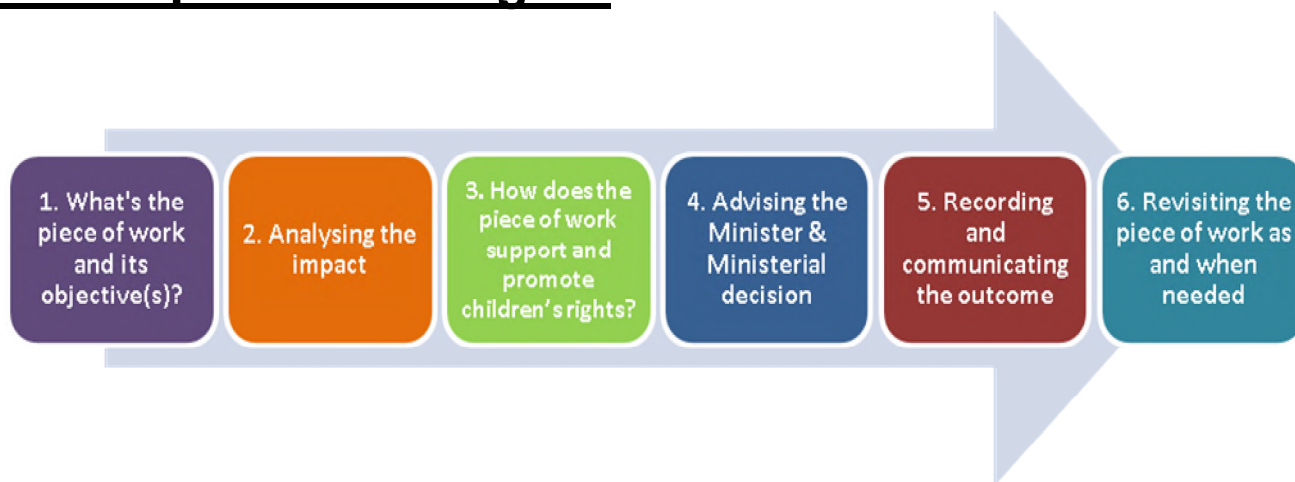
Upon completion you should also forward a copy of the CRIA to the Measure Implementation Team for monitoring purposes using the dedicated mailbox CRIA@wales.gsi.gov.uk

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. All non-legislative CRIAs will be listed on the WG website 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)?

There are nearly 30,000 listed buildings, over 4,000 scheduled ancient monuments, close to 400 registered historic parks and gardens and three World Heritage Sites in Wales.

Historic sites have shaped the identity and culture of the nation and provide places for leisure and learning and opportunities for jobs and businesses.

A vital part of the Welsh economy, the historic environment supports more than 30,000 jobs and contributes over £840 million to Wales' economy each year.

The Historic Environment (Wales) Bill will form part of an integrated body of legislation, guidance and policy that will make important improvements to the existing systems for the protection and sustainable management of the Welsh historic environment.

Although many of the Bill's provisions involve what might seem to be technical amendments to the existing legislation, taken together they will:

- introduce greater transparency and accountability into decisions taken on the historic environment;
- enable the Welsh Government and local authorities to give more effective protection to the historic environment; and
- enhance existing mechanisms for the sustainable management of the historic environment.

The Bill will be introduced to the National Assembly for Wales in late spring 2015, and should gain Royal Assent in early 2016.

The Historic Environment (Wales) Bill will not directly affect children and young people living in Wales. However, the historic environment is an important part of Welsh communities and the aim of the Bill and associated measures is to assist in the sustainable management of the historic environment so it continues to deliver meaningful social, economic and environmental benefits to the people of Wales.

Step 2. Analysing the impact

Whilst the proposed impacts of the Bill are not exclusive to children and young people, there are a number of associated positive outcomes which will impact on children, young people and their families across Wales. The long-term goal of the Bill is to safeguard the historic environment for future generations.

In terms of indirect impacts for children, young people and their families in Wales, effective protection of the historic environment will assist us in making the most of Wales' heritage, both by providing leisure, learning, job and business opportunities for residents and by attracting more visitors to Wales.

The proposals for the Historic Environment (Wales) Bill and the associated policy, advice and guidance will contribute to the achievement of the shared goals that will be contained in our proposed Well-being of Future Generations Bill, as well as complementing the proposals being developed in the wider legislative programme, including the Planning (Wales) Bill and Environment Bill.

Through the Historic Environment (Wales) Bill and associated measures, we are taking the necessary steps to safeguard Wales' rich historic environment for future generations and to promote its sustainable management so it can continue to deliver its many economic, social and environmental benefits.

The views of young people are important in the development of Welsh Government policy and legislation.

A series of consultation events for sixth-form Welsh Baccalaureate students in north and south Wales were held to inform the development of the Bill and associated measures. Rather than giving detailed consideration to the proposals, which would have fallen outside the knowledge, experience and interest of most young people, the events aimed to raise the students' awareness of the historic environment and introduce them to some of the issues that are central to its protection and sustainable management. Their views on the importance of the historic environment and the priority that should be given to safeguarding it could then be gathered. A total of 187 students from eight schools took part in the events.

As the proposals of the Bill are technical in nature, it is difficult to identify how this engagement directly influenced the content of the Bill. However, it has been key to helping Cadw develop a better understanding of what young people see as important within the historic environment. This engagement is being built upon and is influencing how we take forward work associated with the new Welsh Baccalaureate qualification. It is also informing work under the community archaeology framework, where Cadw is working in partnership with other key stakeholders to develop a project entitled 'Unloved Heritage' with financial support from the Heritage Lottery Fund. The project will see young people, aged between 18 and 25, investigate different themes of Wales' unique past while developing specialist skills in archaeology.

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

Due regard has been given to the United Nations Convention of the Rights of the Child in the development of the Historic Environment (Wales) Bill.

Our assessment identified the following articles of the UNCRC as being most relevant and impacted upon by the provisions of the Bill and as equally applicable to all children and young people. The views of young people were gathered as part of the consultation exercise to inform the development of the Bill proposals.

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 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.

Respected

The views of young people are important in the development of Welsh Government policy and legislation. In line with the participation and pupil voice agenda in Wales, a series of consultation events for sixth-form Welsh Baccalaureate students in north and south Wales were held to inform the development of the Bill and associated measures. The events aimed to raise the students' awareness of the historic environment and introduce them to some of the issues that are central to its protection and sustainable management. The views of the young people on the importance of the historic environment and the priority that should be given to safeguarding it could then be gathered. A total of 187 students from eight schools took part in the events.

A summary of the outcomes from these events have been included in the consultation summary report — <http://wales.gov.uk/consultations/cultureandsport/heritage-bill/?status=closed&lang=en>. It is attached as an Annex to this impact assessment.

The exercise gave a very good insight into how young people view the historic environment. The conclusion of the sessions identified that Cadw has more work to do to ensure that young people understand the breadth of assets that are considered within the historic environment. A number appreciated the importance of the castles and iconic buildings in Wales, but did not see the relevance of some of the listed buildings or scheduled monuments in their area.

These views have been shared with colleagues within Cadw who are leading on youth engagement and lifelong learning and are being used to influence future work on the development of the new Welsh Baccalaureate qualification. They have also been taken into account by those leading on community archaeology, where a youth-focused project that aims to uncover Wales' unloved heritage is being developed.

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.

Respected

The Bill will make information on the historic environment more accessible; this will be facilitated by a publicly available, online, map-based resource which will include all statutory designated and registered historic assets. The Bill will also place the historic environment records (HERs) on a statutory basis. These records are currently held by the Welsh archaeological trusts and they provide comprehensive information and evidence about a wide variety of historic assets in a particular area. They are an essential source of information for managing, caring for and understanding the historic environment. These records can be accessed by the public through a website (*Archwilio*) and also through a recently developed App. This has made the information much more accessible to children and young people, and the Bill will future-proof the availability of this information for future generations.

The HERs are also used to create learning resources that enable individual schools to make use of the historic environment and assist with understanding of local history of an area.

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.

In line with the Programme for Government and the Tackling Poverty agenda, growth and sustainable jobs are a priority for Welsh Government. The intense demand for austerity measures and adverse effects on the economy, growth and employment, have huge repercussions for children and their aspirations, expectations and vulnerability.

A recent UNICEF report stated that there is a direct relationship between economic recession and a decline in children's well-being. Young people are often hit extremely hard, evidenced by a rise in the number not in employment, education or training.

The historic environment makes a substantial contribution to the nation's economy. According to recent research, it supports over 30,000 jobs and adds around £840 million to Wales' Gross Value Added. It has been estimated that the historic environment's attraction for visitors accounts for one-fifth of total tourism expenditure in Wales.

The Bill is about protecting and managing the Welsh historic environment so future generations can appreciate it and learn from it. If we understand and value our country's past, we are more likely to care about our future.

Article 29 The education of a child shall be directed to the development of respect for his or her own cultural identity, language and values, for the national values of the country in which the child is living.

Respected

The historic environment is very important to local communities and is fundamental to sustaining traditions and establishing a sense of place. If historic buildings become run-down and derelict they can be a magnet for anti-social behaviour and vandalism. High-quality historic buildings can

also be a powerful stimulus for generating confidence in a local area and promoting civic pride. In addition the historic environment can act as a focal point for stimulating community cohesion.

Article 31 All children have a right to relax and play, and to join in a wide range of activities.

Respected

One of the aims of the Bill is to protect and promote the sustainable management of the historic environment. The historic environment can support the well-being of local communities, which is defined as a positive physical and mental state. In particular, it can enhance leisure and recreation activities, which, in turn, improve people's overall health, fitness and well-being.

Step 4. Advising the Minister and Ministerial decision

Although the Bill is technical in nature and will not impact directly on the rights of the child, protecting the historic environment for future generations is an important aspiration of the Bill. Cadw should continue to build on the engagement that was initiated at the time of the consultation exercise to understand young people's priorities and views. This in turn will assist young people to appreciate and understand the historic environment better.

Cadw does good work in this area, which is being taken forward by the lifelong learning, community archaeology, and marketing and events teams; all can offer a number of examples of young people engaging with the historic environment. For example, Cadw is working on a project with two Community First groups in Blaenavon and Caernarfon, involving students from local universities in developing films about Blaenavon Ironworks and Segontium Roman Fort, which will be showcased at local venues in 2015.

As part of the wider measures to support the Bill, Cadw is working with Planning colleagues on revising the historic environment chapter of *Planning Policy Wales* and the production of a new technical advice note (TAN) for the historic environment to consolidate and update current guidance. Such cooperation will help to ensure that the Historic Environment and Planning Bills and supporting policy and advice embody common principles, encouraging and supporting development, while also affording the historic environment the protection it needs.

The proposals for the Historic Environment (Wales) Bill and the associated policy, advice and guidance will also contribute to the achievement of the shared goals that will be contained in our proposed Well-being of Future Generations Bill, as well as complementing the proposals being developed in the wider legislative programme, including the Planning and Environment Bills.

Step 5. Recording and communicating the outcome

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**)

The impact assessment and supporting documents are saved on the Welsh Government’s electronic records system, and the impact assessment is available on line at the following address: <http://gov.wales/topics/cultureandsport/historic-environment/heritagebill/?lang=en>

This is a live document and has been updated during the development of the policy and Bill. This version reflects the content of the Bill as introduced into the Assembly on 1 May 2015.

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

As highlighted above, this is a live document and has been updated during the development of the Bill policy. This version reflects the content of the Bill as introduced into the Assembly on 1 May 2015.

It will also be assessed and updated to reflect any changes after any amendments to the Bill have been agreed at Stage 2 of Assembly scrutiny, and as and when relevant during the implementation of this Bill, once it is enacted.

Budgets

As a result of completing the CRIA, has there been any impact on budgets?

It is important that where any changes are made to spending plans, including where additional allocations have been made, that this has been assessed and evidenced as part of the CRIA process.

No

Please give any details:

Monitoring & Review

Do we need to monitor / review the proposal?

Yes

If applicable: set the review date

At stage 3

**See next page for a
Summary List of the
UNCRC articles**

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/

