

Terms of Reference

Operations, Guidance and Training

Task and Finish Group

Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020

These terms of reference were first drawn up while the Bill was in the Senedd; they have now been updated following Royal Assent to refer to the Act and timescale for commencement.

Background

The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020 was introduced to the Senedd Cymru on 25 March 2019. The overarching objective of the Act is to help protect children's rights by prohibiting physical punishment by parents and those acting in loco parentis. The United Nations Committee on the Rights of the Child (UNCRC) recognises that any physical punishment of children, however minor, is incompatible with the human rights of children under Article 19, and has called for it to be abolished.

When the Act comes into force the defence of reasonable punishment will no longer be available within Wales to parents or those acting in loco parentis, as a defence to a charge of common assault or battery.

The intended effect of the Act, together with raising awareness and support for parents, is to bring about a further reduction in the use and tolerance of the physical punishment of children in Wales. The Act received Royal Assent on March 20 2020, the Act will come into force 21 March 2022.

The Welsh Government have set up a strategic implementation group to consider how best to implement the bill. There will be a number of work streams, including on operations, processes, procedures, guidance and training.

Purpose of the Group

The purpose of the group is to provide advice and recommendations to the Strategic Implementation group and the Welsh Government on

- The review and, if necessary, revision of relevant organisations' working processes and procedures, to account for the law change
- The review of training and guidance for professionals and practitioners to reflect the law change, where necessary

Governance Arrangements

The Task and Finish group will report to the Strategic Implementation Group and be co-chaired by a member (s) of the group and a Welsh Government official. The Welsh Government will provide updates to the Strategic Implementation Group at each meeting and or at appropriate points throughout the project.

Timings & Key Dates

The first meeting of the Group on 12 September 2019. It is envisaged the group will decide on timings for meetings possibly on a quarterly basis or around key dates or completion of tasks. Additional meetings may take place to allow for discussion and planning for key tasks. Agendas will be planned in advance and members can request items to be placed on the agenda submitting a request at least 2 weeks before the meeting.

The work of the Group should be concluded in time to ensure that any changes required as a result of the work of the Strategic Implementation Group and the task and finish groups are in place before the law comes into force.

Key tasks & dates for the group	
Identify processes, operations and procedures which need to be reviewed	End of June 2020
Identify Training and Guidance requirements	End of June 2020
Development of any changes ,additions to Guidance & Training	End of November 2020
Guidance & training approved by relevant responsible bodies prior to law change	End of March 2021
New Law comes into Force	21 March 2022

Specific roles of Members and Welsh Government

Membership is from a range of organisations with an understanding of and a key interest in the implications for organisations regarding processes, practice, training and guidance.

Members will be asked to monitor delivery against key programme milestones and provide expertise in the following areas:

- Current and future practice and the potential impacts on procedures and processes for relevant organisations and organisations they work closely with

- Consider and make recommendations in respect of Operations, Guidance and Training for organisations
- mechanisms by which those changes (recommended) may be delivered and related actions such as raising awareness among professionals from relevant organisations of the law change
- advice on technical expertise to co-opt to the group to support the work, when required

The Welsh Government will provide:

- Policy support and expertise;
- Secretariat, admin support and arrangements for meetings and the work of the group;
- Updates at each meeting from the Strategic Implementation Group and other task and finish groups; and
- Papers for each meeting 5 working days before each meeting.

Membership

The group membership will include:

Organisation	
Crown Prosecution Service Cymru	Association of Directors of Education Cymru
Her Majesty's Courts and Tribunal Service	Law Society for Wales
All Wales Heads of Health Visiting and School Nursing Forum	NHS Wales/ National Safeguarding Team
Police Wales	Police and Crime Commissioners
Association of Directors of Social Services Cymru	Welsh Government
Royal College of Nursing	Royal College of Paediatrics and Childrens Health
Regional Safeguarding Boards	Children In Wales
Cwllwm	National Education Union Cymru