



# **Cynulliad Cenedlaethol Cymru The National Assembly for Wales**

## **Y Pwyllgor Plant a Phobl Ifanc The Children and Young People Committee**

**Dydd Mercher, 6 Tachwedd 2013  
Wednesday, 6 November 2013**

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Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod  
Motion under Standing Order 17.42 to Resolve to Exclude the Public from the Meeting

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,  
cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, a transcription of the simultaneous interpretation is included.

**Aelodau'r pwyllgor yn bresennol  
Committee members in attendance**

Angela Burns	Ceidwadwyr Cymreig Welsh Conservatives
Keith Davies	Llafur Labour
Rebecca Evans	Llafur Labour
Ann Jones	Llafur (Cadeirydd y Pwyllgor) Labour (Chair of the Committee)
Bethan Jenkins	Plaid Cymru The Party of Wales
Lynne Neagle	Llafur Labour
David Rees	Llafur Labour
Aled Roberts	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Simon Thomas	Plaid Cymru The Party of Wales

**Eraill yn bresennol  
Others in attendance**

Eleri Thomas	Prif Weithredwr, Swyddfa Comisiynydd Plant Cymru Chief Executive of the Office of the Children's Commissioner for Wales
Keith Towler	Comisiynydd Plant Cymru Children's Commissioner for Wales

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol  
National Assembly for Wales officials in attendance**

Sarah Bartlett	Dirprwy Glerc Deputy Clerk
Marc Wyn Joonas	Clerc Clerk
Sian Thomas	Y Gwasanaeth Ymchwil Research Service

*Dechreuodd y cyfarfod am 09:32.  
The meeting began at 09:32.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon  
Introduction, Apologies and Substitutions**

[1] **Ann Jones:** Good morning, everybody, and welcome to the Children and Young People Committee. I ask Members to switch off mobile phones, as they interfere with the broadcasting. However, we will hopefully not have the same problems that we had at our last meeting with the broadcasting and with power surges. Hopefully, everything will run quite smoothly today. Although, we are in a different committee room, but we will see how we go.

[2] I will just outline the usual housekeeping rules. We do not expect the fire alarm to operate, so if it does, we shall take directions from the ushers, who will lead us to the assembly point. We have had apologies from Suzy Davies, who is not well. I ask at the start of every meeting, but does any Member need to declare anything that they have not already

declared in the register of Members' interests? I see not. That is fine; thanks.

09:33

### **Adroddiad Blynyddol Comisiynydd Plant Cymru Children's Commissioner's Annual Report**

[3] **Ann Jones:** We are delighted to have with us the Children's Commissioner for Wales, Keith Towler, and Eleri Thomas, the chief executive of the office of the children's commissioner. We are here to look at your annual report and the work that you have been doing over the past 12 months. We have about an hour, but we have a quite a number and a range of questions. So, if it is okay, we will go straight into questions.

[4] **Mr Towler:** Yes, indeed.

[5] **Ann Jones:** Thanks very much for that, Keith. I will ask the first question. How do we ensure that the voices of all children across Wales are heard?

[6] **Mr Towler:** Crikey, what a question. Luckily, it is not my sole responsibility to ensure that all children get their voices heard, but it is my responsibility to inspire people to do the right thing and to listen to children and young people. You will have noticed that, when I published the annual report, the theme that I used with the media was about voice and the centrality of children's voices. Wales is a country that developed its thinking about the United Nations Convention on the Rights of the Child in policy terms and in legislative terms really well, but in terms of the casework and visits that I do, I am still struck by children and young people who talk about not really being listened to, and with practitioners who are coming to terms with the idea of what rights-based practice looks like. If rights-based practice is about listening to children and young people and responding to what they say, what does that mean if I am a teacher, a social worker, a play worker or a youth worker? So, there is a lot of work that is going on in relation to that.

[7] With regard to my team and the work that we do, we have a number of participatory projects; everything that we do is driven by children and young people's experience. I know you know this, but it is worth reflecting that I use the UN Convention on the Rights of the Child as the framework within which we conduct our work, but it is what children and young people say to me and my team that drives the priorities that the team comes up with—the work programme and the corporate plan. We have a particular piece of work going on with Funky Dragon and we have been meeting with it. So, in a sense, it kind of holds me to account in terms of the work that we do with the whole of the work programme, and it has developed a real detailed understanding of the work of the commissioner and the team. We have increased our ambassador scheme project and relaunched super-ambassadors working with primary schools across Wales. I go to loads and loads of youth forum meetings where they still exist, but there is a discussion to be had about the state of participation structures across Wales and what local authorities are doing in relation to participation structures. So, everything is driven by that engagement with children and young people, and we spend a lot of time making sure that we give that the priority it deserves.

[8] **Ann Jones:** In your opinion then, is Funky Dragon truly representative of all the children of Wales?

[9] **Mr Towler:** There is a fantastic amount of work that children and young people put into their fora at county and local authority level, and they are then represented on a national council at Funky Dragon. There are lots of children and young people who put in huge amounts of time and effort. If you had staff here from Funky Dragon they would talk to you

about the difficulty in getting it to be representative of all local authority areas at the moment, given where some of the participatory structures are at, and I know that people have been discussing whether Funky Dragon is as effective as it could be. All I would say is that the children and young people who are involved in that process put in a huge amount of time and effort and are very proud of what they have achieved. So, is it truly representative? I doubt anything is ever truly representative. Does it work really hard and do the children and young people participate in that with gusto and real enthusiasm? Yes, they do.

[10] **Angela Burns:** Good morning. I absolutely do not doubt that, as I believe that the people who participate in these events do so with big hearts and really want to make a difference. However, like anything in society, they are going to be the group of people who are very engaged, really understand the whole process or have the opportunity to work with a very motivated group of adults. Reading the report, one of the concerns that I had was trying to really understand from you how much effort is made and where your office goes to hear the voice of the child. You say that you speak for children nationally on important issues, but there is a big difference between an adult saying, ‘This is what I think children need, require and want’ and actually finding out what they do. One of the things I do, as part of the Welsh baccalaureate, is go to all the secondary schools in my patch, or almost all of them, and do a citizenship session—non-political—for about an hour or so once a year. As part of that, I ask pupils whether they understand what Westminster does and what Cardiff bay does et cetera, and I ask them about the United Nations Rights of the Child Convention and the children’s commissioner. It is surprising how many sixth-form children are completely blanked, and those are the ones you say would be in a better setting, perhaps, than children who are educated outside a traditional school setting. So, I really would like to understand what the commissioner’s office does to get to those children, so that what we hear is really their voices reflected back and not what adults think children want, because that has been the downfall that we have had for so long.

[11] **Keith Davies:** May I just follow that up?

[12] Gofynnaf fy nghwestiwn yn Gymraeg. Roeddech yn sôn am y bobl ifanc yr ydych yn cysylltu â nhw. Gwnaeth yr hyn a ddywedodd Angela imi feddwl am hyn: rwyf i’n mynd i ysgolion hefyd i siarad â phlant ym mlynnyddoedd 10 ac 11 sy’n gwneud bagloriaeth Cymru, oherwydd bod y gwasanaeth addysg yn y Cynulliad yn mynd mas i’r ysgolion ac rwy’n mynd mas gyda’r staff. Yn sicr, mae angen siarad â’r bobl yna. Y grŵp arall na sonioch amdano yn gynharach—ac rwyf wedi bod yn cwrdd â nhw hefyd—yw’r cyngor ysgol sydd gan bron bob ysgol nawr. Mae’r cyngor yn cael ei ddewis gan y plant yn yr ysgol ac mae syniadau da gyda nhw. Felly, faint o waith yr ydych chi’n ei wneud gyda’r gwasanaeth addysg yn y Cynulliad, sy’n mynd o gwmpas Cymru, a chydychyngorau ysgol?

I will ask my question in Welsh. You mentioned the young people that you make contact with. What Angela said made me think about this: I also visit schools to talk to children in years 10 and 11 who are doing the Welsh baccalaureate, because the education service in the Assembly goes out to schools and I go out with the staff. Certainly, there is a need to speak to those people. The other group that you did not mention earlier—and I have been meeting with these as well—is the school council that nearly every school now has, and who have some very good ideas. So, how much work are you doing with the education service here in the Assembly, which visits schools across Wales, and with school councils?

[13] **Ann Jones:** That was quite a wide-ranging question there.

[14] **Mr Towler:** Yes. In terms of me personally, I probably spend two or three days of my working week on visits to children and young people. So, that will be visits to primary and secondary schools, but it will also be with look-after children, disabled children, Gypsy/

Traveller children. There are all kinds of visits and they are not exclusively to do with education. So, there will also be hospital visits, visits to Parc prison and young offender institutions—you know; anywhere and everywhere children and young people get a service.

[15] The issues that you begin to touch on in relation to school councils are, I think, really interesting. My reflection would be that there has been something of a revolution in primary schools, which is fantastic, in that school councils and participatory structures in primary schools are working really well. I think that you put your finger on the issue in relation to secondary schools, though. The transition from primary to secondary and the acceptance of issues in relation to the UN Convention on the Rights of the Child remain a big challenge. For example, I know that in Swansea, the local authority has decided to adopt a due regard duty. It is thinking through primary and secondary clusters, and thinking about the journey of children through from primary to secondary education. However, I think that it would be pretty fair to say that some of the school councils that I have been to are, again, pretty much a mixed bag. You go to school councils that are doing fantastic things and achieving brilliant pieces of work, and I have met other young people in school councils who really do not know why they are there, other than the fact that they have to have a school council. So, is this where it needs to be in terms of practice? No, it is not. Is it on a journey towards getting there? I think that it is on a journey to get there, but we certainly have not cracked it.

[16] I suppose that it comes back to the question at the beginning about being truly representative. I do not think that any of our structures are truly representative yet, but they are not in a bad position. What we need to do, I think, is to build on them. The transition issues between primary and secondary education are huge—absolutely massive.

[17] In the work that my office does, it is of course not just me who does the visits. I do not know whether you want to comment, Eleri, but the team is also engaged with children and young people across Wales.

[18] **Ms Thomas:** To answer the question, we are engaged with the education service here, in its work with primary schools and secondary schools, and we are also engaged in the discussions about how the National Assembly for Wales can think about furthering its work on youth engagement. So, we are working very closely with Rosemary, the working group and the education service in looking at how we can best, collectively, think about how we engage with the voices of children and young people.

[19] An additional point that I would add to Keith's points, which is mentioned in the report, is that we do now convene a national event every year for looked-after children from across Wales. We held the event for the second year. We strive continuously to think about how we can actively hear the voices of the 700,000 children we have in Wales, and about what structures and mechanisms there are, and how Keith can visit schools, meet school councils and actively engage with children and young people on a universal level, while at the same time recognising that very particular groups of children have very particular needs. So, it is actually about making sure that we go to groups of disabled children and, as Keith mentioned, Gypsy/Traveller children, and children in the youth justice system. It is a very ambitious task, but we strive, day in, day out, to ensure that the voices of children and young people are absolutely at the heart of everything we do.

[20] **Ann Jones:** Aled has a supplementary question, and then we need to move on.

[21] **Aled Roberts:** Rydych yn sôn bod y broses hon yn datblygu, ond, i ryw raddau, onid yw'n wir dweud bod gwasanaethau ieuenctid siroedd wedi methu â datblygu, a dyna rhan o'r broblem? Mae fforymau **Aled Roberts:** You mentioned that this process is developing, but, to some extent, is it not true to say that county youth services have failed to develop, and that that is part of the problem? Youth fora in the counties are

ieuentid y siroedd yn gysylltiedig â'r gwasanaethau ieuentid, ac maent yn ymateb yn unig i'r galw gan ryw 3% neu 4% o'r ieuentid mewn unrhyw sir. Felly, nid yw'r ieuentid sy'n ymwneud â gwasanaeth ieuentid yn cynrychioli ystod eang y plant a'r bobl ifanc yn ein siroedd.

linked to the youth services, but they only respond to the demand from some 3% or 4% of young people in any given county. So, the young people who are involved with the youth services do not represent the wide range of children and young people in our counties.

09:45

[22] **Mr Towler:** I think that that is true. The statutory youth service provision—what we used to call 'youth support'—and the participatory structures that we have in Wales can become reasonably self-selecting, and that is one of the dangers that Eleri alludes to. So, if you are prioritising a piece of work around disabled children and young people, which is what we are trying to think through at the moment—and I have been meeting with deaf children and young people—you have to make a very specific decision to target particular groups of children and young people around issues, because I do not think that these children are hard to reach. Our mechanisms and processes make it hard for them to participate and reach out, so you have to make a deliberate effort to think through issues such as, 'What children and young people do we need to talk to in order to get a pretty good picture of this issue?'—whatever it is that you are looking at. Of course, the participatory structures will help in some of that, and the youth service, statutory and voluntary, has done a fantastic job in the work that it does. However, if you really want a complete picture, you have to make the effort. You cannot rely on those participatory structures because some children and young people will not want to get involved, either. There is a real opt-out and a real feeling of 'I'm not going to get involved in any of those things'. You have to work quite hard to make some of those discussions meaningful.

[23] The other thing that we need to recognise is that it is hard work, so if you are going to engage in a participatory piece of work with children and young people, it is not something that you can just click your fingers and make happen. You have to put some effort into making it happen, and I think, sometimes, we are guilty collectively of not thinking about exactly how big a task that is—bringing an individual or a group of children together. They might ask, 'Why does the commissioner want to meet with us?' or 'Why does an Assembly Member want to meet with us?', so it is about supporting them through that process, finding out what it is they want to say, supporting them afterwards and giving them feedback. That is a fair amount of work.

[24] The other thing that the office has noticed is that we are getting more organisations coming to us for advice on participation practice, so organisations like the Children and Family Court Advisory and Support Service Cymru, Cadw, and all kinds of organisations in all kinds of fields are beginning to ask what kind of participatory practice they should be developing. Where are they going for that advice? They are coming to the office of the children's commissioner. Now, that is okay, but in terms of the investment that we are putting into participatory practice, should we really be relying on the commissioner to provide that kind of support? We are quite willing to do it, but I think it does raise a question about how seriously we are taking participation practice. This goes back to the Chair's questions around Funky Dragon—'What do we want the national assembly for children and young people to look like?', 'How do we want to support it?' and 'How are we going to get children and young people to access opportunities to speak out?' What do we need to do for organisations that are coming from a good place and thinking about how they want to develop their own participatory practice, and where do they go for support if they have never thought about these things before?

[25] **Rebecca Evans:** You have quite an army working for you: 25.2 full-time members of

staff. In your report you mention your management team, but I was hoping that you could give us a breakdown of your other roles, so that we can better understand the way that your office works, and your priorities. Could you also tell us about your investigations and advice officers, because it would be interesting to compare your resources with the resources that others undertaking casework roles, such as Assembly Members, have access to?

[26] **Mr Towler:** The army of people is based in two offices. I did not realise that I had an army, but that is good. They are based in Swansea and in Colwyn Bay. We have a management team, obviously, and Eleri is the deputy children's commissioner, but she is also the chief executive officer, so Eleri is the lead officer in the team. The management team has a head of operations called Andy Wallsgrove, who manages two functions. So, we have a team of policy officers—four members of staff—and we have four investigation and advice officers. Tony Evans is the corporate services lead, covering finance, governance and accounting issues. Amanda Evans is part of the management team, too—she provides the human resource element to our work—and Rebecca Griffiths is our head of communications, and she has another member of staff. So, that just about sums up the functions.

[27] In terms of the investigation and advice work, there are four posts. We work a duty system, so they are available on the freephone and freetext number 9 a.m. to 5 p.m., Monday to Friday. They take calls as and when they come in and handle all the individual casework. They work very closely with the policy team. In terms of the way in which we allocate the work that comes in, we have two main internal processes. We have a weekly allocation meeting, so issues will come in through the casework service that might be more of a policy issue or a strategic issue that might not be casework. We also have an external relations group that copes with all of the invitations for the commissioner to go to conferences, events, school visits and other things. The mechanisms that Eleri oversees manage the team. Eleri might want to add to that. So, that is the way the structure works.

[28] **Rebecca Evans:** I see that your spending on administration has increased by £100,000 since last year. Could you explain how that has come about?

[29] **Mr Towler:** We are constantly looking at how we can try to make savings in the work that we do. The vast majority of our expenditure—nearly 70% of it—is related to staff costs. I am looking at some figures around the difference in relation to stationery and administration costs. We have had to pick up some maternity covers. I am not entirely sure that I understand the administrative bit. Can you add to that, Eleri?

[30] **Ms Thomas:** It is more about the accounting procedures in terms of where figures lie. I confirm that we continue to make efficiency savings year on year, and we have significantly changed the operational costs of our corporate services. I will come back to you with a detailed response to that individual question. However, I want to reassure the committee that our operational costs are prioritised on the delivery of our services, and we have been making efficiency savings on all aspects of corporate services costs and non-operational costs in terms of our delivery.

[31] **Rebecca Evans:** Finally, are you concerned at your staff sickness levels, which are at 9.7%, compared with an average of 3.8% in the public sector?

[32] **Ms Thomas:** We are highly concerned about our reported sickness rates, and that is why I have been working with our human resources officer. We have a very clear programme of work to look at how we address that. I am pleased to say that our current sickness levels are running at 3%. Regarding the 9% of reported cases, you referred to our staff team—they work as hard as an army, but they might not be as numerous as an army—and, certainly, when you have such a large team, which is small in lots of ways, a couple of long-term sicknesses skew those rates quite significantly. We are very clear that we have an absolute

commitment to the wellbeing of our staff. We have ensured that we have a programme of staff improvement and staff surveys. Staff wellbeing is absolutely central to everything that we do, and I can reassure you that the health and wellbeing of our staff is paramount to everything that we do.

[33] **Angela Burns:** I heard what you said about having four caseworkers and your reply to Rebecca Evans, but I want to try to explore the bite of those caseworkers. You and I have discussed this in the past that my view is that the children's commissioner has a strong role to play in understanding systemic failures. Three of the examples of the work of your team are examples that all of us as Assembly Members will have dealt with as casework. The school transport one is interesting, because you are looking at how legislation fits in. You will recall that I brought a case to you a couple of years ago, and I am very proud to say, Chair, that finally the public services ombudsman has just produced a report, because we had the door shut in our face over child neglect by everybody. What I am keen to understand—because I do have a problem with this, to be honest, children's commissioner—is just how systemic a project you are prepared to undertake. Again, I can remember—if it was not last year, it may have been the year before—that there was a bit of a rowing back and of 'We have to look at the big picture; we cannot look at the small, individual cases'. However, it is very often by going into the small, individual cases that you can really unearth the absolute mountain of horror that can be hiding.

[34] **Mr Towler:** Yes. A lot of the bigger pieces of work—the systemic pieces such as 'Missing Voices', on independent professional advocacy and the state that that is in—would be driven by lots of the casework evidence. So, supporting individual children and families through the casework and working quite closely with the policy team informs and helps to inform what the corporate plan and the annual work plan look like. The work that we did on independent professional advocacy, in terms of the evidence that we were gathering, came through the investigation and advice service. So, when calls or enquiries come into the office, the way in which an investigation advice officer would respond—if it is a parent or a grandparent—would be to talk to the child and to find out what the child wants in all of this. What we found out with looked-after children, with care leavers, and children in need, is that one of the questions that a case worker would ask would be, 'Have you got an advocate? Do you know what an advocate is?', and the answer to that would be 'no'. That was being fed through to the policy team until we had sufficient evidence to suggest that we might need to get the commissioner to review this. Then a recommendation from the team comes to the commissioner, based on that kind of work.

[35] **Angela Burns:** That is how the work on school transport came about.

[36] **Mr Towler:** Yes, that is how the school transport work came about. In terms of the systemic work, going right back to the remit issues of the children's commissioner, that is the kind of trick and the art of the children's commissioner: to use the various avenues of information that come into the office, not just through the casework team, to inform how we would take on particular pieces of work. It is why we are doing pieces of work now that are looking at short breaks for carers of disabled children and young people, and access to mainstream education for disabled children. These again came through the kinds of issues that we pick up from working through the individual casework, as you said. So, on the bite, because I think that one of the things that you were interested in was the bite bit, caseworkers—this on the individual cases now, rather than thinking about the systemic—work to understand what the child is saying or thinking or doing in relation to all of this. Then we will try to bring people together to resolve the issue in the easiest possible way. Sometimes these things get quite fraught and can run over a period of time, as we all know; sometimes they are very easily resolved. I think that there is—I would not call it bite, but I think that there is still some respect for the role of the children's commissioner. So, if a caseworker gets in touch with a head of children's services or a headteacher to talk about a



specific issue, the fact that a caseworker from the commissioner's office is getting in touch does provoke a reasonably good response, and I think that we are able to deal with quite a lot of individual cases very well.

[37] The big issue, though, is how we use that systemically. That is why the working relationship between our policy function and the investigation and advice function is so important. I think that Andy's management of that, as the head of operations, allows us to make sure—because the team is based on two sites, but it is a small team and it is a really busy team, and the key is to make sure that we do not lose sight of those systemic issues, and that they are shared appropriately across the team. When there are only 20 or 25 people, you think, 'Well, that must be quite easy to do', but in the day-to-day run of things, it is easy for things to become lost, and I think that is what the management team function is all about: making sure that we do not lose sight of whether we are picking up systemic issues, which might be locality based or might be for a particular group of children, such as disabled children across Wales, or Gypsy and Traveller children across Wales, or perhaps issues are only arising in Pembrokeshire, and so you would ask why they are happening only in Pembrokeshire. So, that kind of thing is what we try to do, but it is not only contained in the work that we do as an office; it is about what other stakeholders are bringing to us. So, we will do practice exchanges on particular areas of work. Yesterday, I was at a meeting with designated liaison officers from local health boards, talking to them about children's health and what issues are arising. That information also gets drawn into how we think through what the priorities are going to be.

[38] **Ann Jones:** We are halfway through the meeting. We have had half an hour and we have not moved beyond the first set of questions. So, we are going to move on. Aled do you want to ask questions on Operation Pallial?

10:00

[39] **Aled Roberts:** Rwyf eisiau symud ymlaen at Ymgyrch Pallial ac adolygiad Macur. Roedd cryn dipyn o feirniadaeth flwyddyn yn ôl ynglŷn â faint o gymorth a darpariaeth cwnsela oedd ar gael. Roedd gwrthdaro rhwng Llywodraeth Prydain a Llywodraeth Cymru ynglŷn â phwy oedd yn talu am y cwnsela, os rwy'n cofio'n iawn. A ydych chi erbyn hyn yn fodlon efo natur y ddarpariaeth ac a yw'r holl gwestiynau ynglŷn â phwy oedd yn talu wedi'u setlo?

**Aled Roberts:** I want to move on to Operation Pallial and the Macur review. There was a quite a lot of criticism a year ago regarding how much assistance and counselling provision was available. There was conflict between the UK Government and the Welsh Government regarding who should pay for the counselling, if I remember rightly. Are you now satisfied with the nature of the provision and have all the questions regarding who should pay been resolved?

[40] **Mr Towler:** Yes, at the beginning of Operation Pallial in particular—and I know that you know this well—it was a difficult time, particularly when so many calls were coming through and so many assessments of real support being identified. I would say that I have maintained quite close links with Operation Pallial through its strategic coordinating group. I have been really impressed with the way in which the north Wales local authorities have worked together to provide counselling services. To my knowledge, the provision of counselling services has been good. The reports that we have had through are really very encouraging. There was an issue about funding. I think that has been resolved. In fact, I am pretty sure that I am right in saying that has been, in terms of counselling support, extended for another three-year period. So, in terms of looking ahead, I think that we are in a reasonably good position. It is not very often that local authorities and social work, in particular, get the credit that they deserve, but I have been very impressed with the way in which the north Wales authorities have responded and, indeed, linked with authorities in England and elsewhere where victims were coming forward who were living in care homes in

Wales in the 1970s and 1980s but who now live in other parts of the UK. Stepping Stones has provided some really good counselling services. My understanding is that the funding issues are pretty well resolved. Any risks to that are debated at the strategic coordinating group, and, again, I have been impressed by the kind of strategic thinking that has gone on in terms of the support for victims.

[41] **Aled Roberts:** Mae'n debyg y dylem aros am yr adolygiad llawn ac i'r holl achosion gael eu dwyn o flaen y llys cyn i ni ymateb yn llawn, ond a oes unrhyw wersi y dylai Llywodraeth Cymru fynd i'r afael â nhw hyd at rŵan, lle yr ydych chi yn y cwestiwn? **Aled Roberts:** It seems that we should wait for the full review and for all the cases to go before the court before we respond fully, but are there lessons that the Welsh Government should deal with up until now, as far as you are concerned?

[42] **Mr Towler:** To be honest, we were into completely new territory when this all blew up. Just from my own position, I asked the Welsh Government for an additional £20,000 so that we could cope with work that was coming in. The Permanent Secretary and the First Minister responded very quickly to me. I think there may be some lessons around the relationship between local authorities and the Welsh Government. I think that you are right, though. Until Operation Pallial has completed its work it is very difficult at the moment to draw any real conclusions until we have had a proper opportunity to look at all of this. I still support what we were talking about right at the beginning, that is, not just Operation Pallial, but thinking through what is happening with Yewtree. All of the lessons from all of these historic cases need looking at at the right time. It is too current and operational now for that to be the case, unfortunately. We just need to wait that out. I think there may well be some lessons, particularly from when we were looking at paying for counselling services and it was pretty fraught. I do not think that anybody understood really who had responsibility for what. I remember sitting in my office in Swansea making various phone calls to the Government in Westminster and to the Welsh Government and to local authorities and feeling a bit like a ping-pong ball in trying to get an answer from somebody, and recognising that, at one point, it felt like we were holding it until we could get some resolution about an announcement on Operation Pallial. When that was happening, it was absolutely fraught and it really did not matter, in my office, what your job title was: everybody was an investigation advice officer for that period and everybody pulled together to make that happen. I think that there are some lessons from that period that we would want to look at, but now is probably not the time.

[43] **Ms Thomas:** I think that it is the reflection, really, and that is why the central component of this year's annual report is about listening to children, and that comes back to the Chair's first question about the importance of the office and of learning the lessons. The lessons from the Waterhouse tribunal were central to making sure that children had an independent avenue to go down and to talk to someone if they had concerns about their safeguarding. If anything, we need to remind ourselves, before we hear the outcomes of the work of Pallial and Macur, that listening to children and young people is as important as ever and that we all have a collective responsibility to do so. On the calls that came into the office, there was something about the way that we presented the office that weekend in November that meant that people were phoning the office for the very first time, wanting to talk about abuse they had not talked to anybody in their families about. Remembering that and why the commissioner's office was established and also the importance of independent advocacy for children and young people, and making sure that children and young people have a trusted adult whom they can talk to, is the legacy that we need to hold firm as we go forward.

[44] **Aled Roberts:** There were also examples of people who had been adults for 20 years who were still not listened to.

[45] **Ms Thomas:** Absolutely.

[46] **Mr Towler:** Yes, and in some of the conversations that I had with some of those adults, they were reflecting on what happened to them as children, but the injustice that they held about not being believed or listened to was as real as the abuse that they had suffered. When they were getting in touch with the commissioner's office, at that time when we were trying to work this out—the words Pallial and Macur did not exist when all of this was going on—it raised a lot of questions about how we cope with things. I am genuinely proud of the way in which my team responded at that time. It was two weeks the like of which the office has never had before, and I hope it never has that again, but I am proud of every single member of my team who stayed on the phone talking to people and gathering information, in the hope that we would pass it on to a police operation that we did not know would be called at the time. I am very proud to have been associated with the team at that time, because I think that they did a really good job.

[47] **Ann Jones:** Are you happy with that, Aled?

[48] **Aled Roberts:** Yes.

[49] **Ann Jones:** Given that we are still awaiting the outcomes, we will wait and perhaps return to that. Bethan, you have some questions around the Welsh Government's overarching approach.

[50] **Bethan Jenkins:** Yes. I have read your section about the reshuffle and what the Government does. My concern is that now there are two Ministers for tackling poverty, a Minister for education whom you will need to be talking to, and Gwenda Thomas as well, and, obviously, you will need to speak to Ministers generally, because it affects children across the board. You seem to be quite diplomatic in saying that you want the Government to focus on child poverty and to keep the UNCRC in mind, but I feel that sometimes it is just a token gesture and that it is a tick-box exercise. Some Ministers do not even carry out child-rights impact assessments. As an office, how will you make sure that children are at the heart of everything they do, when we know that, with budget cuts here and in local authorities, that will become increasingly more difficult than it currently is?

[51] **Mr Towler:** Thank you for the question. I share your concern. I think it is quite difficult, given the spread of ministerial portfolios at the moment. Jeff Cuthbert is now my link Minister. As a team, when the last reshuffle happened, we were trying to work out who had responsibility for what and who owns the vision for children and young people across the Welsh Government at the moment. You alluded to the UN Convention on the Rights of the Child, the Rights of Children and Young Persons (Wales) Measure 2011 and the child-rights impact assessments. We have rehearsed here, and I have rehearsed through the scrutiny of the Social Services and Well-Being (Wales) Bill, what I thought was a pretty poor effort at child-rights impact assessing a people-centred approach.

[52] Everything that we are doing in policy terms at the moment is trying to remind Welsh Government about the centrality of a child poverty approach, and about making sure that children are at the heart of what we do. I am concerned that the people-centred approach for the Social Services and Well-being (Wales) Bill will predominate an adult-centric agenda that will put children's services at risk. I am concerned that the taking away of the status of the child in need and replacing that with assessment and eligibility criteria that we have not yet seen might raise thresholds that would remove access to services for children that are currently given. From a CRC point of view, I think that the child rights impact assessment work, which I know Welsh Government has worked really hard to do, is a work in progress. I think that you are right to say that there are some examples where a child rights impact assessment has been good and has developed a good response. I think that there are others that are pretty tokenistic, if I am honest. We still have an awful long way to go to embed the

rights Measure in the way in which we want it to happen.

[53] I think that Ministers expose themselves to criticism on the due regard duty at the moment, because I think that it is very difficult for some of those child rights impact assessments to evidence properly that due regard has been taken on board in the way that it should. It has meant that, in the scrutiny of the Social Services and Well-being (Wales) Bill, I think that I have been quite outspoken, and I think that Gwenda Thomas, as the Deputy Minister responsible, has been quite robust in her response to me. I think that the rights Measure changes the nature of the relationship between Welsh Government and the commissioner. The holding-to-account function, I think, is beginning to become much clearer through the child rights impact assessment work, but I think that we must do some work around the role and the remit of the children's commissioner. I think that we have allowed ourselves to miss a bit of an opportunity to look at the legislation and the role and the remit for the children's commissioner as we have developed the rights Measure and other things. I have called for a review of the role and function of the children's commissioner.

[54] So, I think that you are right to put your finger on it. I think that we have an awful lot of working through to do. I think that the child rights impact assessment work is a work in progress, but it really has not got to where it needs to be, and I have been quite critical.

[55] **Bethan Jenkins:** I guess that my frustration is that many young people, as has already been mentioned, do not understand their rights in the first place. My feeling would be that we need a proper youth assembly for Wales that is elected, like the one in Scotland, so that young people are empowered to understand what their rights are, so that they can bring their complaints to Ministers more effectively. As elected representatives, we can speak to young people, but unless they know what their rights are, a change of policy will not be a motivational tool for Ministers, because they are not hearing those complaints from the young people themselves. They will hear it from other sectors of society much louder, and they will listen because they know that they have a louder voice. Therefore, how do you measure this? For example, the Older People's Commissioner for Wales said that she will use her powers to take on the Government. Will you use your powers to take on the Government, or do you not think that you have enough powers, when it does not have due regard for the UNCRC?

[56] **Mr Towler:** I use the powers that I have as children's commissioner, I think, as effectively as I possibly can. Although we raised it at the time that it was going through scrutiny, we did not look at the impact that the rights Measure would have on the role and function of the children's commissioner. Huw Lewis, who was the Minister at the time, famously said that the commissioner has the tools in the box that he needs to hold the Government to account in relation to due regard. I do not think that we have ever looked properly at the tools in the box to see whether they are fit for purpose in relation to what is happening. Remember that the legislation for the commissioner is of its time. It is now 12 years' old. At the time, we did not have an executive Government and a National Assembly, and we did not have these kinds of scrutiny committees. The holding to account function has changed, the legislation has moved on, and there are developments happening in Westminster for the commissioner in England—all of which, I think, builds quite a case for taking a look at the role, remit and function of the Children's Commissioner for Wales. I do not think that that legislative remit is as sharp as it could be.

10:15

[57] Having said that, in terms of doing what we can do as an office, we will continue to speak out on those issues as boldly and as abruptly as we can, particularly as things go through scrutiny process. I have been as outspoken as I can possibly be about the child rights impact assessment work. I have asked to meet with Ministers and officials; I had a really good meeting with Jeff Cuthbert and we have agreed that we will sit down and work through that.

We need to do that. The fact that it has not happened up until now is not for the want of trying.

[58] **Bethan Jenkins:** He was the Minister who did not carry out that impact assessment, so I am pleased that you are talking to him now, because that is the disparity that we were worried about as a committee.

[59] **Mr Towler:** I think that you are right to be worried about it. Any work that we can do collaboratively on helping the Government to do the best thing that it can by the due regard duty would be very welcome from my point of view.

[60] **Lynne Neagle:** The committee has been having a bit of dialogue with the Government about the CRIAs, particularly on the need for them to be made public. I wondered to what extent your office is involved in looking at the CRIAs. Is it something that you routinely look at when one is published, or is it just if you are particularly interested in an area?

[61] **Ms Thomas:** We are doing three separate things. First, we are working with both the Government and officials in relation to the general child rights impact assessment process and we have been engaged in trying to review and further getting a more robust system in place. So, more generally, we are doing everything that we can with officials to try to get a better process. We also, in routine examples where legislation and guidance has been proposed, request copies of child rights impact assessments. Sometimes they are forthcoming and sometimes they are not, but we will continuously ask for those documents. What we also have been doing is being more proactive, working with officials when we know that they are about to start to do an impact assessment, guiding them through the process. Our office has been writing impact assessments for particular areas of work and sharing those with Government, to try to promote good practice on how they can be completed more satisfactorily and to better effect. In essence, what we are all looking for, in relation to the impact of the measure, is ensuring that our policies and legislation development is trying to achieve better outcomes for children.

[62] **Lynne Neagle:** In relation to the fact that CRIAs are sometimes not forthcoming, are you able to give us an example of when that has been the case? Where there is reluctance to provide you with the CRIAs, what does your office do to continue to put pressure on the Government to make that available?

[63] **Ms Thomas:** I would not like to quote the ones that have not been forthcoming, but I will come back to you, Lynne, on that. Certainly, we will continue to raise the issue, both with officials and Ministers in order to receive those. However, I think that the transparency and publication of the impact assessments is absolutely vital, and we would be in complete agreement with the committee in trying to make sure that the Welsh Government actions that point.

[64] **Mr Towler:** May I just add to that? Eleri is absolutely right and we will come back to you on some of the specifics. However, this is not just a ministerial issue; this is about the way in which officials are working. I think that it would be pretty fair to say that, in terms of some of the working relationships that my office has created with officials, just like any other set of organisations, there are really good working relationships and there are ones that need a bit more effort. I would not want you to think that this is about Welsh Government officials not listening to what the commissioner says. There are examples where we have sat down with officials, worked through why we think something is not as good as it might be, have had a pretty robust discussion and they have gone away, thought about it and revised things. I am thinking particularly about the carers Measure and young carers. The work that officials did to recognise what we were saying about the impact of the carers Measure on young carers,

and to really impact-assess what that meant, was really robust and they came back with something that was much, much better.

[65] So, it is not all doom and gloom. That is what the work in progress bit is about. This was a large undertaking; the Welsh Government made a number of promises and it is still very much a work in progress and we are not quite there yet. It is about the formal relationship and the question of whether all child rights impact assessments should come to the children's commissioner and, if they did, what would be the expectation in terms of what the commissioner would do with those. Is that part of a process that enables Government? Is it giving it to us subsequently? We have not had those kinds of discussions. Those are the kind of discussions that we need to have.

[66] **Ann Jones:** We are going to move on to some of the core aims that you cite in your report. We have about 10 minutes and more than 10 questions. I appeal for brief questions and answers, please.

[67] **Mr Towler:** I will just say that, if we do not get through them all, you can send them to us and we will respond.

[68] **Ann Jones:** We were going to do that anyway, but I want to try to put as much on the record as I can. You are not getting away scot free. [*Laughter.*] Do not think that, because you are answering your questions very fully, you are not going to get to the ones that you do not want to answer, because we will get to those.

[69] **Mr Towler:** There is no such thing as a question that we do not want to answer.

[70] **Ann Jones:** I am sure that there is not. Anyway, Aled is going to show us how quick questions are done.

[71] **Aled Roberts:** Yn ystod y dystiolaeth ar y gyllideb, roeddwn yn synnu bod y Gweinidog wedi dweud y llynedd y byddai'r dystiolaeth ar yr asesiad o Dechrau'n Deg ar gael ym mis Mawrth. Maent wedi dyblu'r arian sydd ar gael o dan rhaglen Dechrau'n Deg, ond nid yw'r asesiad llawn ar gael tan mis Rhagfyr. A oes gennych unrhyw bryderon ynglŷn ag ar ba sail o ran ymarfer da mae'r rhaglen hon yn cael ei ehangu?

**Aled Roberts:** In evidence on the budget, I was surprised that the Minister said last year that evidence on the assessment of Flying Start would be available in March. They have doubled the funding available under the Flying Start programme, but the full assessment will not be available now until December. Do you have any concerns about the good practice basis on which this programme being expanded?

[72] **Mr Towler:** I welcome, generally, the investment in targeted support. I think that one of my issues is about the national direction on parenting support, more generally. I have visited Flying Start projects and can see the success of the work that is going on. There is a kind of frustration for me with the fact that it is not universally reached. It is a bit like the universal views of children and young people. It is the same kind of principle really. It is working incredibly well in targeted areas. However, on its reach, universal parenting support always worries me.

[73] **Aled Roberts:** Your report is critical that this national guidance has not yet been issued. What is your understanding of when that guidance will be issued?

[74] **Mr Towler:** I do not know. Eleri, have you had any information?

[75] **Ms Thomas:** No, we are still awaiting confirmation and we will continue to push for

it.

[76] **Aled Roberts:** I would like to ask one more brief question. There is reference in your report regarding services for children whose parents are imprisoned. What are your expectations of the work that you will be carrying out in that field?

[77] **Mr Towler:** I was blown away. I would recommend that everybody goes to Parc prison and takes a look at the family unit that is working there and the impact that it has on children in families who experience a father in prison. It has taken a completely child-centred approach, working closely with schools and other support networks in the community for children who are involved in these kinds of cases. I cannot remember the number off the top of my head, but it staggered me how many children were involved in this. The work is just stunningly good. In terms of the resettlement issues for adult offenders, it works well, but in relation to maintaining stable community and family links with children—children understanding a period of imprisonment, the fear of your father being in prison and working that through—it is remarkable. The other comment that I have is that, if you have the opportunity to go to Parc prison to take a look at that family unit, go to have a look at it. It is as good a bit of family provision that I have seen in any part of the public sector. It screams child-friendly, and you would forget that you were in a prison. The impact that that has when you are a child walking into that environment just says, ‘You are welcome here and we really want to work with you and work through the issues that you are experiencing’. So, it can deal with very complex individual issues around what is going on in families. It can be very supportive to children and it helps children and young people understand what is happening in the family dynamic. It creates some real stability in a very chaotic and difficult time.

[78] **Ann Jones:** That was quite good. [*Laughter.*] Both of you were good. Let us see if you can get a very good; go on, Keith.

[79] **Keith Davies:** Mae gennyf nifer o gwestiynau am addysg. Mae’r cyntaf yn ymwneud ag unedau atgyfeirio disgyblion. Rydych yn sôn eich bod yn mynd i weithio arnynt. Beth yw’r gwaith rydych yn mynd i’w wneud? **Keith Davies:** I have a number of questions on education. The first relates to pupil referral units. You say that you are going to work on those. What is the work that your will be undertaking?

[80] **Mr Towler:** I visited some pupil referral units around Wales as part of my visit programme. I have been impressed by what young people say in pupil referral units. Remember that these are young people who can be very challenging at times, who have not had the best educational or life experiences. These are children who are not easy to work with, in the main. However, it is where I hear children and young people talking about teachers and social workers ‘changing my life’, ‘saving my life’ and ‘this is what I have achieved’. I have spoken with Ministers for education about the focus on attendance and attainment and I have looked at Estyn reports, and I think that there are times when we completely overlook issues in relation to safeguarding and wellbeing. So, the purpose of the pupil-referral-unit work is to directly get from children and young people in pupil referral units what it is that they think keeps them safe and helps them to learn and what outcomes they want to see from their own educational experience. So, it is a piece of work that I am really committed to doing within my term, and it is to try to build up a sense of ensuring that we do not lose sight of how important safeguarding and wellbeing are in our educational establishments. Doing that work in pupil referral units will give me some pretty strong evidence.

[81] **Ann Jones:** Are you happy with that, Keith?

[82] **Keith Davies:** Yes.

[83] **Ann Jones:** Angela, do you have a question?

[84] **Angela Burns:** Yes. I noted, as did Keith, that you are going to do this as a future piece of work. Will you also be making any commentary about or looking at the fact that the Edinburgh report clearly said that some 90% of children educated outside of the traditional school setting have some form of learning needs? Would you class that as being part of a wellbeing agenda, or do you see that as an educational need that has to be looked at separately?

[85] **Mr Towler:** I think that it is probably a combination of the two things. It is quite a complex area, and I suspect that we will probably pick up some of this in the work that we do on pupil referral units. I have been visiting a number of schools, and we have been having discussions with children and teachers about additional learning needs—how they are described and met, what children perceive the additional needs of classmates to be and how all of that works through. It is quite a complex and really interesting area.

[86] **Angela Burns:** Having common definitions across the whole piece for special educational needs and ALN would be very good.

[87] **Mr Towler:** Absolutely. That would be perfect. What I hear from teaching staff and social work staff is about the role of inspectorates in this and in helping them to understand what our practice should be. If inspectorate work from Estyn is about helping people to develop practice, common definitions and acceptance of ideas around developing good practice are what the inspection process needs to focus on. What I am picking up from teachers is that the—I will use the word—obsession with attendance levels and attainment levels is losing sight of some of the more complex issues that schools are dealing with and not getting much recognition for, and that is quite a demotivating thing within school settings. So, I think that there is something about recognising the complexity of this work, particularly around additional learning needs and wellbeing and safeguarding, and if we manage to focus on that, the obsession with attendance levels will take care of itself. That is what a lot of teachers tell me, because there would be pupils and families who would come to school because they would recognise that that is where they would get their needs met, rather than filling a register, making sure that people come there and putting up huge posters about targets for attendance levels. That is a big switch-off for families. So, it is more complex. It is an issue in relation to education but also an issue in relation to wellbeing.

[88] **Ann Jones:** Keith, you have some more questions on education.

[89] **Keith Davies:** Rydych chi wedi gwneud nifer o sylwadau ar y Bil addysg newydd a'r plant sydd ag anghenion addysgol arbennig. Beth yw eich pryderon mwyaf yn yr ardal honno? **Keith Davies:** You have made many comments on the new education Bill and children with special educational needs. What are your greatest concerns in that area?

[90] **Mr Towler:** They are what I have just outlined, really, which is that sometimes the relationship between education and children's services in social services can be quite fraught. It can be quite difficult, and some of that is about recognising, as teachers would, that social workers in children's services departments are as busy as anybody, that the threshold for a child protection or safeguarding incident is quite high and that children who would be presenting issues of neglect or of challenging behaviour might be left to be dealt with wholly within the school setting because they cannot forge a practical referral to children's services, even though they might recognise that children's services is absolutely up to its ears in work.

10:30



[91] So, even though that is recognised as difficult, and with children's services and education working in partnership to try to resolve those issues, on a day-to-day basis, it still means that there are lots of schools and lots of classrooms dealing with quite challenging issues. I think that the level of frustration that teachers feel is due to the lack of recognition of the work that goes on. So, lots of schools that I visit spend an awful lot of time talking about reaching out to families, communities and other partners, and that work is time-consuming. It is really important work and it is important for children. However, there is a concern that when the inspectors arrive, all of that work to create a really good learning environment is almost overlooked for the fact that, actually, the school only has an 85% attendance rate, without taking into account any of the context that that school is working in. I think that there is a real level of frustration there that we need to be a bit more honest about.

[92] **Keith Davies:** Beth am ofynion ambell i berson ifanc? Bellach, mae Estyn yn edrych arnynt cyn eu bod yn dod o hyd i sefyllfa sy'n ddigon da iddyn nhw. O dan y Bil newydd, bydd hynny efallai'n gyfrifoldeb yr awdurdod, ond mae rhai pobl sydd wedi rhoi tystiolaeth i ni wedi dweud nad ydynt yn credu bod arbenigedd gan yr awdurdodau i wneud y gwaith mae Estyn yn ei wneud nawr.

**Keith Davies:** What about the demands of those young people? Currently, Estyn is looking at them before they get a placement that is good enough for them. Under the new Bill, that may become the responsibility of the local authority, but some people who have given evidence to us have stated that they do not think that there is sufficient expertise in the authorities to undertake the work that Estyn is currently doing.

[93] **Mr Towler:** I would share that concern. There are some real issues of complexity around what individual children and families are presenting. I think that it is very difficult for teaching staff to be expected to have all the skills required to provide the support for children and young people, remembering that, however difficult those referral procedures are, it is still going to be the school where the child turns up every day. So, you can intellectualise that that is a problem, but the practical reality is that the child is still there, coming back to school the following day, and a whole new day starts and you are going to have to try to cope and manage with that. It is quite a frustrating issue.

[94] **Ms Thomas:** It is also worth saying that you visit schools that really do focus on pupil wellbeing and you see the results of that. I think that we should also not underestimate the impact of school-based counselling and the importance of young people being able to access aspects of emotional support within the school. There are real examples where schools get it so right, because they have that absolute understanding that wellbeing is at the centre of helping children attain, develop and prosper.

[95] **Mr Towler:** One of the things that we were talking about yesterday with colleagues in health was about the provision of child and adolescent mental health services. I do not know whether you have questions on CAMHS, but there was a lot of discussion about the various levels and tiers of support and recognising that tier 1 and tier 2 support for children probably happens in a school setting.

[96] **Keith Davies:** Rydych chi hefyd yn sôn am y drafferth o ffeindio lle mewn ysgol sy'n gallu ymateb i blant sy'n anabl, a bod plant ambell waith yn gorfod symud ysgol. Pa dystiolaeth sydd gennych ynglŷn â hynny?

**Keith Davies:** You also talk about difficulties in finding a place that is responsive to disabled children, and that children sometimes have to change schools. What evidence do you have regarding that?

[97] **Mr Towler:** That is a piece of work that we are currently doing, looking at access issues for disabled children and young people in mainstream education. So, maybe this time next year, when we are in committee, I will be able to talk about that, and we will have the

evidence for it. I suppose that it comes back to the point that Angela made earlier. The issues that have come through the casework service have triggered a systemic response from the office of the children's commissioner to look at a particular piece of work around access to mainstream education for disabled children.

[98] **Ms Thomas:** Could I just add that the pupil-referral-unit work, the work on disabled children in education and work on short breaks are all elements that we are currently working on? So, if Members would like to find out more, or if I can provide you with contacts for the people working on those within the team, I am absolutely happy to do so. They are very live pieces of work and they very much want to respond to your point, Angela, around individual concerns, while also taking a systemic look, so that we can provide the evidence.

[99] **Ann Jones:** We are running over time, Keith. Are you okay for the next 10 minutes?

[100] **Mr Towler:** Yes.

[101] **Ann Jones:** If we could just whizz through and have short questions and short answers, because we have a number of areas that we want to cover. Bethan wants to cover mental health and CAMHS and then Lynne as well. We will do that and then see how we go.

[102] **Bethan Jenkins:** I just have a specific question on CAMHS, so I will not be very long. You said in your previous annual report that you intend

[103] 'to robustly scrutinise the progress of CAMHS across Wales over the coming year',

[104] but in this report you say that you intend to undertake a distinct piece of work with children and young people to find out what they want from CAMHS. Can you tell me what work you did following on from your previous annual report to robustly scrutinise, so that I can understand that fully, and what that distinct piece of work referred to in this report will look like? I am not clear as to what that is at the moment, so can you tell me so that I can understand how, perhaps, we can engage or encourage young people to be involved in the process?

[105] **Mr Towler:** In terms of the work that we have done on CAMHS, in the entire time that I have been the children's commissioner, we have been pretty active in trying to maintain a focus on access to CAMHS for children and young people. Again, it has been a kind of work in progress that we have taken on with successive Ministers all the way through. That work, in relation to monitoring how school-based counselling services are working, is about talking to children and young people who access those services and to see how that is happening, through to meetings like we had yesterday with the local health boards' designated liaison officers around maintaining a focus on how CAMHS are delivered. We have seen some progress in some geographical areas, but not in others. I think that it would be fair to say that we still have not cracked it.

[106] In terms of the work that we want to continue to do, yesterday there was a really useful comment from somebody that the CAMHS label itself is actually becoming a bit of a problem in accessing services. It has made me think through how we might try to talk to children and young people about the level of support that they feel that they need and at what times. A lot of stuff has come out of the school-based counselling work in terms of the evaluation and what children and young people are feeding back, which is really very encouraging, notwithstanding the fact that there are still one or two isolated examples where children feel that they are not getting the service that they want. So, it is something that does not go off our radar. We will continue to just work it through.

[107] **Bethan Jenkins:** It was just because you said 'a distinct piece of work'; so, I want to

understand what that will be. Obviously, it is a massive area and there are lots of gaps and problems between tiers, so I just want to understand where you will be specifically looking at.

[108] **Ms Thomas:** The distinct piece of work is to find out the views of young people specifically; so, it is actually going back to the work that we do in all of our areas of work, but specifically this year identifying what children and young people who are experiencing emotional difficulties feel about how they can get support and where they turn to. So, it is a distinct piece of work to look at the voices of children and young people, and, going back to the very first questions around how the office looks at making sure that we are informed by the views of children and young people at all points, there are times when we will go to look for those distinct views from children and young people.

[109] **Mr Towler:** The other bit about the age-inclusive approach—the kind of people-centred approach—on most of this is that, actually, I think that we feel that unless we have those kinds of targeted pieces of evidence from children and young people, as you were saying earlier, to shout loudly for children and young people, we are going to be consumed by the adult-led agenda on those kinds of things. Thinking about young carers, for example, and the high level of reporting from young carers about the levels of emotional distress that they experience on a daily basis, and how those needs are met, is something on which we feel that we did a good job in relation to the carers Measure. However, in terms of the provision of ongoing support for those young people, I do not see, on a day-to-day basis, how those needs are being met. So, keeping the foot on the pedal about this and gathering that information is as important now as it was when I started as commissioner five or six years ago.

[110] **Ann Jones:** I will now bring in Lynne and then Aled.

[111] **Lynne Neagle:** I just wanted to follow up on Bethan's question on CAMHS, so that it is clear for me. When you said that you would robustly scrutinise the progress of CAMHS across Wales in the coming year, you were saying that that was not a specific piece of work, and that that was what you do on an ongoing basis.

[112] **Mr Towler:** Yes, and we had those kinds of seminars with colleagues in local health boards. We have done particular practice exchanges that pick up issues in relation to CAMHS provision; so, it feeds into the work in progress that the office takes forward. It is always something that is there for us as a team. It is like one of the foundations on which we would build our practice exchange work: how do children and young people access services when they are in distress?

[113] **Lynne Neagle:** So, this distinct piece of work with children and young people, is that meant to be a more systematic evaluation of what the services are delivering across Wales, so that you will be able to come back next year to tell the committee, 'Services are weak here, services are strong here and this is what we need'? Is that what that is going to look like?

[114] **Mr Towler:** Yes, and I think that we could probably tell you off the top of our heads what we think that kind of assessment might look like now. We probably would know that, but I think that we would be in a better position next year.

[115] **Ms Thomas:** The only thing to add that we have not mentioned in relation to CAMHS is that there is a focus on the provision of CAMHS to young people in the youth justice system. That is an ongoing area that we continuously monitor and on which we engage with local health boards, the youth justice board and Welsh Government. That is an area that we are very clear is a key priority.

[116] **Lynne Neagle:** I have just one other question on the national service framework for children and young people. Yet again, it seems that there has been no progress. Those of us

who have been on the committee for quite a long time are used to sitting here and seeing the same topics cropping up and thinking, ‘Oh no, here we go again.’ I would just like to understand—you are clearly trying on this, but not getting anywhere—what exactly is going on that means that it is not possible to progress what should be a discrete piece of work that should impact on the delivery for children?

[117] **Mr Towler:** I cannot get answers out of Welsh Government. If you could get answers out of it, I would appreciate it, because I think that the NSF has become some kind of nondescript issue that people are not being honest about. We are just not getting responses.

[118] **Ms Thomas:** I would say that we need honesty and a response that acknowledges what we all fear, that the NSF is no longer a driving force. It is a valuable route and a significant, positive element, but we share absolutely your frustration and concerns, and I think that we would welcome some honesty from Welsh Government.

[119] **Mr Towler:** We have rehearsed at this committee before that, if we implemented the NSF, we would not be having half the conversations that we are having now. I think that I said at this session last year that I just do not understand where we are with the NSF, and I am no further forward than I was 12 months ago. I am sorry that that is a depressing answer, but that is where I am.

[120] **Ann Jones:** No, we need to know those things.

[121] **Aled Roberts:** Rwyf i eisiau mynd yn ôl at CAMHS, achos rwy'n meddwl bod nifer ohonom yn rhwystredig ynglŷn â'r methiant i wella'r gwasanaeth. Os oes gennych asesiad o ddiffygion, yn ddaeryddol, byddai hynny o fudd i ni, achos rwy'n meddwl bod y pwyllgor yn mynd i fynd ymlaen i weld beth yn union sydd o'i le efo'r gwasanaeth hwn.

**Aled Roberts:** I just want to go back to CAMHS, because I think that a number of us are frustrated by the failure to improve the service. If you have an assessment of where there are deficiencies, geographically, that would be of benefit to us, because I think that the committee is going to go on to look at exactly what is amiss with this service.

[122] **Mr Towler:** I think that we could probably provide you with a bit of a briefing now.

[123] **Ann Jones:** That would be good.

[124] **Mr Towler:** Shall we write to you with where we think we are in relation to CAMHS and share with you what information we have, where we have it and what our initial assessment is, notwithstanding that we are doing further work on it? Would that be helpful?

[125] **Ann Jones:** That would be very helpful, Keith. Thank you.

[126] **Ms Thomas:** We would welcome the committee taking forward some work on CAMHS. I think that that would be really helpful.

[127] **Ann Jones:** We will, provided that the legislation does not keep flowing out.

[128] I am going to have to say thank you very much, because we have already gone over time. There are a number of questions that Members had on play, leisure and culture, treating children with respect and race and cultural identity, safe homes and communities, and issues like youth justice as well, poverty, and also your future work and new priorities for the rest of your tenure. There is then a list of things that you are going to send us: some details on your administrative budget, a note on CRIA and some more information around Keith's questions. We would also be very grateful to receive that briefing on CAMHS. That is something that

we will move forward. Thank you very much; we thought that we were going to get it all done in an hour. [*Laughter.*] I think that I will upgrade Aled to 'very good'. Thanks for your report. We look forward to you coming back with a report that has some positives in it next year. Thank you, and thank you, Eleri, as well.

10:44

**Papurau i'w Nodi  
Papers to Note**

[129] **Ann Jones:** If committee agrees, we will have a five-minute break, but we need to note some papers publicly. I see that the committee is in agreement.

10:45

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r  
Cyfarfod  
Motion under Standing Order 17.42 to Resolve to Exclude the Public from  
the Meeting**

[130] **Ann Jones:** I move that

*the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42.*

[131] I see that the committee is in agreement.

*Derbyniwyd y cynnig.  
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10:45.  
The public part of the meeting ended at 10:45.*