



Children's Commissioner for Wales

Annual Report and
Resource Accounts
for the period

1 April 2007 to 31 March 2008

Annual Report

Foreword from the Children's Commissioner for Wales

I feel very proud to be writing this foreword to the first Annual Report since being appointed as the Children's Commissioner for Wales. I took up post on 1st March 2008.

I would like to pay tribute to my predecessor Peter Clarke for his work. Peter has set solid foundations in championing children's rights in Wales, and it is a great honour for me to continue the work that he began. I would also like to pay tribute to Maria Battle and the whole staff team who continued and built upon Peter's work during the interim period before I was appointed. I have seen first hand their dedication and the influence they have in improving the lives of children throughout Wales. I feel confident as I begin my seven year term in office that I have a dedicated, passionate and committed set of people in my staff team.

In my first five months I have met with children across the whole of Wales and many dedicated adults who work with them to safeguard and promote their rights and welfare. I have listened carefully to what they have to say. Repeatedly I'm told how things need to improve on the ground for children and how funding for projects that make a real difference in children's lives must be secure, sustainable and easy to access. I keep hearing how we must tackle child poverty and make a real difference to the life chances of vulnerable children; how we must invest in children's emotional wellbeing from the start of their lives; how we must support families; how we need to make sure that children can participate in and are supported in their communities; how children must be allowed to play and learn in a variety of settings and how we must work to provide opportunities for children to grow and prosper in a Wales that respects and values them. I also hear a strong message that I should work hard to change what appears to be a general hardening of attitudes towards children and young people.

It has become clear to me that I can best serve children in Wales by concentrating on the areas where I can make the most difference. For this reason I will be taking forward the work of the Commission in a strategic way, identifying themes of work which I would like to take forward in partnership with others who share my concerns.

In June this year the four Children's Commissioners in the UK gave collective evidence to the United Nations Committee on the Rights of the Child about the UK State Party's record on child rights compliance. At the same session some articulate and well informed young people from Wales also gave evidence. Wales can take real pride in its progress and record in implementing the UN Convention on the Rights of the Child. Even so there is a gap between policy intent and practice on the ground and so I want to see a focus on closing that gap. I'm also concerned that the UK Government has not responded in a real and substantive way to many of the UN Committee's concluding observations in 2002 and still has much to do to become fully compliant with the UNCRC particularly in areas like the abolition of physical punishment of children, in the area of youth justice and the treatment of children seeking asylum. Whilst I applaud the commitment that the Welsh Assembly Government has taken on child rights I will be monitoring carefully the UK State party's response to the UN Committee's concluding observations later this year.

As the new Children's Commissioner I will continue the work to raise the profile and delivery of child rights in Wales. We have a lot of progress to build on but there is still so much to achieve.

Keith Towler
Children's Commissioner for Wales and Accounting Officer
7 August 2008

Management Commentary

Introduction

A Children's Commissioner is someone who speaks up for children and young people and their rights and helps strengthen and improve the systems there to protect them and enable them to fulfil their potential. The establishment of such independent human rights institutions for children in many countries throughout the world is considered necessary because:

- sometimes children's rights are ignored, or forgotten about
- children lack economic and political power
- sometimes children don't get what they need
- sometimes children are at risk

The post of Children's Commissioner for Wales – the first of its kind in the UK - was established by the Care Standards Act 2000. The Children's Commissioner for Wales Act 2001 broadened the remit and set out the Commissioner's principal aim, which is to safeguard and promote the rights and welfare of children in Wales.

During the period covered by this report the role of Commissioner was undertaken by the Deputy Commissioner, Maria Battle, following the death of the previous Children's Commissioner for Wales. On 1st March 2008, Keith Towler took up his post as the new Commissioner, having been appointed by the First Minister of the National Assembly for Wales after being interviewed by children, young people and adults.

The Children's Commissioner's team works to help make sure that children and young people in Wales:

- are safe from harm and abuse
- get the opportunities and services they need and deserve
- are respected and valued
- have a voice in their communities and are able to play as full a part as possible in decisions that affect them
- know about their rights and the United Nations Convention on the Rights of the Child.

The main client group is everyone aged 18 or under living in Wales, or who normally lives in Wales. However, the Children's Commissioner can also act on behalf of older young people under certain circumstances – for example if they have been looked after by a local authority. If there are implications for today's children and young people, they can also investigate things that happened to adults when they were children. Under the legislation that established the Children's Commissioner for Wales there is a duty to:

- have regard to the UN Convention on the Rights of the Child in everything he and his team do
- make sure that children and young people know where his offices are and how to contact him and his team
- encourage children to contact him and the team
- ask children what they think about his work and future work, and allow them to influence the work programme
- make sure that he and his staff go and meet children and young people.

The work isn't confined to what are usually considered to be children's issues, like health, education and social services. Planning, transport, the environment, economic development and rural affairs also fall within the scope of the role.

The Commissioner can:

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

There is also an important additional power to consider and make representations to the National Assembly for Wales about **any matter** affecting the rights and welfare of children in Wales.

The Children's Commissioner is committed to:

- making sure that children and young people know where his offices are and how to contact them
- encouraging children to get in touch
- asking children what they think about the work and future work, and allowing them to influence their work programme
- making sure that he and his staff go and meet with children wherever they are
- paying particular regard to children who are 'hard to reach', vulnerable, subject to social exclusion or marginalised in some way
- the United Nations Convention on the Rights of the Child, having regard to it in everything he and the whole team do.

The Commissioner's staff are based in offices in Swansea and Colwyn Bay, but work all over Wales.

Among the work conducted and services provided are:

- an advice and support service for children and young people or adults who are concerned about their rights and welfare
- policy and service reviews, for example of systems and arrangements in place for children's complaints, advocacy and reporting malpractice
- a bilingual website and electronic methods of maintaining a dialogue under the banner Backchat/Atebnôl
- the School Ambassadors scheme
- events for children and young people to allow them to influence and help prioritise the workplan of the Children's Commissioner and his team
- consultation work with children and young people
- visits to schools, local groups and projects and a presence at larger events
- a targeted programme of workshops with children and young people from vulnerable or 'hard to reach' groups
- influencing activity aimed at government at all levels and the general public
- a range of activities designed to promote awareness of children's rights and in particular the United Nations Convention on the Rights of the Child.

Summary of activity during 2007-08

The Children's Commissioner for Wales Regulations 2001 Section 5 requires the Annual Report to contain a summary of action taken during previous financial year and any representations made pursuant to section 75A - including representations made as to the range and effectiveness of the Commissioners powers.

A detailed outline of a range of work involving children and young people, influencing policy and practice and giving advice and support is provided in this section. There were in addition a number of areas where representations were made regarding specific issues, and these are described below:

Asylum seeking children and young people

A number of representations were made pursuant to section 75A of the Children's Commissioner for Wales Act 2001 in respect of children seeking asylum, their detention and transportation, healthcare and overseas student fees. There were some welcome changes in the provision of healthcare but a disappointing response to the suggestion that asylum seeking children should not be charged overseas student fees if they have been educated in Wales. The law prevents them from working and the higher fees prevent them from continuing their studies, despite in many cases being offered places to study for degrees, including in law or medicine. We are continuing to make representations to influence a change in policy among institutions in Wales.

Representations were also made about the detention and treatment of asylum seeking children and intervention was necessary in several cases (see section on advice and support service for further information).

Suicide prevention strategy

The CCfW Annual Review 2006-07 called for a national suicide prevention strategy. The need for one became clear with a number of suicides of young people in the Bridgend area. There was also a very real concern that media coverage of these deaths could be exacerbating the problem and so we wrote to all media outlets asking for more responsible reporting and met with the Chair of the Press Complaints Commission (PCC). We also liaised with leading academics in the field of suicide prevention and the impact of the media and shared our learning with Welsh Assembly Government and Sir Christopher Meyer of the PCC. While being mindful of the need to ensure that others took the work forward, we assisted with the setting up of a national group to work jointly on producing a suicide prevention action plan. We also raised concerns over lack of secure funding for essential services in the area.

We have been in discussion to see how we can assist the scheme to pilot Child death Reviews based on CEMACH model preventable factors in child suicide as well as central data collection. It is expected that we will continue to be involved in these reviews in future years.

Child and Adolescent Mental Health Services (CAMHS)

In previous Annual Reports and the Commissioner's Annual Review each year, attention has been drawn to the inadequacy of provision of mental health services for children and young people. In the last year we have provided evidence to the joint review of CAMHS by the Wales Audit Office (WAO) and Health Inspectorate Wales (HIW). We also published our own report of a scoping exercise with CAMHS professionals – *Somebody else's business* – and have contributed evidence to the review of Health Commission Wales by the Wales Centre for Health. We are concerned that the WAO/HIW review has been going on for much longer than expected and await publication of the report with interest

Somebody else's business reported on the findings of our scoping exercise with the Designated Liaison Officers (DLOs) identified as the links with CCfW following a recommendation of the

Carlile report, *Too serious a thing*. We met with DLOs in each LHB and NHS Trust to review the implementation of the CAMHS strategy *Everybody's Business* at a local level. Our report was published in November 2007, and was sent to the Welsh Assembly Government, Welsh Ministers, Health Commission Wales and Assembly Government officials.

The key findings were:

- Varying levels of LHB understanding regarding their responsibilities for Commissioning Tier 3 and Tier 4 CAMHS (especially where there is a prior diagnosis of learning disability) despite the clarity in the Health Commission Wales (HCW) documentation. This leads to delays in decision-making about treatment and placements for children, whose health deteriorates while they wait.
- Non-recurrent funding for CAMHS compared to adult mental health services, non-recurring SaFF (Service and Financial Framework) targets and issues around the funding of Community Intensive Treatment Teams
- Variable practice across Wales in CAMHS assessment of children and young people who have self harmed
- Children and young people with learning disabilities and a mental illness are excluded from CAMHS services - including those commissioned by HCW
- Variable practice across Wales in terms of access to CAMHS for young people aged between 16 and 18 years, and who are not in full-time education
- Safeguarding issues, and service provision for the children of substance misusing parents

National Attendance and Behaviour Review (NBAR)

This is an area which affects children's experiences every school day. CCfW staff attended the steering group in an observer capacity and were able to represent children's rights in this important context. It has proved to be an important opportunity to work with colleagues across all areas of education.

The statutory powers of the Children's Commissioner for Wales

There remain circumstances when the Children's Commissioner for Wales' powers are insufficient to safeguard some children's rights. These are connected with areas of policy and legislation that are not devolved to Welsh Assembly Government such as youth justice, actions of the police and courts and most functions of the Home Office. The Children's Commissioner for England has even fewer powers and is unable to act for these individual children.

Representations were made in order to extend the Commissioner's powers and legal advice was commissioned to assist this process. The scrutiny process for the Vulnerable Children and Child Poverty Legislative Competence Order (LCO) was used an opportunity to raise this issue with the LCO committee in the Assembly and in the Welsh Affairs Committee in the UK parliament as well as with the Children's Ministers of both England and Wales, the Under-Secretary of State for Wales and the All-Party Parliamentary Group on Children in Wales.

New legislation and the Government of Wales Act 2006

The Government of Wales Act 2006 increased the legislative role of the National Assembly for Wales and also introduced a clear separation between Welsh Assembly Government or Welsh Ministers and the National Assembly for Wales. As would be anticipated, there has been a considerable increase in our involvement in consultation or providing evidence directly related to proposed legislation that may impact on children's rights and lives in Wales.

Several of the Legislative Competence Orders (LCOs) – which involve applying to the UK government for additional powers in relation to specific policy areas - and Measures have the potential to directly affect children's services and their enjoyment of their rights and a considerable proportion of our own resources were taken up with consultation and giving evidence to the committees responsible.

These included:

- Vulnerable children and child poverty (LCO)
- Additional Learning needs (LCO)
- Learner Travel Measure

In order to respond to this new opportunity for improving children's lives in Wales, we recruited to the new post of Assembly Liaison Officer in the autumn of 2007.

Monitoring the implementation of the UNCRC

A significant area of work during the year was conducted as a joint project with the other United Kingdom Children's Commissioner's offices in Scotland (SCCYP), Northern Ireland (NICCY) and England (11 Million). In order to respond to the United Nations Committee on the Rights of the Child's reporting cycle, the four Commissioners agreed to work together to produce a report about how well the UNCRC has been implemented in the UK. Work on this report was still continuing at the end of the financial year, with the final publication date set for June 2008 in line with the Committee's timetable.

The report identifies eighteen key children's rights issues, arising from the concluding observations of the last UN Committee report in 2002, and new matters that children and young people have brought to our attention. The monitoring process continues during 2008-09 with the committee's concluding observations expected in late 2008. It has been, and will remain, a valuable tool for jointly promoting the UNCRC across the UK and has also demonstrated the value of working together on policy and communication projects.

Representations concerning recommendations of previous reports and reviews

Advocacy

Clear recommendations that advocacy should be available to all children in Wales were made in *Telling Concerns* and in the *Clywch Report*. After a considerable period which saw little progress, Welsh Assembly Government announced a major initiative for the provision of advocacy in 2007. We were actively involved in the final planning and consultation for the advocacy strategy and provided a briefing note on advocacy to all Assembly Members in advance of the plenary debate on the strategy.

The newly established Children and Young People Committee of the National Assembly for Wales held an inquiry into advocacy services for children and young people in Wales in late 2007 and early 2008. We presented evidence to the Committee and also helped facilitate groups of young people who had used advocacy services to meet with Committee members. The Committee's report was released in early 2008 and the Welsh Assembly Government published its outline of a new Framework for Advocacy Services in March 2008. We will be monitoring the situation over the next year and have maintained close links with advocacy providers.

Counselling in schools

Recommendations made in the *Clywch Report* regarding the development of an all-Wales strategy for counselling in schools had similarly been causing concern due to slow progress on implementation. We maintained pressure on Welsh Assembly Government and the strategy was finally announced during 2007-08. We played a significant part in its formulation and meetings with Welsh Assembly Government officers took place to consider the detail. We welcome the progress, but remain concerned about accessibility, confidentiality and whether parental permission needs to be obtained.

Independent investigation service

Another recommendation of the *Clywch Report* was that there should be an independent service to investigate allegations of professional abuse of children by teachers. Throughout the year, meetings with the service commissioned by WAG were held which pointed to the need to monitor the correlation between their reports and outcomes of governors' decisions. There is also a need to facilitate the sharing of the lessons learnt and inform good practice nationally

We will continue to closely monitor the effectiveness of this service and the implementation of the Welsh Assembly Government guidance *Appointment of an Independent Investigator by School Governing Bodies for School Staff Disciplinary Proceedings involving Child Protection Allegations*.

Lifting the Lid (on the nation's school toilets)

We have monitored the public inquiry into the e-coli outbreak in Wales which is scheduled to report in autumn 2008. We have also engaged with the Welsh Local Government Association who are undertaking work with the 22 local authorities in Wales in relation to school toilets. A publication is expected in late 2008.

As long as I get there safe (safety on school buses)

Promotion of the recommendations made in this report was facilitated by our response to the proposed Learner Travel Measure. We continue to monitor the progress of this piece of Welsh legislation and its impact on children. We have sought to promote the recommendations of our report and also children's rights throughout the development of the legislation.

Responding to consultations and contributing written evidence

During the year we have responded to Welsh Assembly Government, National Assembly for Wales (and other) consultations, basing our calls on information gathered through our participation, advice and assistance, and communications work as well as on what we believe to be in children's best interests. Throughout the year we have continued to respond to consultations on draft guidance and to undertake reviews.

A full list of consultation responses for 2007-08 is given below. More detailed information on some of these policy issues is given elsewhere in this report.

- Autism Strategy
- BBC Nations Impartiality Review
- Ministry of Justice Forced Marriage (Civil Protection) Act 2007 – Relevant Third Party
- National Assembly for Wales Individual Assembly Member Healthy Eating in Schools Measure
- Her Majesty's Inspectorate of Prison – Consultation on use of batons
- Independent Review of Restraint
- National Assembly for Wales Proposed Additional Learning Needs Legislative Competence Order

- National Assembly for Wales Rural Development Sub Committee inquiry into rural poverty
- Use of Attenuated Energy Projectile (AEP) where children or young people are concerned (Chair of Northern Ireland Policing Board requested response from the Children's Commissioners across the UK jurisdictions)
- Save the Children Guardianship for unaccompanied asylum seeking children
- UK Government Review of Section 58 of the Children Act 2004 ('reasonable punishment')
- Single Equality Bill
- Transfer and Development of Child and Adolescent Mental Health Services in North Wales
- National Assembly for Wales Enterprise and Learning Committee scrutiny of the Welsh Assembly Government's proposed Learner Travel Measure
- Welsh Assembly Government Public Transport Users' Committee
- Welsh Assembly Government Safeguarding Children in Education
- Welsh Assembly Government National Strategy for a School-Based Counselling Service
- Welsh Affairs Committee Provision of Cross-Border Public Services for Wales
- National Assembly for Wales Children and Young People Committee inquiry into Advocacy
- National Assembly for Wales Children and Young People Committee inquiry into child poverty
- Review of Health Commission Wales
- National Assembly for Wales Committee scrutiny of Vulnerable Children and Child Poverty Legislative Competence Order
- National Assembly for Wales Petitions Committee – Consultation on new Petitions system
- Criminal Justice and Immigration Bill
- Welsh Assembly Government Draft Minimum Standards for NHS and Private Dentists
- Safeguarding Vulnerable Groups Act

ICT Strategy for Schools/ Internet Safety

Having responded to the Welsh Assembly Government's draft ICT strategy for schools we have continued to track this important policy area. We are part of an all-Wales group of key professionals who are looking at how to promote effective practice in this area. We still await the revised strategy and associated implementation plan from Welsh Assembly Government.

Special Educational Tribunal for Wales SENTW

Our work with the Special Educational Tribunal for Wales has continued over the past year. Over the past year, independent researchers have been engaged with local authorities, parents and children in a consultation about realising children's right of appeal to SENTW.

Policy issues arising from other sources

We also undertook work and made representations in relation to issues that came to our attention through our advice and support service, due to developments or events in the news or drawn to our attention by professionals. These included:

- School closures across a number of local authorities in Wales
- Text books for visually impaired pupils
- Sexually harmful behaviour
- Forensic Adolescent Consultation and Treatment Service
- Child death reviews
- Medical examination for children who may have been sexually abused
- Consent for photographs in schools and newspapers
- Registration and professional qualifications at residential centres
- Neo natal care

- Special Educational Needs Transport
- 'Mosquito' teenager deterrent devices and their use in communities in Wales
- Access to health services across a range of areas.

Advice and support

The Children's Commissioner for Wales can, as part of his work, give advice and support to children to let them know about their rights and help them express their views and wishes. We can also give advice and information to any person concerned about the rights and welfare of a child, or of children in general.

The Commissioner can assist, including by giving financial assistance in legal proceedings, children and young people whose rights have not been respected. While the powers of the Wales Commissioner's office are wide, there are also things we cannot do – for example, we cannot look into any matter as far as it is subject to legal proceedings or has been determined by a court or tribunal. Also, we cannot duplicate the work of CAFCASS.

The advice and support service is delivered by a dedicated team of staff, supported by expertise from across the organisation and specialist advice from external experts. During 2007-08 the telephone service was available via our main switchboard numbers and was open between 10.00 am and 1.00 pm each day for adult callers.

In May 2007 we launched a new freephone and free text service specifically for children and young people. They can access this service at any time when our office is open (normally 9.00am to 5.00pm, Monday to Friday). An external PR agency was commissioned to handle the launch of the new number and to secure extensive media coverage. They also produced a DVD to promote the service and young people from a local theatre school acted and took part in the launch event which was organised with the involvement of members of our young people's advisory groups.

Cases dealt with by advice and support officers are a valuable source of information. As well as helping to achieve better outcomes, increased protection or redress for the child or young person concerned, individual cases are frequently a pointer towards issues, policies or practices that are causing difficulty.

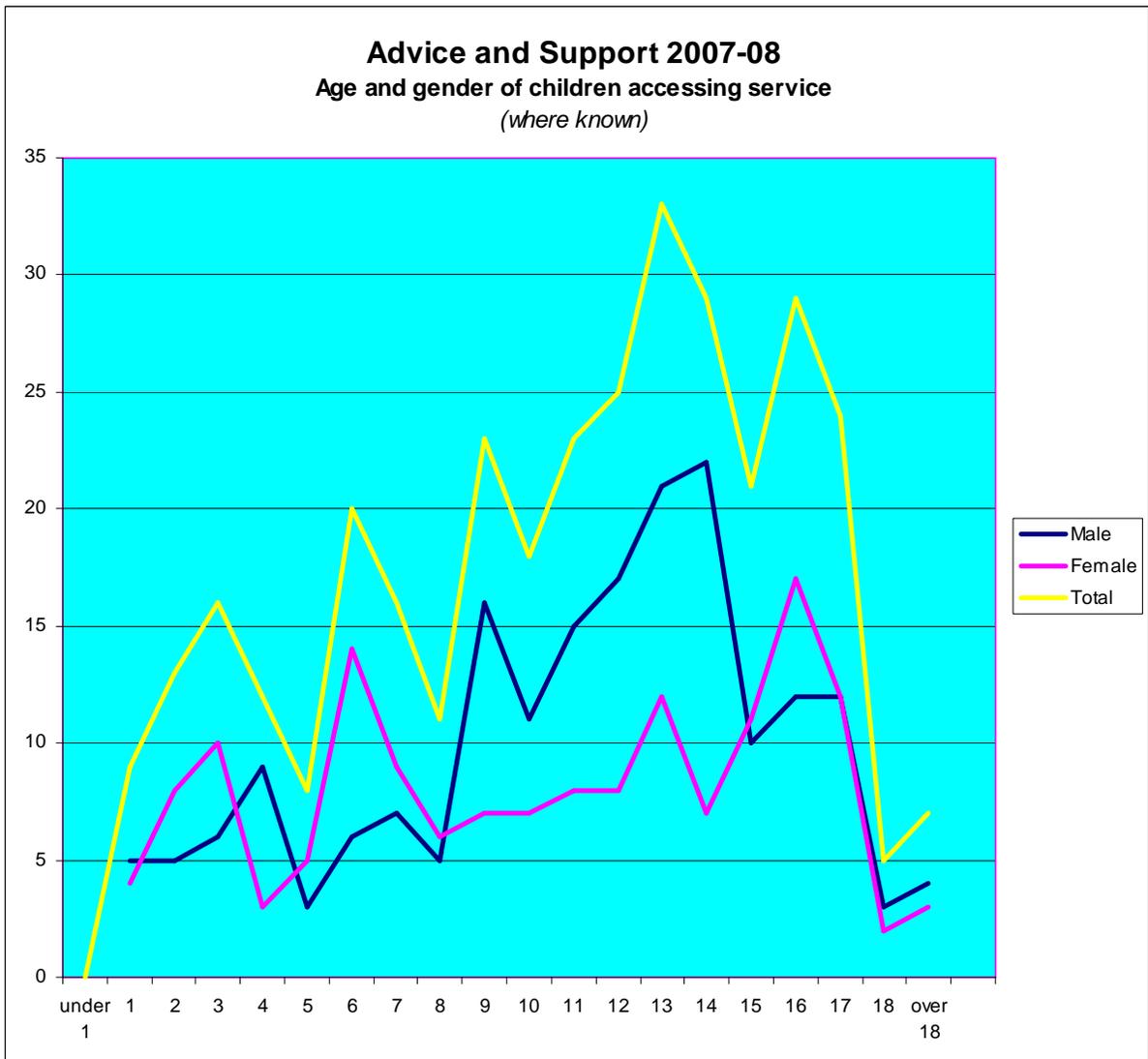
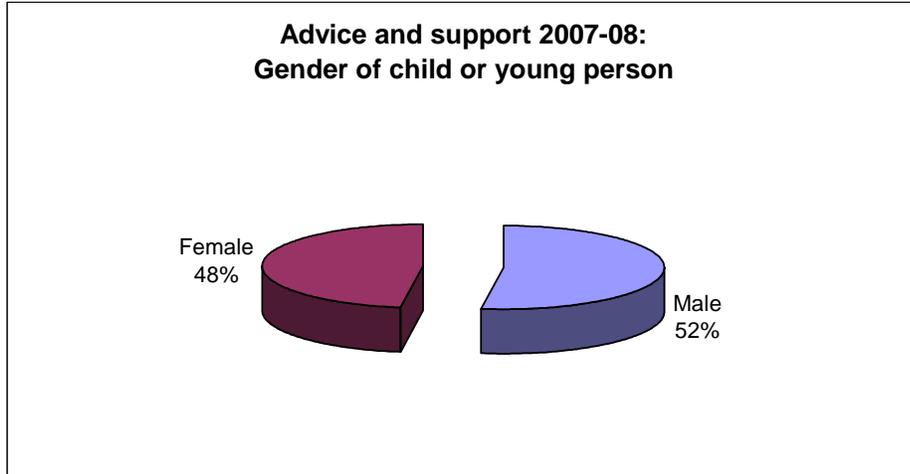
How the service works

We listen to callers, speaking to the child or young person concerned as soon as possible if an adult has called on their behalf. We usually meet with them to get a fuller picture of their situation and their wishes and feelings. After gathering all the information we deal with matters in a number of ways, but we are always solution focused – negotiating, facilitating communication, attending meetings, mediating or advocating as necessary.

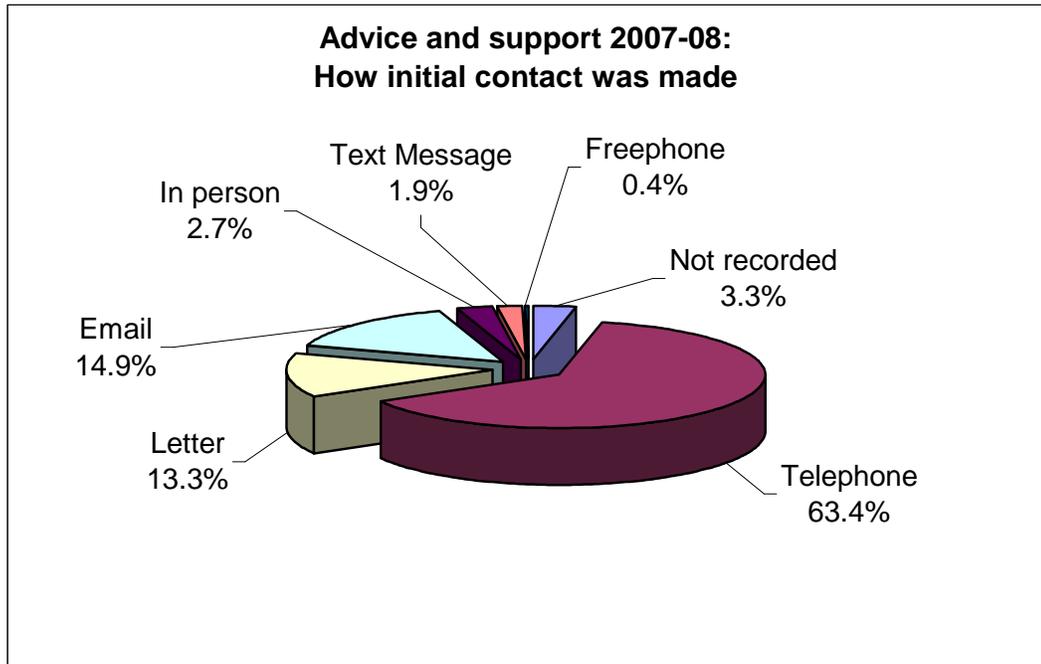
In some cases our intervention will be more formal; using our statutory powers, for instance, by conducting an investigative review into the circumstances of a particular case because it has implications for other children and young people.

Facts and figures

During 2007-08 the advice and support service dealt with 508 cases, acting on behalf of at least one child in each case. Some of these children and young people were signposted to other agencies or sources of advice and support. In 50 cases, we provided advice only, with no further action necessary on our part.

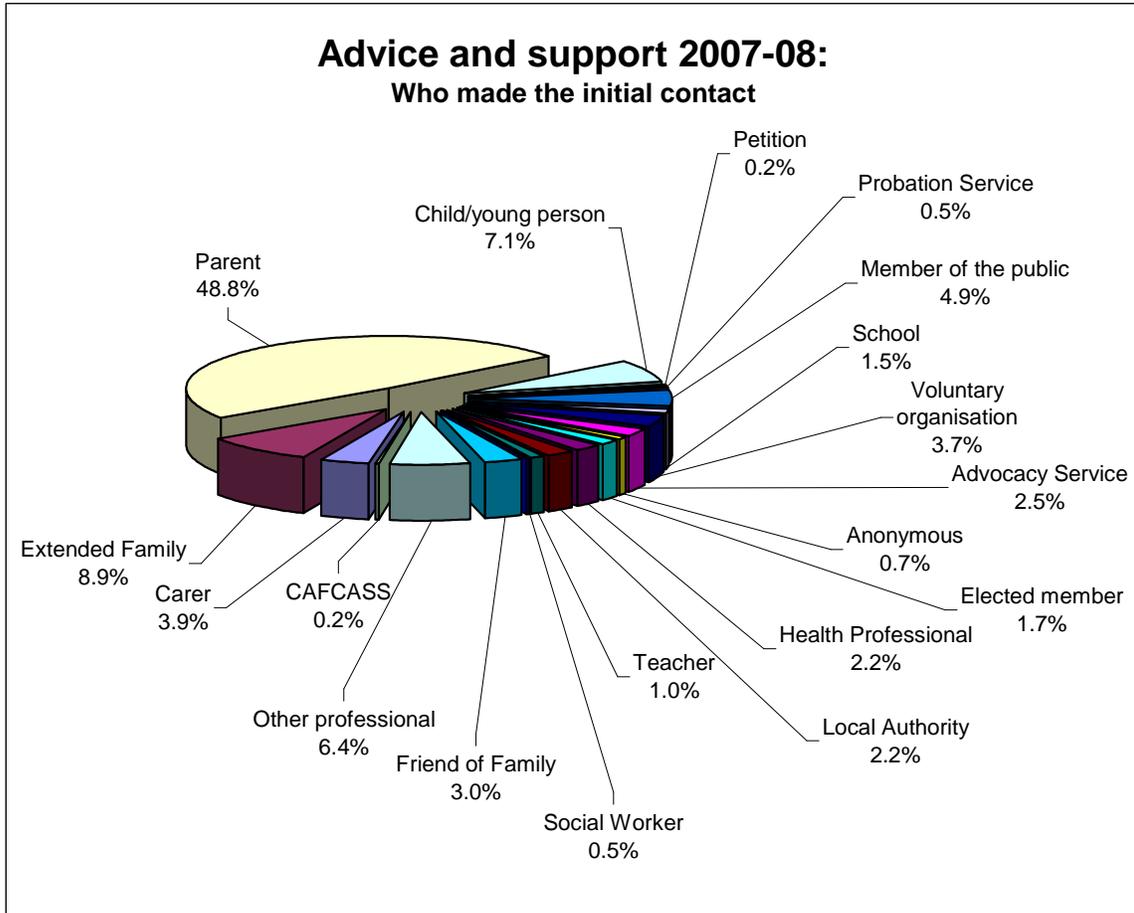


The introduction of the Freephone number and the free text service had some impact on how people choose to get in touch with the service. The majority of cases come to our attention through telephone contact and this has been the case in previous years also. There has been very little change from year to year in the percentages of those writing to us by email or by letter and a slight increase in the number of personal approaches.



As in previous years, it is usually a parent, carer or member of the extended family that contact us first. Children and young people as well as professionals working with them contact the advice and support service. The professionals who get in touch include social services staff, health practitioners, teachers and trade unions. We also receive calls from children's advocates, solicitors, Assembly Members and MPs.

In all cases we will speak to the child or children concerned as soon as possible to make sure that it isn't an adult agenda that is being promoted. In some cases, with the agreement of the child or young person, an adult – either a carer or a professional – will be our main contact point. However, they are always told that we act on behalf of the child or young person and it is their best interests, wishes and feelings that will guide any action we take, rather than the wishes of the adults. It is therefore essential that they are kept informed and are involved in decisions.



Key issues and trends

The past year has seen a smaller percentage of cases received relating to health and education, with social services related calls remaining unchanged. Regardless of these changes, there are clear indications, as in previous years, that children and young people experience difficulties in relation to different aspects of their education as well as children's social services.

Issue	Number of cases allocated 2007-08 (cases may be allocated to more than one category)	Percentage of total cases 2007- 08 (Note: % will add up to more than 100)	Percentage of total cases 2006-07 (where comparable information available)
Advice	50	10%	n/a
Bullying	19	4%	13%
Child Protection	24	5%	3%
Education	188	37%	55%

Issue	Number of cases allocated 2007-08 <i>(cases may be allocated to more than one category)</i>	Percentage of total cases 2007- 08 <i>(Note: % will add up to more than 100)</i>	Percentage of total cases 2006-07 <i>(where comparable information available)</i>
Environment	38	7%	14%
Family Law	48	9%	20%
Health	53	8%	17%
Housing	31	5%	7%
Immigration	30	6%	4%
Legal	1	0.2%	n/a
Social Services	136	22%	23%
Youth Justice	10	2%	3%

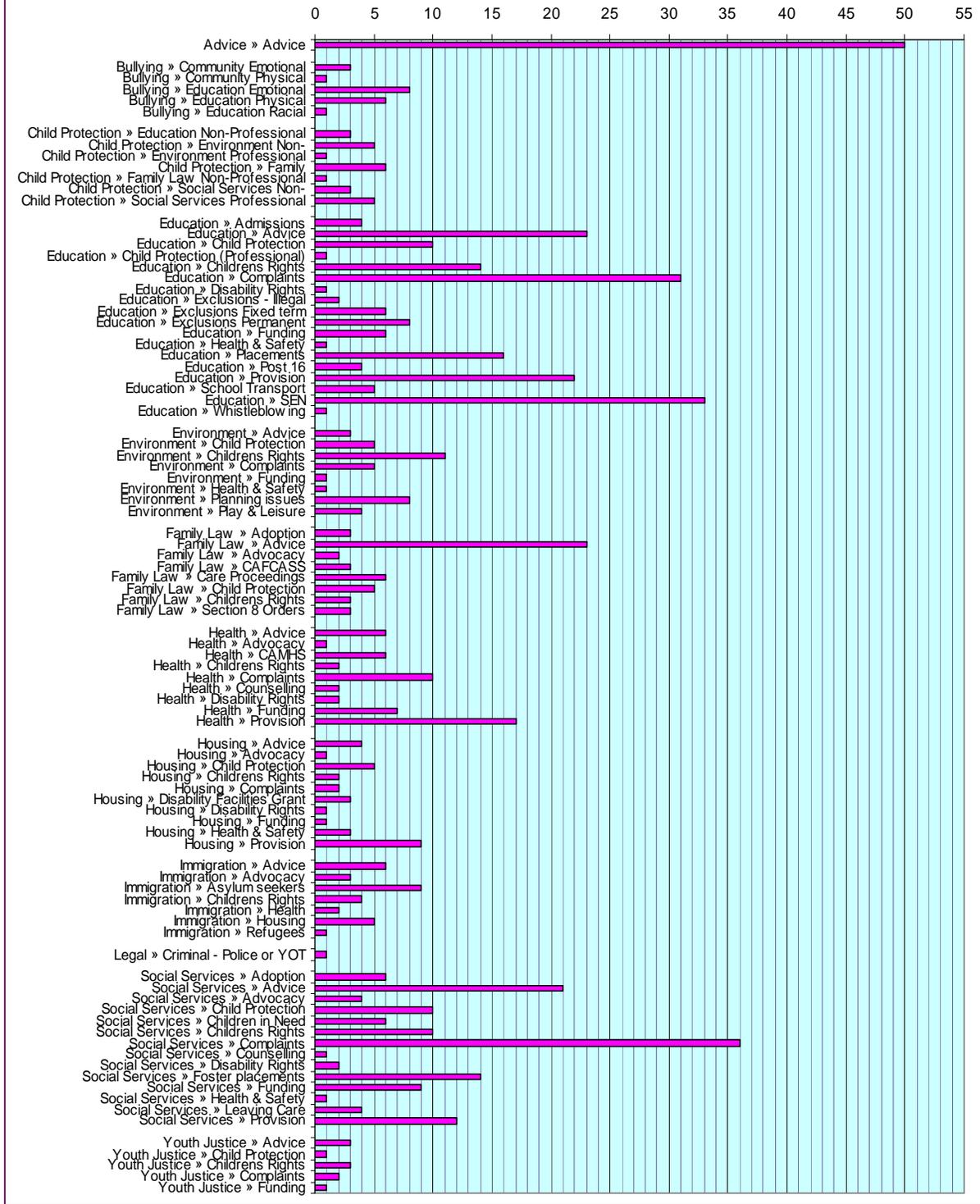
There has been a noticeable decrease in the percentage of cases relating to bullying and to family law. Around 10% of cases required advice only.

By providing advice and support to children and young people and enabling them to express their views and wishes, advice and support officers have impacted on a number of children's services improving access to their rights. These include:

- Services for disabled children
- Promoting children's voices in planning decisions
- Reviewing mental health service provision in the secure estate
- Inspection of therapeutic placement
- Services for young people with diabetes

A full breakdown of the number of cases allocated to each primary and secondary category is given in the table that follows.

Advice and support 2007-08: Number of cases allocated to each issue category
 (Note: an individual case may be allocated to more than one issue category)



Keeping children and young people at the heart of what we do

Maintaining a dialogue with children and young people and people who work with them

How we do it

- visits
- workshops
- targeted programme – vulnerable, marginalised and hard to reach groups
- attending events, Eisteddfodau and youth festivals
- awareness raising and training with adults
- Ambassadors
- Backchat
- website
- our Framework for involvement
- media and promotion

Reaching out to all children and young people

The Children's Commissioner and his staff ensure that by regularly visiting schools and groups of young people, speaking at conferences and attending events, they keep up to date with what children and young people feel is important to them and what is currently impacting on their lives. Through the advice and support service and links with outside organisations and bodies we also get more information about what is causing particular concern.

But ensuring that information is gathered from ALL Wales' children that they genuinely influence what we do and how we do it is a difficult task. For this reason we have developed two communication and participation frameworks: one to inform children and young people about the Children's Commissioner for Wales, the UNCRC and to give them an opportunity to tell us about what's important to them, and the second to really involve them in the work and give them a say in our work programme.

As well as visits to schools, youth groups and forums we have a systematic and targeted programme of work with children and young people who are marginalised, vulnerable or 'hard to reach'. Given the wide geographical area and the broad range of groups involved this means working alongside other organisations and is a long-term commitment. By having different strands or activities that contribute to this programme we aim to have a balanced and inclusive dialogue, ensuring that those who often lack a voice are able to have their say and that other key adults can help to spread the word.

Spreading the word and speaking out on behalf of children and young people

Getting the message across loud and clear is crucial if a children's champion is to be effective. All members of the Commissioner's team have a part to play in promoting our work and what we stand for. We have leaflets and promotional items and use different ways of telling people about our work. Sometimes we use flyers or young people's versions of our reports. Sometimes we run workshops or seminars or give speeches or presentations to explain what we've found out and what we think needs to change.

Children and young people need feedback on what we do with the information they give us and we need to make sure that policy makers and those who can make a difference know about the Commissioner's views and recommendations. At all times we try to reflect what children and young people have told us – not just what we think is in their best interests.

For many years the communications and participation work has focused on maintaining a dialogue with children and young people and making sure that those who were most likely to need to contact CCfW understood why the office exists and knew about children's rights. While media enquiries were plentiful, and we issued press releases to launch publications or publicise events, the majority of media opportunities came from enquiries from journalists. We were very pleased to welcome a new Media and Public Relations Officer to the CCfW team in January 2008. This will enable us to devote attention to promoting the office to the public in a more proactive way and raise the profile of the Children's Commissioner, the team and our key messages more generally.

School Ambassadors

During 2007-08 the Ambassadors toolkit was finalised and produced and the next phase of the scheme began. This meant that 15 schools were part of the first year of the Ambassadors scheme, supported by our participation staff and a downloadable teachers' toolkit provided via our website. The revised scheme is designed to be more cost effective and we're looking into more ways of improving communication and helping the ambassadors and their link teachers in different schools support each other.

The plan is that, resources permitting, 22 schools - one in each local authority in Wales - will join the scheme in the next academic year, with the schools who have taken part so far still being able to be part of the initiative. The added boost given to the creation of schools councils by making their existence mandatory has increased the potential for links between Ambassadors and their school councils, as well as between the Children's Commissioner and the new structures for involvement and participation. However, we will be looking at how the Ambassadors can complement rather than duplicate some of the responsibilities that school councils and school councillors have.

Backchat/Atebnôl and the CCfW website

This email survey group has now been running for six years and is on the verge of a complete overhaul. We'll be involving children and young people in the next steps to take forward the Backchat brand as something that applies to our IT-based dialogue with children and young people. We're also going to be investing in the website – redeveloping it, ensuring that it's a dynamic resource for adults including the media and policymakers, and a site that young people will really want to visit.

The Framework for involvement

A key part of the role of the Children's Commissioner is to make sure that the views and opinions of children and young people are sought about what issues affect their lives. The legislation that set up CCfW also says that they should help decide the Commissioner's priorities and have an influence on how the office functions. We need to make sure that young people have a chance to be involved in our day-to-day work and a way of ensuring that what they have told us is accurately reflected in the influencing activity and policy development of the organisation.

The framework for involvement is essential to fulfilling this duty and we try to ensure that it fits together with the other aspects of our work. All our direct work with children and young people contributes in some way to maintaining a dialogue and identifying issues, but our involvement framework has two main components: advisory groups and a process culminating in our 'What next?' events which gives them a say in setting our future work programme.

Our Advisory Groups

The first generation of young people's advisory groups – one based around the Colwyn Bay office and one in Swansea – graduated during the year. At the end of a year where advisory group members were involved in recruiting to 10 posts, working at the Eisteddfodau and events and on promoting the new Freephone, the end of the two-year term of the original members was marked with a celebratory residential. This included an award ceremony and an evaluation which will inform what happens in the future. The feedback was really positive and lots of the members felt more than a little emotional to be leaving. We wish them all well and hope that they will keep in touch.

As one group was coming to an end, participation officers were also visiting local Youth Forums to recruit the new members. They had their first meetings by the end of the financial year and are getting to know each other and learning more about our work. In coming months they will have recruitment training, help develop our website and design our new exhibition unit. They have a full work programme ahead, but it is going to be fun as well.

What next? events and the prioritising process

The last financial year was a little unusual for the Commissioner's office, so we took a different approach to the What next? process. Since we knew that a new Children's Commissioner for Wales would be appointed soon it seemed like a good opportunity to gather information to help give the new Commissioner some ideas about what his priorities should be. We held two events in January 2008 – before Keith Towler started in post – to find out more about what is good about growing up in Wales, and what could be better. Over 500 children and young people attended the events in Llandudno and in Cardiff. Places were allocated to schools and organisations working with vulnerable or marginalised children and young people to ensure a representative mix.

Information was gathered in two main ways. All those who attended took part in art, dance, rap, and other creative workshops which were focused on the theme of growing up in Wales. CCfW staff took observational notes and some of the raps and songs also recorded what children thought. In addition, a questionnaire was developed based on the UNCRC 3Ps headings (Participation, Protection and Provision). This was also available online via our website and was then analysed using SPSS. We asked everyone to tell us about having a say, feeling safe (or not) and getting the things they need.

The final question on the questionnaire asked if there was anything else children and young people thought the Children's Commissioner for Wales should do to make Wales a better place for children. There were many different suggestions and a large proportion of children and young people – 43% - either gave no response or said that there wasn't anything CCfW could do to improve things. The suggestions with the highest percentage were: improvements to recreation facilities (19%), a better environment (9%), more opportunities to speak or learn Welsh (4%) and stopping bullying or better anti-bullying policies (3.5%). Their pride in their country and culture, and an appreciation of the landscape and environment of Wales was very evident.

During the events we also reported back on progress on our Commissioner's projects selected following the previous What next? events.

Working with others

We maintained our links with Local Health Boards throughout Wales, advocacy providers, children's NGOs and professional associations, as well as with special interest groups and Welsh Assembly Government divisions and Assembly Government Sponsored Public Bodies.

Influencing and networking

We try to influence and change culture, within organisations and wider society, and this needs a broad-brush approach. Members of the Commissioner's team take part and contribute to networks and working groups – often with observer status to protect our independence – making sure that we influence developments and achieve improvement early in the life of a policy initiative or working practice. Having observer status on many working groups means that we were able to keep an eye on progress and developments, but also make suggestions, for example about how the working groups could help children and young people participate and contribute. We also contribute to a number of other networks and groups related to our work.

During the year the groups and networks we were part of, or had observer status on, included the following:

- Wales NGO UNCRC Monitoring Group
- Wales Anti-bullying Network (WAG led)
- All Wales NGO Policy Officers Group
- National Behaviour and Attendance Review
- Estyn's Independent Schools Forum
- All Wales Complaints Officers Group
- End Child Poverty Network Cymru steering group
- 'Sdim Curo Plant!/Children are Unbeatable! Cymru
- National Assembly All-Party Group for Looked After Children
- Welsh Assembly Education and Looked After Children
- South Wales Legal Group
- Stop it Now
- Concordat Steering Group
- Children's Workforce Planning
- Leaving Care Forum
- Children and Young People Specialist Healthcare Services Steering Group
- SENTW User Group
- BINOCC, including sub-groups for Policy, Communication and Participation
- National Assembly Healthy Living Group
- Contact-a-family National Executive
- Children in Wales Forum for Disabled Children
- Policy Group for Disabled Children
- Wales Public Law and Human Rights Lawyers Association
- Family Justice Council
- Parenting Action Plan Working Group (monitoring meetings)
- Grandparenting Working Group (sub-group of above)
- Combating Child Sexual Exploitation working group
- Transitions Action Group (National Autistic Society)
- Foreign and Commonwealth Office Children's Rights Expert Panel
- Development Network for National Information and Advice Services (DeNIAS)
- National Community Child Health Database Expert Group (NCCHD)
- IT Safety Partnership
- All Wales Young People's Organisations (AWYPO - WAG convened group)
- Wales Children and Young People's Participation Consortium/Unit steering group and sub-groups
- South Wales Practice Exchange Steering Group (Children in Wales convened)
- Children in Wales Children's Rights Practice Exchange groups in North and South Wales
- Gender and Political Processes in the Context of Devolution Research Advisory Group
- Participation Workers Group - North Wales(formerly NW Youth Forum workers meeting)

- Wales Participation Workers' Network
- Complaints and Representations Advisory and Implementation Group (CRAIG)
- Swansea Family Court Inter-agency Forum
- Child Protection Policy Forum
- Wales Family Law Association
- Children's Legal Network (UK)

The Deputy Commissioner, Assistant Commissioners and other staff – as well as the new Children's Commissioner once he started in post – spoke at number of conferences and events, ran workshops or training sessions with adults including:

- Launch of NGO UNCRC Monitoring Group report
- Welsh Women's Aid national conference
- SNAP Annual Conference
- Launch of Mid & West Wales CAMHS Child & Family Bibliotherapy Scheme
- This is not a suitcase: an event to highlight the need to stop the practice of using black plastic bin bags for children's belongings when they were moved between foster placements.
- Training on the role of the Commissioner and Children's Rights to student teachers, early childhood studies students, health and social care and other relevant course throughout Wales.
- Training for CAMHS nurses in North Wales
- Social, Emotional and Behavioural Difficulties Association National Conference

Health Liaison Seminars

In the autumn of 2007, we held a series of seminars with the designated liaison officers (DLOs) from all Local Health Boards and National Health Service Trusts across Wales. The purpose of the seminars was to verify the findings of our CAMHS scoping exercise and to discuss neo natal care with DLOs. Feedback from DLOs was positive in relation to the scoping exercise and provided useful guidance as to the final presentation of the key findings. The post of DLO was proposed in the Carlile Report and therefore the DLOs are key contacts for the office as they are our primary points of liaison when cases arise involving individual children and young people. Communication between the DLOs and the office continues as a result of the seminars.

European Network of Ombudspersons for Children (ENOC)

ENOC was established in 1997 and links the independent officers for children in the European countries that have them. During the year we continued to participate in this network and the Deputy Commissioner, Maria Battle and one other staff representative attended the annual conference in Barcelona. This helped CCfW benefit from sharing information, approaches and strategies and learning from the experience of other Children's Commissioners and Ombudspersons. Maria Battle is Secretary to ENOC this year and coordinator of the ENOC working group on children's access to international justice mechanisms. She represented ENOC at the European Ministers of Justice Meeting and made representations on youth justice and children seeking asylum.

British and Irish Network of Children's Commissioners (BINOCC)

The active involvement of the office in this important sub-committee of ENOC has continued. BINOCC has brought many benefits and opportunities for joint working, exchanging information and improving practice. The UK Commissioners for Children and the Ombudsman for Children from the Republic of Ireland meet independently of ENOC every two months. Sub-groups

working on policy and on communications and participation have met regularly during the year and worked jointly on work such as joint monitoring of the UNCRC in the UK. Staff from each of the offices are also able to co-ordinate work and share resources and learning on a day-to-day basis. A new BINOCC sub-group for staff working on complaints and investigations was also established during the year.

Promoting the United Nations Convention on the Rights of the Child

Promotion of the UNCRC and children's rights continued throughout the year, with a programme of training sessions in colleges throughout Wales as well as responding to invitations to deliver presentations and workshops. Awareness of the principles that underpin the convention was encouraged among those providing services to children and those responsible for policy areas that impact on their lives. The rights to protection, provision and participation are central to our approach to advice and support. Activities or direct work with children and young people and those who work with them are centred on the UNCRC and rights.

Latest reviews and reports

Unofficial exclusions from school

Our report on Unofficial Exclusions from school was published and distributed in October 2007. This report was considered by the National Behaviour and Attendance Review team who accepted and reinforced our recommendations.

Unofficial exclusions are where parents are asked to keep their children home without the checks and balances of the normal system for excluding pupils or, importantly, the opportunity of triggering the additional support that the pupils need. We found that the practice is widespread despite Welsh Assembly Government guidance that it should not occur. The report received widespread media coverage highlighting this breach of children's rights.

Monitoring of the recommendations will commence shortly.

Other reports, reviews and work in progress

Among the work to be conducted in 2008-09 is a review of young carers and research we are commissioning from ECPAT (End Child Prostitution, Child Pornography and the Trafficking of Children) into child trafficking in Wales.

The report on our review of play strategies and access to play opportunities for disabled children will be published early in the next financial year. This work was voted one of the Commissioner's projects in the previous What next? cycle and involved assessing each local play strategy and conducting workshops with disabled young people to find out what they would expect to find in a good play strategy. Children in Wales worked with us and helped facilitate the participation work and we are grateful to them and especially to the young people for their hard work.

We'll also be engaging in a range of other work to make sure that all young people – regardless of their background or disability – are able to enjoy their right to play as set out in Article 31 of the UNCRC.

The second of the Commissioner's projects is called Making learning better, because children and young people wanted us to improve the learning experience for them. We've taken a positive approach because as well as hearing about boring lessons or pupils not being treated fairly by some teachers, we also know that children and young people had lots of positive things to say about some really excellent teachers. We're collecting their views on what makes a good teacher

and a great lesson and will be producing a resource for new – and experienced – teachers which will help give them a few pointers on what children value and appreciate, and what they say helps them learn.

All our publications are available from our offices, or they can be downloaded from our website www.childcomwales.org.uk

Evaluation research

The independent evaluation research drew to an end during the year, with the project transferring to the University of Central Lancashire with the lead researcher, Professor Nigel Thomas. The young people on the steering group were involved fully interviewing and in various aspects of preparing the report.

Early in the New Year the steering group met with the new Commissioner and members of staff to talk about their findings and view to date. It was a good opportunity for Keith Towler to consider some of their observations and possible recommendations before he had started in the job. He will be able to take these into account when developing his strategic vision for the office for the next 7 year. The final report will be published in the autumn and will include the Commissioner's response. The evaluation has been an excellent example of how young people can be actively involved in shaping and undertaking research.

Future work programme

The next financial year will see the introduction of a new corporate plan and a thematic and more strategic approach to our work. The process of preparing for this change will take time but is already underway. This means that at present we cannot be specific about some of the pieces of work and projects we will be undertaking. Many elements of CCfW's work are ongoing and will continue from year to year. The new approach will, however, help ensure that children and young people in Wales really do see an impact on their lives and current discrepancies in policy, legislation and actual implementation will be reduced.

Key aspects of the future work programme will be:

- continuing to raise awareness of the Commissioner's office and UNCRC through all aspects of our work, with additional resources and activity – including a Wales-wide roadshow – to raise the Commissioner's profile.
- improving access to the Children's Commissioner for children and young people throughout Wales and ensuring that they have a say in setting work programme priorities.
- providing a high quality advice and support service.
- conducting policy, service and investigative reviews.
- raising awareness of the advice and support service in particular with children and young people throughout Wales starting with children and young people whom are looked after, are excluded from school or are in prison.
- gradually recruiting Ambassadors in primary schools in all parts of Wales.
- further increasing the systematic involvement of children and young people in the planning process and in setting priorities within our future programme of work
- launching a new and improved website and Backchat initiative
- continuing to monitor the implementation of the recommendations made in our reports
- forming stronger links with children and young people's framework partnerships
- continuing to listen and learn, promote good practice and speak up for the children and young people of Wales.

- contributing to co-ordinated work in relation to the UNCRC reporting mechanism.
- monitoring, reviewing and responding to consultations, and ensuring that children and young people have a voice in the things that affect them

The work programme for the following year will include maintaining and further developing the various aspects of our work and the services we provide. There will be – as always - provision for children and young people's contribution to our priority setting and to influencing the way in which we undertake some of the work to which we are already committed.

Audit Committee

The Commissioner has established an Audit Committee to provide advice and assurance in respect of corporate governance, risk management and control within the Commissioner's office and the adequacy of the internal and external audit arrangements.

The Audit Committee meets at least bi-annually and is made-up of senior officials of the Commissioner and three independent members, these are:

- Brian Charles, Chair of the Committee - former chair of Dŵr Cymru/Welsh Water;
- Tom Cassidy - Ex-Chief Executive of CADW; and
- John Cory - Ex-Finance Director of the Wales Tourist Board.

Senior officers

The following persons served as the Senior Management Team during the year:

- Maria Battle - Deputy/Acting Children's Commissioner & Accounting Officer from 22 January 2007 until 2 March 2008;
- Keith Towler - Children's Commissioner for Wales from 3 March 2008;
- Rhian Davies - Assistant Commissioner, Policy & Service Evaluation until 30 September 2007;
- Sara Reid - Assistant Commissioner, Communications & Participation, with additional responsibility for Policy from September 2007;
- Elaine Cloke - Acting Head of Legal and Investigation from 22 January 2007 until 2 March 2008; and
- Tony Evans - Head of Corporate Services from 15 May 2006.

Funding

The Children's Commissioner for Wales is independent of, but funded by the Welsh Assembly Government. In 2007-08 the Commissioner received £1.9 million (2006-07: £1.6 million) to fund his activities. Since the establishment of the office of the Children's Commissioner the amount of funding, received from the Welsh Assembly Government has increased steadily to match the ever increasing workload of the Commissioner.

Format of the accounts

These financial statements have been prepared in accordance with Paragraph 7(2) Schedule 2 of the Care Standards Act 2000 and the Accounts Direction issued by Welsh Ministers. A copy of

that direction can be obtained from The Children's Commissioner, Oystermouth House, Charter Court, Phoenix Way, Swansea, SA7 9FS.

These accounts have been prepared for the period from 1st April 2007 to 31st March 2008 and reflect the assets, liabilities and resource outturn of the Children's Commissioner.

Results for the year

The Operating Cost Statement shows a net operating cost, for the period, of £1,754,000 (2006-07: £1,581,000) representing an increase in net expenditure of 10.9 percent compared to 2006-07. The general fund balance as at the year-end is £322,000 (2006-07: £177,000).

During 2007-08 the Commissioner's staff increased from 28 (25 whole time equivalent) to 35 (25 whole time equivalent) members of staff which includes full time and part time employees. The increase in staff numbers, which took place around the end of the financial year, was to reflect the increasing workload of the Commissioner's office.

Senior official appointments

Maria Battle has fulfilled the role of Acting Children's Commissioner from 22 January 2007 until 2 March 2008. Keith Towler was appointed as Children's Commissioner for Wales with effect from 3 March 2008.

The remaining senior officers took up appointments between January 2001 and March 2008 and were appointed by the Commissioner under Schedule 2 paragraph 4 of The Care Standards Act 2000.

Equal opportunities

All applications for employment with the Children's Commissioner for Wales were considered on the grounds that all job applicants should have equal opportunity for employment and advancement on the basis of their ability, qualifications and suitability for the work.

No job applicant or employee should receive less favourable treatment on grounds of race, colour, sex, sexual orientation, age, marital status, disability, religion, family/domestic responsibilities or working patterns, nor should any individual be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

Payment policy

Under the Late Payment of Commercial Debts (Interest) Act 1998, the Children's Commissioner for Wales is required to pay suppliers' invoices not in dispute within 30 days of receipt of goods or services or valid invoice, whichever is the later. For 2007-08 the Children's Commissioner for Wales achieved 100 percent (99 percent in 2006-07) of all such payments made during the period. No interest was paid in respect of late payments.

Auditors

The Children's Commissioner for Wales accounts are examined and certified by the Auditor General for Wales in accordance with paragraph 9 of Schedule 2 to the Care Standards Act 2000 (*Note 8*).

Bentley Jennison provide internal audit services for the Commissioner.

During the period no remuneration was paid to the auditors for non-audit work.

Events since the end of the financial year

There have been no events since the balance sheet date that affect the understanding of these financial statements.

Disclosure of information to the Auditors

So far as I am aware, there is no audit information of which the auditors are unaware; and I have taken all the steps that I ought to have taken to make myself aware of any relevant audit information and to establish that the auditors are aware of that information.

Remuneration Report

Remuneration of members of the Senior Management Team

The Welsh Assembly Government determines the remuneration of the Children's Commissioner for Wales in accordance with Schedule 2 paragraph 3 to the Care Standards Act 2000.

For other members of the Senior Management Team (SMT), remuneration was determined by the Children's Commissioner for Wales based on guidance from civil service recruitment specialists.

The following sections, which have been subjected to audit, provide details of the remuneration and pension benefits of the most senior officials of the organisation:

	2007-2008		2006-2007	
	Salary range £000*	Benefits in Kind (to nearest £100)*	Salary range £000*	Benefits in Kind (to nearest £100)*
Maria Battle – Deputy/Acting Commissioner until 2 March 2008	80-85	-	65-70	-
Keith Towler - Children's Commissioner for Wales from 3 March 2008.	5-10	700	-	-
Rhian Davies – Assistant Commissioner – resigned September 2007	25-30	-	50-55	-
Sara Reid – Assistant Commissioner	50-55	-	50-55	-
Elaine Cloke – Acting Head of Legal and Investigation until 2 March 2008	45-50	-	5-10	-

Keith Towler was provided with a hire car upon appointment. The monetary value of benefits in kind covers any benefits provided by the employer and treated by the Inland Revenue as a taxable emolument. *

Pension Benefits – Civil Service Pension Scheme

	Accrued pension at 31.3.08* £000	Real increase in pension* £000	CETV(i) at 31.3.08* £000	CETV(i) at 31.3.07* £000	Real increase in CETV* £000
Maria Battle – Deputy/Acting Commissioner until 2 March 2008	2.5-5	0-2.5	85	43	33
Rhian Davies – Assistant Commissioner – resigned September 2007	2.5-5	0-2.5	38	31	6
Sara Reid – Assistant Commissioner	2.5-5	0-2.5	63	41	13
Elaine Cloke – Acting Head of Legal and Investigation until 2 March 2008	2.5-5	0-2.5	48	29	13

* This information is subject to audit.

** Tony Evans (Head of Corporate Services) is on secondment from the Wales Audit Office (WAO), his salary is paid by the WAO and the costs are invoiced to the Children's Commissioner. Invoiced costs for the period ending 31 March 2008 were £71,175. Pension costs are excluded from the invoiced cost.

*** Due to certain factors being incorrect in last years CETV calculator there may be a slight difference between the final CETV for 2006-07 and the start of period CETV for 2007-08.

Pension Scheme

Pension benefits are provided through the Civil Service pension arrangements. From 30 July 2007, civil servants may be in one of four defined benefit schemes; either a 'final salary' scheme (**classic**, **premium** or **classic plus**); or a 'whole career' scheme (**nuvos**). These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under **classic**, **premium**, **classic plus** and **nuvos** are increased annually in line with changes in the Retail Prices Index (RPI). Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a good quality 'money purchase' stakeholder pension with a significant employer contribution (**partnership** pension account).

Employee contributions are set at the rate of 1.5% of pensionable earnings for **classic** and 3.5% for **premium**, **classic plus** and **nuvos**. Benefits in **classic** accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' pension is payable on retirement. For **premium**, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike **classic**, there is no automatic lump sum. **classic plus** is essentially a hybrid with benefits in respect of service before 1 October 2002 calculated broadly as per **classic** and benefits for service from October 2002 calculated as in **premium**. In **nuvos** a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with RPI. In all cases members may opt to give up (commute) pension for lump sum up to the limits set by the Finance Act 2004.

The **partnership** pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3% and 12.5% (depending on the age of the member) into a

stakeholder pension product chosen by the employee from a panel of three providers. The employee does not have to contribute but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of **classic**, **premium** and **classic plus** and 65 for members of **nuvos**.

Further details about the Civil Service pension arrangements can be found at the website www.civilservice-pensions.gov.uk.

(i) Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarial assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The figures include the value of any pension benefit in another scheme arrangement which the individual has transferred to the Principal Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional pension benefits at their own cost. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are drawn.

(ii) Real increase in CETV

This reflects the increase in CETV effectively funded by the employer. It does not include of the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme arrangement) and uses common market valuation factors for the start and end of the period.

Keith Towler, Children's Commissioner for Wales and Accounting Officer
7 August 2008

STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES

Under Schedule 2 to the Care Standards Act, the Children's Commissioner for Wales is required to keep proper accounting records for each financial year, in conformity with Welsh Ministers' direction, detailing the resources acquired, held, or disposed of during the period and the use of resources by the Commissioner for Wales during the period.

The resource accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Children's Commissioner for Wales, the net resource outturn, resources applied to objectives, recognised gains and losses and cash flows for the period.

Schedule 2, paragraph 10 of the Care Standards Act 2000 states the Accounting Officer shall be the Commissioner and, in accordance with schedule 2 paragraph 9 shall submit the Children's Commissioner for Wales Accounts to the Auditor General for Wales.

In preparing the accounts the Accounting Officer is required to comply with the Financial Reporting Manual (FReM) prepared by the Treasury, and in particular to:

- observe the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards, as set out in the FReM, have been followed and disclose and explain any material departures in the accounts; and
- prepare the accounts on a going concern basis.

The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which an Accounting Officer is answerable, for keeping of proper records and for safeguarding the Children's Commissioner for Wales' assets, are set out in the Accounting Officers' Memorandum issued by HM Treasury.

STATEMENT ON INTERNAL CONTROL

Scope of responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of my policies, aims and objectives, whilst safeguarding the public funds and assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Government Accounting.

The Commissioner's risk management register is reviewed regularly by the Audit Committee. The Commissioner also liaises with Welsh Assembly Government officials. As Accounting Officer I meet regularly with Welsh Ministers to discuss any areas of concern.

The purpose of the system of internal control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness.

The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. Procedures have been in place throughout the year to 31st March 2008 and continuing up to the date of approval of the annual report and accounts, the systems of internal control accords with Treasury guidance.

Capacity to handle risk

I have a Risk Management Policy and Framework in place and I have appointed a Risk Strategy Manager. I have ensured that my Risk Strategy Manager has assessed the risks associated with the management and control of information within my office. All staff are aware of the policy and framework which details the approach and attitude to risk management and defines the structure for management and ownership of risk.

The risk and control framework

Risk management is incorporated into the corporate planning process. The key strategic risks are assessed by the Senior Management Team (SMT). Each risk is owned by a member of the SMT and the risk register is made available to all staff. During the year, the risk register has been regularly reviewed at SMT meetings. Any new risks or changes are identified and evaluated. The risk appetite is determined by the Commissioner in consultation with the Senior Management Team in the context of the impact on the reputation of the Commissioner; the Commissioner's executive, operational and individual performance; the independence of the Commissioner; and the independent and objective review of activities, censure of any kind by regulatory bodies, financial loss, poor value for money, inappropriate use of public funds or any breach of regularity or propriety. A risk assessment of each operational or project activity is undertaken prior to commencement.

My internal auditors, Bentley Jennison, have undertaken a review of my compliance with the control and management of information. They have made a number of recommendations which are being implemented. I have also requested that they review my procedures to ensure I comply with the Data Protection Act. Their audit is due to commence in October 2008.

Review of effectiveness

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the SMT who have responsibility for the development and

maintenance of the internal control framework, and comments made by the external auditors in their management letter. The Audit Committee has also advised me as to the effectiveness of the system of internal controls that I have in place. I have undertaken to ensure the continuous improvement of the system of internal controls and to address any weaknesses as they arise.

The process applied in maintaining and reviewing the effectiveness of the system of internal control was:

- collectively the SMT discussed and reviewed the operation of internal financial controls;
- the Audit Committee met 4 times in the year and advised on the implications of assurances provided in respect of corporate governance, risk management and control, the adequacy of the internal and external audit arrangements and management responses to audit recommendations.

Bentley Jennison provides the Internal Audit for my office. They operate to Government Internal Audit standards. They submit regular reports which include the independent opinion on the adequacy and effectiveness of the Commissioner's system of internal control together with recommendations for improvement

Keith Towler, Children's Commissioner for Wales and Accounting Officer
7 August 2008

The Certificate and Report of the Auditor General for Wales to the National Assembly for Wales

I certify that I have audited the financial statements of the Children's Commissioner for Wales for the year ended 31 March 2008 under paragraph 9(2) of Schedule 2 to the Care Standards Act 2000. These comprise the Summary of Resource Outturn, the Operating Cost Statement, the Balance Sheet, the Cash Flow Statement and the Statement of Resources by Organisational Aim and Objectives and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having being audited.

Respective responsibilities of the Accounting Officer and the Auditor General for Wales

The Accounting Officer is responsible for preparing the Annual Report, the Remuneration Report and the financial statements in accordance with Care Standards Act 2000 and Welsh Ministers Directions made thereunder and for ensuring the regularity of financial transactions. These responsibilities are set out in the Statement of Accounting Officer's Responsibilities.

My responsibility is to audit the financial statements and the part of the remuneration report to be audited in accordance with relevant legal and regulatory requirements, and with International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view and whether the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Care Standards Act 2000 and Welsh Ministers Directions made thereunder. I report to you whether, in my opinion, the information, which comprises the Management Commentary, and given in the Annual Report, is consistent with the financial statements. I also report whether in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them.

In addition, I report to you if in my opinion Children's Commissioner for Wales has not kept proper accounting records, if I have not received all the information and explanations I require for my audit, or if information specified by HM Treasury regarding remuneration and other transactions is not disclosed.

I review whether the Statement on Internal Control reflects Children's Commissioner for Wales compliance with HM Treasury's guidance, and I report if it does not. I am not required to consider whether this statement covers all risks and controls, or form an opinion on the effectiveness of Children's Commissioner for Wales corporate governance procedures or its risk and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. This other information comprises the Children's Commissioner for Wales Report, the Review of Activity and Future Developments, and the unaudited part of the Remuneration Report. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinions

I conducted my audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. My audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgments made by the Accounting Officer in the

preparation of the financial statements, and of whether the accounting policies are most appropriate to the Children's Commissioner for Wales circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements and the part of the Remuneration Report to be audited are free from material misstatement, whether caused by fraud or error, and that in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.

Opinions

In my opinion:

- the financial statements give a true and fair view, in accordance with the Care Standards Act 2000 and directions made thereunder by Welsh Ministers, of the state of Children's Commissioner for Wales affairs as at 31 March 2008 and of its net resource outturn, the net cash requirement, resources applied by organisational aim and objectives and cash flows for the year then ended;
- the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Care Standards Act 2000 and Welsh Ministers directions made thereunder; and
- information, which comprises the Management Commentary, given within the Annual Report, is consistent with the financial statements.

Opinion on Regularity

In my opinion, in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them.

Report

I have no observations to make on these financial statements.

Jeremy Colman
Auditor General for Wales
14 August 2008

Wales Audit Office
24 Cathedral Road
Cardiff
CF11 9LJ

Summary of Resource Outturn
for the period 1 April 2007 to 31 March 2008

	2007-2008			2006-2007				
	Estimate			Outturn				
	Gross expenditure	Income	Net total	Gross expenditure	Income	Net total	Net total outturn compared with Estimate	Prior-year outturn
	£000	£000	£000	£000	£000	£000	£000	£000
Administration costs	<u>1,890</u>	-	<u>1,890</u>	<u>1,754</u>	-	<u>1,754</u>	<u>136</u>	<u>1,581</u>

Reconciliation of resources to cash requirement

	2007-2008 £000	2006-2007 £000
Net total resource outturn	1,754	1,581
Fixed asset acquisitions (<i>Note 4</i>)	38	15
Fixed asset disposals	-	-
Accruals adjustments:		
Non-cash items (<i>Note 3</i>)	(60)	(49)
Changes in working capital other than cash (<i>Note 5</i>)	<u>(32)</u>	<u>(16)</u>
Net cash requirement	<u>1,700</u>	<u>1,531</u>

The notes on pages 39 to 45 form part of these accounts

Operating Cost Statement
for the period 1 April 2007 to 31 March 2008

		2007-2008	2006-2007
	<i>Note</i>	£000	£000
Administration costs			
Staff costs	2	1,130	1,095
Other administration costs	3	624	486
		<hr/>	<hr/>
Gross administration costs		1,754	1,581
Net operating costs		<hr/> 1,754	<hr/> 1,581
		<hr/>	<hr/>
Net resource outturn		<hr/> 1,754	<hr/> 1,581

All income and expenditure is derived from continuing operations. There are no gains or losses other than those reported in the Operating Cost Statement.

The notes on pages 39 to 45 form part of these accounts

Balance Sheet
as at 31 March 2008

		2008		2007	
		£000	£000	£000	£000
Fixed assets	<i>Note</i>				
Tangible Assets	4		57		70
Current assets					
Prepayments	6	30		25	
Cash at bank and in hand	7	<u>358</u>		<u>168</u>	
		388		193	
Creditors: amounts falling due within one year	8	<u>(123)</u>		<u>(86)</u>	
Net current assets			265		107
Total assets less current liabilities			<u>322</u>		<u>177</u>
<i>Financed by:</i>					
Taxpayer's equity					
General fund	9		<u>322</u>		<u>177</u>

Keith Towler, Children's Commissioner for Wales and Accounting Officer
7 August 2008

The notes on pages 39 to 45 form part of these accounts

Cash Flow Statement
for the period 1st April 2007 to 31st March 2008

	Note	2007-2008 £000	2006-2007 £000
Net cash outflow from operating activities		(1,662)	(1,516)
Capital expenditure	15	(38)	(15)
Financing from the Welsh Assembly Government		<u>1,890</u>	<u>1,635</u>
Increase in cash in the period		<u>190</u>	<u>104</u>

The notes on pages 39 to 45 form part of these accounts

Resources by Organisation Aim and Objectives
for the period 1st April 2007 to 31st March 2008

AIMS AND OBJECTIVES OF THE CHILDREN'S COMMISSIONER FOR WALES

Aim

To safeguard and promote the rights and welfare of children and in exercising all of his functions to have regard to the UN convention on the rights of the child.

	2007-2008			2006-2007		
	Gross £000	Income £000	Net £000	Gross £000	Income £000	Net £000
Objective:						
Objective 1	823	-	823	759	-	759
Objective 2	267	-	267	234	-	234
Objective 3	48	-	48	70	-	70
Objective 4	85	-	85	82	-	82
Objective 5	3	-	3	19	-	19
Objective 6	370	-	370	262	-	262
Objective 7	28	-	28	38	-	38
Objective 8	130	-	130	117	-	117
	<u>1,754</u>	<u>-</u>	<u>1,754</u>	<u>1,581</u>	<u>-</u>	<u>1,581</u>

The Commissioners objectives were as follows:

1. To promote the rights and welfare of children, and to ensure that the children and young people of Wales are aware of the existence of the Commissioner, of his role and function; the location of his offices, the way that they can communicate/access the Commissioner and his staff and the rights of children and young people, particularly those set out in the UN Convention on the rights of a child; to encourage that communication/access; and ensure that public bodies of Wales are aware of the rights of children and young people.
2. To ensure that the views of children and young people are sought as to how the Commissioner should exercise his function and to the content of the Commissioner's annual work programme.
3. To review and monitor the operation of complaints, advocacy and advice and whistleblowing arrangements to ascertain whether and to what extent they are effective in safeguarding and promoting the rights and welfare of children.
4. To review and monitor the effect on children of the exercise or proposed exercise of any function of the National Assembly for Wales and the Welsh Assembly Government and/or bodies listed at Schedule 2a of the Children's Commissioner for Wales Act 2001.
5. To examine cases of particular children who are or have received regulated services from bodies listed at Schedule 2a of the Children's Commissioner for Wales Act 2001.
6. To provide or arrange for advice representation or other assistance to a child in making a formal complaint or representation to a service provider; and/or any proceedings which concerns the provision of services, if in the Commissioner's reasonable opinion the proceedings relate to matters which have a more general application or relevance to the rights and welfare of children in Wales. To give advice and information to any person.
7. To keep under review the powers of the Commissioner and the effect on children.

8. To consider and make representations to the National Assembly for Wales and the Welsh Assembly Government about any matter affecting the rights and welfare of children in Wales.

Objectives are subject to regular review to ensure that they reflect the role and function of the Commissioner. The apportionment of operating costs to objectives has been made with reference to the relative amounts of time spent by staff on the above objectives.

The notes on pages 39 to 45 form part of these accounts

Notes to the resource accounts

1. Statement of accounting policies

These financial statements have been prepared in accordance with the Governments Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM follow UK generally accepted accounting practice for companies (UK GAAP) to the extent that it is meaningful and appropriate to the public sector.

Where the FReM permits a choice of accounting policy, the accounting policy which has been judged to be most appropriate to the particular circumstances of the Commissioner for the purpose of giving a true and fair view has been selected. They have been applied consistently in dealing with items considered material in relation to the accounts. The particular accounting policies adopted by the Children's Commissioner for Wales are described below.

1.1 *Accounting convention*

These accounts have been prepared under the historical cost convention as in the opinion of the Children's Commissioner for Wales the effect of the revaluation of fixed assets at their value to the organisation by reference to their current cost is considered to be immaterial.

1.2 *Tangible fixed assets*

The Commissioner has valued all fixed assets at historic cost as any revaluation adjustments are, in the Commissioner's opinion, not material. The minimum level for capitalisation of individual assets is £1,000. Large numbers of the same type of asset have been grouped together in determining if they fell above or below the threshold.

1.3 *Depreciation*

Depreciation is provided at rates calculated to write off the value of tangible fixed assets by equal instalments over their estimated useful lives, as follows:

• IT Equipment	3 years
• Furniture	5 years
• Office Equipment	5 years
• Fixtures & Fittings	5 years

A full year's depreciation is charged in the year of acquisition.

1.4 *Operating cost statement*

Operating income and expenditure is that which relates directly to the operating activities of the Commissioner. It comprises charges for goods and services provided on a full cost basis. All expenditure is classed as administration expenditure.

1.5 *Capital charge*

A charge, reflecting the cost of capital utilised by the Commissioner, is included in operating costs. The charge is calculated at the government's standard rate of 3.5% (3.5% in 2006-07) in real terms on the average value of all assets less liabilities, except for cash balances held with the Office of HM Paymaster General, of which there were none.

1.7 *Value Added Tax*

The Commissioner is not registered for VAT. Expenditure and fixed asset purchases are accounted for VAT inclusive, as VAT is irrecoverable.

1.8 *Pensions*

The Commissioner's staff are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS). The PCSPS is a defined benefit scheme. The cost of the defined benefit element of the scheme is recognised on a systematic and rational basis over the period during which it derives benefit from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution elements of the scheme, the Children's Commissioner recognises the contributions payable for the year; these amounts are charged to the Operating Cost Statement in the year of payment.

1.9 *Operating leases*

Operating lease rentals are charged to the Operating Cost Statement in equal amounts over the lease term.

2. Staff numbers and related costs

a) For the year staff costs consist of:

	2007-2008	2006-2007
	£000	£000
Wages and Salaries	780	797
Social security costs	73	74
Pension costs	148	149
Sub Total	1,001	1,020
Inward secondment and agency staff	129	75
	1,130	1,095

b) The average number of whole-time equivalent persons employed (including senior management) for the period was as follows:

	2007-2008	2006-2007
Objective 1	12	12
Objective 2	4	4
Objective 3	1	1
Objective 4	1	1
Objective 5	-	-
Objective 6	5	5
Objective 7	-	1
Objective 8	2	1
Total Number	25	25

The apportionment of staff numbers to objectives has been made with reference to the relative amounts of time spent by staff on objectives, as described on pages 37 - 38.

3. Other administration costs

	2007-2008	2006-2007
	£000	£000
Rental under operating leases:		
- vehicles	1	5
- accommodation	71	56
- photocopier	9	5
Other accommodation & related costs	29	29
IT & telecommunications	37	30
Vehicle & office maintenance	19	17
Publicity, advertising & translation	11	8
Travel, subsistence & hospitality	61	60
Recruitment	42	-
Auditor's remuneration	26	14
Legal & consultancy	57	63
Other expenditure	201	150
Non-cash items:		
- depreciation	51	44
- loss on disposal of fixed assets	-	-
- cost of capital	9	5
	624	486

4. Fixed assets

	IT Equipment	Fixtures & Fittings	Office Furniture and Equipment	Total
	£000	£000	£000	£000
Cost				
At 1 April 2007	145	188	212	545
Additions	32	-	6	38
Disposals	-	-	-	-
At 31st March 2008	177	188	218	583
Depreciation				
At 1 st April 2007	121	170	184	475
Charged in year	30	8	13	51
Disposals	-	-	-	-
At 31st March 2008	151	178	197	526
Net book value				
At 31st March 2008	26	10	21	57
At 31 st March 2007	24	18	28	70

5. Movements in working capital other than cash

	2007-2008	2006-2007
	£000	£000
Increase/(decrease) in prepayments	5	3
(Increase)/decrease in creditors	(37)	(19)
	<u>(32)</u>	<u>(16)</u>

6. Prepayments

	2007-2008	2006-2007
	£000	£000
Amounts falling due within one year:		
Prepayments and accrued income	30	25
	<u>30</u>	<u>25</u>

7. Cash at bank and in hand

	2007-2008	2006-2007
	£000	£000
Balance at 1st April 2007	168	64
Net cash inflow/(outflow)	190	104
Balance at 31st March 2008	<u>358</u>	<u>168</u>

8. Creditors: amounts falling due within one year

	2007-2008	2006-2007
	£000	£000
Trade creditors	5	14
Taxation and social security	51	21
Accruals	67	51
	<u>123</u>	<u>86</u>

9. Reconciliation of net operating cost to changes in the general fund

	2007-2008	2006-2007
	£000	£000
Net operating cost for the year	(1,754)	(1,581)
Net funding from the Welsh Assembly Government	1,890	1,635
Non cash adjustments:		
- cost of capital	9	5
Net increase/(decrease) in the general fund	<u>145</u>	<u>59</u>
General fund at 1 st April 2007	177	118
General fund at 31st March 2008	<u>322</u>	<u>177</u>

10. Commitments under operating leases

	2007-2008		2006-2007	
	Land & Buildings	Other	Land & Buildings	Other
At 31 March 2007 the Commissioner was committed to making the following payments during the next year in respect of operating leases expiring:				
- within one year	-	-	-	-
- between two and five years	-	11	51	12
- after five years	72	-	-	-
	<u>72</u>	<u>11</u>	<u>51</u>	<u>12</u>

11. Derivatives and financial instruments

FRS 13, Derivatives and Other Financial Instruments, requires disclosure of the role which financial instruments have had during the period in creating or changing the risks an entity faces in undertaking its activities. Because of the non-trading nature of the Commissioner's activities and the way in which his operations are financed, his office is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of the listed companies to which FRS 13 mainly applies. The Commissioner has very limited powers to borrow or invest surplus funds and financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks he faces in undertaking his activities.

Liquidity Risk

The Commissioner's net revenue and capital resource requirements are financed by the Welsh Assembly Government. His office is not therefore exposed to significant liquidity risks.

Interest-rate risk

The Commissioner's financial assets and liabilities are not exposed to interest-rate risks.

Foreign Currency risk

The Commissioner's financial assets and liabilities are not exposed to foreign currency risks.

Fair values

There is no difference between the book values and fair values of the Commissioner's financial assets and liabilities as at 31st March 2008.

12. Capital commitments

There were no capital commitments as at 31st March 2008.

13. Contingent liabilities

There were no contingent liabilities as at 31st March 2008.

14. Related Party Transactions

The Welsh Assembly Government is a related party. The Commissioner has had a small number of material transactions during the period with the Welsh Assembly Government.

There were no material transactions with organisations in which senior staff, or any of their family, held positions of influence.

15. Notes to the Cash Flow Statement

	2007-2008	2006-2007
	£000	£000
Reconciliation of operating cost to operating cash flows		
Net Operating Cost	1,754	1,581
Adjust for:		
Non-cash transactions	(60)	(49)
Movements in working capital other than cash	(32)	(16)
Net cash outflow from operating activities	<u>1,662</u>	<u>1,516</u>
Analysis of capital expenditure		
Payments to acquire tangible fixed assets	38	15
Receipts from the disposal of tangible fixed assets	-	-
Net cash outflow from capital expenditure	<u>38</u>	<u>15</u>
Analysis of financing		
Financing from the Welsh Assembly Government	1,890	1,635
(Increase)/decrease in cash	(190)	(104)
Net cash requirement	<u>1,700</u>	<u>1,531</u>