

Children's Commissioner for Wales' Budget estimate for 2016 - 2017



Contents

Introduction	3
Summary	3
Powers of the Commissioner	4
Structure	4
Governance Arrangements	5
The Commissioner's Three Year Plan 2016-19	6
Financial Budget	7
Impact on Reserves	8

Introduction

Wales became the first country in the UK to appoint a children's commissioner in 2001. All three post holders since then have been selected by the First Minister for Wales with input from children and young people. Promoting the rights and welfare of children in Wales is the Commissioner's primary aim.

Professor Sally Holland took up post on 20th April 2015, for a seven year term of office.

This budget estimate is submitted to Welsh Ministers as required by paragraph 6(2) of Schedule 2 of the Care Standards Act 2000. It sets out the resources required to enable the Commissioner to discharge her statutory functions.

Summary

The budget requirement for 2016-17 is £1,631,061, as outlined in Table 1.

Table 1: Estimate and indicative budget level for the next three financial years:

	Estimate 2016-17	Indicative 2017-18	Indicative 2018-19
	(£)	(£)	(£)
Salaries	1,085,616	1,033,039	1,057,225
Premises	93,829	95,099	95,099
Office costs	115,300	115,300	115,300
Training and recruitment	31,700	31,700	31,700
Travel and subsistence	32,800	32,800	32,800
External audit fee	18,853	18,853	18,853
Internal audit fee	10,500	10,500	10,500
Communication	55,900	55,900	55,900
ICT	22,500	22,500	22,500
Project costs	94,850	84,850	84,850
Capital and Depreciation	10,000	10,000	10,000
Restructuring	59,213	8,529	8,529
Total Expenditure	1,631,061	1,519,070	1,543,256
Funding from Welsh Government	1,543,500	1,543,500	1,543,500
Over/(Under) Spend	87,561	(24,430)	(244)

Powers of the Commissioner

The Children's Commissioner for Wales was established under part 5 of the Care Standards Act 2000, with further powers being established under the Children's Commissioner for Wales Regulations 2001.

Everything that's written in these regulations is designed to make sure that the Commissioner has all the tools she needs to be a champion for children and young people, and to help her carry out her role as a systematic advocate (this means that she speaks out on behalf of children and young people in Wales, and makes changes so that the children of Wales have a brighter and safer future). Not all the tools she has get used every day, but they include the following:

1. **Review and monitoring of arrangements:** This means she can look at how organisations deal with complaints, advocacy, advice and whistleblowing, to make sure that these arrangements help make children safe from harm, and let them know about their rights.
2. **Review the exercise of functions of the National Assembly for Wales and other persons:** This means she can look at things that the Assembly are doing, or are going to do which affect children and young people in Wales.
3. **Examination:** To examine cases of children who are or have received services from organisations in Wales.
4. **Additional powers of consideration and representation:** The Commissioner has an extra power to look at anything she feels is affecting the rights of children in Wales and tell the Assembly about it.

The Commissioner works for every child and young person in Wales who is under 18, or 25 years old if they've been in care. She can also look at things that happened to adults when they were children if she feels that it has any impact on today's children.

The Commissioner is funded by but operationally independent of Welsh Ministers and is accountable to the National Assembly for Wales for the use of her resources.

Structure

Upon taking up her role, in April 2015, the Commissioner's staffing structure was based upon an organisational review completed in 2010. The staff complement of the Office (excluding the Commissioner) in terms of permanent posts was 25.1 whole time equivalents made up of 26 people, as reported in the Commissioner's 2014-15 Annual Report and Accounts. Further internal and external developments pointed to a need for some reorganisation of the structure of the office, in order to respond to the continuing demands placed upon the office. These included:

- Societal and governmental changes since the establishment of the office in 2000 and the last reorganisation in 2008 that demand a changed response

(including the rapid escalation of social media, continued evolution of the devolution settlement and the corresponding development of civil society).

- Public consultation on the future direction of the office carried out from April to October 2015: Beth Nesaf/What Next.
- The Shooter Review in 2014, which made recommendations relating to the staffing structures.

Whilst undertaking the review the parameters of the proposed reorganisation and likely redundancy costs have changed with the announcement by the Welsh Government in December 2015 of a ten percent reduction in the funding for 2016-17. This meant that a restructure process begun in November 2015 has been extended over a longer period to achieve required savings.

The revised restructure of the office will be completed in the first quarter of 2016-17 and will be communicated with stakeholders upon its completion. Staffing costs (excluding maternity cover for 2016-17) are projected to decrease by £155,000 and savings have also been made to office costs.

Governance Arrangements

The Commissioner's office has no governing body, but is instead a Corporation Sole. This independence is critical to the holding to account role performed by the office in relation to the human rights of children and young people.

Given the emphasis on the role of the Commissioner as an individual, there are some respects in which the decision-making structure is different to other public sector bodies. However, as it is a public role involving use of public funds, accountability and decision-making need to be rigorous and transparent.

In principle, decisions should be made at the lowest level possible, however, there must always be a relationship between authority and responsibility. Those who are responsible for particular areas of work should have a clearly defined authority to make decisions, and a clear route and measure of accountability. Managers have overall responsibility for their area of work and the supervision of their staff teams. Delegation operates on the basis of delegation to named officers rather than to groups or committees. It is essential therefore that the scope and limits of that delegation be clearly spelled out. This is determined within the Governance and Decision Making Policy and within financial procedures.

The strategic and operational management of the office is delegated to the Management Team. The Management Team is responsible for the delivery of the aims and objectives of the office. In pursuing the aims and objectives of the office, employees must adhere to office policies and procedures and keep within allocated budgets.

The Management Team meet monthly with the Commissioner. Its primary purpose is to provide leadership, vision, purpose and accountability in taking forward and

delivering the principal aims of the office. The Terms of Reference are reviewed every six months and a copy is posted onto the intranet.

The Commissioner has an Audit and Risk Assurance Committee to provide advice and support in relation to governance arrangements. It plays an integral role in holding the Commissioner and the office to account. Members ask questions of us to ensure we are delivering on the things we've promised to do; that we are delivering on what the legislation that set up the organisation requires us to do; and ensures the Commissioner, as Accounting Officer, is following the guidance and procedures set out by HM Treasury and the National Assembly for Wales.

It meets at least four times within a year and is made up of senior officials of the office and non-executive members. Its current membership is as follows:

- Wyn Mears, Chair, Business Consultant and Former Director of the Association of Certified Chartered Accountants.
- Ian Summers, former partner of the Wales Audit Office.
- Greta Thomas, former Director of the NSPCC in Wales, (member until September 2015).
- Dr Iolo Doull, Consultant respiratory paediatrician at the University Hospital Wales, Cardiff.
- Aine Denvir, Child care solicitor.

During the first half of 2016-17 the Commissioner will be establishing a Children and Young People's Advisory Panel and a Commissioner's Advisory Panel that will incorporate members of the Audit and Risk Committee, members of the children and young people's panel and additional adult members who bring policy and practice expertise in children's rights. Appointment will be via open application.

The Audit and Risk Assurance Committee will form a sub-committee of the Commissioner's Advisory Panel.

The Commissioner's Three Year Plan 2016-19

The Commissioner committed on her first day in post to undertake a large consultation event with children and young people and those who care and work for them to help inform her three year strategic plan. *Beth Nesa // What Next* involved 7000 children and young people aged 3-18 living in a wide range of circumstances all around Wales and over 1000 adults. The results of *Beth Nesa' / What Next* along with her first three-year strategic plan were published in February 2016.

In her 2016-19 plan the Commissioner stated that:

"I aspire to a Wales where all children and young people have an equal chance to be the best that they can be."

The Commissioner also set out some specific aspirations:

“ By 2019 I hope that Welsh Government and public services will have made significant progress towards delivering the following improvements for children:

- Children and young people will have access to the mental health services they need in a timely manner. There will be stronger programmes for promoting emotional health and wellbeing in place in our health and social services, schools and youth services
- Children’s contemporary experiences of bullying will be better understood and more schools will prevent and tackle bullying effectively
- There will be better access to play, culture and leisure activities by children who are most likely to miss out on these, particularly those living in poverty and disabled children.
- Care leavers will have better access to safe and secure housing options and an active offer of a job, education or training place,
- All young people requiring continuing health and social support will have improved transitions to adult services
- Children will have the same legal protection as adults from physical assault
- Children and young people will be better involved in public services, including my own organisation

I will work to promote these improvements by working with public services in Wales to encourage them to commit to the UNCRC and changing how they plan and deliver their services as a result. I will seek to influence and shape Government policy and legislation so that it delivers for children’s rights. I will help individual children and young people whose rights have been breached and will monitor the systemic implications of such breaches, challenging services to do better in the future. And I will do these things through listening to and collaborating with children and young people as active citizens with an important contribution to make to their schools, communities and nation.”

The Commissioner has formulated detailed goals and plans for 2016-17 through which she will aim to promote the aspirations set out above and to work with others towards achieving them.

Financial budget

The estimate has been prepared recognising the financial pressures facing the public sector in Wales and across the UK. The Commissioner and her Management Team have identified areas of savings and a number of actions in order to further reduce expenditure. These include:

Avoidance of duplication with other organisations

The Commissioner has consulted with key stakeholders and partners in the public sector and voluntary sector to avoid duplication of work. The Commissioner has a number of active Memoranda of Understanding (MOU) with bodies including the Public Services Ombudsman for Wales and the Older People's Commissioner for Wales. The memoranda are designed to increase the level of co-operation, joint working and the exchange of information where appropriate.

In 2014-15 the Public Accounts Committee of the Assembly decided to consider the accounts of a selection of taxpayer funded organisations including the Children's Commissioner for Wales. The Commissioner has this year therefore also taken on board the relevant recommendations published by this Committee in March 2015 and joint action is in hand with the Public Services Ombudsman for Wales, the Older People's Commissioner and Welsh Language Commissioner to work further towards them.

The Commissioner welcomed and actively co-operated with a review of support services of the offices of the Children's Commissioner, the Older People's Commissioner and the newly established Future Generations Commissioner, commissioned by the Minister for Business, Skills and Finance from September 2015-March 2016. This review by government officials identified that potential cash savings were limited but the project led to some new developments promoting efficient and effective working through collaboration between these offices, particularly in the fields of HR, training and development and shared expertise and skills. The review reported to the Minister for Finance and Government Business in February 2016 and she welcomed the findings.

Reporting and monitoring of expenditure

The Commissioner's governance arrangements also ensures that expenditure is rigorously monitored with regular budget monitoring and reporting being undertaken by the Commissioner's Management Team at their monthly meetings.

The Commissioner's office is also subject to scrutiny by external and internal auditors to ensure the office complies with value for money and best practice. The Commissioner's independent Audit and Risk Assurance Committee also monitors the performance of the Commissioner's office through regular meetings.

Impact on Reserves

The 2014-15 Annual Report and Accounts reported that the level of the Commissioner's reserves was £408,000. Table 2 estimates the impact on my reserves of the movement between the 2014-15 balance and the budget/funding for the next three years. As will be reported in my annual report for 2015-16, the general fund has been reduced in the last year by the implementation of a restructure that will bring sustainability and long term savings and the implementation of Activity Information System software that will improve efficiency, intra-office communication and accountability. A renewed reserves policy was approved by the Audit and Risk Assurance Committee in October 2015.

Table 2: Impact on Reserves of funding

	2015-16 £'000	2016-17 £'000	2017-18 £'000	2018-19 £'000
Reserves at the beginning of the period	408,000	185,729	98,168	122,598
Over/(Under) Spend	222,271	87,561	(24,430)	(244)
Reserves at the end of the period	185,729	98,168	122,598	122,842