



24 March 2008

Dear Sir / Madam

Consultation on proposed Children and Families (Wales) Measure

As part of its Stage 1 consideration, the National Assembly for Wales' Legislation Committee No.2 is calling for evidence on the general principles of the [proposed Children and Families \(Wales\) Measure](#).

[What is a Measure?](#)

A Measure is a piece of law made by the Assembly, which has a similar effect to an Act of Parliament. The Assembly is able to pass Measures on any 'matter' listed in [Schedule 5](#) to the Government of Wales Act 2006. The proposed Children and Families (Wales) Measure uses matters relating to education and training; social welfare; and sport and recreation.

While a Measure is in progress through the Assembly, it is known as a 'proposed Measure'.

There is a four stage process for the consideration of a proposed Measure. Stage 1 involves consideration of the general principles of the proposed Measure by a committee (which includes the taking of written and oral evidence from interested parties and stakeholders), and the agreement of those general principles by the Assembly.

What does this proposed Measure seek to achieve?

The Explanatory Memorandum that accompanies the proposed Measure states:

"The Children and Families (Wales) Measure makes statutory provision to take forward the Welsh Assembly Government's commitment in terms of child poverty and to take forward early development of its strategy for vulnerable children by bringing forward

legislation to provide greater support to families where children may be at risk, and strengthened regulatory enforcement in children settings.”

What is the committee’s role?

The role of Legislation Committee No. 2 is to consider and report on the general principles of the proposed Measure. In doing so, the Committee has agreed to work within the following framework:

To consider:

- i) the need for a proposed Measure to deliver the stated objectives of:
 - contributing to the eradication of child poverty;
 - making provision in relation to child minding and day care for children between certain ages;
 - establishing integrated family support teams to provide services to families where there are children who need to be, or who are, looked after, and this is related to needs on the part of their adult carers (such as dependence on drugs and alcohol);
 - securing sufficient play opportunities for children; and
 - ensuring participation of children in local authority decision making.
- ii) whether the proposed Measure achieves its stated objectives;
- iii) the key provisions set out in the proposed Measure and whether they are appropriate to deliver its objectives;
- iv) potential barriers to the implementation of the key provisions and whether the proposed Measure takes account of them;
- v) the views of stakeholders who will have to work with the new arrangements.

How you can help - the consultation questions

Further details of the proposed Measure and the accompanying Explanatory Memorandum can be found on the National Assembly’s website at:

<http://www.assemblywales.org/bus-home/bus-legislation/bus-leg-measures/business-legislation-measures-cf.htm>

The Committee would like to invite you to submit written evidence to assist in its scrutiny of the proposed Measure. In particular, we would welcome your views on the questions listed in **Annex 1**.

If you wish to submit evidence, please send an electronic copy of your submission to legislationoffice@wales.gsi.gov.uk and entitle the e-mail *Consultation - Proposed Children and Families Measure*.

Ffon / Tel: 029 2089 8032
Ffacs / Fax: 029 2089 8021
Minicom: 029 2082 3280

E-bost / E-mail: legislationoffice@wales.gsi.gov.uk

Alternatively, you can write to:
Sarah Sargent, Deputy Committee Clerk, Legislation Office, National Assembly for
Wales, Cardiff Bay, CF99 1NA.

Submissions should arrive by 1 May 2009. It may not be possible to take into account responses received after this date.

Further information on the legislative process can be found at:
<http://www.assemblywales.org/bus-home/bus-legislation/bus-legislation-guidance/bus-legislation-guidance-measures.htm>

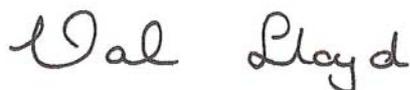
When preparing your submission, please keep the following in mind:

- your response should address the issues before the Committee. Please reference your response using the title applied above;
- the National Assembly normally makes responses to public consultation available for public scrutiny and they may also be seen and discussed by Assembly Members at Committee meetings. **If you do not want your response or name published, it is important that you clearly specify this in your submission;**
- please indicate whether you are responding on behalf of an organisation, or as an individual; and
- please indicate whether or not you would be prepared to give oral evidence to the Committee.

The Committee welcomes contributions in English and Welsh and will consider responses to the written consultation during the spring term.

If you have any queries, please contact Sarah Beasley, Committee Clerk on 029 2089 8032 or Sarah Sargent, Deputy Clerk on 029 2089 8408.

Yours faithfully



Val Lloyd AM
Committee Chair

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Proposed Children and Families (Wales) Measure

Consultation Questions

1. Is there a need for a proposed Measure to deliver the stated objectives of:
 - contributing to the eradication of child poverty;
 - making provision in relation to child minding and day care for children;
 - establishing integrated family support teams to provide services to families where there are children who need to be, or who are, looked after, and this is related to needs on the part of their adult carers (such as dependence on drugs and alcohol); and
 - making provision for play opportunities for children?
2. How will the proposed Measure change what organisations do currently and what impact will any such changes have?
3. Are the sections of the proposed Measure appropriate in terms of achieving the stated objectives?

In considering this question, consultees *may* wish to consider the nature of the provisions in the proposed Measure that:

- (a) contribute to the eradication of child poverty (sections 1-12), particularly in relation to:
 - the broad aims for eradicating child poverty and preparation of strategies (sections 1-5)
 - services to tackle child poverty (sections 6-9).
- (b) make provision in relation to child minding and day care for children (sections 13-48), particularly in relation to:
 - registration provisions (sections 13-27);
 - emergency protection provisions (sections 28-29);
 - safeguards and disqualification provisions (sections 30-33);
 - inspection provisions (section 34-35);
 - offences and penalty provisions (sections 38-43).
- (c) establish integrated family support teams (sections 49-58), particularly in relation to:
 - teams (sections 49-52);

- boards (sections 53-54);
 - annual reports (section 56).
- (d) secure sufficient play opportunities for children (section 60);
and
- (e) ensure participation of children in local authority decision making (section 61).
4. What are the potential barriers to implementing the provisions of the proposed Measure (if any) and does the proposed Measure take account of them?

For example, is there capacity to implement the new duties in the proposed Measure through the existing programmes of Cymorth and Flying Start, and to undertake the work of the new Integrated Family Support Teams?

5. What are the financial implications of the proposed Measure for organisations, if any? In answering this question you may wish to consider Section 2 of the Explanatory Memorandum (the Regulatory Impact Assessment), which estimates the costs and benefits of implementation of the proposed Measure.
6. Are there any other comments you wish to make about specific sections of the proposed Measure?