



HM Government

The Fifth Periodic Report to the UN Committee on the Rights of the Child

United Kingdom

May 2014

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Introduction

1. The UK Government is proud to present this review of progress in implementing the UNCRC across the United Kingdom (UK) since 2008. It is not possible in such a short space to do full justice to the many important developments that have taken place in England, Northern Ireland, Scotland and Wales, as well as in the British Overseas Territories and the Crown Dependencies. We hope, however, that it will demonstrate our firm commitment to the progressive implementation of children's rights under the UNCRC. We look forward to presenting the UN Committee with further information during the course of the review.

Overall progress

2. Our prime aim is to help all children achieve their potential, but we are also committed to narrowing gaps between the most disadvantaged and their peers. We have used a variety of data and independent sources to assess our progress.

Key data

3. There have been significant improvements in children's outcomes in the following areas:

- **Deaths of children** aged under 19 in England and Wales fell by 15.3% between 2007 and 2012;
- The **infant mortality** rate fell by 10.6% in England and Wales, 12.7% in Scotland and 12.2% in N. Ireland between 2007 and 2011;
- The **under-18 conception** rate fell by 32.9% in England and Wales and 12.6% in Scotland between 2007 and 2012. The number of live births to under-18s in N. Ireland fell by 27% between 2008 and 2012;
- The proportion of children in England aged 11-15 who had **taken drugs** in the previous year fell from 15% in 2008 to 12% in 2012;
- The proportion of children in England aged 11-15 who had **drunk alcohol** in the previous week fell from 18% in 2008 to 10% in 2012;
- Children's **educational attainment** is improving. In England, the percentage attaining 5 GCSEs at grades A*-C increased from 65.3% in 2007/8, to 81.8% in 2011/12; those achieving 5 GCSEs including both English and Maths increased from 47.6% in 2007/8, to 59.4% in 2011/12. Pass rates in Scotland increased for all major qualifications including final year of results in Standard Grades. Higher pass rates were up from 72.9 per cent in 2006 to 77.4% in 2013;
- The number of children **permanently excluded from school** fell by 36% in England and by 58% in Wales between 2007/8 and 2011/12. Exclusion from Scottish schools decreased by 40%;
- **3,980 children were adopted** in 2012-13, up 15% from 2012 and the highest number of adoptions since the current data collections began in 1992;

- The **number of first time entrants to the criminal justice system** in England and Wales fell by 63% between 2008 and 2012. The number of under-18s convicted in Scottish courts fell by 53%;
- The **average number of children in custody** fell by 33% in England and Wales; and by 42% in Scotland between 2007/08 and 2011/12;
- The number of **Scottish children referred to the Children's Reporter** has dropped by 33.1% since 2008/09 and is at its lowest level since 2002/03.

4. The above represents good progress in some key areas. However, we are concerned about other data which show significant differences in the outcomes of children from different backgrounds, or which appear to show that aspects of children's lives have got worse. For example:

- The number of children in England who were **subject to a child protection plan** increased by 47% between 2008 and 2012; and numbers of children on child protection registers increased in Wales (+17.5%), Scotland (+23%) and N. Ireland (+2.7%). These increases may be due to better identification of children at risk, rather than because more children are being harmed;
- There remain **significant gaps in educational attainment**: in England only 36.8% of children eligible for free school meals achieved 5 GCSEs (including English and Maths) at A*-C grades in 2011/12, compared to 63% of all other children. The comparable figures for N. Ireland were 34.1% and 67.9%;
- A significant proportion (4.5%) of 16 and 17 year olds across the UK were **not in education, employment or training** in Oct-Dec 2013 – although this has fallen from 6.2% in Apr-June 2012; and 4.9% in Apr-Jun 2013.

UNICEF Report cards: 2007 and 2013

5. In the 2007 Innocenti report card, the UK was ranked **21st out of 21** countries and was bottom of the rankings in assessments of the quality of family and peer relationships, the extent to which children engaged in risky behaviours, and children's subjective well-being.

6. In the 2013 report, the UK was ranked **16th out of 29** countries overall. This was partly due to the inclusion of a new aspect of children's well-being (Housing and Environment), on which the UK was ranked 10th out of 29 countries, but also reflects better scores on material well-being, risks and behaviours and subjective well-being, including children's self-assessment of their overall life satisfaction. Despite these improvements, the report card highlights long-standing challenges in relation to the UK's low post-16 participation rate and high proportion of young people not in education, employment or training (NEETs), which we are determined to address. A more detailed account of progress in each of the UNICEF well-being domains is attached at Appendix 2.

Office for National Statistics: Measuring National Well-Being Programme

7. In 2011, the Office for National Statistics (ONS) led a national debate on the wellbeing of the population. Nearly nine out of ten children aged 10 to 15 who subsequently took part in the UK Household Longitudinal Study said that they were relatively happy with their lives overall and only 4% reported being relatively unhappy. Children were most positive about their friends (96% relatively happy) and family (95% relatively happy).

Children's Rights Director (CRD Survey)

8. In late 2013, the CRD consulted children in England in care, receiving social care services or living away from home on their experience in relation to key Articles of the UNCRC. 2,424 children submitted their views. The percentages of those who are enjoying their rights all of the time or usually were as follows:

- the right to the education they need (93.5%)
- the right to be healthy and to get treatment if they need it (92.6%)
- the right to a decent standard of living (90.1%)
- the right to be kept safe from all sorts of harm (such as being injured, neglected, sexually abused, or treated violently) (89.7%)
- the right to play and do fun activities (89.4%)
- the right to the care you need (87.8%)
- the right to join in with other children and young people, as long as this isn't harming anyone (85.0%)
- the right to your own opinions and your own religion, as long as you aren't harming anyone else (82.8%)
- the right to privacy – for yourself, and for your letters or messages to other people (81.2%)
- the right to say what you really think, as long as this isn't harmful to other people (76.9%)
- (if you are old enough to understand the issue) the right to give your views on anything that affects you (76.3%)
- (if you are old enough to understand the issue), the right to have your views taken into account by people making decisions about you (70.6%)
- the right that every decision should be made in your best interests (73.2%)
- the right not to have people attacking your reputation (72.1%)
- the right to find out things you want to know (71.6%)

Legislation

9. Several pieces of legislation since 2008 have introduced significant rights-enhancing measures. Appendix 3 provides a summary. They include new duties on Ministers in Wales and Scotland to take account of children's rights when carrying out their functions. The UK Government has introduced a Child Poverty Act to underpin the Government's aim to end

child poverty. The Children and Families Act 2014 puts the best interests of children at the heart of the family justice and alternative care systems and in arrangements to support children with special educational needs.

New challenges in a changing world

10. There have been enormous changes around the world and in the UK since the last periodic review. The world economic crisis had a huge impact on the fiscal strength of the UK economy and put intense pressure on public finances. By taking the difficult decisions needed to reduce the budget deficit, the Government has sought to secure the economic stability of the UK in the future. This rigorous approach to bearing down on public expenditure will reduce the threat of the UK experiencing further recession, and help to protect children's rights in the future. Despite having to make difficult choices about public spending, the UNCRC has been a key point of reference for the Government in determining how it will approach these challenges. In particular, despite the significant funding pressures that have existed, the Government has protected levels of funding on areas of spending that are central to children's lives, including education and health.

11. Globalisation, the movement of families across international borders, developments in information technology and social media and the increasing diversity of family structures and cultural backgrounds have led to a growing complexity of new challenges, especially in relation to:

- internet safety;
- cyber bullying;
- the increased sexualisation of children;
- the impact of the recession on disadvantaged families; and
- a growing awareness of trafficking and exploitation among both adults and children.

12. Our commentary on specific issues and policy developments are covered in more detail in the individual chapters in this report. These focus on specific clusters of UNCRC articles and respond to the UN Committee's Concluding Observations from 2008.

Chapter I: General Measures of Implementation

Introduction

1. There have been significant developments in each of the four nations that will help to embed the UNCRC within policies, legislation and the way services to children are delivered.

Reservations and declarations to the Convention and the Optional Protocols

2. The UK signed the UNCRC in 1990 and ratified it in 1991. The State Party has no reservations or declarations in respect of the Convention.

3. The UK signed the **Optional Protocol on the involvement of children in armed conflict** in September 2000 and ratified it in June 2003. At the time of signing, and upon ratification, the UK Government made a declaration stating that it would take all feasible measures to ensure that members of its armed forces who have not attained the age of 18 years do not take a direct part in hostilities (see appendix 1 for more detail).

4. The UK signed the **Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography** in September 2000 and ratified it in February 2009. The State Party has no reservations or declarations in respect of this Optional Protocol. In 2011, the UK submitted its first periodic report on progress the UK had made in implementing the provisions of the Optional Protocol. There is a preference in the UK to use the term indecent images of children or child abuse imagery in place of the term ‘child pornography’ and we would therefore urge the UN to use the phrase ‘indecent images of children’ rather than ‘child pornography’.

5. The UK has not signed the **Optional Protocol on a Communication Procedure**. The UK already has strong and effective laws under which individuals may seek enforceable remedies in the courts or tribunals if they feel that their rights have been breached. Nonetheless, the Government recognises that ratifying the Optional Protocol may add further protection for children in respect of their rights and will continue to keep this under review in light of emerging information about procedures and practice.

Bill of Rights (CRC/C/GBR/CO/4: Para. 11)

6. The UN recommended the State Party should develop a British Bill of Rights and a Bill of Rights in Northern Ireland incorporating the Convention’s principles and provisions. The Government did not accept the recommendation on a British Bill of Rights but as part of its own policy work established a Commission in March 2011 to investigate a UK Bill of Rights. The Commission submitted its final report in December 2012^[1]. The Government accepted the Commission’s central conclusion that the time was not right to proceed with a Bill of Rights because of the way our human rights framework is tied into the devolution settlements and the forthcoming referendum in Scotland. With regard to a

^[1] The full report can be found at - <http://www.justice.gov.uk/about/cbr/>

Bill of Rights for Northern Ireland, the UK Government which retains responsibility in this area would like to see the issue resolved on the basis of consensus between the political parties in Northern Ireland.

Measures to bring domestic legislation in line with the provisions of the Convention (CRC/C/GBR/CO/4: Para. 11)

7. As a general principle, the State Party does not incorporate international treaties directly into domestic law. Alternative steps have been taken within each jurisdiction to ensure that all aspects of law and practice are compliant with the UNCRC.

England¹

8. The UK Government has undertaken a detailed analysis of how the rights and obligations set out in each of the Articles in the UNCRC are protected by legislation and case law. This was published in March 2010.² All legislation introduced to Parliament is assessed to ensure it is compatible with individuals' human rights, as set out in the European Convention on Human Rights (ECHR); and compatible with our obligations under the UN Convention on the Rights of the Child, and child rights impact assessments undertaken where appropriate for the key legislative proposals affecting children.

9. The UK Government reaffirmed its commitment to give due consideration to the UNCRC in policy and legislation through a Ministerial statement to Parliament in December 2010.³

Northern Ireland

10. Section 75 of the Northern Ireland Act 1998 created an equality duty. Departments and other public authorities must consider the impact of their policies, programmes and projects on nine section 75 groups. Age is one of the nine groups so the impact of any policy on children and young people must be screened. If there is potential for major impact, particularly an adverse impact, then a full equality impact assessment (EQIA) must be carried out. The Equality Commission for Northern Ireland sets the guidelines for how EQIAs should be completed.

Scotland

11. The Children and Young People (Scotland) Act 2014, was passed by the Scottish Parliament in February 2014. The Act places a new duty on Scottish Ministers to: keep under review whether there are steps they might take to strengthen their approach to implementation of the UNCRC; take actions which they believe to be appropriate in response and be prepared to justify the impact of those actions. It also places a duty on Scottish

¹ This also relates to the UK in respect of non-devolved matters

² The key legislative provisions, case law and policy can be found at - <http://www.education.gov.uk/childrenandyoungpeople/healthandwellbeing/b0074766/uncrc>

³ The Written Ministerial Statement can be referenced via this link: <http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm101206/wmstext/101206m0001.htm>

Ministers to promote awareness and understanding of the UNCRC and introduces new reporting requirements designed to support increased scrutiny of the entire public sector's approach to implementing the Convention.

Wales

12. In 2011, Wales incorporated children's rights into domestic law through the introduction of the Rights of Children and Young Persons (Wales) Measure 2011.⁴ Since 1 May 2012, the Measure has required Welsh Ministers to have due regard to the articles of the UNCRC and its Optional Protocols when developing new or amending existing policies and/or legislation. From May 2014, the Measure will be extended to require Welsh Ministers to have due regard to children's rights whenever they exercise any of their functions. The Measure also confers a power on Welsh Ministers to make an Order amending other legislation or prerogative instruments if they conclude that it would be desirable to do so to give further or better effect to the rights and obligations in the UNCRC or its Optional Protocols.

13. The Measure also requires Welsh Ministers to produce a Children's Rights Scheme which defines the roles and responsibilities of both individuals and groups within the Welsh Government and sets out how the duty will be implemented. The Children's Rights Scheme has been approved by the National Assembly for Wales.

UNCRC strategies and plans (CRC/C/GBR/CO/4: Para. 15)

14. In 2009, the State Party published a joint, UK-wide strategy, *Working together, achieving more*, which set out how the four nations would work together to implement the UNCRC. This document set out the underlying principles which determine the UK's broad approach to UNCRC implementation and was underpinned by individual action plans for each nation.

England⁵

15. In 2009, the then Government's *Priorities for Action*, set out proposals to address the UN Committee's recommendations following the last periodic review. The Coalition Government has taken a less centralised approach and given local decision-makers greater discretion to plan and deliver children's services. It has, however, underlined its commitment to UNCRC implementation through: introducing reforms through the Children and Families Act 2014; and issuing statutory guidance to all local Directors of Children's Services which requires them to have regard to the general principles of the UNCRC and to ensure that children and young people are involved in the development and delivery of local services.

⁴ Subsequent to the referendum on further powers to the National Assembly for Wales in 2011, proposed laws are now called Bills, and enacted laws will be called Acts. The Measures made since 2007 will continue to be called Assembly Measures and will continue to have the same legal effect. What will change is that it will not be possible to make any more Measures and new laws made by the Assembly will be called Acts.

⁵ This also relates to the UK in respect of non-devolved matters

Northern Ireland

16. The Children and Young People's Ten Year Strategy provides the strategic direction for improving outcomes for children and young people in Northern Ireland. A Child Rights Indicator Framework links progress on the outcomes in the Strategy directly to implementation of the UNCRC and informs both the development of policy and the delivery of children's services.

Scotland

17. Following the UN Committee's 2008 concluding observations, the Scottish Government published a detailed action plan, *Do the Right Thing*, setting out its priorities for implementing the UNCRC over the medium to long term. A progress report was published in May 2012.

Wales

18. Following publication of the UN's concluding observations in 2008, the Welsh Government consulted with a wide range of stakeholders on how best to take the recommendations forward. This resulted in the *Getting it Right Action Plan 2009*. The Welsh Government plans to refresh the action plan and consult on the new version.

Coordination (CRC/C/GBR/CO/4: Para. 13)

19. The UK State Party and the devolved governments each have Ministers who are responsible for coordinating UNCRC implementation across the relevant jurisdiction. The five Ministers⁶ liaise on areas of common concern and interest. There are also regular meetings between officials in the four jurisdictions to share progress and ideas about UNCRC implementation.

Resources to support UNCRC implementation (CRC/C/GBR/CO/4: Para. 19)

20. Identifying the proportion of Government spending which is allocated to children is difficult for a number of reasons:

- The UK Government has a policy of devolving resources to the front line, where they are spent on locally determined priorities;
- At national level, some funding supports all age groups and is not disaggregated for children;
- It is difficult to ascertain how Government support paid to families is used for the benefit of children within the households.

21. There is no doubt, however, that the UK's investment in children is substantial and wide-ranging (see Appendix 4). Despite the worldwide recession and its impact on the UK economy, real levels of expenditure on children have been broadly maintained over the five

⁶ Includes both the First Minister and deputy First Minister in Northern Ireland

years of the review period. This is at least partly due to the protection of some of the most important budgets for children, but it also reflects local prioritisation of resources for children. As a proportion of GDP, expenditure on children also appears to have been maintained.

22. We recognise that the distribution of resources between children is as important as the overall quantum. There are many examples of central Government using differential funding to create fairness and opportunities for all. For example, by 2014-15 the UK Government will be spending £2.5 billion on the Pupil Premium which provides additional support for disadvantaged pupils in schools, in order to close the attainment gap between them and their peers.

Provision of international assistance and aid

23. The UK treats its obligations towards less wealthy countries very seriously. Our aid programme has supported children in overseas countries in a range of ways, from improving the conditions that threaten children, providing water and sanitation and supporting better health and education. Funding that has benefitted children in particular includes:

- a pledge to support 9 million children in primary education and 2 million children in secondary education around the world by 2015; and to help train 190,000 teachers to improve the quality of learning;
- funding of £220m to provide immunisation against vaccine-preventable diseases and to conduct research into new vaccines. In 2011/12, the UK Government's direct funding helped to vaccinate at least 84 million children;
- support to prevent 12.9 million children and pregnant women from going hungry, and to ensure that 1.6 million births take place safely;
- £9.75 million for a five year programme from 2013-17 to help prevent trafficking of women and girls from South Asia, including specific support to 9,000 girls under 16 who will be supported to stay in school so that they are not compelled to migrate for domestic work.

24. In addition, the UK Government has supported the Overseas Territories (OTs) to improve child safeguarding since 2005, helping to raise awareness at the highest levels of government and in civil society in participating OTs. A new £1.8m child safeguarding project (launched in March 2014) will strengthen the evidence base on child abuse prevalence in the OTs, including sexual abuse and exploitation. In addition, the Government will continue to support child safeguarding service delivery in the aided Overseas Territories (St Helena, Montserrat and Pitcairn) through annual budget aid settlements.

Independent monitoring structures (CRC/C/GBR/CO/4: Para. 17)

The Children's Commissioners

25. The UK has Children's Commissioners in each of the four nations of the UK, who are an established part of the framework of UNCRC monitoring and implementation. They meet regularly with the Irish Commissioner as members of the British and Irish Network of Ombudsmen and Children's Commissioners (BINOCC). The Commissioners have developed an operational protocol to ensure that they work together to maximum effect.

26. In England, following an independent review and extensive consultation with NGOs and children, the UK Government has legislated to change the primary role of the Commissioner to one of promoting and protecting children's rights. The Children and Families Act 2014 also extended the Commissioner's remit and powers and reinforced the Commissioner's independence from Government.

27. The Northern Ireland Commissioner for Children and Young People has the power to receive and to respond to individual requests from children and their representatives.

28. Scotland's Children's Commissioner is appointed by the Scottish Parliament. Through the Children and Young People (Scotland) Act, the Scottish Parliament extended the role of the Commissioner, enabling them to undertake investigations in relation to the experience of individual children. These new powers are due to take effect from 2016.

29. In Wales, the Children's Commissioner acts as an independent champion for children and young people, and has a statutory role to safeguard and promote the rights of children and young people in Wales, having regard to the UNCRC. The Children's Commissioner for Wales's legislation affords powers of review and examination of public bodies and enables investigation of individual cases and provision of advice and support.

Equality and Human Rights Commission

30. In addition to the bodies above, whose focus is specifically on children, the Equality Act 2006 established the Equality and Human Rights Commission to support the rights of children and adults in GB. Northern Ireland has an Equality Commission and a Human Rights Commission established under the NI Act 1998.

Dissemination, training and awareness-raising (CRC/C/GBR/CO/4: Para. 21)

31. Following a review of the National Curriculum in England, the Government issued a revised Citizenship programme of study in September 2013 which makes it clear that maintained secondary schools should develop pupils' understanding of democracy, government and the rights and responsibilities of citizens; and includes a requirement that pupils should be taught about the United Kingdom's relations with the UN.

32. Awareness raising sessions on the UNCRC have been arranged for officials working on policy or legislation which may affect children. The UNCRC is also a key element of

training and guidance for frontline staff working with children, such as those at border controls or working in youth custody.

33. In Northern Ireland, copies of the UNCRC have been sent to pupils in all schools and further education colleges and to almost 4,000 civil servants. Initial teacher training includes provision related to UNCRC. Since 2009/10, all children between Year 1 and Year 12 have undertaken Citizenship Education which seeks to develop their capacity to participate positively and effectively in society. Pupils have opportunities to learn about the key principles outlined in the UNCRC and the European Convention on Human Rights (ECHR).

34. Action in Scotland includes: a three year programme to increase awareness and understanding of children's rights in every school and a minimum set of common core skills, knowledge, understanding and values (cross-referenced to the UNCRC) which every worker (paid or unpaid) should have if they work with children, young people and families. The Children and Young People (Scotland) Act placed a duty on Ministers to promote public awareness and understanding of the UNCRC.

35. In Wales, the Rights of Children and Young Persons (Wales) Measure 2011 placed a duty on Welsh Ministers to promote knowledge and understanding among the public (including children) of the Convention and its protocols. Actions to promote the UNCRC include: a dedicated website providing resources for children, young people and adults working with children; resources to help officials gain a better understanding of the UNCRC; and systematic training of all professional groups working for and with children.

36. Between 2008 and 2010 the UK Government provided £521,000 of pump priming funding to help UNICEF establish the Rights Respecting Schools (RRS) programme. Over 1,000 schools across the UK have gained RRS status. The Rights Respecting Schools Award (RRSA) recognises schools' achievements in putting the UNCRC at the heart of planning, policies, practice and ethos.

Cooperation with civil society (CRC/C/GBR/CO/4: Para. 23)

37. In England Ministers have held twice-yearly meetings with key NGOs and an NGO reference group has helped to plan the process and to act as 'critical friends' in the drafting of this submission. In Northern Ireland, the Executive took part in a series of engagements with children and young people hosted by children's organisations. The Scottish Government supports 'Together', an independent alliance of non-government organisations, to publish an annual *State of Children's Rights* report, monitoring the progress made to implement the UNCRC in Scotland. The Scottish Children's Rights Implementation Monitoring Group meets three times each year to monitor progress with implementation of the UNCRC. The Welsh Government convenes the 'Getting it right support network' to allow groups and organisations that support children and young people to advise on addressing the concluding observations. 'The Wales UNCRC monitoring group' also scrutinise compliance to the UNCRC.

Chapter II: General Principle (Articles 2, 3, 6 and 12)

Introduction

1. Progress has been made towards delivering the general principles since the last review, not least through the Equality Act 2010, which consolidates anti-discrimination law; and through numerous consultations with children and young people to inform the development of policy and legislation (see Appendix 5).

Promoting the best interests of the child (CRC/C/GBR/CO/4: Para. 27)

2. The principle of the best interests of the child is enshrined in legislation, policy and practice across the UK. In England Section 1 of the Children Act 1989 (CA 1989) provides that, in any proceedings relating to the upbringing of a child or the administration of the child's property or application of any income arising from it, the child's welfare is the paramount consideration. This applies to both private family law proceedings under Part 2 of the CA 1989 and public law proceedings – emergency protection orders, care orders and supervision orders.

3. New measures introduced through the Children and Families Act 2014 to strengthen arrangements for adoption, promote family life and reform support for children with special educational needs, are all predicated on the assumption that decisions affecting children should be in their best interests and take account of their views, wishes and feelings.

Respect for the views of the child (CRC/C/GBR/CO/4: Para.33)

4. The UK fully endorses and promotes the principle that children and young people should have opportunities to express their opinion in matters that affect their lives. This applies to national or local policy making and to decisions affecting individual children. The UK Government provided funding of £366,000 in 2013/14 and £300,000 for 2014/15 to the British Youth Council (BYC) to strengthen and maintain the UK Youth Parliament and deliver the Youth Voice programme, which has created a range of opportunities for children and young people to participate in decision-making:

- The UK Youth Parliament has 600 elected Members of the Youth Parliament (MYPs) aged 11-18. It provides opportunities for young people to use their voice in creative ways to bring about social change. A quarter of a million young people voted to select the issues debated at the Parliament's annual Commons sitting on 23rd November 2012; and nearly half a million for the sitting held on 15 November 2013.
- The Youth Select Committee (11 members aged 15-18) - launched in April 2012 with support from the UK Parliament - has given young people opportunities to hold inquiries into issues that young people care about. The first inquiry in July 2012 looked at Transport. The second inquiry, in 2013, looked at education and the national curriculum. The third inquiry looking at lowering the voting age to 16 is underway.

- The National Scrutiny Group has allowed children and young people to have two-three meetings per year with Ministers and government officials. The BYC has facilitated regional workshops with young people, for example, in 2013 on UNCRC Articles (12, 15 and 42) for the Department for Education and a workshop on HealthWatch for the Department of Health.
- In England, almost 20,000 children aged between 11 and 17 have volunteered to represent their peers through Local Youth Councils (LYCs) which influence local decision-making and help to shape local services.

5. Between 2007 and 2012, the Northern Ireland Executive funded the Participation Network to enable Government departments and agencies to engage proactively with children and young people when developing policy.

6. In Scotland, the Scottish Youth Parliament has 150 members and three national sittings each year. It undertakes two national campaigns annually and delivers a range of peer education and outreach programmes to engage and involve young people across Scotland in the democratic process.

7. In Wales, the Children and Families (Wales) Measure 2010 places a duty on local authorities, working with their partners, to promote and facilitate participation by children and young people in decisions that might affect them. The Children and Young People's Assembly for Wales, Funky Dragon, enables children's views to be heard at a national level, through their elected representatives.

Tackling the negative portrayal of children and young people in the media
(CRC/C/GBR/CO/4: Para. 25 (a))

8. Freedom of expression is an important principle in the UK. This makes it difficult and inconsistent for the Government to impose restrictions on how young people are portrayed in the press and broadcast media. Ofcom is the independent, statutory regulator for broadcast media in the UK, and sets out clear guidelines on the protection of under-18s in section one of its Broadcasting Code.

9. In England, positive images of young people have been promoted through the Government's *Positive for Youth* document, published in December 2011, which recognised that 99% of young people are responsible and hard-working, want to make the most of their lives and want to make the world a better place. The UK Government has also supported initiatives allowing children to engage in local social action projects or to become involved in local decision-making. These include 'Step Up to Serve', which aims to double the number of young people participating in social action to by 2020; National Citizen Service which over 70,000 young people have undertaken since 2011 and the Children's Commissioner's 'Takeover Day', which allows many thousands of children and young people to work with adult decision-makers for the day.

10. In Northern Ireland, the Executive supported a scheme to remove inter-generational barriers and tackle negative perceptions. Funding for 14 projects has led to positive reports about children and young people in local and social media.

11. In Scotland, the 'Young Scot's Truth About Youth' project has challenged negative perceptions and changed attitudes towards young people. It has used inter-generational workshops and events, an online blogging and video website, and partnership with Scotland's Sunday Mail newspaper, to share young people's stories about the positive contributions they make to society. Impact statistics (June 2013) found that 73% of participants were more positive about young people as a result.

12. In Wales, to celebrate the 20th anniversary of the UNCRC being adopted, the Welsh Government launched *Tell it Like it is* - a media toolkit for those working with children and young people, including advice on how to promote positive images and stories. The Children's Commissioner in Wales has run a campaign *See Me/Dyma Fi* to encourage the use of responsible and balanced imagery and language when portraying children and young people.

Protecting children and young people from discrimination (CRC/C/GBR/CO/4: Para. 25 (b))

13. Under the Equality Act 2010, schools must have due regard to the need to eliminate discrimination, advance equal opportunity and foster good relations between children.

14. Romany Gypsies and Irish Travellers groups are fully protected by the anti-discrimination provisions in the Equality Act 2010. In England a Ministerial working group report, published in April 2012, set out measures to improve outcomes for the Gypsy, Roma and Traveller communities. These included: piloting a virtual head teacher to champion the interests of Gypsy, Roma and Traveller pupils across their local authority and measures to address the high levels of school exclusion amongst Gypsy and Traveller children.

15. In Northern Ireland the Race Relations (Northern Ireland) Order 1997 (as amended) provides protection to minority ethnic groups including Irish Travellers. The Racial Equality Strategy (2005-2010) and the new Racial Equality Strategy (currently scheduled to go out for consultation in Spring 2014), reflect a strong commitment to the mainstreaming and promotion of racial equality and good race relations. These objectives are supported by a Minority Ethnic Development Fund which disbursed funds of £1.1m in 2012/13 to minority ethnic integration activities.

16. In Scotland, the Scottish Government is investing nearly £6m during 2012-15 in organisations which aim to tackle racism and religious intolerance and improve the lives of minority ethnic and religious communities. In April 2012, the Welsh Government launched its *Strategic Equality Plan (SEP)*⁷ and equality objectives; as well as a *Framework for Hate*

⁷ [The Strategic Equality Plan](#)

Crime in the summer of 2013, which focuses on hate crime based on race, religion, disability, sexual orientation and gender identity.

Right to life, survival and development (CRC/C/GBR/CO/4: Para. 29)

17. In England and Wales, infant mortality rates are improving with 4.2 infant deaths per 1,000 live births in 2011 - the lowest rate on record (Data annex table F2.1). This compares with 11.1 deaths per 1,000 in 1981, a 62% decrease. There has been a steady decline in the number of under-19 deaths during the reporting period.

18. In England, statutory procedures must be followed if a child dies. Local Safeguarding Children Boards (LSCBs) are required by law to collect and analyse information about each death with a view to identifying: any case which meets the criteria for a Serious Case Review (SCR); any matters of concern affecting the safety and welfare of children in the local authority; and any wider public health or safety concerns arising from a particular death or from a pattern of deaths.

19. In Wales, a new Child Practice Reviews⁸ framework was introduced which will help improve the culture of learning by reviewing child protection cases to identify common and preventable factors. Wales has also developed a *National Action Plan to Reduce Suicide and Self Harm*⁹.

20. Every unexpected child death or serious injury which occurs in police custody in England and Wales is subject to investigation either by the police or by the Independent Police Complaints Commission. There is also a Coroner's Inquest before a jury. This is held in public, and the family are able to attend and question witnesses.

21. Serious Case Reviews (SCRs) are carried out in cases where abuse or neglect is known or suspected and a child dies or is seriously harmed and there are concerns about how organisations or professionals worked together to protect the child. SCR's are also commissioned if a child dies in custody. The UK Government has taken steps to strengthen arrangements for SCR's so that lessons from serious incidents can be learned more effectively. Final reports of all SCR's must be published on the LSCB's website.

22. In Northern Ireland a statutory Regional Safeguarding Board for Northern Ireland (SBNI) was established in September 2012. The SBNI has a statutory duty to undertake Case Management Reviews (CMRs) in circumstances where a child has died or been significantly harmed and specific criteria are met.

23. In Scotland, the Scottish Government does not require automatic reviews of child deaths or significant incidents but is taking action to strengthen the current approach. All future incidents will be reviewed by the Care Inspectorate, which is responsible for inspecting children's services.

⁸ [New framework to improve child protection practice](#)

⁹ [Talk to me: The national action plan to reduce suicide and self-harm in Wales](#)

Access to Justice

Legal Aid

24. The UK Government promotes early dispute resolution and other alternatives to litigation. However, Legal Aid is available to support those people, including children, who really need it. For civil legal aid, this includes cases where life or liberty is at stake, if a person is at risk of serious physical harm or immediate loss of home, or where their children may be taken into care. Legal aid can also be made available if there is a risk of an individual's ECHR rights being breached and to meet EU obligations.

25. In 2013, the UK Government consulted on reforms to the legal aid system to withhold criminal legal aid from individuals in custody where there is an alternative means of redress. Complaints systems are in place in Young Offender Institutions (YOIs), Secure Training Centres (STCs) and Secure Children's Homes (SCHs) in England and Wales to enable young people to resolve issues relating to their detention. Advocacy services are also provided in YOIs, STCs and SCHs to assist young people in navigating the complaints, grievance or disciplinary systems. If a young person is not satisfied with the outcome of a complaint they are able to refer the issue to the Prisons and Probation Ombudsman (in YOIs and STCs), statutory Monitor (in STCs) or to Local Authorities (in SCHs).

26. The UK Government also consulted on a residence test for entitlement to civil legal aid. We concluded that a number of categories of people should not have to satisfy the test, including: asylum seekers and serving members of UK Armed Forces and their immediate families, and cases involving vulnerable people or child protection issues. We also concluded that children under 12 months old would not be required to have 12 months of previous lawful residence, and other categories of refugee who never make a claim for asylum in the UK, but are resettled or transferred here will not have to satisfy the residence test until 12 months after they arrive in the UK. In reaching these conclusions, we took account of the views raised by consultees, including children's rights NGOs, and are satisfied that they are compatible with the UNCRC.

Chapter III: Civil Rights and Freedoms (Articles 7, 8, 13-17 and 37(a))

Introduction

1. The UK has a long history of promoting civil rights and freedoms. The Human Rights Act¹⁰ 1998 made rights from the 1950 European Convention on Human Rights (ECHR)¹¹ enforceable in UK courts. Several civil rights and freedoms protected by the UNCRC are also provided for in the ECHR and are consequently directly enforceable in UK courts and tribunals. The rights to freedom of expression (article 13 UNCRC, article 10 ECHR) and freedom of thought, conscience and religion (article 14 UNCRC, article 9 ECHR) are afforded special statutory protection in the Human Rights Act 1998 and UK courts and tribunals must have particular regard to their importance.

Freedom of peaceful assembly (CRC/C/GBR/CO/4: Para. 35)

2. Children in the UK have opportunities to take part in a variety of organised group activities, linked to their school or local community. They also have opportunities to meet in various informal settings such as in youth clubs or parks.

Use of mosquito devices

3. The UK Government has repeatedly emphasised our opposition to the discriminatory use of mosquito devices. Our *Positive for Youth* document encouraged young people “to challenge the discriminatory and inappropriate use of ‘mosquito’ devices” and provided examples of where this has been done successfully, leading to the banning of mosquito devices from all publicly owned premises within several local authority areas.¹²

4. During 2011 and 2012, the Scottish Parliament debated the use of such devices following a petition on behalf of the Scottish Youth Parliament and subsequently secured a commitment from the inventor of the device that all future devices sold to organisations in Scotland would include clear signage to show where the device is in use. Scotland’s Commissioner for Children and Young People continues to consider this issue and is due to report his findings in summer 2014.

Stop and Search

5. On 30 April 2014 the Home Secretary announced the Government’s response to an extensive public consultation on stop and search powers, which includes a comprehensive package for reform of the use of stop and search. The measures are designed to ensure that the police use all stop and search powers lawfully, in a targeted and intelligence-led way; and

¹⁰ <http://www.legislation.gov.uk/ukpga/1998/42/contents>

¹¹ The 1950 European Convention on Human Rights (ECHR) is a binding international agreement that the UK signed and ratified more than half a century ago. The Convention rights apply to all individuals and all age groups, without discrimination, in all 47 States Parties of the Council of Europe, including the UK.

¹² Foreword to *Positive for Youth* - A new approach to cross-government policy for young people aged 13 to 19 - available here: <https://www.gov.uk/government/publications/positive-for-youth-a-new-approach-to-cross-government-policy-for-young-people-aged-13-to-19>

local communities must be able to hold the police to account for their use of the powers. The Government believes that these measures will contribute to a significant reduction in the overall use of stop and search, better and more intelligence-led stop and search and improved stop-to-arrest ratios.

Protection of privacy (CRC/C/GBR/CO/4: Para. 37)

Data protection

6. The Protection of Freedoms Act 2012 has brought in several positive reforms to put an end to unnecessary scrutiny of individuals and address infringements of children's privacy rights. The Act sets out a new framework for police retention of fingerprints and DNA data. Adults or under-18s without convictions will no longer have their DNA profiles and fingerprints retained indefinitely. Under-18s who have one conviction for a minor offence will have their DNA profiles and fingerprints deleted after 5 years (plus the length of any custodial sentence); and they must be destroyed straightaway if the individual was arrested unlawfully. The Act also requires schools and colleges to obtain parental consent before acquiring and processing biometric information for under 18s. A child also has the right to stop the processing of their biometric information regardless of any parental consent.

Protecting children in the media and taking part in public performances

7. Children in the UK are protected from press intrusion through a Code of Practice¹³ administered by the Press Complaints Commission (PCC). In Northern Ireland, journalists helped to develop Guidance for Media Reporting on Child Abuse and Neglect (launched November 2012). Broadcasters operate a similar Code, which requires them to take reasonable steps to protect under-18s, through the appropriate scheduling of material that is unsuitable for them.

8. Child performances and appearances in broadcasts are subject to regulation and oversight designed to ensure the well-being and safety of child performers and that their education does not suffer as a result. Reviews of the arrangements are currently underway in England and Scotland, with the aim of streamlining them, and enhancing children's opportunities to perform while continuing to ensure they are safe and that the performance is in their best interests.

Cruel, inhuman or degrading treatment or punishment (CRC/C/GB/CO/4: Para. 39)

9. The use of restraint in custodial settings, foster placements and children's homes is very tightly regulated and monitored. The UK Government's *Use of Restraint* framework, which covers custodial settings in England and Wales, sets out that restraint should only ever

¹³ <http://www.pcc.org.uk/cop/practice.html>

be used against young people as a last resort. It also states that physical intervention should never be used as a punishment.

10. A new system of “Managing and Minimising Physical Restraint” which has been independently assessed by child medical and behavioural experts is currently being rolled out in under-18 Young Offender Institutions and Secure Training Centres across England and Wales. Staff using restraint measures are expected to be trained in the use of safe techniques. The Independent Restraint Advisory Panel (IRAP) has been monitoring the implementation of the new system of restraint as well as assessing the systems of restraint commissioned for use in Secure Children’s Homes.

Corporal punishment (CRC/C/GB/CO/4: Para 42)

11. The UK Government does not condone any violence towards children and has clear laws to deal with it. Our view is that a mild smack does not constitute violence and that parents should not be criminalised for giving a mild smack.

12. All schools in England, Northern Ireland, Scotland, and Wales are banned by law from using any form of corporal punishment. There are some unregistered independent settings, providing part-time education, that are not covered by this ban. However, work is underway to develop a code of practice which will send a clear message about the expected standards that all settings should meet, and to highlight that assault of children is unlawful in any setting. Physical punishment has also been banned in child minding, other early years provision, local authority foster care and children’s homes, either by statute or through codes of conduct.

13. The UK is taking a variety of action to promote positive parenting and caring relationships. Examples are included in Northern Ireland’s *Families Matter Strategy*, Scotland’s *National Parenting Strategy* and the *Help at Hand; A Positive Approach to Parenting* publication in Wales.

Chapter IV: Family Environment and Alternative Care

(Articles 5, 9-11, 18 paragraphs 1 and 2, 19-21, 25, 27 paragraphs 4, and 39)

Introduction

1. The UK recognises that family relationships have the single biggest impact on children's well-being, development and prospects. We have taken steps to improve the guidance and support available for parents, helping them to carry out their role effectively and make the right choices for their children. We are also improving the quality of alternative care for children for whom living with their parents is not the best option.

Support for parents and families (CRC/C/GB/CO/4: Para 45 (a))

Early years and childcare reforms

2. The UK has introduced a range of measures to improve access to childcare, to help parents combine work and family life successfully and support children's development.

3. In England, the number of free hours of early education for 3 and 4 year olds has increased to 15 hours a week. This entitlement is being extended to the most disadvantaged 2 year olds - over 90,000 children are already benefiting and the target is to reach 40% of 2 year olds (around 260,000 children) from September 2014. Additional funding has been made available to support all families eligible for Universal Credit, who will benefit from additional childcare support at 85%, rather than 70%. From autumn 2015, working families not receiving tax credits or Universal Credit will be eligible for a new Tax-Free Childcare scheme. Once fully rolled out, nearly 2 million families will be eligible to receive 20% support on childcare costs up to £10,000 per child each year.

4. The Government is committing £50m of additional funding in 2015-16 for a new pupil premium for disadvantaged three and four year olds. The Early Years Pupil Premium (EYPP) will provide nurseries, schools and other providers of government funded early education with extra money allocated to the disadvantaged three or four year olds they provide childcare to. We are also improving parents' access to information about childcare options and maintaining a national network of Sure Start Children's Centres which enable children aged 0-5 and their families to access integrated services.

5. On 25 September 2013, the Northern Ireland Executive launched the first phase of *Bright Start* – the Executive's programme for developing affordable and integrated childcare. A Childcare Strategy is due to be published later in 2014.

6. In Scotland the Children and Young People Act (passed in February 2014) will deliver increased and more flexible early learning and childcare of 600 hours per annum for 3

and 4 year olds; and, for around 15% of the most vulnerable 2 year olds from August 2014. From August 2015, this will be expanded to 27% of 2 year olds based on free school meal eligibility.

7. In 2012-2013 the Welsh Government invested more than £150m in early education and childcare through the *Building a Brighter Future: Early Years and Childcare Plan*. *Flying Start* is the Welsh Government's flagship early years programme, which targets the most disadvantaged communities with higher concentrations of children under the age of four living in income benefit households. The Welsh Government is committed to doubling the number of children benefiting from the programme from 18,000 to 36,000 meaning that almost a quarter of children in Wales, under the age of 4, will be receiving services through the programme by 2016. The programme provides free, quality, part-time child care for 2-3 year olds, enhanced health visiting, parenting support and support for early language development for families.

Improving parenting skills and support

8. The UK recognises the importance of strong and confident parenting and has taken steps to help all families access and benefit from parenting classes, creating a culture in which learning good parenting skills and seeking professional help when necessary becomes the norm.

9. In England, funding has been provided to third sector organisations to deliver family support services online or through helplines, providing advice on relationships, employment, education and benefits and specialist advice for parents whose children are disabled, have special educational needs, or behaviour problems. Parent Support Advisers are employed either by local authorities or schools, providing face-to-face support and advice for parents experiencing social, health or emotional problems. During 2008-2011, £102.5 million was made available to expand Parent Support Advisor work across all local authorities; and between 2011 and 2015, £30 million is being provided to strengthen relationship support services.

10. Northern Ireland's family and parenting strategy, *Families Matter*, gives priority to early intervention and prevention in family support services. Family Support Hubs based on coalitions of agencies provide local early intervention services for children and families.

11. In Scotland, the National Parenting Strategy, published in October 2012, champions the importance of parenting, strengthening the support on offer to parents and making it easier for them to access this support. The strategy provides £18 million to create high quality, co-ordinated and accessible family support informed by engagement with parents.

12. In Wales the *Families First* programme focuses on prevention and early intervention and is designed to improve outcomes for children, young people and families. The programme is a key part of the Welsh Government's Child Poverty Strategy and the Tackling

Poverty Action Plan. A total of nearly £89 million has been allocated to the programme for the two-year period 2012-14.

Family Law

13. The Children and Families Act 2014 includes new measures in England and Wales to ensure the needs of children remain at the centre of the family law system. Attendance at a Mediation, Information and Assessment Meeting (MIAM) will be a requirement (with exemptions) for adults applying to court in certain types of family proceedings, with the aim of encouraging parents to reach agreement between themselves (out of court) wherever possible. When cases do go to court, the introduction of a new ‘child arrangements order’ will help to ensure that the main focus is on the needs and interests of the child. The most recent statistics (July-Sept 2013) show that the average time taken for a care or supervision order to be determined in the family courts is now 35.8 weeks, down from 54.6 weeks when the Family Justice Review reported in November 2011.

14. Scotland has well established arrangements for the courts to make decisions, when necessary, on matters such as parental responsibilities and rights, where a child should live and how much contact a non-resident parent should have. The wellbeing of the child is central in all such cases.

Troubled Families

15. In England, the Government has invested nearly £450m to turn around the lives of 120,000 troubled families by 2015. The Troubled Families programme aims to get children back into school, reduce youth crime and anti-social behaviour, put adults on a path back to work, and reduce the high costs these families place on the public sector each year. Local authorities reported in October 2013 that they had successfully turned around the lives of 22,000 troubled families. The Government has agreed to increase its investment in the troubled families programme from 2015/16, so that it can provide intensive help for 400,000 more families.

16. In Wales, the Integrated Family Support Services programme is rolling out new models of delivering services to vulnerable children and families who have complex needs, through intense integrated support from highly skilled professionals.

Young Carers

17. The UK is committed to preventing young carers from undertaking inappropriate or excessive caring roles by ensuring that the person they care for is adequately supported. In England the Children and Families Act 2014 places an enhanced duty on local authorities to assess the needs and circumstances of young carers, as part of a ‘whole family’ approach to assessment and support. In Scotland, the 2010 *Getting it Right for Young Carers* strategy set out steps to improve young carer identification and support within schools, colleges and the

health service. A progress report linked to the Strategy was published in May 2013. In Wales, the *Carers Strategy for Wales*, published in June 2013, identifies young carers as a key priority. The strategy provides a framework for agencies to work together to deliver services and support to carers.

Violence, abuse and neglect (CRC/C/GB/CO/4: Para. 51)

18. The UK is committed to protecting all children from abuse and neglect. Our child protection systems aim to identify children at risk of abuse or neglect early, and ensure they get the services and support needed to promote their welfare and protect them from harm based on an assessment of their individual needs.

19. In England there is a duty¹⁴ on local authorities and their partners (including schools and colleges, the police, health service providers and the youth justice system) to co-operate to safeguard and promote the wellbeing of children and young people in their area. The Disclosure and Barring Scheme aims to prevent unsuitable individuals from working with children and young people.

20. The Government is implementing a comprehensive series of reforms based on the Munro review (2011), which concluded that the child protection system had become too focused on compliance and regulation and had lost sight of what matters most - the views and experiences of the individual child. Key new measures include:

- a new inspection framework for services to safeguard children, which takes account of the feelings and experiences of children;
- revised statutory guidance, *Working Together To Safeguard Children, 2013*, which provides a clear framework for professionals to work together and take action to protect children from abuse and neglect;
- a children's guide to *Working Together*, which helps children to understand their rights in respect of child protection;
- improved accountability in the system by strengthening the role and responsibilities of Local Safeguarding Children's Boards (LSCBs);
- new guidance on the role of Directors of Children's Services and Lead Members on their duties and role in relation to vulnerable children and young people; and
- clarifying the legal duty on local authorities to ascertain the child's wishes and feelings and to take account of them when planning the provision of services.

21. In 2012-13, there were 593,500 referrals, a decrease of 1.9% from the previous year. The number of children dying as a result of abuse and neglect has remained relatively static at around 50 each year.

22. The process of Serious Case Reviews (SCRs) allows professionals to learn the lessons from serious incidents and child deaths. In July 2013, the Government set up a National Panel

¹⁴ Section 11 of the Children Act 2004

to challenge LSCBs on decisions to initiate SCRs and as a result more reviews have been carried out and published. In 2011, the Government established Domestic Homicide Reviews (DHRs) on a statutory basis in England and Wales. In 2013, following a public consultation, the Government changed the definition of domestic violence and abuse so it applies to 16 and 17 year olds and includes coercive and controlling behaviour.

23. In Northern Ireland, the key children's safeguarding policy guidance, *Co-operating to Safeguard Children* is being updated to reflect changes in legislation, guidance, policies and procedures since it was published in 2003.

24. *Getting it right for every child* is Scotland's holistic approach to supporting children. Once fully implemented, every child in Scotland will have a named person who will receive training in supporting children and responding to their needs. *Getting it right* has been one of the key drivers for the significant reduction in the number of children referred to the Scottish Children's Reporter.

Child Protection training and development for professionals

25. In England the Government has taken steps to strengthen the professionalism of social workers and improve their skills and capabilities. In September 2013 we appointed a chief social worker for children and families to bring focus and challenge to the profession; and have encouraged local areas to do the same by appointing a Principal Child and Family Social Worker. Our "Step Up to Social Work" and "Frontline" programmes have helped raise the calibre of social work entrants. The Narey review (February 2014) will lead to further improvements, including clear expectations of what newly qualified children's social workers need to understand and be able to do.

26. The Royal College of Nursing, working with other health professional bodies, has updated the intercollegiate framework *Safeguarding Children and Young People: roles and competences for health care staff*. Additional training resources have also been made available to health care professionals to increase awareness of different forms of abuse and of the impact of domestic violence on children.

27. In Wales, following three reviews carried out in 2009, the Welsh Safeguarding Children Forum was established to ensure that safeguarding was achieved at a national, regional, and local level. In 2012 the Scottish Government published a common core of the skills, knowledge and understanding and values every worker (paid or unpaid) should have as a minimum if they work with children, young people and families.

Alternative Care (CRC/C/GB/CO/4: Para. 45 (b))

Placing children in Care

28. In the UK there is a general presumption that children should remain with their families unless they are at risk of significant harm or neglect. Local authorities are required to consider a hierarchy of placement options, starting with rehabilitation with parents. Where this is not possible or inappropriate, the next option is to seek placement with a relative, friend or connected person who is a local authority foster carer, on the grounds that a child will benefit from living with someone they already know and trust, rather than with a stranger. Only if these options are not possible does a local authority seek a placement with a foster carer who is not a relative or in a children's home or other setting. As shown in the data annex (table E2.1) the number of children looked after by local authorities is growing, mainly due to the increasing intervention in cases of abuse and neglect or family dysfunction

29. In England, the Government is funding 70 local authorities to deliver evidence-based interventions and therapies to help children in care, on the edge of care or in custody to remain with their families. Through the Children and Families Act 2014 the Government is introducing a maximum 26 week time limit to tackle delays in resolving care and supervision orders, using expert evidence when necessary to resolve proceedings justly and focusing the court's consideration of a care plan on the key issues. In Oct - Dec 2013 48% of care and supervision order applications were completed within 26 weeks, up from 26% in October-Dec 2012.

30. In May 2012, the Government announced a programme of work to improve fostering services through six strands of work looking at: recruitment and retention, assessment and approval, delegation of authority and training and support of foster carers, long term foster placements and children's return home. The Government is also undertaking a comprehensive programme of reforms to the children's home sector, including changes to the legislative framework, so that local authorities only place children in homes with the capacity and stability needed to prepare them properly for the next stage in their lives.

31. In Northern Ireland, a major review of residential care provision has been completed. Key proposals include: a reduction in the size of children's homes to allow a stronger focus on the individual child including individually tailored plans; and the development of specialist fostering and /or edge of care services to prevent young people from entering residential care.

32. Scotland has well established arrangements for the courts to make decisions, when necessary, on matters such as parental responsibilities and rights, where a child should live and how much contact a non-resident parent should have. The Children (Scotland) Act 1995 Act provides that the welfare of the child should be paramount in these decisions. Children and young people subject to compulsory measures of care and removed from their families have decisions taken about their care at a Children's Hearing. Any decision should be

reviewed at least annually although this can occur earlier where it is considered necessary by the local authority, the child or their family.

Preparing children in care for adult life (CRC/C/GB/CO/4: Para. 45 (h))

33. The UK has put in place arrangements to help young people stay in their care arrangements until they are ready and properly prepared for independent adult life.

34. In England the Government has strengthened the regulations and statutory guidance for local authorities in relation to supporting looked after children and care leavers as they approach 18 and beyond. Local authorities must provide consistent personal support to care leavers and keep their needs under review up to age 21, or 25 where they are in education or training. New rules will ensure that more 16 and 17 year old care leavers will remain in care until their 18th birthday. From April 2014, these arrangements will be strengthened by a new duty on local authorities to support every care leaver who wants to stay with their former foster parents until their 21st birthday (“staying put” arrangements). £40million is being made available over the next three years to support implementation.

35. Over 111 (out of 152) local authorities in England have signed up to the *Care Leaver’s Charter*, pledging to support care leavers up until they reach age 25. Many Local Authorities have committed to giving Care Leavers at least £2,000 towards setting up their own home; and more than 30,000 Junior Independent Savings Accounts, covering three quarters of eligible children, have been set up with a £200 deposit funded by Government and voluntary contributions.

36. In Wales, data show that local authorities were in touch with 93% of 19 year-old care leavers, 47% of whom were in education, training or employment. In Northern Ireland a range of schemes have been introduced to help prepare children living in care to get ready for adult life, including the Going the Extra Mile (GEM) scheme to promote continuity of living arrangements for young people aged 18-21.

37. In Scotland the Children and Young People (Scotland) Act 2014 introduces a suite of new measures on continuing care. Starting in 2015 all 16 year olds in foster, residential and kinship care will be entitled to stay in their current care setting until the age of 21 before going on to receive appropriate aftercare support.

Strengthening the voice of children in care

38. The UK is firmly committed to the principle that the voice of the child should be at the heart of the care system.

39. In England, the Government expects every local authority to have a Children in Care Council (CiCC), which enables children and young people in care to meet with the Director of Children's Services and lead council member for Children's Services to discuss and share their views. CiCCs were, for example, instrumental in getting the vast majority of local

authorities to sign up to the Charter for Care Leavers; and were prominent in discussions that led to the increase in the minimum 'setting up home' allowance to £2,000.

40. All children who are looked after by a local authority must have a care plan which sets out the child's needs and how they will be met, including how the child or young person will be found a permanent home. The care plan must be reviewed regularly, including whenever a "significant change" is proposed. We have given children a new right to request a review of their care/pathway plan when they have concerns about how they are being supported. All children in care have an Independent Reviewing Officer who chairs reviews of the child's care plan and has a legal duty to make sure it takes the child's wishes and feelings into account. In 2011 we strengthened the legislative framework for children in care, including the right to be supported by an advocate.

41. Cafcass¹⁵ Special Guardians are independent advocates for children and young people who are going through care or adoption proceedings. Their job is to be the voice of children in the family courts and to ensure that children's welfare is put first during proceedings.

42. In Scotland, decisions about supporting children and young people who are removed from their families are taken through the Children's Hearings System, Scotland's system for supporting all children under 16 who may need some form of compulsory intervention. Steps were taken through the Children's Hearings (Scotland) Act 2011 to strengthen the voice of the child in that system.

Children with disabilities in long-term care (CRC/C/GB/CO/4: Para. 45 (f))

43. Of the 68,110 children in care in March 2013, 2,260 (3%) started to be looked after because of the child's disability. In England, the statutory care planning framework requires local authorities to ensure that their placement is suitable to their particular needs. The Government has developed a core service specification to support commissioners in ensuring high-quality care and support for children with learning disabilities who are in care (and their families).¹⁶

Contact proceedings for all children separated from their parents and siblings (CRC/C/GB/CO/4: Para. 45 (g))

44. Maintaining contact with siblings is reported by children to be one of their highest priorities. In England, a child's care plan must include arrangements for maintaining contact with brothers and sisters. Social workers are required to facilitate such contact to support the development of healthy sibling relationships between children who are not able to live together. Arrangements will be monitored through the new Ofsted inspection framework for children's services to be introduced in November 2014.

¹⁵ The Children and Families Court Advisory and Support Service

¹⁶ Transforming care: A national response to Winterbourne View Hospital: Department of Health Review Final Report (December, 2012) and Winterbourne View: Transforming Care One Year On (December 2013).]

Monitoring of children in care (CRC/C/GB/CO/4: Para. 45 (e))

45. In England, the authority which has responsibility for a child's care must appoint a representative to visit the child wherever he or she is living. The frequency of visits is set out in regulations and statutory guidance and varies according to the type of placement. In Scotland, children who have been taken into care have their care arrangements reviewed at least annually at a 'Children's Hearing'. Reviews can be held earlier if the local authority, child or family consider it necessary.

Children who have a parent in prison (CRC/C/GB/CO/4: Para. 45 (d))

46. Most children who have a parent in prison will not be placed in care, but are generally supported by the other parent or another relative. If a child is taken into care, the relevant local authority has a duty to promote contact between the child and their parents and wider family unless this is not appropriate or practicable. This could be meetings but contact can also be promoted in other ways, for example, through letters and photographs. Scotland has established minimum standards for family support within the Scottish Prison Service so that all children affected by parental imprisonment are supported in a way that is timely, appropriate and proportionate to their needs.

Adoption (CRC/C/GB/CO/4: Para. 47)

Domestic adoption arrangements

47. The UK agrees with the UN recommendation and has taken action to speed up the process of adoption for those groups of children that have historically taken longer to place, in particular Black and Minority Ethnic (BME) children. In England, the Children and Families Act 2014 has removed the requirement on professionals to take a separate account of ethnicity. Instead they will be required to consider this along with other aspects of a child's background when matching a child to prospective adopters. The Government is providing £200m to local authorities over 2013-15 through the Adoption Reform Grant, principally to increase the supply of adopters, especially those able to provide homes for harder to place children such as BME children, sibling groups and those with additional needs. In 2012-13, 3,980 children were adopted: up 15% from 2012 and the highest number of adoptions since the current data collections began in 1992.

48. Further changes introduced through the Children and Families Act 2014 will: reduce unnecessary delays: improve the quality and timeliness of adoption services and strengthen the support for adopters. The Secretary of State for Education will have new powers to require local authorities to commission adopter recruitment services from one or more other adoption agencies and to consider placing children in 'Fostering for Adoption' placements. Prospective adopters will have a more active role in identifying possible matches with children. Children adopted from care are also given priority in admissions to school and early years care, and their schools are able to claim an enhanced "pupil premium" to support their needs.

49. Northern Ireland plans to introduce an Adoption and Children Bill in early 2015 so that the adoption framework is more consistent with the principles and provisions of the Children (NI) Order 1995.

50. In Scotland, the number of adoptions has almost doubled since 2008 and Local Authority Adoption Service Plans have highlighted that a number of local authorities are taking steps to improve permanence planning. Scotland's Adoption Register, established in August 2011, was placed on a statutory footing through the Children and Young People (Scotland) Act 2014.

51. In Wales, the Social Service and Well Being (Wales) Bill proposes to place a duty on local authorities to come together to establish a single adoption agency. The Government is funding research looking into the reasons for adoption breakdown.

Inter-country adoption

52. As a result of an Order laid before Parliament, the Adoption (Recognition of Overseas Adoptions) Order 2013, adoption orders made in an Overseas Territory, after 3 January 2014 will not be recognised unless the Hague Convention on Inter-country Adoption has been extended to that Territory.

Chapter V: Basic Health and Welfare

(Articles 6, 18 paragraph 3, 23, 24, 26 and 27 paragraphs 1-3)

1. This chapter provides information on a range of measures designed to promote children's health and welfare.

Health Services (CRC/C/GBR/CO/4: Para. 55)

2. In England the Government has prioritised health and protected the NHS budget despite unprecedented pressure on public finances. We are committed to better health and well-being for all and reduced health inequalities. A widespread consultation, including with children and young people, led to a system-wide pledge¹⁷ published in February 2013, to improve children's health outcomes so that they become among the best in the world. The Pledge is based on shared ambitions that:

- children, young people and their families will be at the heart of decision-making;
- services will be high quality and evidence-based and safe;
- early intervention will be as important as caring for those who become unwell;
- services will be integrated and care coordinated around the individual;
- there will be clear leadership and accountability with organisations working in partnership.

3. Specific actions to support children include:

- improvements to the child immunisation programme;
- an increase of 4,200 community-based health visitors;
- doubling the number of families who will benefit from the Family Nurse Partnership Programme by 2015;
- improvements to Child and Adolescent Mental Health Services (CAMHS), including improved access to therapies for children;
- a new national Children and Young People's Health Outcomes Board, led by the Chief Medical Officer, to establish a multi-agency approach to improving children's health outcomes for both physical and mental health;
- new health outcomes measures for children to help drive improvement for both physical and mental health.

4. An updated *Public Health Strategic framework* for Northern Ireland is under development. Consultation on the draft framework involved meetings with two groups of young people and young offenders.

5. In Scotland, a Ministerial Task Force on health inequalities, established in 2007, ensures a cross-government approach to addressing the inequalities in health between the most and least affluent areas. Scottish Ministers are committed to implementing the Family

¹⁷ The Government Improving Children and Young People's Health Outcomes: a system wide response and Better health outcomes for children and young people

Nurse Partnership Programme - an intensive, preventive, home visiting programme for first-time, teenage parents - across Scotland.

6. In Wales, through the *School Standards and Organisation (Wales) Act 2013*, a duty has been placed on local authorities to provide independent counselling services for children in their area. The Welsh Government has ensured that each secondary school in Wales has a school nurse who works in partnership with educators, parents and carers, to promote a healthy environment for groups of pupils, and looks after the needs of individual young people.

Early identification programmes (CRC/C/GBR/CO/4: Para. 53 (b))

7. The Government is aware of the clear evidence that pregnancy and the earliest years are critical to the future health and wellbeing of children and adults and that evidence-based early interventions can have significant short and longer term positive impacts. Smoking, alcohol, poor nutrition, and stress or the absence of a warm loving relationship can have significant negative impacts on all areas of a young person's life including their attainment levels and mental wellbeing.

8. Good quality healthcare and early intervention act to improve resilience in children and young people. Healthy behaviours in childhood and the teenage years set patterns for later life and support for improved health of children and young people can mean reducing inequalities and passing on the benefits to successive more resilient generations who are healthier, happier and enjoy improved life chances. In England, there are important work programmes to reduce stillbirths, low birth weight, reduce maternal smoking and improve the quality and safety of maternity services which will have a direct impact on infant mortality and morbidity and a child's right to good health.

9. In England, the Healthy Child programme is the key universal service for improving the health and well-being of children, through health and development reviews, health promotion, parenting support, and screening and immunisation programmes. Reviews at ages 2 to 2 ½ are part of the Public Health Outcomes Framework and allow parents to raise any concerns, prepare for the next stage of their child's development and access additional support if necessary.

10. The Healthy Child Programme (0-5) is led by health visitors and delivered by them and other healthcare professionals; the 5-19 element is coordinated by school nursing services. The Government is committed to increasing the health visitor workforce by 4,200 (over 50%) by 2015. *Getting it right for children, young people and family* (March 2012) provides a service vision and model to strengthen health services for school-aged children and young people and to promote optimal health and wellbeing.

11. The number of places on the Family Nurse Partnership programme is also being increased to 16,000 by 2015. The programme supports teenage first-time mothers and their

babies, through a structured programme of intensive support during pregnancy and the first two years of their baby's life. School nurses also work with key partners to deliver a universal service for all school-aged children.

12. Scotland's Early Years Collaborative, aims to improve outcomes and reduce inequalities for all children in Scotland, in particular in relation to reducing rates of infant mortality and achievement of early development milestones.

13. In Northern Ireland a review of health visiting and school nursing resulted in the publication of *Healthy Futures 2010-2015: The Contribution of Health Visitors and School Nurses* (March 2010) which reinforces the importance of integrated working and focusing on prevention and early intervention through universal services for all children and families.

Breastfeeding (CRC/C/GBR/CO/4: Para. 59)

14. In England the Government's Public Health Outcomes Framework published in 2012 highlights the importance of "Breastfeeding initiation and prevalence of breastfeeding at 6-8 weeks after birth". The National Infant Feeding Survey conducted every five years since the late 1950s shows a continuous increase in breastfeeding initiation rates. The latest survey published in November 2012 reported an increase from 76% in 2005 to 81% in 2010 (Data annex table F2.16).

15. Scotland's *Improving Maternal and Infant Nutrition: A Framework for Action*, published in January 2011 sets out what NHS Boards, local authorities and others need to do to improve the nutrition of pregnant women, babies and young children and supports and promotes the benefits of breastfeeding. The Scottish Government fund UNICEF to deliver Baby Friendly Initiative (BFI) accreditation in maternity hospitals and in community settings in Scotland. 80% of babies in Scotland are now born in a BFI accredited unit with the aim of increasing this to 100% by 2015.

Supporting children with specific needs

Children with disabilities (CRC/C/GBR/CO/4: Para. 53 (a))

16. Children with disabilities are protected against discrimination by the Equality Act 2010. The Act requires schools to make adjustments in practices, procedures and policies so as not to discriminate against disabled pupils in relation to their access to education and associated services.

17. The Children and Families Act 2014 introduced a new statutory framework. The key principles are to: place the views and interests of children and young people at the heart of decision making; avoid children being subjected to multiple and repetitive interventions; and improve awareness of the support and services available. Local authorities and health commissioners will be required to assess the overall education, health and social care needs in their locality and make joint arrangements for commissioning provision to meet them.

18. Local authorities will be required to publish a ‘local offer’ providing details of the services they expect to be available for local disabled children and those with SEN across education, health and social care. They must provide children with SEN and disabilities and their parents with advice and information, and involve them in developing and reviewing the offer. Local authorities must publish comments from them about the local offer, including comments them about any gaps in local provision, and publish the action they intend to take in response to those comments.

19. Children and young people with more complex SEN who require support from an Education, Health and Care assessment and plan will also benefit from changes that will:

- include children, parents and young people in the assessment process and introduce a legal right to request a personal budget to cover their support needs;
- ensure assessments and plans cover from birth to age 25;
- give parents a greater choice of school and give parents and community groups the power to set up special free schools.

20. Introduction of the new arrangements will be supported by £30 million which will be available to recruit and train a pool of ‘independent supporters’ to help the families of children and young people with special educational needs (SEN) through the new process and a £70m SEN and Disability Reform Grant to help local authorities prepare for implementation of the reforms. A Disability E-Learning Portal is being developed by a consortium led by the Royal College of Paediatrics and Child Health to provide training material for disability workers from all sectors, who work with children and young adults from 0-25 years across the full spectrum of disabilities.

21. In Scotland, the Social Care (Self-directed Support) (Scotland) Act 2013 will make a number of improvements to the realisation of children’s rights. The Act concentrates on the provision of choice to children and families during their social care assessment. It provides a variety of options for the provision of support and it requires the statutory body to ‘give effect’ to the child or family’s choice. Scotland is taking forward a programme of work implementing policy for disabled children and young people in line with Getting it right for every child. This includes participation work with young disabled people to increase their capacity to identify and influence decisions around self-directed support. In Northern Ireland, the Executive’s new disability strategy is being delivered through the Delivering Social Change (DSC) framework.

Children with mental health needs (CRC/C/GBR/CO/4: Para. 57)

22. The Government Action Plan, *Closing the Gap: priorities for essential change in mental health*, highlights the importance of transition from CAMHS to AMHS (Adult Mental Health Services) or other appropriate services, and support for schools in identifying mental health issues sooner. In England the UK Government’s Pledge for Improving Children and Young People’s Health Outcomes has, as one of its aims, improving children’s mental health

through promoting resilience and mental wellbeing, and providing early and effective evidence based treatment for those who need it. Actions to achieve this include:

- £54 million 2011-12 to 2014-15 to fund the Children and Young People's Improving Access to Psychological Therapies (CYP IAPT) programme;
- development of interactive e-learning programmes on mental health to extend the skills of those working with children in universal settings;
- £1.6 million per year (since 2007-8) to support the implementation of targeted Child Adolescent and Mental Health Services (CAMHS) within the HM Prison Service young person's estate (under 18s).

23. Action within the devolved administrations includes:

- In Northern Ireland, investment in CAMHS has increased from £9.5 million in 2006 to £19 million in 2013 including the development of a new 33-bed purpose built Child and Adolescent Mental Health Inpatient Unit and developments in services for eating disorders and crisis intervention.
- In Scotland a new mental health strategy was launched in 2012 which identified child and adolescent mental health as one of its four Key Change Areas. This work builds on the significant progress which has been made over the last three years to improve access to specialist CAMHS.
- In Wales, *the Mental Health (Wales) Measure 2010*¹⁸ ensures that there is appropriate care in place across Wales and focuses on people's mental health needs, regardless of age.

Supporting Vulnerable Young People: Health services in the secure estate

24. In England, following an investigation by the Children's Commissioner, responsibility for commissioning all healthcare services in the nine Secure Children's Homes transferred to NHS England from April 2013. The Royal College of Paediatrics and Child Health published new standards in June 2013¹⁹ reflecting the views of a wide range of stakeholders, including children and young people in secure settings. A new Comprehensive Health Assessment Tool (CHAT) for use with under-18s is being introduced across the secure estate and will be fully implemented during 2014. A version for use in the community has also been developed, piloted and validated. The Children and Families Act 2014 makes provision for health care for children and young people with Education, Health and Care plans to be provided in custody.

Adolescent Health (CRC/C/GBR/CO/4: Para. 61)

Reproductive health education

25. Under-18 conception rates are now at their lowest level for over 40 years. In England and Wales the under-18 conception rate was 27.9 per 1,000 women aged 15-17 in 2012, a fall

¹⁸ [Mental health \(Wales\) measure 2010 – Mapping of local mental health services](#)

¹⁹ Healthcare Standards for Children and Young People in Secure Settings

of 32.9% from 2007. Work continues to build upon this progress and reduce rates still further.

26. In England, the Government's *A Framework for Sexual Health Improvement* published in March 2013 aims to improve the sexual health of young people through:

- all children receiving good quality sex and relationship education at home, at school, and in the community;
- all children knowing how to ask for help, and being able to access confidential advice and support about wellbeing, relationships and sexual health;
- improving understanding of sexual consent and issues around abusive relationships; and
- giving young people the confidence and emotional resilience to understand the benefits of loving healthy relationships and delaying early sex.

27. Similar initiatives are taking place in Northern Ireland, Scotland and Wales. The Welsh Government has funded a pilot scheme run by Public Health Wales (PHW) during 2010-13. This aims to improve SRE in schools. In Scotland, children are provided with SRE in school and parents are given support to discuss relationships and sexual health with their children.

Preventing uptake of smoking amongst children and young people – new measures

28. The Children and Families Act 2014 contains new tobacco control measures intended to protect children from the harm caused by second hand smoke and to reduce the uptake of smoking amongst children and young people. These include making it an offence to smoke in a private vehicle when children are present, or to buy – or attempt to buy – cigarettes or electronic cigarettes on behalf of a person aged under 18. The Act also includes powers to make regulations to prohibit the sale of electronic cigarettes (and potentially other nicotine products) to children and young people under the age of 18. The Act also allows the Government to standardise tobacco packaging if it is considered that this will help in reducing the risk of harm to the health or welfare of children and young people.

29. These new measures build upon action already taken by the Government to reduce the availability and desirability of tobacco to children and young people by ending the sale of tobacco from vending machines from 1 October 2011 and ending the display of eye-catching tobacco products in supermarkets from 6 April 2012. The measures on display of tobacco products will extend to small shops (and any other business selling tobacco) from 6 April 2015.

Substance Misuse (CRC/C/GBR/CO/4: Para. 63 (c))

30. The number of young people in England in 2012-13 who needed help for drug and alcohol use fell for the third year running. Either cannabis or alcohol were the primary problem of 92% of the 20,032 who received specialist support. In 2012/13 the average wait

for a young person to start getting help was under two days. The proportion of young people who left specialist services having successfully completed their programme rose to 79% in 2012–13 from 57% five years ago. It should be noted that successful completions is taken as a proportion of the young people *who left treatment in the year* and not all young people in treatment.

31. The Government's Alcohol Strategy sets out measures to support its commitment to reducing underage drinking. These include: doubling the fine for persistently selling alcohol to children; educating young people on the risks associated with alcohol; and addressing factors that can influence young people's attitude to alcohol, such as parental drinking and exposure to alcohol advertising.

32. The Government's Drug Strategy confirms our commitment to provide accurate information to young people, and their parents/carers, about drugs and alcohol through education and the FRANK service.

33. There are 24-hour drugs and information helplines in Scotland 'Know the Score' and in Wales 'DAN 24/7'. Young people in Northern Ireland have access to the National Drugs Helpline through the FRANK service. Drug taking among young people in Scotland is now the lowest it has been in a decade, with substance misuse education now being delivered in schools across Scotland through the national *Curriculum for Excellence*. Substance misuse education in Wales is delivered through the All Wales Schools Liaison Cre Programme. The Welsh Government invests £50 million annually to support *Working Together to Reduce Harm*, a ten year strategy for tackling the harm associated with the misuse of drugs, alcohol and other substances, supported by a three year *Substance misuse delivery plan*, published in February 2013.

Standard of living (CRC/C/GB/CO/4: Para. 65)

Tackling child poverty

34. The UK Government is committed to implementing the Child Poverty Act 2010 and maintaining the goal of ending child poverty by 2020. A draft of the Child Poverty Strategy 2014-17 was published for consultation in February 2014. It sets out how the Government will improve the life chances of poor children by:

- raising the incomes of poor children's families by helping them get into work and by making work pay;
- supporting the living standards of low-income families; and
- raising the educational outcomes of poor children.

35. The evidence is clear that work remains the best route out of poverty - children are around three times as likely to be in poverty if they live in a workless family. The Strategy outlines action to raise the incomes of poor children's families by helping them get into work and by making work pay. These include cutting tax for millions of people through increases

to the personal tax allowance, reforming the welfare system through Universal Credit, which will lift up to 300,000 children out of poverty, and increasing the National Minimum Wage to £6.50 per hour from October.

36. The Government is also committed to supporting the living standards of poor families by reducing costs of living, for example, by reducing the typical energy bill next year by around £50 on average, by tackling rising housing costs and by increasing access to affordable credit through expanding credit unions and toughening up rules on pay-day lending.

37. The evidence also shows that poor children are four times as likely to become poor adults as other children. The Government is breaking the cycle of intergeneration poverty through increasing poor children's educational attainment. This is being achieved through the Pupil Premium, which will be worth £2.5 billion by 2014-15, providing free school meals for all infant school children from September 2014, meaning an additional 100,000 poor children will benefit, improving teacher quality, and extending 15 hours of free education a week to 260,000 two year olds from low income families.

38. Based on the latest statistics (2011/12) the number of children in relative income poverty has fallen by 300,000 since 2010/11 and is at its lowest level since the mid-1980s. Although the number of children in absolute poverty increased by 300,000 over the same period, combined low income and material deprivation has remained about the same. This shows that families with children have not reported a reduction in their capacity to buy goods and services.

39. Local Authorities are required by the Child Poverty Act 2010 to assess the needs of children in poverty in their area and to produce strategies to address those needs. We believe that local people are best placed to understand the needs of children in poverty in their areas and to be able to develop innovative ways of tackling these problems.

40. Each of the devolved administrations published Child Poverty Strategies in 2011. The Northern Ireland Executive published Child Poverty reports in 2012 and 2013. A Child Poverty Outcomes Framework was published in October 2013 and they intend to publish a new Child Poverty Strategy in Spring 2014. The Scottish Government published annual Child Poverty reports in 2012 and 2013 and a new Strategy on 10 March 2014. The Welsh Government published a Child Poverty Progress Report in 2013.

Sites for Traveller families (CRC/C/GBR/CO/4: Para. 65(d))

41. In England, the UK Government's Planning Policy for Traveller Sites²⁰ expects local councils to identify a five-year supply of suitable sites for travellers to meet objectively

²⁰ Planning Policy for Traveller Sites -

www.gov.uk/government/uploads/system/uploads/attachment_data/file/6078/2113371.pdf

assessed local needs and £60 million in Traveller Pitch Funding has been allocated, as part of the Affordable Housing Programme²¹ to help build new traveller pitches and refurbish existing ones. The number of traveller caravans on authorised sites²² in England has continued to increase from 15,750 (80%) in January 2010 to 16,000 (85.5%) in January 2013 and on unauthorised sites has decreased from 3,600 (20%) in January 2010 to 2,700 (14.5%) in January 2013.

42. In Wales, the number of authorised Gypsy and Traveller sites has increased since 2008; an increasing number of projects (41 in total) have refurbished sites and the total number of reported authorised sites as at July 2013 was 91. The Welsh Government has committed £3.25 million to support the development or refurbishment of Gypsy and Traveller sites, including construction of a new local authority site, in 2013/14.

²¹ Traveller Pitch Funding - <http://www.homesandcommunities.co.uk/ourwork/traveller-pitch-funding>

²² Gypsy and Traveller Caravan Statistics - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199241/GTCC_Table_4_-_final.xls

Chapter VI: Education, Leisure and Cultural Activities

(Articles 28, 29 and 31)

Introduction

1. The UK's vision is for a highly-educated society in which all children have the opportunity to do well, regardless of their background or family circumstances.
2. In England, the Statutory Framework for the Early Years Foundation Stage (EYFS) 2012 sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe. It promotes teaching and learning to ensure children are ready for school and have the knowledge and skills that will allow them to progress through school and life. Measures to improve quality in the early years include: reforming early years qualifications, introducing new Early Years Educators and Early Years Teachers; and strengthening inspection.
3. Schools have the option to become academies, which encourages local innovation and gives teachers greater freedom. We are also setting up free schools to allow parents and communities to develop new schools in response to parental demand, to improve choice and drive up standards. At September 2013, 174 free schools had opened and another 116 had been approved to open in 2014 and beyond. Other key measures to improve the quality of schools and education include:
 - School funding has been reformed through the introduction of a pupil premium which focuses resources on the most disadvantaged children (see below);
 - Teachers have been given stronger powers to ensure good order in the classroom and address poor behaviour at an early stage;
 - A new, slimmer national curriculum is being introduced from September 2014 focussed on essential subject knowledge, especially in the core subjects of English, mathematics and science; and
 - The (£2.4 billion) Priority School Building Programme has been introduced to rebuild 261 of the schools in England in the worst condition, with a second phase, worth around £2 billion, being funded from 2015 to 2021.
4. In Northern Ireland the revised curriculum introduced in 2009/10, has literacy and numeracy at its core and is less prescriptive in content, giving schools and teachers the flexibility to tailor their teaching to best meet the needs of their pupils.
5. In Scotland the new *Curriculum for Excellence* (CfE) is designed to provide a coherent, flexible and enriched curriculum for individuals aged 3 to 18 that will ensure that all children and young people in Scotland develop the attributes, knowledge and skills they will need to flourish in life, learning and work.
6. In Wales, the national curriculum subjects for 3-19 year olds were revised and restructured in 2008 to ensure they are relevant to the twenty-first century. Other key

developments include the School Standards and Organisation (Wales) Act 2013²³, a new programme of long term investment in the school infrastructure, and a new Education (Wales) Bill passed in March 2014²⁴, to bring about greater coherence and recognise the contribution of the education workforce.

Children's participation in school matters

7. In England, over 99% of schools have measures in place that enable pupils to have a say in the running of the school; and 95% have a school council. Ofsted seeks the views of pupils as part of school inspection. In Scotland, the Pupil Inclusion Network Scotland (PINS) supports organisations working with vulnerable or excluded children and young people. Membership includes teachers, local authority staff, health professionals and Police. In Wales, since 2009 it has been a statutory requirement for all maintained schools in Wales to have a school council. Updated guidance *Listening to and involving young people* (April 2012) includes the text of Article 12, which has particular relevance to activities in schools to promote the pupil voice.

Reducing the effects of the social background of children on their achievement in school (CRC/C/GBR/CO/4: Para. 67 (a))

8. The UK is determined to address inequality in its school system and narrow the attainment gap between disadvantaged pupils and their peers. Examples of action in England include:

- Free school meals are provided for the most disadvantaged children (up to age 18). From September 2014, all children in reception classes, year 1 and year 2 in state schools will be entitled to a free school meal. We have amended legislation to make this a statutory requirement;
- Targeting resource (some £2.5 billion a year by 2014/15) through the Pupil Premium to help break the link between family background and educational achievement. The Pupil Premium was introduced in April 2011 and is allocated to schools to provide support for disadvantaged pupils, i.e. those eligible for free school meals and those who have been in care for at least six months;
- In 2012 and 2013, £50 million of the Pupil Premium enabled secondary schools to run summer schools for disadvantaged pupils moving into Year 7; and
- There is additional funding for the Year 7 literacy and numeracy catch-up premium. Schools receive up to £500 for each pupil who did not achieve the expected level in reading and/or mathematics in primary school.

Segregation of education in Northern Ireland (CRC/C/GBR/CO/4: Para. 67 (i))

9. In line with the statutory duty to encourage and facilitate integrated education, the number of integrated schools has increased from 47 in 2002/03 to 62 in 2012/13, while the

²³ <http://wales.gov.uk/legislation/programme/assemblybills/schoolstandards/?lang=en>
²⁴ [Education \(Wales\) Bill 2013](#)

number of pupils attending integrated schools has also grown by 37% from 15,700 to 21,500 in the same period.

10. The Together Building a United Community Strategy seeks to create more opportunities for socially-mixed, shared education, with a view to achieving a full shared education system in Northern Ireland as a crucial part of breaking the cycle of inter-generational educational underachievement, unemployment and sectarianism; and to improve good relations amongst and for young people. Targeted support (including an additional £30m over the next two years) is being provided to support all pupils entitled to free school meals.

Extra Support for Children in Care (CRC/C/GBR/CO/4: Para. 67 (e))

11. Children in care have significantly poorer education outcomes than their peers. In England, in 2013, only 15% achieved 5+ A*-C grades at GCSE including English and Maths compared to 58% of non-looked after children. While this gap is smaller than the previous year, it is not closing fast enough. We are making better progress on exclusions: in 2008/09 looked after children were four times more likely to receive a permanent exclusion, whereas in 2011/12 they were twice as likely to receive a permanent exclusion. But we accept that there is still further to go.

12. Measures to support the achievement of children in care include:

- a new provision in the Children and Families Act 2014 which requires all local authorities to appoint a 'Virtual School Head' to discharge the authority's duty to promote the educational achievement of the children it looks after;
- more than doubling the pupil premium for children looked after by local authorities in England ('Pupil Premium Plus') from £900 in 2013-14 to £1900 in 2014-15; and
- issuing a Charter for Care Leavers which explains what young people should expect from local authorities as they make the transition to adulthood.

13. In Scotland, the Scottish Government's Children and Young People Bill requires every corporate parent to be alert to matters which adversely affect the wellbeing of looked after children and formerly looked after young people under the age of 26.

Inclusive education (CRC/C/GBR/CO/4: Para: 67 (b))

14. The UK is committed to ensuring that children from disadvantaged, marginalised and school-distant groups have access to an inclusive education.

15. In England, the Government is piloting a Virtual Head Teacher for Gypsy, Roma and Traveller pupils. Funding has enabled local authorities involved in the pilot to appoint a senior dedicated individual to champion the interests of Gypsy, Roma and Traveller pupils and monitor and respond to issues of low attainment and attendance. In Northern Ireland, the Inclusion and Diversity Service (IDS) has been set up to strengthen and improve support to newcomer children and young people and their parents, primarily working through schools.

In Wales (2008) the Welsh Government provided schools with a comprehensive guide in relation to all aspects of Gypsy, Traveller and Roma education. Grant funding amounting to £1m was approved in 2012-13 to support Gypsy Traveller children to improve their attainment.

UN Convention on the Rights of Persons with Disabilities (UNCRPD)
(CRC/C/GBR/CO/4: Para. 53 (f)) and (CRC/C/GB/CO/4: Para: 53 (d))

16. The UK ratified the UNCRPD and its Optional Protocol in 2009 and is committed to the inclusion of disabled children in the general education system. A range of measures have been introduced to help teachers in mainstream schools to better meet the needs of pupils with special educational needs or disabilities. However, we also believe that special school provision may be more appropriate for children with specific needs which can better met outside their local community; and that parents of disabled children should have the same opportunity as other parents to state a preference for the school at which they wish their child to be educated.

Tackling bullying and violence in schools (CRC/C/GBR/CO/4: Para. 67 (f))

17. In England, all schools must by law have a behaviour policy with measures to prevent all forms of bullying among pupils including cyberbullying. In addition we have strengthened teachers' powers to tackle disruptive behaviour and allow them to search pupils for banned items, delete inappropriate images or files on electronic devices and issue same-day detentions. The Government has produced advice for schools on preventing and tackling bullying which sets out schools' legal obligations and signposts to expert organisations that can provide specific advice on a range of issues including cyberbullying. £4 million is being provided in 2013-15 to four anti-bullying organisations: for *Beatbullying* to train 3,500 11-17 year-olds to act as mentors; for the *Diana Award* to train 10,000 pupils to act as anti-bullying ambassadors; for *Kidscape* to train primary school professionals in 9 London boroughs; and for *The National Children's Bureau consortium* who will focus on bullied children with Special Educational Needs and/or disabilities.

18. Ofsted inspectors hold schools to account on how well they deal with behaviour and bullying. Inspectors take account of the types, rates and patterns of bullying, the effectiveness of the school's actions to prevent and tackle bullying and the use of derogatory language, and the views and experiences of pupils.

19. In Northern Ireland, guidance has been issued to all schools to help them to develop an anti-bullying culture. All schools must have in place a Discipline Policy which includes details of anti-bullying measures. In Scotland, The Government's '*A National Approach to Anti-Bullying for Scotland's Children and Young People*' published in 2010, aims to ensure that all relevant agencies are taking a coherent and holistic approach to anti-bullying. *Respectme*, the Scottish Government's delivery arm for anti-bullying work, was launched in 2007 and helps to build adults' confidence and skills for recognising and dealing with all kinds of bullying. In Wales, head teachers and education establishments must by law have a

policy in place on how they and their schools address the problem of bullying. Guidance to schools focuses on bullying related to: race, religion and culture, SEN and disability, homophobia and cyber bullying.

School exclusions (CRC/C/GBR/CO/4: Para. 67 (d))

20. The UN Committee was rightly concerned in 2008 that the number of permanent and temporary school exclusions remained high. We have made some progress: In England, between 2007/08 and 2011/12, the number of permanent exclusions in England fell by over a third, from 8,130 to 5,170 (data annex table G26). In Northern Ireland, the number of exclusions has fallen by almost 58% since 2006/07. In Scotland, exclusion from Scottish schools has decreased by 40% since 2006/07. A variety of measures are underway to continue this improvement.

21. In England, new statutory guidance emphasises the need for all exclusions to be legal, reasonable and fair, the importance of schools adhering to their responsibilities under equalities legislation, and the value of early intervention to address behavioural issues before they escalate. It makes clear that permanent exclusion should only be used as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy and/or where allowing a pupil to remain in school would seriously harm their own or other pupils' education or welfare. School inspections focus on schools' use of exclusion and differential rates of exclusion for groups of pupils.

22. In Scotland, the Government's guidance on exclusions notes that the duty to provide education does not stop when a pupil is excluded (either temporarily or permanently) and that it is reasonable to expect alternative provision to be in place within 3 days of the decision to exclude. In Wales, teachers, head teachers, governing bodies, LAs and independent appeals panels must take account of guidance on *Exclusion from Schools and Pupil Referral Units* published in 2012, including where an exclusion has been unavoidable, how the education of the excluded pupil must be maintained.

Right to appeal against exclusions and right to appeal to SEN tribunals

23. The UK has responded to the Committee's 2008 recommendation that children, particularly those in alternative care, should have a right to appeal against their exclusion.

24. In England, revised statutory guidance makes clear that excluded pupils should be supported to participate at all stages of the exclusion process. Since September 2012, parents have been able to make a claim of disability discrimination to the First-tier Tribunal in relation to a permanent exclusion. The Children and Families Act 2014 gives young people aged 16 and over the right to make SEN appeals and disability discrimination claims. It also provides for the establishment of pilot schemes to test giving children under 16 the right to appeal in respect of special education needs provision, disability discrimination, and alternative care.

25. In Wales, the Education (Wales) Measure 2009 makes provision for children in Wales to have a right to appeal in respect of SEN or to make a claim in respect of disability discrimination in schools. In Scotland, guidance includes details of appeals against exclusion, including where pupils are looked after by the local authority.

Alternative provision (CRC/C/GBR/CO/4: Para. 67 (c))

26. In England the Government is introducing radical reforms to improve the quality of alternative provision (AP) for pupils unable to attend a regular school, based on the recommendations from the 2012 Taylor review²⁵. The reforms include:

- supporting high quality providers to enter the AP market by allowing pupil referral units (PRUs) to become AP academies and for AP Free Schools to be established.
- attracting high quality new teachers to PRUs by allowing a period in a PRU to count towards their teacher training;
- allowing mainstream schools to use AP for early intervention; and
- trialling a new approach to exclusion in a number of local areas whereby schools retain greater responsibility for arranging alternative provision.

Increasing participation in learning post-16

27. Across the UK, the number of young people not in education, employment or training (NEET) is going down. In 2011, 6.6% of 16-17 year olds were recorded NEET, and by 2013 this proportion had dropped to 4.5%²⁶. While this represents progress this group includes some of the most vulnerable young people and is an ongoing concern.

28. In England, the age for participation in some form of education or training was raised to 17 in 2013, and will rise to 18 in 2015. Under the UK Government's 'September Guarantee', 16 and 17 year-olds are entitled to an offer of a suitable place in education or training. Local authorities have clear statutory duties in relation to this commitment, including through securing sufficient suitable education and training provision. In Northern Ireland, the strategy for young people not in education, employment or training, *Pathways to Success*, supports a cross-departmental, cross-agency approach to achieving better outcomes for those young people who face barriers to participation. In Scotland, *Action for Jobs*, the Scottish Government's youth employment strategy takes a focused, all-Scotland, all-agency approach, working with the public, private and third sectors, social partners and business organisations. In Wales a *Quality and Effectiveness Framework* (QEF) - launched in 2009 - supports continual improvement in the quality of post 16 learning.

²⁵ Improving Alternative Provision – Charlie Taylor The Government's Expert Adviser on Behaviour
<http://media.education.gov.uk/assets/files/pdf/8/improving%20alternative%20provision.pdf>

²⁶ <http://www.ons.gov.uk/ons/rel/lms/young-people-not-in-education--employment-or-training--neets/february-2014/statistical-bulletin.html>

Right to leisure and play (CRC/C/GBR/CO/4: Para. 69)

29. There is a firm principle across the UK that all children should be able to enjoy and participate in culture, sports and leisure. A broad range of provision is available to support this.

Culture

30. In England, the Education and Inspections Act 2006 placed a duty on local authorities to secure adequate leisure and recreation facilities and activities for children. The UK Government is making £292 million available between 2012 and 2015 to support pupils' engagement in cultural and music educational activities both inside and outside school. Government-sponsored museums and galleries all run world-class activities and events for children and schools, with high levels of engagement. We have retained the free-entry policy which encourages children and other visitors from diverse backgrounds, regardless of wealth, to visit and learn.

31. In September 2013, the Arts Council in Northern Ireland launched a Youth Arts Strategy which provides strategic direction for arts organisations and artists to engage with young people. Similarly, the Arts Council in Wales provides opportunities for children and young people to engage and participate in the arts.

Sport

32. The London 2012 Olympics bid recognised the potential for the Olympic and Paralympic Games to inspire more young people into sport. The UK Government is helping to achieve this legacy through: spending £450m on primary school sport and £100 million of lottery money and public funding on the School Games²⁷ over the next 3 years, £1 billion on the Youth and Community Sport Strategy²⁸, helping young people to take up sport as a habit for life, £155 million through Sport England's *Places People Play* programme to upgrade 1,000 local sports venues, and ensuring that physical education remains a compulsory part of the school curriculum.

33. In Northern Ireland, the 10 year strategy for sport and physical recreation²⁹ includes a range of targets and actions specifically aimed at improving children's participation in PE and extra-curricular sport as well as enhancing the level and quality of sports coaching and facility provision for children up to 2019.

²⁷ The School Games, set up in 2011, offers every school and pupil the chance to compete in a wide range of sports regardless of ability or disability. Around half of all schools in England have signed up to the School Games, providing young people aged 5-16 with the chance to regularly compete against their peers in a range of diverse and inclusive sports.

²⁸ The Youth (and Community) Sport Strategy aims to increase the number of young people (aged 14+) developing sport as a habit for life. Funding will pay for: developing satellite clubs on school sites; investing in facilities – including opening up school facilities to the public; increasing the number of young sport-making volunteers; and attracting less engaged/disadvantaged young people through targeted programs (Get on Track)

²⁹ "Sport Matters: The Northern Ireland Strategy for Sport and Physical Recreation, 2009 -2019"

34. In Scotland, a draft Youth Sport Strategy was published for consultation (including with children) in December 2013. The strategy is supported by funding of £5.8 million over the next two years to continue to help schools deliver high quality PE and extend competitive sport in and between schools.

35. In Wales the Sports Council for Wales, with £24.7 million of Government funding, has established the 5x60 scheme for schools to provide opportunities for extra curriculum sporting activities for secondary school age children and young people. Nearly all secondary schools have signed up to the scheme.

Play

36. In England, between 2008 and 2011, the UK Government's play strategy provided funding of over £200 million to develop new or refurbish existing play sites (i.e. parks and playgrounds, in local areas), focusing on the most deprived areas. By 2010, over 2,000 play sites and 20 adventure playgrounds had been built. Wider activities to promote and support play were also supported.

37. In Northern Ireland, in 2011 the Executive published an implementation plan for its Play and Leisure policy. Up to £1.6 million is being provided to champion play, build sustainable support at community level and to make planning and support for play central to the work of local councils.

38. In Scotland, in 2013 the Scottish Government published its first national *Play Strategy* setting out their vision for play in Scotland and the action they will take to achieve this. The Strategy was developed together with the play sector and other organisations and in discussions with children to ensure it was fully inclusive. Wales has legislated for play in the Children and Families (Wales) Measure 2010, which will require all local authorities to undertake play sufficiency assessments and develop play plans for their local areas.

Transport

39. Good access to safe transport is key to regular school attendance and to allow children and young people to take full advantage of the sports, culture and play facilities on offer. The UK has a wide network of transport options and routes, many of which are free or are available at substantially reduced prices for children.

40. In 2012 the UK Youth Select Committee conducted an enquiry into transport issues which led to an increase in the involvement of young people in the development of policies that affect them. The UK Government's Accessibility and Equality Action Plans published in December 2012 and its Door to Door Strategy published in March 2013 aim to ensure a transport system that works for everyone. Specific policy developments have included encouraging industry-led initiatives like the BusforUs travel information website <http://busforus.co.uk/> which aims to make bus travel easier and more attractive for young people; and road safety education.

Chapter VII: Special Protection Measures

(Articles 22, 30, 32-36, 38, 39, 40, 37 (b-d))

Asylum-seeking and migrant children (CRC/C/GBR/CO/4: Para.71)

Detention of asylum-seeking, migrant and refugee children

1. In December 2010, the UK Government took steps to end the detention of children for immigration purposes. A new staged approach to managing family returns was rolled out in March 2011 which places greater emphasis on engagement with families and, where they do not have the right to remain in the UK, encourages them to leave without the need for enforcement action.
2. Only if a family fails to take up the practical assistance and opportunities to leave in this way will the Home Office draw up a return plan for the family. This plan is referred to an Independent Family Returns Panel of safeguarding and medical experts for advice on how the welfare of the children can best be safeguarded during the return. Options at this stage include a new type of specially designed secure pre-departure accommodation, known as Cedars located near Gatwick Airport. The children's charity, Barnardo's, provides on-site care and welfare services for children to help them to prepare both practically and emotionally for their return. The maximum period of stay is usually 72 hours, which can be extended to a week if it is authorised personally by a Minister.
3. A separate process has been developed for families who arrive at the UK border, where it continues to be necessary, on occasion, to hold children and families while enquiries are made to decide whether they can be admitted to the country, or until the next available return flight if they are refused entry. The majority of children and families who are stopped at the border are held for only short periods at the port itself. If it is necessary to hold a family for longer, they may be moved to the family unit at Tinsley House Immigration Removal Centre. There are a small number of other exceptional scenarios in which children may be held in removal centres, for example where it is in the public interest because of a risk of reoffending or a risk to national security.

Appointment of guardians to unaccompanied asylum-seekers and migrant children

4. In England, local authorities have a statutory duty³⁰ to safeguard and promote the welfare of all children regardless of their immigration status or nationality. Unaccompanied asylum seekers and migrant children have the same status and benefits as children in care and have access to an independent advocate who can represent their wishes and feelings.
5. In Scotland targeted and intensive support is provided for asylum seeking children through the Scottish Guardianship Service (SGS). The SGS works with children and young

³⁰ Section 11 of the Children Act 2004

people who arrive in Scotland separated from their families and who may have been trafficked from outside the European Union.

Age disputed cases

6. If no documentation is available and there is doubt about whether an individual is a child as claimed, they will be referred to a local authority for an age assessment and treated as a child until the outcome of the assessment is known. The UK Government is working with a range of organisations to develop improved age assessment guidance for practitioners.

Safe return of children

7. The return of unaccompanied children to their countries of origin only takes place following a thorough case by case assessment, with the best interests of the child a primary consideration; and only where the child can either be reunited with their parents or alternative reception and care arrangements are put in place. The UK rarely enforces the return of unaccompanied children to any country. Most unaccompanied asylum seeking children are therefore granted limited leave for 30 months or until they are 17½, whichever is the shorter period.

Sexual exploitation and abuse (CRC/C/GBR/CO/4: Para. 74)

Child Sexual Exploitation (CSE)

8. In England in November 2011, the UK Government published the national *Tackling child sexual exploitation action plan*³¹. The plan set out action on: raising awareness of CSE, protecting young people who are at risk, prosecuting people who exploit children, and helping victims and families get their lives back on track. The Government was supported in this work by the Office of the Children's Commissioner which carried out a two year inquiry into child sexual exploitation in gangs and groups. In January 2013, the Director of Public Prosecutions (DPP) and the Association of Chief Police Officers (ACPO) announced a 'sea change' in police and prosecutorial attitudes towards allegations of child sexual abuse (CSA). New CPS guidelines require prosecutors on CSE cases to analyse the credibility of the overall allegation rather than just the victim, allowing common myths and stereotypes around this type of offending to be challenged in court.

9. The Government has reinforced its efforts to tackle sexual violence through a new National Group on Sexual Violence Against Children and Vulnerable People (SVACV) which comprises a panel of experts and policy makers brought together to co-ordinate and implement the learning from cases of historical child sexual abuse and current sexual violence prevention issues. The SVACV National Group published its first progress report and action plan in July 2013.

³¹ <https://www.gov.uk/government/publications/tackling-child-sexual-exploitation-action-plan>

10. Similar action is being taken by the devolved governments. For example, in Scotland the Scottish Child Sexual Exploitation Ministerial Working Group is looking into what steps should be taken to improve understanding of the prevalence of child sexual exploitation in Scotland and how best to support child victims.

11. In Northern Ireland, the Safeguarding Board for Northern Ireland (SBNI) which supports and promotes effective inter-agency co-operation in safeguarding children has identified child sexual exploitation as a strategic priority and developed a multi-agency action plan to address this. An independent expert-led inquiry into child sexual exploitation in Northern Ireland was announced in September 2013.

12. A UK Government funded ‘Safeguarding Children in the Overseas Territories’ (SCOT) project ran from 2009 -2013 focused on capacity building, strengthening inter-agency collaboration and the creation of National Action Plans for child protection. During 2013, comprehensive child safeguarding risk reviews were conducted in St Helena, Ascension and Pitcairn. Technical support is being provided to implement priority recommendations arising from these reviews.

Violence against women and girls

13. The prevalence of domestic violence and violence against women and girls remains a major cause for concern.

14. In England, the UK Government’s 2010 strategy, *A Call to End Violence against Women and Girls* led to an action plan published in March 2011. Key measures included: £40m from 2010/15 for specialist services for domestic and sexual violence victims, the introduction of criminal offences relating to forcing someone to marry against their will, new stalking offences, summer campaigns about forced marriage in 2012 and 2013 and a £1.4 million national campaign to prevent teenagers from becoming victims and perpetrators of sexual and relationship violence and abuse. The Government published its third Action Plan for England on International Women’s Day 2014 which is supported with nearly £40 million funding for the period 2010-2015 for services to victims, including local domestic and sexual violence units, rape crisis centres and helplines. NHS England is also increasing its investment in paediatric sexual assault services.

15. The Government has embarked on a major campaign to prevent female genital mutilation (FGM). FGM has been illegal in the UK since 1985, and is considered to be a criminal offence, but we are aware that it continues, often when girls are sent abroad but sometimes in the UK. On 6 February 2014, to mark the International day for elimination of FGM, Ministers signed a new declaration stating their commitment to tackle FGM. Actions included: making it mandatory for NHS acute hospitals to provide information on patients who have undergone FGM, seeking views on how a civil prevention order might work alongside the criminal legislation to protect potential victims of FGM, and launching a £100,000 community engagement initiative. The *Keeping Children Safe in Education* guidance published in spring 2014 draws schools’ attention to multi-agency guidelines on a range of children’s safeguarding issues, including FGM. In 2013, we announced a new

£35million flagship programme to support the Africa-led movement to end FGM to enable the United Nations (UNICEF and the UN Population Fund) to support targeted work with communities and leaders in 17 countries.

16. In Wales, a partnership between the Welsh Government, Black Association Women Step Out (BAWSO), Henna Foundation and led by the South Wales Police, has developed and evaluated training in relation to forced marriages, female genital mutilation and honour-based violence. The training was targeted at and attended by members from a cross-section of agencies including voluntary and statutory sectors.

Treatment of child victims

17. In England, in 2013 the Government announced that pilots would be held in three Crown Court locations for recorded pre-trial cross-examination of vulnerable and intimidated witnesses, which allow child victims and witnesses to be cross-examined before the trial, and away from the court room. Sex offence trials involving vulnerable children are to be conducted by a team of specially vetted judges who will undergo ‘bespoke training’ to help them protect weak and exposed child witnesses. Local authorities are under a duty to support child victims as agreed within “The Third Party Disclosure Protocol” which came into force January 2014 and as part of their wider safeguarding responsibilities.

18. In Scotland, the Victims and Witnesses (Scotland) Bill received Royal Assent on 17 January 2014. The reforms are part of the on-going Scottish Government *Making Justice Work* programme, which will improve the efficiency and effectiveness of the justice system. Under-18s will be entitled to use a screen, CCTV link or a supporter to assist them in giving evidence; and children under 14 who are not direct victims of a crime can have their statement read out by a carer. ‘Victim Support Scotland’ provides free and confidential emotional support, practical help and essential information to victims, witnesses and others affected by crime.

19. Northern Ireland has a new five-year Victim and Witness Strategy (2013-18) which will improve services for victims and witnesses of crime (including children). Legislation similar to England and Wales provides for a number of special measures to protect vulnerable and intimidated witnesses, including children.

Protecting children from Commercialisation and Online Harm

Commercialisation and Sexualisation of Children

20. A concern for many parents is that their children are under pressure to grow up too quickly. In England, an independent review set up by the Government reported in June 2011³² and called on businesses and broadcasters to play their part across four themes:

³² <https://www.gov.uk/government/publications/letting-children-be-children-report-of-an-independent-review-of-the-commercialisation-and-sexualisation-of-childhood>

- The sexualised imagery that has become a ‘wallpaper’ to children’s lives;
- Clothing, products and services for children;
- Children as consumers; and
- Making parents’ voices heard.

21. The Government welcomed the broad approach recommended by the review and after 18 months published a stocktake on what had been achieved.³³ Much of the action was voluntary and resulted from a strong commitment from businesses and media regulators. Key changes included:

- fewer advertisements using highly sexualised images in public places;
- family television programmes shown at times of the day when children are likely to be watching;
- making it more likely to find children’s clothes which are age-appropriate; and
- a new ParentPort website³⁴ to make it easier for parents to make complaints, to get information on media regulation, and to provide useful help and advice on children’s use of the media.

The risks associated with children’s increased use of social media

22. [Ofcom](#) reports an exponential growth in the use of social media amongst children giving them new opportunities to develop friends and interests but also exposing them to risks such as cyberbullying, grooming and harmful content. The UK has developed a robust child internet safety protection programme through the UK Council for Child Internet Safety (UKCCIS). The [Family Online Safety Institute](#) finds UK to be a leader in internet safety best practice and, [EU Kids Online](#) reports that the UK is one of five countries with high internet use amongst children yet relatively low levels of risk.

23. A key achievement is that the four major ISPs will have prompted all new broadband customers in the UK to switch on parental internet controls by the end of 2014 thereby restricting access to harmful content. From September 2014, the national curriculum computing programmes of study in [England](#) will encourage children from 5-16 to learn about safe and appropriate internet use. A £25 million campaign to raise awareness of risks associated with the internet will also begin in 2014, and *Safer Internet Day* is widely promoted every February.

Sale, trafficking and abduction (CRC/C/GB/CO/4: Para. 76)

24. The UK ratified the Council of Europe Convention on Action against Trafficking in Human Beings on 17 December 2008 and the Convention came into force on 1 April 2009. The UK Government published its Human Trafficking Strategy in July 2011. Measures in the Protection of Freedoms Act 2012 that came into force on 6 April 2013 permit the prosecution of UK nationals who commit trafficking offences abroad and of those who commit non-

³³ <https://www.gov.uk/government/publications/letting-children-be-children-progress-report>.

³⁴ <http://www.parentport.org.uk/>

sexual trafficking offences that occur wholly within England and Wales. This enabled the UK to ratify the European Directive on preventing and combating trafficking in human beings in April 2013.

25. To strengthen the UK's response to human trafficking, and action to stamp out modern slavery, a draft Modern Slavery Bill was published in December 2013 for pre-legislative scrutiny. The draft Bill outlines the Government's intentions to:

- consolidate the existing human trafficking offences;
- increase the maximum sentence for human trafficking to life imprisonment;
- introduce an Anti-Slavery Commissioner;
- restrict movements or impose other prohibitions on convicted or suspected traffickers and slave drivers, to mitigate the risk they pose; and
- create a new requirement on public bodies to report all suspected cases of human trafficking to the National Crime Agency (NCA).

26. Other actions to tackle the issue across the UK include:

- In England, the Refugee Council and The Children's Society have undertaken a review of the support and care of trafficked children. In January 2014, the UK Government announced proposals to trial a new system of advocates for child victims of trafficking. Following debates in Parliament on this issue, the UK Government has confirmed its intention to trial these advocates across 23 Local Authority areas and to include an enabling power in forthcoming legislation on Modern Slavery. The advocates will provide individual, dedicated support, not only to those children trafficked across borders, but to those trafficked within the UK. In addition, an e-learning resource has been developed to enable healthcare professionals to identify victims and provide better care and support.
- Northern Ireland issued joint guidance on the *Working arrangements for the Welfare and Safeguarding of Child Victims of Human Trafficking* in February 2011.
- Scotland's national child protection guidance includes detailed advice on child trafficking. The first Scottish Summit on Anti-Human Trafficking was held in October 2012.
- In Wales, the Government published *Safeguarding children who may have been trafficked* in 2008, imposing responsibility on Local Safeguarding Children Boards to take account of the needs of children who may have been trafficked. An Anti-Trafficking Co-ordinator has been appointed to coordinate the best possible support for victims and to make Wales a hostile place for human trafficking.

Administration of juvenile justice (CRC/C/GBR/CO/4: Para. 78)

27. Overall crime in England and Wales is down, proven offending by young people is down, fewer young people are entering the criminal justice system and fewer are ending up in custody. This is likely to reflect a combination of factors, including: more effective prevention work by Youth Offending Teams (YOTs), more proportionate responses to non-serious first-time offending, and more use of alternatives to custody. Similar reductions on these indicators are occurring in Northern Ireland and Scotland.

Age of criminal responsibility

28. The position of the UK Government in relation to the age of criminal responsibility in England and Wales has not changed since the last periodic review. The UK Government believes that children aged 10 are able to differentiate between bad behaviour and serious wrongdoing and it is right that they should be held to account for their actions. However, the UK Government also believes that custody for under-18s should be an option of last resort.

29. An independent review of the youth justice system in Northern Ireland recommended that the minimum age of criminal responsibility should be raised. There are no plans to do so at present as cross-party support would be needed for such a change.

30. In 2010, the Scottish Government increased the minimum age of prosecution to 12 and has committed to give fresh consideration to raising the age of criminal responsibility from 8 to 12 with a view to introducing any legislative change by 2016.

The use of Anti-social behaviour orders (ASBOs) with children (CRC/C/GBR/CO/4: Para. 80)

31. In England, the Government believes that in the majority of cases involving children, agencies should use informal interventions in the form of Acceptable Behaviour Contracts or warning letters before applying for formal powers to tackle their anti-social behaviour. The Government has introduced legislation³⁵ to replace Anti-Social Behaviour Orders with two new powers: a purely civil injunction and a Criminal Behaviour Order. The new powers will contain prohibitions to tackle the anti-social behaviour, but they could also include positive requirements to get a young person to work with relevant agencies to address the underlying causes.

32. In Scotland, the Government and local authorities have published a joint Framework for tackling antisocial behaviour, *Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland*. The Framework focuses on prevention and early and effective intervention. Antisocial Behaviour Orders for young people in Scotland remain a measure of last resort. Northern Ireland's anti-social behaviour action plan has a focus on

³⁵ the Anti-Social Behaviour, Crime and Policing Bill 2013

intervention and diversionary activity. In Wales, the Government has funded the Community Safety Volunteering Project to pilot a new and innovative approach, using adult volunteers with appropriate interpersonal skills to work directly with young people known to be involved with/or at risk of involvement in crime and anti-social behaviour.

Use of Taser weapons (CRC/C/GBR/CO/4: Para. 31)

33. The UK Government has carefully considered the UN Committee's recommendation that it should end the use of Tasers and Attenuating Energy Projectiles (AEPs) on children. While we support the recommendation in principle, we believe it is impractical to implement it while Taser is in use for other age groups and officers' first priority must be to defend members of the public or themselves. A similar approach is taken in Northern Ireland, Scotland and Wales.

34. It should be noted that, on average, Tasers are only fired in about a fifth of the cases where they are deployed. Less lethal weapons are only authorised following a rigorous evaluation and assessment processes; and having taken account of relevant strategic, ethical, operational and societal issues. Senior police officers have the operational responsibility to decide what equipment they use, but they must consult Police and Crime Commissioners, and any new equipment must go through the authorisation processes described above. The use of firearms by the police is governed by guidelines produced by the Association of Chief Police Officers.

Making best use of alternative measures to detention (CRC/C/GBR/CO/4: Para. 78(b))

35. In England, the majority of offences committed by children between 10 and 14 are dealt with outside the courts. Having the age of criminal responsibility set at 10 allows frontline services to become involved at an early stage and enables robust measures to be put in place to prevent re-offending and enable children to develop a sense of personal responsibility for their actions. Provisions in the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 give the police greater discretion in using out-of-court disposals to deal with offences appropriately and proportionately, using their professional judgment.

36. In Northern Ireland very few children are sentenced to custody. The vast majority of children who commit offences are dealt with in the community, mostly through use of restorative practices. The extended use of police discretion correlates with a sharp decrease (46%) in young people entering the formal justice system and corresponding reduction (29%) in prosecutions since 2010.

37. In Scotland, custody is an option of last resort for young people under age 18. The Scottish Government's 'Whole System Approach' promotes the use of diversion from prosecution. Between years 2010-11 and 2011-12, the number of young people diverted from prosecution increased by 59%.

Juvenile justice system (CRC/C/GBR/CO/4: Para. 78(c))

38. In England, the vast majority of cases involving young offenders are tried and sentenced in the youth court. Provisions in the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 ensure that 17-year-olds are dealt with as children rather than adults in court in remand proceedings.

39. In 2011, the Northern Ireland Government conducted a review of the youth justice system, which involved a full public consultation, leading to a plan for developing a more proportionate response to offending by children, based on the best interests of the child, to divert them away from the formal criminal justice system and towards non-criminal justice interventions.

40. In Scotland, children under the age of 16 are not prosecuted in court unless under the explicit instruction of the Lord Advocate. The Children's Hearing System remains the primary forum for responding to the needs of children involved in offending behaviour. Separately, the Government has introduced the Criminal Justice (Scotland) Bill, which will make key changes to criminal law and practice relating to the treatment of children whilst the subject of police investigations.

41. In Wales, the Government is undertaking a consultation setting out proposals to improve services to better meet the needs of young people in, or at risk of being in, the youth justice system.

Children in custody to be kept separate from adults

42. There is a distinct custodial estate for under-18s in England and Wales with young people always held separately to adults. This is also the case in Northern Ireland, where the small number of children held in custody are accommodated in a purpose-built child-centred facility, staffed by social workers.

Education for all children deprived of their liberty (CRC/C/GBR/CO/4: Para. 78(e))

43. All young people in custody in England have access to education and training, which is subject to joint scrutiny by Ofsted and HM Prisons inspectors. Currently 69% of young offenders released from custody re-offend within 12-months. Following consultation on *Transforming Youth Custody*, which set out the vision for Secure Colleges, the Government plans to introduce a pathfinder Secure College which will open in 2017. If it proves successful, this will provide a blueprint for a network of Secure Colleges across England and Wales to replace most existing youth custody provision. The Children and Families Act 2014 provides for greater continuity of support for children and young people with SEN in custody, particularly in relation to Education, Health and Care plans.

44. In Northern Ireland, education and vocational learning classes are compulsory and form a core part of the ethos and regime of the Juvenile Justice Centre. In Scotland, under-

16s within the secure estate receive support in a number of areas, including education. In Wales the Youth Justice Board has produced guidance for Youth Offending Teams (YOT) about the special educational needs of under-18s in custody.

Juvenile justice in the Overseas Territories

45. The protection and promotion of human rights in each territory is primarily the responsibility of the territory government and they have a duty to ensure local law complies with the relevant conventions and court judgements and is non-discriminatory. The Cayman Islands has enshrined a Bill of Rights - Rights of Children - in its Constitution, which provides children with a right to regular contact with their family whilst incarcerated; and states that children be detained as a last resort and only for the shortest period. The child is also entitled to legal counsel.

46. In Anguilla, a juvenile residential centre now provides an alternative to prison custody and the UK has assisted with training and advisory visits and some inward secondments of Anguillan staff. Other Overseas Territories are now establishing similar facilities, with ongoing UK support and advice.

Ratification of international human rights instruments (CRC/C/GBR/CO/4: Para. 81)

47. We have ratified the CRPD and OP Sale of Children, child prostitution and child pornography, mentioned earlier in the report.

Appendix 1: Optional Protocol on the involvement of children in armed conflict

Dissemination and Training

1 Training on the Law of Armed Conflict is provided at the start and throughout the careers of service personnel. UK Military personnel also receive mandatory pre-deployment training, tailored to specific operational demands, as part of their preparation for operations. This training contains an Operational Law package that includes sections on the Law of Armed Conflict, the Rules of Engagement and the Use of Force.

Direct involvement in hostilities

2. No service personnel under the age of 18 are knowingly deployed on any operation, outside of the UK, which would result in them becoming engaged in, or exposed to, hostilities; and under-18s are not deployed on UN peacekeeping operations. However, the optional protocol does not preclude under-18s taking a direct part in hostilities if: there is a genuine military need to deploy their unit or ship to an area in which hostilities are taking place and, by reason of the nature and urgency of the situation, it is not practicable to withdraw them before deployment or to do so would undermine the operational effectiveness of their ship or unit, and thereby put at risk the successful completion of the military mission and/or the safety of other personnel.

Recruitment

3. Overall recruitment to the Armed Forces has declined and as the Armed Forces seek to adjust and balance their manpower the number of under-18s recruited reduced from 5,820 in 2008/9 to 2,460 in 2012/13. The UK will continue to recruit from the widest talent pool to sustain the required staffing levels for its Armed Forces. However, it is very aware of the differing needs of every age group and goes to great lengths to ensure their specific needs are met. Parental consent must be obtained before an under-18 can undertake any assessment/selection activity and then again before he/she enlists. In 2011, the Terms of Service Regulations for the Armed Forces were amended to give all Service personnel under the age of 18 the right to leave the Armed Forces before their 18th birthday following an appropriate period of consultation or cooling off.

Peace Education CRC/C/OPAC/GBR/1

4. The UK Government has issued a revised citizenship programme of study for schools in England which emphasises democracy and the rights and responsibilities of citizens. The UK Government does not prescribe what schools should teach, leaving it to them to raise issues with pupils according to their age, needs and interests.

Use of Firearms

5. Current policy recognises the need for those new to the Service to be appropriately trained and supervised in the use of firearms. During Phase 1 recruit training, trainees are not assessed as competent to operate a weapon system safely until they have passed the relevant handling tests.

Captured child soldiers

6. Since the last review in 2008 the MOD has published Joint Doctrine Publication 1-10 for Captured Persons (CPERS) (2nd Edition, October 2011). This doctrine sets out how armed forces personnel are expected to treat captured persons on operations. Children, defined as anyone under 15-years-old, are only detained if necessary to prevent imminent danger to UK Armed Forces. They must be housed in separate accommodation from adult detainees (unless they are detained as part of a family group) and must not be tactically questioned or interrogated.

7. The UK's Strategic Detention Policy states that captured persons will be permitted to correspond with the International Committee of the Red Cross (ICRC), which is informed as a matter of course about all detainees, and has additional processes for contacting relatives.

Military justice

8. Under-18s are subject to the same disciplinary arrangements as over-18s in the Service Justice System, albeit that they have additional rights to have a parent or guardian, or appropriate adult, present when cautioned, and throughout the custody process.

Arms Exports

9. Under UK export control law the export of arms to all destinations is prohibited, unless authorised by a licence issued by the Secretary of State for Business Innovation and Skills. The UK will not issue an export licence if there is a clear risk that the equipment might be used to commit serious violations of human rights, or of international humanitarian law.

International Assistance and Co-operation

10. The UK provided funding for the UN Office of the Special Representative of the Secretary General (SRSG) on Children and Armed Conflict in 2013. The UK will continue to provide funds to the SRSG's office in 2014 and 2015. The aim of the funding is to increase the SRSG's capacity to monitor emerging situations of concern in line with Security Council Resolutions 1612, 1882, 1998 on children and armed conflict. The UK is also giving half a million pounds to a UNICEF programme that will help improve the capacity of African Union (AU) forces to protect children and women in areas affected by the Lord's Resistance Army. We are providing money over the next two years, some of which will be used to fund a child protection adviser in the AU to collaborate with the SRSG's office.

Appendix 2 – Innocenti score cards

Material Well-being

In the 2007 report, the UK ranked **21st out of 24** countries on measurements of material well-being. The UK was second from bottom in relation to the proportion of children experiencing relative income poverty, with over 15% of children living in households where income was less than 50% of the median. The UK scored better, however, on measures of child deprivation, with fewer children reporting ‘low family affluence’ or a lack of material possessions compared to their peers in other countries.

In the 2013 report, the UK had risen to **14th out of 29** countries. The UK had improved to mid-table in relation to the proportion of children living in poverty, with 11% of children living in households with income less than 50% of the median. The UK remained in the top half of nations on measures of child deprivation.

Health and Safety

In the 2007 report, the UK was ranked **15th out of 25** countries in relation to this aspect of children’s well-being. The UK was in the bottom third on measures of infant mortality; low birth weight; and the proportion of children who were immunised. However the UK had the second lowest rates of mortality among under-19’s resulting from accidents or injuries.

In the 2013 report, the UK’s overall ranking on health and safety measures was **16th out of 29** countries, similar to the UK’s position in the 2007 report. Again the UK ranked in the bottom third on measures of infant mortality and low birth weight, although there had been an increase in the proportion of children who were immunised. However, the UK had fallen back from 2nd to 12th in relation to under-19 mortality rates.

Educational Well-being

The UK ranked **20th out of 24** countries in the 2007 report on measures of educational well-being. The UK was in the top half on educational attainment at age 15, but the UK’s overall position on educational well-being was less positive, due to the UK’s low post-16 participation rate and the high proportion of 16-18 year olds who were not in education, employment or training (NEET).

The findings in the 2013 report were broadly similar. The UK ranked **24th out of 29** countries, a position that was again driven by the UK’s low post-16 participation rate and high proportion of NEETs. The UK remained in the top half in relation to educational attainment at age 15. The 2013 report included a new measure of the proportion of children in early years’ education, on which the UK ranked in the top third of countries.

Relationships

In the 2007 report, the UK was **21st out of 21** countries on measures of the quality of children's relationships. This low position was driven by issues related to family structure, with the UK having the second highest proportions of children living in both single-parent households and in stepfamilies. The UK was in the bottom third of countries on the number of children reporting that they ate their main meal with their parents, but mid-table on children reporting spending time talking to their parents. The UK scored lowest on the question of whether children believed their friends and peers were helpful and supportive. There was no specific measurement of the quality of children's relationships in the 2013 report.

Behaviours and Risks

In the 2007 report, the UK was **21st out of 21** countries on this aspect of children's well-being. The UK was towards the bottom of the table on measures of healthy eating and consequently in a similar position in relation to levels of obesity among children – although the UK was in the top third on participation in physical activity. The UK scored badly on a range of measures including higher proportions of children reporting smoking, drinking alcohol, using cannabis and engaging in early sexual activity than their peers in other countries. The UK also had comparatively high rates of teenage births. Children in the UK were more likely to have been involved in a fight or experienced bullying than children in most other countries.

This is the aspect of children's well-being where the UK has made the most progress, being ranked **15th out of 29** countries in the 2013 report. There have been improvements in the levels of childhood obesity and, while the UK is in the bottom half of countries on measures of eating behaviours, it is in the top half on rates of physical activity. The teenage birth rate remains high compared to other countries, but significantly fewer children reported smoking, drinking alcohol or using cannabis in 2013, compared to 2007. The UK had improved its position in relation to both children's involvement in fighting and experiences of bullying.

Subjective Well-being/Life Satisfaction

In the 2007 report, the UK was **20th out of 20** countries on measures of subjective well-being. It was ranked bottom on children's self-assessment of their health; and towards the bottom on the number of children reporting that they liked school; and on their assessment of their subjective well-being. In the 2013 report, the UK was **14th out of 29** countries on measures of life satisfaction, being ranked just below the mid-point on a range of measures relating to their relationships with parents and peers.

Housing and Environment

The 2013 report included measures of the quality of children's housing and environment, which had not been included in the 2007 report. On these measures, the UK was **10th out of**



29 countries. The UK was ranked in the top third on the number of rooms per person living in the household and on air pollution rates; and was mid-table on homicide rates among children.

Appendix 3: Devolution and new legislation

Devolution

Northern Ireland, Scotland and Wales are governed by their own independent legislatures in respect of devolved matters. The level of devolution varies for each nation and is summarised in the table below.

Scotland	Wales	Northern Ireland
Education	Education	Education
Health	Health	Health
Agriculture	Agriculture	Agriculture
Environment	Environment	Environment
Business Support	Business Support	Business Support
Economic Development	Economic Development	Economic Development
	Welsh language	Energy
Policing	Policing	Policing
Justice	Justice	Justice
Welfare and Social Security Policy	Welfare and Social Security Policy	Welfare and Social Security Policy
Broadcasting	Broadcasting	Broadcasting
Defence	Defence	Defence
Foreign affairs	Foreign affairs	Foreign affairs
Fiscal and Macroeconomic Policy	Fiscal and Macroeconomic Policy	Fiscal and Macroeconomic Policy

 Devolved matters
  Matters retained at Westminster

New Legislation

Since the UK's last review in 2008, there have been several pieces of legislation where the main focus has been on services for children. These are:

The Apprenticeships, Skills, Children and Learning Act 2009 which, among other things, provided for a statutory framework for apprenticeships and created a right to an apprenticeship for suitably qualified 16-18 year olds;

The Child Poverty Act 2010, which provided a statutory basis for the commitment made by the Government in 1999 to eradicate child poverty by 2020. Its stated purpose was to give new impetus to the Government's commitment, and to drive action across departments. It also aimed to define success in eradicating child poverty and create a framework to monitor progress at a national and local level;

The Children, Schools and Families Act 2010 which included, among other things, requirements for school inspections to take into account the needs of pupils with special educational needs (SEN) and disabilities; provisions for an additional right of appeal for

parents of children with special educational needs statements; and a requirement for local authorities to provide full-time education for children and young people who, for various reasons, are in alternative provision;

The Academies Act 2010, which included provisions that would enable more schools in England to become academies;

The Children and Families (Wales) Measure 2010 makes statutory provision to tackle child poverty in Wales. It also makes statutory provision with regards to play and participation, childminding and daycare regulations and also Integrated Family Support Teams;

The Education Act 2011, which provided for the introduction of targeted free early years care for children under compulsory school age; made changes to provisions on school discipline; made changes to the arrangements for setting up new schools; and amended the Academies Act 2010 to make provision for 16 to 19 academies and alternative provision academies;

The Rights of Children and Young Persons (Wales) Measure 2011, which requires Welsh Ministers to have due regard to the articles of the UNCRC and its Optional Protocols when developing new or amending existing policies and/or legislation and to produce a Children's Rights Scheme identifying the arrangements in place to ensure compliance with the duties of the Measure;

The Children's Hearing (Scotland) Act 2011, which made significant improvements to the Children's Hearings System, Scotland's primary forum for supporting children who are in need of compulsory measures of support as a result their own behaviour or the behaviour of others. The Act strengthened the mechanisms for ensuring that a child's views are heard and taken into account as part of any Hearing and introduces a number of more general measures designed to place the child at the centre of the proceedings. The legislation also further enshrined the principle that a child's welfare must be the paramount consideration whenever decisions are being taken by a Hearing;

The Children and Families Act 2014, which, when enacted, will introduce reforms to: adoption and children in care; aspects of the family justice system; services for children and young people with special educational needs; the Office of the Children's Commissioner for England, statutory rights to leave and pay for parents and adopters; and provides for both time off work for ante-natal care and the right to request flexible working and provision for providing better support in schools for children with medical conditions; and

The Children and Young People (Scotland) Act 2014, which, among other things, supports the implementation of *Getting it right for every child* across Scotland and introduces new powers and duties which explicitly recognise the role of the UNCRC in influencing the planning and delivery of services and policies across Scotland's public sector.

There have also been a number of other pieces of legislation that have been enacted or are in the process of being scrutinised by Parliament, which are not specific only to children, but which nevertheless have significant implications for children's rights. These include:

Border's Citizenship and Immigration Act 2009 which, among other things, provided for judicial review applications in immigration and nationality cases to be heard by the new Upper Tribunal instead of the High Court; and introduced a new duty on the UK Border Agency to safeguard the welfare of children;

Equality Act 2010 which harmonised and in some cases extended existing discrimination law covering the 'protected characteristics' of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Specific provisions included: extending protection from discrimination on the grounds of gender reassignment to school pupils; creating a unified public sector duty, intended to promote equality in public policy and decision-making; and proposing a new public sector duty related to socio-economic inequalities;

Welfare Reform Act 2010, which set out the Coalition Government's proposals for reforming welfare, to improve work incentives, simplify the benefits system and tackle administrative complexity. As well as introducing Universal Credit, the Welfare Reform Act makes other significant changes to the benefits system, including: restricting Housing Benefit entitlement for social housing tenants whose accommodation is larger than they need; amending the statutory child maintenance scheme; introducing a cap on the total amount of benefit that can be claimed; and providing for the establishment of a Social Mobility and Child Poverty Commission;

Domestic violence, Crime and Victims (Amendment) Act 2012, which created the offence of causing or allowing the death of a child or vulnerable adult;

Legal Aid, Sentencing and Punishment of Offenders Act 2012, which covers a wide range of issues, including: taking some types of cases out of scope for legal aid funding; introducing new powers to allow curfews to be imposed for more hours in the day and for up to 12 months; and making provision to ensure that, where a person aged under 18 has to be remanded into custody, in most cases they would be remanded into local authority accommodation;

The Social Care (Self-directed Support) (Scotland) Act 2013, and the wider policy underpinned by the Act, will make a number of improvements to the realisation of children's rights. Self-directed support ensures that children and families who use social care services and health and social care professionals can access support through a wide variety of options. It allows them to take greater control via a direct payment or an individual service fund, as opposed to receiving services arranged on their behalf. This can lead to better personalised support and better outcomes for both the child and their family. The Act concentrates on the provision of choice to children and families during their social care assessment. It provides a

variety of options for the provision of support and it requires the statutory body to “give effect” to the child or family’s choice; and

Protection of Freedoms Act 2012, which brought in a wide range of measures, including: a new framework for police retention of fingerprints and DNA data, and a requirement on schools to get parents’ consent before processing children’s biometric information; a code of practice for surveillance camera systems; a new regime for police stops and searches under the Terrorism Act 2000 and reductions to the maximum pre-charge detention period under that Act from 28 to 14 days.

Appendix 4: Patterns of Expenditure on Children in the UK

Introduction

1. Public spending on children in the UK is substantial and wide-ranging. However, identifying how much public spending directly benefits children is challenging. This is due to a combination of factors.

2. In practice, spending on children and young people is often done on their behalf, either by central government, local authorities or family members. Therefore, it is inherently difficult to identify a causal link between expenditure targeted at children and child outcomes. This problem is compounded when we consider ‘pure’ public goods and services (i.e. national defence), where the whole of society benefits and individuals cannot opt in or out. Specific policies may be targeted at a variety groups in society, including children and young people, although they are not the sole intended recipient.

3. Furthermore, the UK Government has a policy of devolution of resources to the frontline, where they are spent in response to local need. Local Government and other locally based statutory delivery bodies are understandably resistant to the central imposition of burdensome reporting requirements, including those that could be used to disaggregate expenditure by recipient characteristics.

4. What follows is a breakdown of total UK public expenditure against five key areas that benefit children directly – these are consistent with the UN reporting guidelines. Of course there are many other areas of public expenditure that will affect the wellbeing of children. The areas of spending considered here include:

- I. Social Security (Benefits and Tax Credits);
- II. Health services;
- III. Education;
- IV. Early childhood development; and
- V. Child protection measures.

5. The main data sources used are the HMT Public Expenditure Statistical Analysis (PESA) tables.³⁶ The PESA tables combine actual and forecast expenditure data from across the devolved administrations, central government departments and local authorities. Public spending is grouped against ten categories (education, health, defence, etc.) which are then further divided into more detailed sub-functions (for instance, education is split into primary, secondary, administrative spend etc.). These classifications are based on the UN’s *Classification Of the Functions Of Government (COFOG)* criteria.³⁷ The PESA estimates show organisations’ best efforts to attribute public spending to those who benefit.

6. All figures are presented in 2012-13 prices. Comparison of expenditure in cash terms can be misleading, since general inflation erodes the purchasing power of a given amount of money over time. To allow for meaningful comparison, historic figures have been adjusted to reflect the fact that an equivalent level of funding today will not buy as much as it would have done in the past. Consistent with standard practice, figures have been adjusted in-line

³⁶ Available from: <https://www.gov.uk/government/publications/public-expenditure-statistical-analyses-2013>.

³⁷ For further information, please see here: <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=4>

with the HM Treasury *GDP deflator*³⁸ series. The GDP deflator is a wider measure of inflation than the Consumer Prices Index (CPI) or Retail Price Index (RPI) and is used in preference, since the price of all public goods and services will not necessarily move in step with the price of goods and services consumed by households, as captured in CPI and RPI. It should be noted, however, that the results of the analysis will be sensitive to the choice of inflation measure used.

Overview of Public Spending in the UK

7. The table below shows the total expenditure on public services since 2008-09 by function. Social protection is shown to make up the largest share of current government expenditure (around 37% in 2012-13). This includes both cash transfers (benefits and tax credits) to households and spending by central and local government on a range of social services. Health and education form the second- and third-largest areas of spend at 18% and 13% of total current expenditure in 2012-13 respectively. Total public spending was equivalent to 42.9% of GDP in 2012-13.

*Total UK Public Expenditure by Function – 2012-13 prices (£m)**

	2008-09	2009-10	2010-11	2011-12	2012-13
General Public Services**	£57,260	£55,341	£69,393	£69,228	£67,038
Defence	£40,421	£40,297	£40,911	£39,345	£36,363
Public Order & Safety	£36,946	£36,456	£34,380	£32,601	£31,464
Economic Affairs	£53,779	£50,909	£40,535	£37,658	£35,342
Environment Protection	£10,133	£11,110	£11,381	£10,647	£11,061
Housing & Community	£16,742	£17,464	£13,505	£10,035	£10,152
Health	£119,390	£124,930	£124,979	£123,389	£124,354
Recreation, Culture & Religion	£13,663	£14,082	£13,498	£13,064	£12,192
Education***	£91,121	£94,548	£95,282	£88,811	£87,668
Social Protection	£224,067	£239,378	£240,711	£244,722	£252,196
Total Expenditure****	£696,315	£718,581	£722,606	£707,249	£675,651
(% of GDP)	44.0%	47.0%	46.2%	44.9%	42.9%

**Source: HM Treasury PESA table 5.2 (July 2013) converted into 2012-13 prices using GDP deflators.*

***This mainly comprises payments on debt interest*

****Adjusted to reflect revisions to data supplied by DfE not yet incorporated in the published PESA tables.*

*****Also includes EU transactions and other adjustments*

8. The table below shows the variation in total managed expenditure across the UK and the devolved administrations. It should be noted that not all expenditure can be assigned to a particular jurisdiction; for example, this excludes the majority of defence spending which benefits the whole of the UK equally. Unallocated expenditure accounts for around 20% of total managed expenditure.

³⁸ December 2013 deflators available from: <https://www.gov.uk/government/publications/gdp-deflators-at-market-prices-and-money-gdp-march-2013>

Breakdown of Identifiable Expenditure in 2011-12 by Constituent Country – 2012-13 prices (£m)

	Total Spend (£m)*	Share of Spend	Spend per head**	Expenditure (% of GVA)***
England	£458,872	81.5%	£8,641	40%
Scotland	£53,948	9.6%	£10,266	49%
Wales	£30,369	5.4%	£9,912	63%
Northern Ireland	£19,613	3.5%	£10,811	65%
UK Total	£562,803	100.0%	£8,900	42%

* Source: HM Treasury PESA table 9.1 (July 2013) converted into 2012-13 prices using GDP deflators

**Source: HM Treasury PESA tables 10.5 to 10.8 (July 2013) converted into 2012-13 prices using GDP deflators

***Gross Value Added (GVA) figures from the ONS

9. Total identifiable expenditure on all services ranges from around £8,600 per head in England, to around £10,800 per head in Northern Ireland. Compared with the UK average, spending per head is 21% higher in Northern Ireland, 15% higher in Scotland, 11% higher in Wales, and 3% lower in England. Expressed as a proportion of Gross Value Added (GVA), total expenditure in Northern Ireland is 53% higher than the national average. In Wales it is 49% higher than the national average, Scotland 16% and in England 5% lower.

10. Differences in expenditure between England and the devolved administrations are mainly driven by higher levels of spending on demand-led programmes, such as social security benefits. This is known as Annually Managed Expenditure (AME) and is typically higher in the devolved administrations due to the larger proportion of welfare recipients. Other differences may also be explained by the formula used to set limits on non-demand-led spend (otherwise known as Departmental Expenditure Limits or DEL spending). Local administrations also have their own revenue raising powers (through taxes and fines, or charges) which can be used to fund local public service provision.

11. What follows below is a detailed analysis of the amount of funding targeted specifically at children. This is broken down by the core areas of spending identified above.

Social Security (Benefits and Tax Credits)

12. The UK Government provides financial support to families with children through a variety of routes, primarily designed to protect the incomes of the poorest households. Listed below are four of the main social security benefits that are targeted specifically at children. There are, of course, many other benefits that are paid to households that will raise the living standards of children (e.g. Working Tax Credit (WTC), unemployment benefits, Housing Benefit, etc.). However, because children are not the sole intended beneficiary of these payments, these payments have not been considered here. The child contingent supports for which data has been included are:

Child Benefit is a payment that can be claimed for each child in a household, usually paid every four weeks. There are two separate amounts, with a higher amount for the eldest child (currently £20.30 per week) and a single rate for every other child (currently £13.40 per

week).

Disability Living Allowance (DLA) (for children) is designed to help with the extra costs of looking after a child with disabilities. The amount that can be claimed varies between £21 and £134.4 a week, depending on the level of help the child needs.

Child Tax Credit (CTC) is offered to carers with children under the age of 16 or children aged 16 to 19 who are in certain types of education or training. How much families are eligible for depends on their income and other circumstances.

Income Support (for children) is currently being phased out and replaced with Child Tax Credit. It provided extra money to parents with no income or a low income, working less than 16 hours a week, who have not signed on as unemployed.

13. Households also receive support for the cost of childcare through the childcare element of the Working Tax Credit. These figures are reported separately below, under Early Childhood Development.

Spending on Child-Related Benefits and Tax Credits (£m) – 2012-13 prices

	2008-09	2009-10	2010-11	2011-12	2012-13
Child Benefit (GB)*	£11,963	£12,226	£12,254	£11,992	£11,778
Disability Living Allowance*	£1,214	£1,274	£1,271	£1,338	£1,391
Child Tax Credit (GB)**	£17,785	£20,302	£22,202	£23,320	£23,461
Income Support*	£1,598	£937	£659	£459	£292
Total	£20,597	£22,513	£24,132	£25,117	£25,144
(% of GDP)	1.3%	1.5%	1.5%	1.6%	1.6%

*Source: Department for Work and Pensions' (DWP) Benefit Expenditure and Caseload Tables (Autumn Statement 2013)³⁹ converted into 2012-13 prices using GDP deflators.

**Source: HMRC Annual Report and Accounts (various additions⁴⁰) converted into 2012-13 prices using GDP deflators. Figures in 2008-09 and 2009-10 do not include adjustments for over- and under-payments, and therefore are not directly comparable with previous years.

14. The table above shows that the total amount spent on child contingent benefits has increased in real terms by 22% between 2008-09 and 2012-13. This has largely been driven by an increase in CTC spending, as a consequence of the recession and the resulting fall in household incomes. The amount spent on the DLA has increased by around 15% in real terms between 2008-09 and 2012-13. This may be explained by an increase in diagnoses and/or increases in the survival rate of children with severe disabilities. Whilst Income Support relating to children has fallen over the period, as noted, this is due to it being phased out and replaced with payments through the CTC.

³⁹ Available from: <https://www.gov.uk/government/publications/benefit-expenditure-and-caseload-tables-2013>

⁴⁰ HMRC's 2012-13 accounts available here: <https://www.gov.uk/government/publications/annual-report-and-accounts-2012-13--3>

Health Services

15. Healthcare provision in the UK is generally provided free at the point of use, although some people elect to pay for private treatment. According to ONS data, private healthcare expenditure accounted for around 17.2% of total healthcare expenditure in the UK in 2011.⁴¹ The data collected to form the PESA tables do not allow for a breakdown of expenditure by COFOG classification. Therefore, the table below simply shows total public healthcare expenditure by country.

*Breakdown of Total UK Public Healthcare Expenditure – 2012-13 prices**

	2008-09	2009-10	2010-11	2011-12
Total Health Spend (£m)				
England	£98,834	£103,939	£103,450	£101,282
Scotland	£11,175	£11,319	£11,286	£11,183
Wales	£6,106	£6,323	£6,317	£6,123
Northern Ireland	£3,622	£3,678	£3,943	£3,903
Total	£119,737	£125,258	£124,995	£122,491
<i>(% of GDP)</i>	7.6%	8.2%	8.0%	7.8%
Spend per Head (£)**				
England	£1,907	£1,992	£1,965	£1,907
Scotland	£2,162	£2,180	£2,161	£2,128
Wales	£2,018	£2,080	£2,071	£1,999
Northern Ireland	£2,035	£2,051	£2,184	£2,151
UK Average	£1,938	£2,013	£1,993	£1,937

*Source: HM Treasury PESA tables 10.1 to 10.8 (July 2013) converted into 2012-13 prices using GDP deflators.

**Spend as an average across the total population within each country

16. Overall, total UK public expenditure on healthcare has remained at around 8% of GDP since 2008-09. Spending per head on healthcare is highest in Northern Ireland (around 11% higher than the UK average). The difference in the levels of spending between the regions may be explained by a number of factors, including the differing health needs of the populations, take-up of private medical care, the varying costs of provision (e.g. prescription fees) and differing policy decisions between the administrations.

17. Across the UK, there is no systematic process for recording how much is spent on children's healthcare. Children's health is supported mainly through the National Health Service (NHS), which is delivered through many local commissioning and delivery organisations. Consequently, it is not possible to say for certain how much of the funding is spent on children. However, the Department of Health does collect data on the varying costs of treatments for different age groups. The table below shows a high-level analysis, supplied by the Department of Health, of how much of Primary Care Trust (PCT) expenditure is likely to have been spent on different age groups. It is stressed that these are estimates only. These figures demonstrate the general pattern of health expenditure, where costs peak for children at birth, decline significantly throughout childhood and then rise during later life.

⁴¹ Office of National Statistics (ONS), 'Expenditure on healthcare in the UK: 2011 may 2011', 2013. Available from: http://www.ons.gov.uk/ons/dcp171766_308689.pdf

Estimated PCT expenditure on HCHS, prescribing and primary care, by age group (2011-12)*

Common Age Bands	Average Cost per Head				ONS 2011 Census Based Population (000s)	Total Spend by Age band
	Secondary Healthcare*	Prescribing Costs***	Primary Medical Services****	Total		
0 to 4	£489	£24	£210	£722	3,329	£2,404m
5 to 14	£457	£28	£56	£540	6,058	£3,274m
15 to 44	£559	£66	£88	£714	21,511	£15,348m
45 to 64	£1,213	£193	£152	£1,558	13,480	£21,007m
65 to 74	£2,993	£401	£253	£3,647	4,592	£16,748m
75+	£5,377	£517	£388	£6,281	4,137	£25,988m
Total	£1,295	£155	£146	£1,596	53,107	£84,769m

*Figures based on 2011-12 PCT spend (£000s) on HCHS, mental health, prescribing and primary medical services (source: DH Annual Report and Accounts, 2011-12).

** Based on Nuffield weights for 2011 by age group in England multiplied by size of population age groups in each year, and constrained to total HCHS spend each year.

*** Spend by age group is for hospital outpatient and inpatient care only, but assumed to apply to the whole of Health and Community Health Services (HCHS). ie to also to community based services delivered by hospitals, eg midwifery.

**** Age cost weights based on the Information centre Review of ASTRO-PU's 2008: Consultation document March 2009

Education Spending

18. The table below shows total education expenditure across the UK. Over the period as a whole, total education spending appears to have fallen. However, the PESA sub-categories show this has mainly been driven by falls in the costs of administrative functions, with spending on subsidiary services falling by 23% and administration by 50%.

*Total Public Spending on Education in the UK–2012-13 prices (£m)**

	2008-09	2009-10	2010-11	2011-12	2012-13
Pre-primary and primary	£31,625	£32,093	£31,923	£31,485	£31,065
<i>of which: under fives</i>	£5,083	£5,172	£5,052	£5,106	£5,026
<i>of which: primary</i>	£26,542	£26,922	£26,872	£26,380	£26,039
Secondary education	£36,933	£38,473	£38,313	£36,680	£36,515
Post-secondary non-tertiary	£279	£390	£305	£224	£206
Tertiary education	£12,763	£14,082	£16,435	£13,326	£13,561
Education not definable by level	£869	£879	£1,087	£707	£674
Subsidiary services to education	£4,872	£4,468	£4,243	£3,946	£3,746
R&D education	£14	£16	£1	£9	£10
Education n.e.c**	£3,766	£4,148	£2,974	£2,433	£1,893
Total	£91,121	£94,549	£95,283	£88,812	£87,670
<i>(% of GDP)</i>	5.8%	6.2%	6.1%	5.6%	5.6%

* Source: HM Treasury PESA table 5.2 (July 2013) converted into 2012-13 prices using HMT's GDP deflator.

**Administration, operation or support of activities such as formulation, administration, coordination and monitoring of overall educational policies

19. The table below shows total UK spend on primary and secondary education. Primary includes spending on pupils aged 5 to 11 and, for secondary, pupils aged 12 to 18. These figures include spending on pupils taking vocational or academic qualifications and pupils in special schools.

*Spending on Primary and Secondary Education by Constituent Country - 2012-13 prices (£m)**

	2008-09	2009-10	2010-11	2011-12	2012-13
Total Spend (£m)					
England**	£52,781	£54,757	£54,833	£52,863	£52,673
Scotland	£5,769	£5,636	£5,518	£5,410	£5,169
Wales	£3,067	£3,135	£3,007	£3,125	£3,076
Northern Ireland	£1,858	£1,863	£1,824	£1,657	£1,635
Total	£63,475	£65,390	£65,182	£63,054	£62,553
<i>(% of GDP)</i>	4.0%	4.3%	4.2%	4.0%	4.0%
Spend per Head***					
England	£6,047	£6,285	£6,316	£6,088	£6,054
Scotland	£6,969	£6,870	£6,799	£6,638	£6,396
Wales	£6,007	£6,204	£6,032	£6,329	£6,262
Northern Ireland	£5,494	£5,556	£5,490	£5,018	£4,961
Average	£6,100	£6,303	£6,314	£6,108	£6,056

*Analysis of PESA data (July 2013) converted into 2012-13 prices using HMT's GDP deflator.

**Includes protected resource budget for 5-16 schooling.

***Spending as a proportion of the total number of 5 to 18 year olds in each country.

20. The data shows total spend on primary and secondary education has remained relatively constant, at around 4% of GDP, over the past five years. It is difficult to draw particular inference from the variation in spending levels between countries. As elsewhere, differences will be explained by local variations in costs, the formula used to allocate money between the devolved governments and differing levels of protection applied to education spending. For example, the Department for Education in England is protecting the 5-16 schools resource budget through a real terms increase of 0.1% per annum over the Spending Review period 2011-2015. Furthermore, England, through its Pupil Premium, has increased the level of resource it targets at pupils from the most economically disadvantaged backgrounds. Total amounts allocated to schools through the Pupil Premium, in England, increased by 59% in 2013-14 to £1.9 billion, with schools receiving an additional £900 per disadvantaged child.

21. It should be noted that spend-per-head figures may be misleading because they do not take into account the proportion of pupils in privately funded independent schools. These estimates will therefore underestimate the amount spent per pupil. Further care should be taken in interpreting these figures as it is not known how consistently the data has been reported across countries and, for example, the extent to which administrative spend has been disaggregated from school spending at primary and secondary level.

Early Childhood Development

Education Spending

22. In England, Scotland and Wales compulsory schooling starts at the age of five; in Northern Ireland currently compulsory schooling starts at age four. However, all countries offer some form of part-time funded early-education provision, with take-up on a voluntary basis. In England, since September 2010, all three- and four-year-olds have been entitled to 15 hours a week of free early education. This represented an increase from 12.5 hours previously. In addition, since 2009, all 152 local authorities in England have been delivering a targeted offer of between 10 and 15 hours of free early education to some of the most disadvantaged two-year-olds. From September 2013 this has been extended to around 20 per cent of the least advantaged two-year-olds, covering an estimated 150,000 children.⁴² In Scotland every three- and four-year-old is entitled to a minimum of 475 hours of pre-school education, usually delivered as 12.5 hours per week over the school year (38 weeks).⁴³ In Wales all three year olds can receive up to 10 hours per week of funded Early Years learning, to a maximum of three hours per day.⁴⁴ Similarly, the NI Executive has made a commitment to make one year of funded pre-school education available for every child whose parents want it. Provision is usually part-time, for a minimum of 2.5 hours a day, 5 days a week for at least 38 weeks.

23. The table below shows total public expenditure on education for the under-fives. This includes spending on Early Years education and some spending on the first year of compulsory schooling. The table below shows spending on under-fives across the UK has

⁴² Two-year olds will be eligible if they are looked after by the local authority or they come within the criteria used to determine eligibility for Free Schools Meals.

⁴³ Available from <http://www.scotland.gov.uk/Publications/2013/03/4564/5>

⁴⁴ Available from <http://wales.gov.uk/docs/dcells/publications/130716-building-brighter-future-en.pdf>

remained consistently at around 0.3% of GDP.

*Breakdown of Under Fives Education Total Expenditure by Country – 2012-13 prices (£m)**

	2008-09	2009-10	2010-11	2011-12	2012-13**
England	£4,589	£4,696	£4,595	£4,603	£4,575
Scotland	£339	£328	£320	£308	£302
Wales	£100	£87	£73	£80	£85
Northern Ireland	£55	£61	£64	£114	£63
Total	£5,083	£5,172	£5,051	£5,105	£5,026
(% of GDP)	0.32%	0.34%	0.32%	0.32%	0.32%

*Source: Analysis of PESA data (July 2013) converted into 2012-13 prices using HMT's GDP deflator.

**Figures for 2012-13 are projections only. This will be updated when actual figures become available

Tax Incentives and Benefits

24. Through the childcare element of the Working Tax Credit, parents can claim up to 70% of a maximum of £175 of childcare expenses per week for one child and £300 per week for two or more children. This can be claimed on childcare for children up to the age of 15 (16 if they are disabled), so does not solely relate to early years.⁴⁵ Figures for the total amount paid under the childcare element of Working Tax Credit are shown below for the whole of the UK.

*Childcare Element of Working Families Tax Credit – 2012-13 prices (£m)**

	2008-09	2009-10	2010-11	2011-12
Value of Tax Credit (£m)**	£1,721	£1,729	£1,612	£1,238
Families benefiting (000's)	449	460	455	416

*Source: HMRC Personal Tax Credits: Finalised Award Statistics - Main Tables. Table 3.2⁴⁶

**These figures represent entitlement only and do not reflect adjustments for under- and over-payments.

25. In addition, in exchange for a reduction in tax liability through Income Tax and National Insurance Contributions (NIC) exemptions employers may also offer their employees childcare vouchers.⁴⁷ Some employers also set up their own nurseries and offer places to the children of their employees. The cost to the Exchequer of these tax exemptions are estimated by HMRC to be around £830m and £800m in 2011-12 and 2012-13 respectively (2012-13 prices).⁴⁸ Comparable figures do not exist for preceding years.

⁴⁵ Her Majesty's Revenue and Customs (HMRC), 'Help with childcare costs - do you qualify for extra tax credits?', 2013. Available from: <http://www.hmrc.gov.uk/taxcredits/start/who-qualifies/children/childcare-costs.htm>

⁴⁶ Latest figures available from: <http://www.hmrc.gov.uk/statistics/fin-main-stats.htm>.

⁴⁷ Her Majesty's Revenue and Customs (HMRC), 'Paying for childcare- Getting help from your employer', 2013. Available at: <http://www.hmrc.gov.uk/leaflets/ir115.pdf>

⁴⁸ <http://www.hmrc.gov.uk/statistics/expenditures/table1-5.pdf>

Other Early Years Spend

26. Sure Start is a further policy targeted at early childhood development (children up to the age of five) and is particularly aimed at dealing with child poverty. Sure Start services are mainly delivered through community-based centres, designed to improve outcomes for both children and parents through the provision of integrated education, care, family support and health services.

27. In England, strategic responsibility for children's centres rests with local authorities. Prior to 2010, funding was provided to local authorities via a ring-fenced grant. Since 2010, Sure Start funding ceased, although funding has been provided to LAs through the unringfenced Early Intervention Grant.⁴⁹ Scotland, Wales and Northern Ireland each administer similar schemes. The table below shows total current expenditure on Sure Start programmes and their equivalents. In 2012-13 the Welsh Government budgeted £40m for Flying Start.⁵⁰ Capital expenditure has been excluded because comparable figures are not available over the period.

Current Expenditure on Sure Start Programmes - 2012-13 prices (£m)

	2008-09	2009-10	2010-11	2011-12	2012-13
England*	£910	£1,072	£1,172	£1,037	N/A
Scotland**	£66	£64	£62	£61	£60
Northern Ireland***	£22	£20	£23	£22	£23

*For the period 2008-09 to 2010-11, these represent DfE outturn expenditure figures. For 2011-12, data has been taken from Local Authority Section 251 returns (2011-12).⁵¹ Note the 2011-12 estimates do not include local authority management costs relating to Sure Start Children's Centres. To put this into context, LA management costs came to £173m in 2010-11.

**Figures relate to spending on Sure Start Strategy taken from Grant Aided Expenditure tables.⁵²

***Figures supplied by the Northern Ireland Executive. Sure Start services in Northern Ireland are delivered to children aged under-four and their families within the top 20% most disadvantaged wards.

Child Protection

28. Due to the way in which measures designed to protect children's safety are funded and delivered, it is difficult to identify precise figures for how much is spent on such a wide number of potential interventions. Funding for these interventions will be through multiple agencies, at both national and local levels. The PESA tables do, however, break down local spending on children's social services. These figures are shown in the table below. Over the past five years, total UK spending on local children's services has remained relatively constant at around 0.5% of GDP.

⁴⁹ <http://www.education.gov.uk/childrenandyoungpeople/earlylearningandchildcare/delivery/surestart>

⁵⁰ Figures taken from the National Evaluation of Flying Start - Area case study synthesis report (2013), available from: <http://www.sqw.co.uk/files/7513/8620/2634/131128-national-evaluation-flying-start-area-case-study-synthesis-report-en.pdf>

⁵¹ Available from: <http://www.education.gov.uk/childrenandyoungpeople/strategy/financeandfunding/section251/archive/b0068383/section-251-data-archive/outturn-data---detailed-level-2008-09-onward>

⁵² Available from: <http://www.scotland.gov.uk/Topics/Statistics/18209/2012-15settlement>

*Revenue Expenditure on Children's Social Services - 2012-13 prices**

	2008-09	2009-10	2010-11	2011-12	2012-13
Total Expenditure (£m)					
England	£6,323	£6,794	£6,759	£6,542	£6,543
Scotland	£745	£793	£777	£715	£820
Wales	£429	£436	£446	£471	£456
Northern Ireland	£20	£20	£13	£171	£169
Total Spend	£7,517	£8,044	£7,995	£7,899	£7,987
(% of GDP)	0.47%	0.53%	0.51%	0.50%	0.51%
Spend per Head**					
England	£564	£605	£599	£577	£573
Scotland	£712	£761	£748	£686	£789
Wales	£670	£686	£705	£744	£722
Northern Ireland***	£47	£47	£30	£398	£391
Average	£564	£603	£598	£587	£591

*Analysis of PESA data (July 2013)

**Total spending as a proportion of all children under the age of 18.

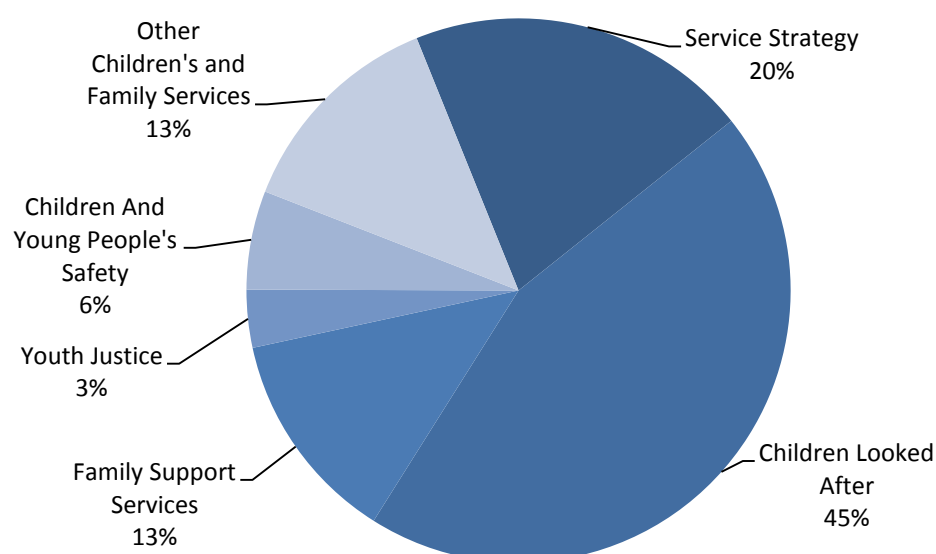
***The very low levels of relative spending between 2008-09 and 2010-11 implies some inconsistency in how the data was reported prior to 2011-12.

29. To provide some context, the chart below shows the breakdown of spending between different types of children's services in England. The single largest area of spend is on 'looked after' children. This generally refers to children looked after by the state, although definitions differ between England, Northern Ireland, Scotland and Wales. In England this includes those who are subject to a care order or temporarily classed as looked-after on a planned basis for short breaks or respite care.⁵³ This can include children that continue to live with their families or those placed in residential care.

⁵³ For further information see NSPCC here:

http://www.nspcc.org.uk/Inform/resourcesforprofessionals/lookedafterchildren/introduction_wda88884.html

*Breakdown of Revenue Spend by English Local Authorities in 2011-12**



**Source: Data from the Department for Communities and Local Government - Local authority revenue expenditure and financing⁵⁴*

30. The variation in levels of spend per head between countries will reflect both differences in policy priorities and the proportion of children looked-after and, in particular, the proportion of children placed in residential care. Data compiled by the NSPCC⁵⁵ suggests the proportion of children looked-after is highest in Scotland (around 1.6% of children) followed by Wales (around 0.9%). In England and Northern Ireland it is significantly lower, at around 0.6%.

⁵⁴ Available from: <https://www.gov.uk/government/organisations/department-for-communities-and-local-government/series/local-authority-revenue-expenditure-and-financing>

⁵⁵ Numbers of children looked after by county available from: http://www.nspcc.org.uk/Inform/resourcesforprofessionals/lookedafterchildren/statistics_wda88009.html. These figures are then divided by the total number of 0-17 year olds in each country to derive the relative proportions.

Appendix 5: Consultations with children and young people conducted by the UK Government to inform policy and practice

The following is an extensive, but by no means exhaustive, series of examples of activities by government departments **in England** through which children and young people have been consulted on matters of national significance and through which they have been able to influence policy and practice.

Cabinet Office (CO):

- As part of the Democratic Engagement Project, the Cabinet Office launched two projects in August 2013: the Democratic Engagement Innovation Fund and Rock Enrol! Youth Engagement. These projects are aimed at engaging groups which are currently under-represented on the electoral register - these include 16 to 17 year- olds and people in social housing in regions across England and Wales. Rock Enrol! is an interactive resource aimed at inspiring young people to discuss and debate what they care about, whilst considering why they should register to vote. Cabinet Office developed the resource with the youth-led organisation Bite the Ballot.

Department for Communities and Local Government (CLG):

- Has provided funding to support the National Youth Reference Group and Youth Homeless Parliament which are made up of young people aged 16-25 from across England who are homeless/have experienced homelessness. The groups exist to assist national and local government, local authorities and organisations to develop and improve their involvement opportunities for young people. In particular, the Youth Homeless Parliament act as ambassadors for young people up and down the country, giving youth homelessness a voice at the heart of Parliament to MPs and Ministers about emerging issues and personal experiences.

Department for Education (DfE):

- Received around 750 responses from children and young people to a consultation on draft legislative proposals for a reformed Office of the Children's Commissioner which ran from July to September 2012. The results were published in December 2012, alongside a Written Ministerial Statement setting out how the Government intended to move forward in light of the consultation responses.
- Engaged EPIC – Equality, Participation, Influencing, Change – a group of 14 disabled young people across the country, supported by the Council for Disabled Children, in the SEN reform process to advise on changes to the SEN and Disability part of the Children and Families Bill during its passage through Parliament. The new measures now enshrined in the Children and Families Act 2014 will give children and young people with SEN a greater say in their education and support. EPIC was also involved in a dedicated consultation with disabled young people on a draft SEN Code of Practice.

- ANV – A National Voice (run by young people who are in care or who have been in care) worked with the Department for Education (DfE) throughout 2010–2011 to build a national picture of the current position of Children in Care Councils (CiCC's). ANV hosted a series of regional meetings with the DfE and the Office of the Children's Rights Director involving young people and Lead Workers from every CiCC and many examples of the good practice recommended in their final report were gathered during the course of these meetings.
- Funding the National Children's Bureau alongside ANV to hold regional training seminars in 2013 -14 for local authority elected councillors and CiCCs to promote the voice of the child.
- The Children's Minister meets with groups of children in care quarterly to talk about how to improve the support they receive. Separate Ministerial quarterly meetings are held with care leavers and these meetings are organised by the Care Leavers Foundation.
- Funded the Care Leavers Foundation to consult with care leavers at events on the development of a *Charter for Care Leavers*, which was launched in October 2012 and 118 local authorities have now signed up to the principles of the Charter.

Department of Health (DH):

- An independent Children and Young People's Health Outcomes Forum, set up by the Secretary of State for Health in 2012, was asked to identify the health outcomes which matter most for children and young people and make recommendations. The Forum engaged with some 2,000 individuals including children and young people and their families. *Improving Children and Young People's Health Outcomes: a system wide response* published in February 2013 set out the Government's response to the Forum's recommendations, including how health organisations are demonstrating how they have listened to children and young people. At the same time the Under Secretary of State for Children's Health launched the *Better health outcomes for children and young people pledge* which committed signatories to improve health outcomes for children and young people so that they become amongst the best in the world
- In March 2013, the UK Government asked the Forum to consider issues relating to standards of care as they relate to children and young people, particularly of culture change.⁵⁶ The Forum's report in October 2013 was informed by the views of children and young people, which were gathered on its behalf over the summer by the National Children's Bureau.
- During spring 2013, the UK Government's Department of Health hosted the placement of a Youth Policy Advisor, as part of a wider cross Government programme to work with youth and improve engagement of children and young people. Through the *Building Bridge* programme students were selected from local schools for structured work experience placements, and actively encouraged to contribute to the Department's work in developing better health policies. Examples of policy documents to which they have

⁵⁶ This commission followed the report by Robert Francis QC on standards of care at Mid Staffordshire NHS Foundation Trust.

contributed include the WHO report on decision-making in healthcare, the NHS *Future Forum* report and, working with the children of service families, the MOD's health plan for service children. The scheme gives students the opportunity to see the work of the Department first hand and also provides a unique opportunity for policy makers to gain valuable insight into how young people engage with and interpret these health-related policies.

- NHS England have consulted with young people on what matters to them about Health Services to inform commissioning processes. NHS England has established three initiatives to engage children and young people: the Friends and Family Test, providing an opportunity to reflect on whether they would recommend the service to others; an NHS Youth Forum to hold NHS England to account for the services it delivers to children and young people; and (developed with the Care Quality Commission) the development of national surveys of the experiences of children and young people.
- NHS England also ensure that children and young people are active participants at meetings such as the Annual General Meeting where organisations such as the Council for Disabled Children and Whizz-Kidz hold NHS services to account. NHS England is rolling out over 2014-15 the Friends and Families Test which gives children and young people routinely the opportunity to comment on NHS services they receive.
- Young people have chaired and participated in cross-organisational meetings hosted by NHS England relating to children and young people's experiences of Care.

Ministry of Justice (MoJ):

- Consulted with young people on a number of occasions in developing the policy and new system of restraint for under-18s in custody.
- Gathered the views of children and young people in custody as part of an extensive consultation exercise on Government development plans for the secure estate published in March 2012 – the views of young people had a direct influence on the plans.
- Published a young person's version of their *Transforming Youth Custody: Putting education at the heart of detention* consultation paper and used focus groups across the youth secure estate to seek young people's views during a consultation which ran from February to April 2013.
- Involved young people in reviewing designs for posters about the complaints procedures form for under-18 Young Offender Institutions.
- The Youth Justice Board has introduced an Advocacy Service in the secure estate to make sure that young people's voices are heard. This is an independent service to offer confidential advice and assistance to children and young people in custody in relation to their care, welfare and treatment whilst in custody and to ensure that their rights are respected at all times and their views and wishes heard.
- Alongside HM Inspector of Prisons, the Youth Justice Board also carries out an annual survey of experiences of young people in custody.
- **Improving the Code of Practice for Victims' of Crime consultation (the Victims' Code):** Held a public consultation on a new Victims' Code, which governs the

information and services provided to victims of crime by criminal justice agencies in England and Wales. The Code needed to be updated to reflect changes already in place and to make it easier for victims to understand, particularly children and young people.

- To understand and meet the needs of young people better, MoJ partnered with the NSPCC to develop an online Victims' Code discussion forum, surveys on the ChildLine website and two in-depth web chats on the young person's section of the Victims' Code.
- The new Code was published on 29 October. It includes a section dedicated to children and young people under 18 and their parents or guardians, written in clear, accessible language. All children under the age of 18 are now entitled to an enhanced service, such as quicker updates on the status of their case and access to therapy or counselling where appropriate. All service providers also have a duty to give primary consideration to the best interests of the child.

Department for Transport (DfT):

- Aware of the issues concerning inconsistent and expensive bus fares on offer to some young people, the Minister of State has been working with other government departments and the bus industry to seek to address some of young people's concerns.
- Working with the Department for Environment, Food and Rural Affairs in response to recommendation from the Youth Select Committee about improving transport in rural areas for young people.
- Listened to the views of young people and disabled young people, including from representatives of the British Youth Council, National Children's Bureau, UK Youth Parliament and Trailblazers, which is part of the Muscular Dystrophy Campaign, a nationwide organisation of 16-30 year-old disabled and non-disabled campaigners.
- Trailblazers, the national network of more than 400 young disabled campaigners have met with the Department to discuss accessibility issues.
- Trailblazers were also able to engage the Department on improving door-to-door journeys for disabled people and contributed to the Department's Accessibility Action Plan.
- In addition, representatives of Trailblazers have been invited to speak at and, subsequently, attend as observers the meetings held by the Department's Disabled Persons Transport Advisory Committee.
- The Bus Partnership Forum is chaired by the Minister of State for Transport. It meets with the Confederation of Passenger Transport UK, major bus operators, local authority representatives, Passenger Focus and Bus Users UK.
- The Bus Partnership Forum provides an opportunity for young people to engage directly with the DfT and bus operators with representatives from the UK Youth Parliament and the British Youth Council invited to each Forum meeting. The East Sussex Youth Cabinet also attended the Forum in 2012.

Home Office (HO):

- Funding (from April 2012 – March 2015) 13 Young People's Advocates working in areas most affected by gangs to provide direct and dedicated support to young people who have been victims, or are at risk of, sexual and domestic violence and/or sexual exploitation. The Advocates provide direct support to young women in gang affected areas who have been victims of, or are at risk of sexual violence or exploitation. They are also raising awareness of this problem with young people, schools, sexual health workers and social workers. In some areas, the Advocates consult with young people on developing services that affect them.
- Committed to building work with boys and young men into policy development and support and advice to the 33 priority areas under the Ending Gang and Youth Violence programme, so that issues around harmful attitudes towards women and girls are addressed.
- A Young People's Panel was developed with the NSPCC to help further inform the Government's work on domestic violence and abuse, following the change of definition. The Panel has met four times over a period of 12 months. We are currently reviewing the format and focus of the panel to determine how it can continue to inform policy thinking. The Panel demonstrates the Government's commitment to hear the views of young people on decisions that affect them.

Department for Work and Pensions (DWP):

- In December 2013, DWP published "The disability and health employment strategy: the discussion so far" <https://www.gov.uk/government/publications/the-disability-and-health-employment-strategy-the-discussion-so-far>
- This paper included a chapter on "Enabling young people to make the transition to work" which was informed by work undertaken by a Task & Finish Group of disabled people, educators, careers advisers and other experts. It also included one of the DWP's Disabled People's User Led Organisations (DPULO) Young Ambassadors who was able to contribute the views of the Young Ambassador network and to test the Task & Finish Group's proposals with that group.
- The Department is continuing to hold discussions on the strategy in the first half of 2014 and young people and young people's organisations, including for example the Trailblazers network, have responded to the invitation to contribute to strategy proposals. These include a young people's portal on GOV.UK, knowledge packs for parents, professionals and young people and work experience initiatives which the Department is currently developing.

Ministry of Defence – in respect of the children of UK Service personnel:

The MoD *Children and Young People's Strategy and Improvement Plan* promotes a range of participation strategies to ensure the children of service personnel are consulted before

programmes, projects and issues that affect them are developed and embedded in youth provision across the UK's Armed Forces locations, for example:

- An annual Tri-Service Youth Forum gives young people the opportunity to contribute directly to the MoD *Children and Young People's Strategy and Improvement Plan*, specifically on encouraging participation and influencing developments.
- Youth Work Pledges detailing the offer and commitment to young people have been produced in consultation with young people and produced in accessible formats.
- In an increasing number of Armed Forces locations, young people sit on newly-formed local Children and Young People's Boards.

In Northern Ireland

- During 2007 and 2012, the Participation Network, funded by the Northern Ireland Executive, assisted Departments and Agencies to pro-actively engage with children and young people when developing policy. The Participation Network developed the ASK FIRST training course on engagement; provided training to over 400 public sector staff; and provided child friendly versions of consultation documents thereby assisting 60 public bodies to engage almost 4,000 children and young people in decision making.

- Other examples of engagement include: the design of a transport card; and Public consultation on NI Museums policy – development of a children's version of the policy, consultation with local schools and the establishment of a focus group of 16-25 year olds.

- The Department of Health, Social Services and Public Safety (DHSSPS) in Northern Ireland consulted on Minimum Standards for Children's Homes, which set out standards around engagement, participation and involvement and the taking of complaints by looked after children living in children's homes.

In Scotland

The Scottish Government has undertaken a significant amount of work supporting children to contribute to the development of policies, legislation and practice.

- In 2010 Scotland's Commissioner for Children and Young People undertook 'a RIGHT blether', a national consultation exercise involving over 74,000 children and young people. 44% of those involved had been aware of their rights under the UNCRC prior to the exercise. Following the consultation it has been recognised that further work needs to be done to increase awareness and understanding of the Convention across the public sector as well as amongst parents, carers and children.

-The Scottish Youth Parliament (SYP) has 150 members, with three national sittings each year to discuss and debate motions, campaigns and policy. The SYP consulted on their manifesto and received nearly 43,000 responses from young people across Scotland.

- At National Government level, children and young people have helped to formulate policy on issues including domestic abuse, advocacy and changes to legislation focusing on the Children's Hearings System, children's rights and children's services generally. For example,

the 2012 consultation on the Scottish Government's proposed Children and Young People (Scotland) Bill * captured the views of over 2,400 children and young people.

* (now the Children and Young People (Scotland) Act 2014 following enactment in February 2014)

In Wales

The Welsh Government's Children and Families (Wales) Measure 2010 places a duty on Local Authorities, working with their partners, to promote and facilitate participation by children and young people in decisions that might affect them. It requires local authorities to make such arrangements as they consider suitable to promote and facilitate participation by children in decisions of the authority that might affect them, and to publish and keep up to date information about its arrangements.

-The Welsh Government has provided grant funding for Funky Dragon for over 10 years. The grant facilitates children and young people's voices to be heard at a national level, through their elected representatives; and enables children and young people to engage with organizations and key decision makers to create dialogue and promote children's participation. It also funds the facilitation of the involvement of children and young people in the monitoring and reporting process to the UN Committee on the Rights of the Child and holding duty bearers to account.

-The Welsh Government has established a Ministerial Expert Group on Advocacy (MEGA) to provide the Government with advice and recommendations in relation to commissioning advocacy services, implementing legislation and guidance, scrutiny and checks to ensure high quality advocacy services and advice on raising awareness and understanding of advocacy for vulnerable children and young people.

-A Young Persons' Expert Group has also been established to sit alongside the MEGA to ensure the voices of advocacy users are heard when Ministers are provided with advice and recommendations.

-The Welsh Government continues to provide funding for the Young Carers Network in Wales. The network facilitates consultation with young carers, enabling the voices of young carers to be heard by policy makers. Part of this work is to ensure that the young carers are able to discuss their issues and concerns with the Welsh Government on an annual basis.