



CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

**To/
Councillor Mitchell Theaker,
Cabinet Member for Opportunities
for Children & Young People**

BY EMAIL

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*Date
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10 September 2014

Dear Councillor Theaker,

Re: Cabinet Member Question Session

Thank you for your attendance at the Scrutiny Programme Committee on 7 July 2014 and answering questions on your work as Cabinet Member for Opportunities for Children & Young People. Thank you also for the short written report on headlines from your work which you had submitted ahead of the meeting to provide a focus for the session.

As stated we are writing to you in order to reflect on what we learnt from the discussion, and share the views of the committee. We thought it better to hold back our letter so that we could include comments from our discussion of the draft Children & Young People's Rights Scheme at our 4 August meeting. The specific issues discussed are summarised below:

Play Sufficiency Assessment

We asked about how you have undertaken an assessment of facilities across Swansea and the quality of provision, and plans for improvement. The committee recognised concerns that some councillors had about the absence or lack of play facilities in some local communities.

You accepted that there was variable provision across Swansea and in some cases certainly not fit for purpose. However, you stated that there was insufficient funding in order to improve facilities across the whole of Swansea to acceptable standards therefore a targeted approach has been necessary, with a sum of £300k spent so far on improvements in target areas and Communities First areas.

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You clarified that the assessment itself (which is an annual requirement) was carried out in conjunction with Swansea University in order to bring a degree of independence to this work. The duty also required the development of an action plan to identify priorities and address deficiencies, but again you stressed a lack of funding would undermine efforts to improve – something which the Welsh Government has recognised. However, where possible the Play Team will press for S.106 agreements to introduce or upgrade facilities where development is taking place.

The committee felt that it was important that information about play provision was readily available and more visible to the public. Further, the committee suggested that more could be done to ensure all councillors were aware of the assessments carried out and issues relating to their areas. It would be helpful if this information was clearly published. Can you provide a copy of the sufficiency assessment or point out where it can be found?

We also asked you to confirm whether play provision supported by community councils was included in the play sufficiency assessment. Thank you for coming back to us on this following the meeting, confirming that the play sufficiency assessment takes account of all play provision within the area, which included provision supported by community councils (which was minimal), and perhaps more appropriately, provision which was funded through the third sector without local authority input, i.e. through Lottery and other funding. It also included private sector provision, although this was also not significant. You clarified that the Red Amber Green assessment of play spaces incorporated community council and privately owned play areas, although of the 146, only 13 were community council – largely on the Gower, and 3 privately owned.

Youth Support Services

We raised concerns about provision for pre and early teenage children, especially those living in more rural areas, and accessing play / youth services. There was also concern raised about a funding gap for youth team work in rural communities. You acknowledged a gap in services specifically for 9-12 year olds and difficulties but stated there were no easy solutions. You gave example of transport opportunities being provided for Stadwen Youth Centre but were not sustainable because of usage. Again you reiterated the fact that whilst a universal service was being provided resources were being targeted under a vulnerability index, which meant focus was not necessarily on the more rural areas. However, you were interested in dialogue with community councils to identify solutions for their areas - could you confirm how you are taking this forward?

You refuted any suggestion that the Youth Support Service was shrinking and provided information about budgetary provision over the last few years, however you accepted the need for improving awareness about the service including information about centres, age groups, hours of opening etc. You

have since informed us that an updated Youth Club directory would be published and that you would confirm the web address to all councillors that gives information about provision across the City & County of Swansea. Can you confirm when this will be done? We also requested a list of any youth clubs which had been closed and the reason why.

Youth Offending Service

We were interested in the new regional collaboration with Bridgend and Neath Port Talbot councils. You explained that the last year had been focussed on the creation of an integrated youth offending service across the Western Bay footprint to achieve efficiencies and improve effectiveness. The aim was to make the service more resilient, improve outcomes for young people who have or are at risk of offending and deliver cost savings. We were aware that Bridgend Council (who were keen to do so) were recently appointed as the lead authority for this service. We were concerned that this authority should not lose control. You stressed that the merger was more about establishing a single management structure and that good local based work in Swansea was continuing on the ground, and that the merger did not mean that decision-making about the service had been passed over to others.

We continue, however, to be concerned about the lack of clarity about scrutiny of collaborative arrangements to ensure that aspirations for services and outcomes are being delivered.

UNCRC

We discussed an issue raised by a member of the public about the relationship between the UNCRC and the sale of surplus school land. The concern raised was about what steps you had taken to seek the views of pupils affected and ensure that this was represented back to decision-makers, particularly given the council's commitment to upholding children's rights.

There were some specific questions asked relating to a certain school and we asked that you correspond directly with the member of the public in order to respond to these.

There was also issue raised about how best interests of children are served when parents cannot get admission into their local school, which may lead to challenge about the authority's regard for the convention and articles. On that point you argued that this does not breach the right to an education and stated that over crowding schools were not in the best interests of children's education.

On the general issue of the UNCRC you felt strongly that it was for schools to make any case against sell offs and the duty would be on schools and schools' councils to consult pupils (if the school felt necessary) and feedback to the authority. You were concerned about the danger of degrading the

importance of the UNCRC by loosely connecting it to issues which were not necessarily children centred. You were clear that the UNCRC was not a lever for parents to use against the authority, and that the UNCRC was all about children not adults.

We also asked whether a children's rights impact assessment and/or other consultation had been undertaken in relation to the remodelling of the EOTAS Pathways Service and any decisions that will affect them. You agreed to clarify this but informed us that current Equality Impact Assessments would cover this and that the implementation of specific children's rights impact assessments would be forthcoming. We note your response since the meeting that informed discussion took place with Children & Young People who were placed in EOTAS settings. However, you stated that the main emphasis of the EOTAS review has been on the range of provision, cost, pupil outcomes and alternative ways of delivering these services.

Draft Children & Young People's Rights Scheme

On 4 August the committee met with Chris Sivers, Director of People, and discussed the report which you presented to cabinet on 29 July on a Children & Young People's Rights Scheme. We understood that the scheme will provide transparency about the processes that will be followed to comply with the due regard duty and commitment to embed the UNCRC.

We were informed that the draft Scheme had been agreed by cabinet for public consultation which will be open until 12 September.

We noted a number of things, including:

- this was possibly the first scheme of its kind and therefore no blueprint existed.
- the role of an officer implementation group and a multi-agency advisory panel in developing the scheme.
- this work has been carried out within existing budgets with the Youth Participation Team playing a lead role.
- some consultation has already been carried out with children & young people and relevant organisations in developing the scheme (the Welsh Government has praised the council's youth participation work as a model for others).
- impact assessments on Children & Young People would be embedded within existing Equality Impact Assessments.
- a training programme was being developed (with free support from the Welsh Government) to promote the rights scheme and improve understanding – tailored for different levels within the organisation
- a formal launch of the scheme was planned to coincide with Children's Rights Day on 20 November.
- there are champions across the council that will help promote and embed the scheme.

- a number of performance measures are being identified.
- an annual report will be produced to facilitate monitoring (including scrutiny) of progress and impact.

The committee raised the following points for your attention:

- the need for robustness of the due regard duty in order to withstand any possible criticism, where decisions could be perceived to be at odds with the commitment.
- ensure clarity about budgetary implications of this work.
- the importance of promoting and raising awareness of the scheme amongst children and young people.
- improving ways in which children and young people can give their views and how assessments of impact are communicated to decision-makers.
- tackling any perception that decision-makers are only paying lip service to children's views.
- the need to monitor the effectiveness of the scheme and its outcomes, and ensure interface with scrutiny is a central component.
- fundamental to the success of the scheme will be ensuring that knowledge and understanding is developed amongst staff and capacity is built within the organisation to implement and mainstream the principles within the council's policy and practices. This would ensure that it represents more than just a 'tick-box' exercise.
- the committee also suggested that, following anticipated adoption of the scheme, consideration be given to including a clause in tender documents and contracts which would place an expectation on those doing business with the Council to have due regard to children's rights.

We would be grateful for your response to this letter. It would be helpful to receive your reply to this letter by 10 October so that it can be included in the agenda of a future committee meeting at the earliest opportunity.

We look forward to meeting you again to follow up on portfolio developments and hearing about achievements and impact.

Yours sincerely,



COUNCILLOR MIKE DAY

Chair, Scrutiny Programme Committee

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