



Comisiynydd Plant Cymru
Children's Commissioner for **Wales**

Children's rights in Wales: what do educators need to know?

Rocio Cifuentes, Children's Commissioner for Wales

An independent human rights institution for children in Wales

In 2001 Wales was the first nation in the UK to establish a Children's Commissioner.

The Children's Commissioner for Wales is an independent statutory office created by Parliament through the:

- Care Standards Act 2000 and
- Children's Commissioner for Wales Act 2001



Independent, but not a decision-maker

The Commissioner does not make government policy, regulate public services or determine legal disputes. Instead, the office uses its statutory powers to:

- Scrutinise decision-making.
- Highlight children's experiences.
- Report publicly on issues affecting children.
- Make recommendations for improvement.
- Promote accountability and children's rights



What This Means in Practice

When reviewing policy or services, we ask:

- Are children's rights being respected, protected and fulfilled?
- Have children and young people been listened to?
- Are some groups of children disproportionately affected?
- What changes are needed to improve children's lives?



Remit of Children's Commissioner for Wales

My role is to:

- Promote and protect children's rights.
- Amplify children's voices and experiences.
- Support improvement in policy and practice.
- Hold Welsh Government and public bodies to account.

What my office brings

- Children's rights expertise.
- Evidence from children and young people.
- Independent scrutiny and challenge.



The Commissioner's Statutory Powers

Formal Case Examination	Review of Functions	Review of Arrangements
Formally examine a case where there is evidence that it raises issues of wider significance for children and young people. The purpose is not to determine fault or legal liability but to: • Understand what happened. • Identify systemic issues or failures. • Consider the implications for children's rights and welfare. • Make recommendations to prevent similar issues arising in future.	Review how Welsh Government and other devolved public bodies exercise their functions and assess the impact of those functions on children and young people. This can include functions exercised by: • Welsh Government • Local authorities • Local Health Boards and NHS bodies • Schools and education providers • Other devolved public bodies whose work affects children and young people	Review arrangements relating to: • Complaints • Advocacy • Whistleblowing This enables the Commissioner to assess whether systems intended to protect and support children are working effectively in practice.

The UN Convention on the Rights of the Child (UNCRC)

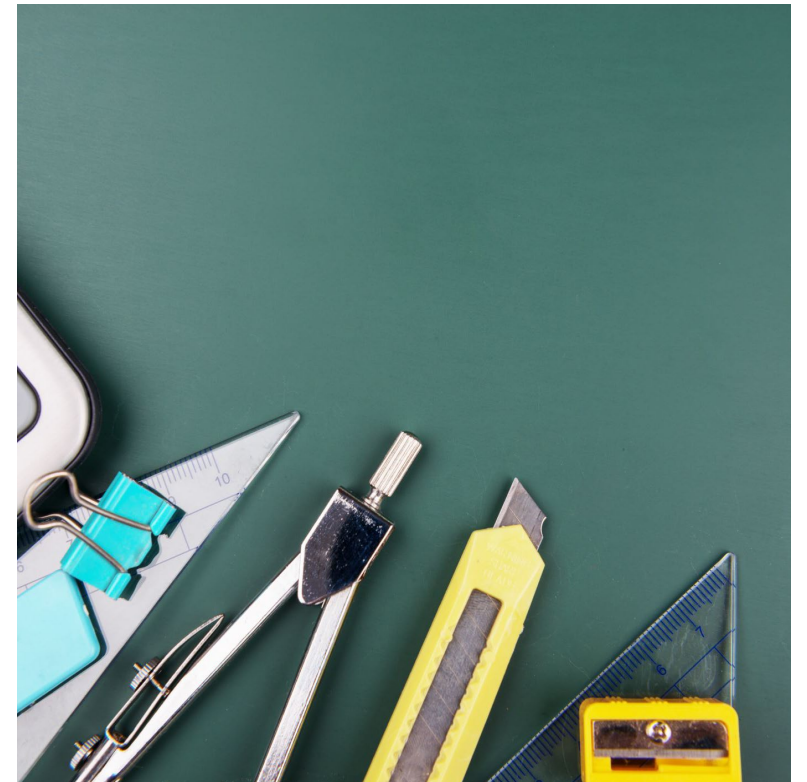
- The Commissioner's legislation requires the office to have regard to the UN Convention on the Rights of the Child (UNCRC) when exercising its functions.
- The UNCRC provides the framework through which we assess laws, policies and public services affecting children and young people.



Article 28

The UNCRC states the right to education is inclusive of:

- Making primary education compulsory and available free to all;
- Encouraging the development of different forms of secondary education
- Making higher education accessible to all
- Making educational and vocational information and guidance available
- Taking measures to encourage regular attendance at schools and the reduction of drop-out rates



Article 29

The UNCRC states that the right of a child's education is to be directed toward developing their full potential and fostering respect for human rights, cultures, and the environment.

Education should aim to achieve:

- Helping every child reach their full potential
- Teaching respect for human rights
- Respect culture and identity
- Preparing children to be responsible members of society



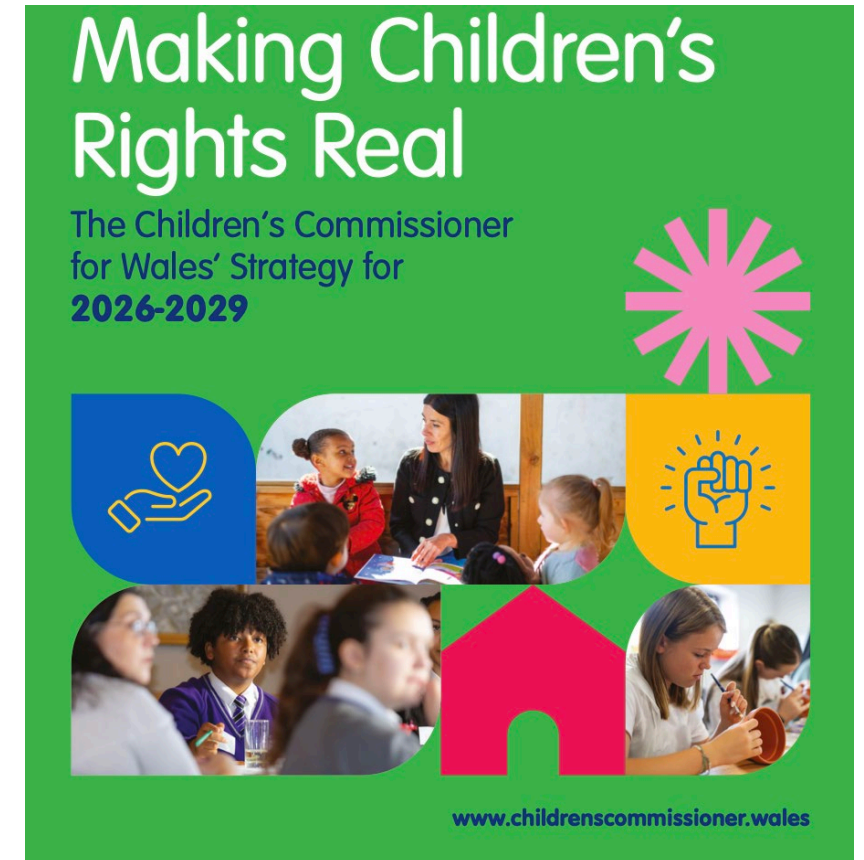
Making Children's Rights Real

In May, I launched my second Strategic Plan [Making Children's Rights Real, 2026-29](#)

Over the past few years, I've travelled across Wales, meeting children and young people in schools, communities and care settings across every local authority.

Children's views and experiences have also been collected via our Monthly Matters work, The Right Way Survey, and casework analysis.

As an office, we're proud to have engaged with over **36,000 children and young people**.



What we've heard

Children have told us what's working, what isn't, and most importantly, what needs to change.

Key issues that children have been consistently concerned about include:

- Poverty and the cost of living.
- Health, mental health and wellbeing.
- Safety and safeguarding.
- Access to education.
- Discrimination and bullying.



Casework during 2025-26

- Together, education and ALN issues accounted **for 51% of all issues we supported with** - demonstrating the need for access to clear, reliable and accessible support to navigate an often complex and challenging system.
- ALN - Placement issues were most common, accounting for **34% of inquiries**, followed by issues concerning IDP's at 27%.
- Education – Complaints accounted for 30% of issues, followed by requests for general advice at 25%. We also supported families, professionals and young people with concerns about school transport, exclusions, bullying, placements and educational provision.



ALN

What children and young people tell us

- Cases concerning learners with Additional Learning Needs (ALN) continue to make up a significant proportion and highly complex area of our casework.
- There is limited transparency around how funding for ALN is allocated and spent across the system.
- Implementation remains inconsistent and the system is not yet delivering the improvements in experiences and outcomes that children, young people and families were promised.

What we want to see

- Better experiences for children with ALN, improved support for families navigating the ALN system, and a properly funded, sustainable system which promotes greater educational inclusion.
- More consideration of the sustainability and transparency of ALN funding and whether current funding arrangements are sufficient to deliver the ALN system as intended.



Bullying and discrimination

What children and young people tell us

- Bullying and discrimination continue to affect children's wellbeing.
- Children report concerns about racism, misogyny, disablism, homophobia, transphobia and online harms.
- Some groups of children continue to face disproportionate barriers to realising their rights.

What we want to see

- Stronger action to reduce bullying with greater focus on equality, inclusion and belonging.
- Better support for children facing discrimination and a new statutory duty requiring all schools to record incidents of bullying and discrimination based on protected characteristics.
- Rights-respecting schools and services.



Behaviour and attendance

What children and young people tell us

- Some learners may display challenging behaviour in schools, as a result of family instability, socio-economic pressures, mental health problems and additional learning needs.
- A decline in the behaviour and/or attendance of some learners may be as a result of the pandemic.

What we want to see

- For behaviour and non-attendance to be seen as a symptom of a problem, and not the problem itself.
- To recognise complex behaviours as a multi-faceted issue with a range of root causes and that behaviour is a form of communication.



Transport

What children and young people tell us

- *“Many groups are marginalised from a positive public transport experience. Neurodiverse young people and disabled young people face significantly greater challenges on public transport such as a lack of ramps, lack of quiet carriages etc. A quarter of those from ethnic minorities feel unsafe on public transport.”* - Senedd leuenctid, Sustainable Ways Report
- Children having to walk lengthy distances to get to pick up points, including along thin grass verges by the side of busy A-roads.

What we want to see

- Better transport arrangements enabling access to learning.
- Free public transport for all children and young people.



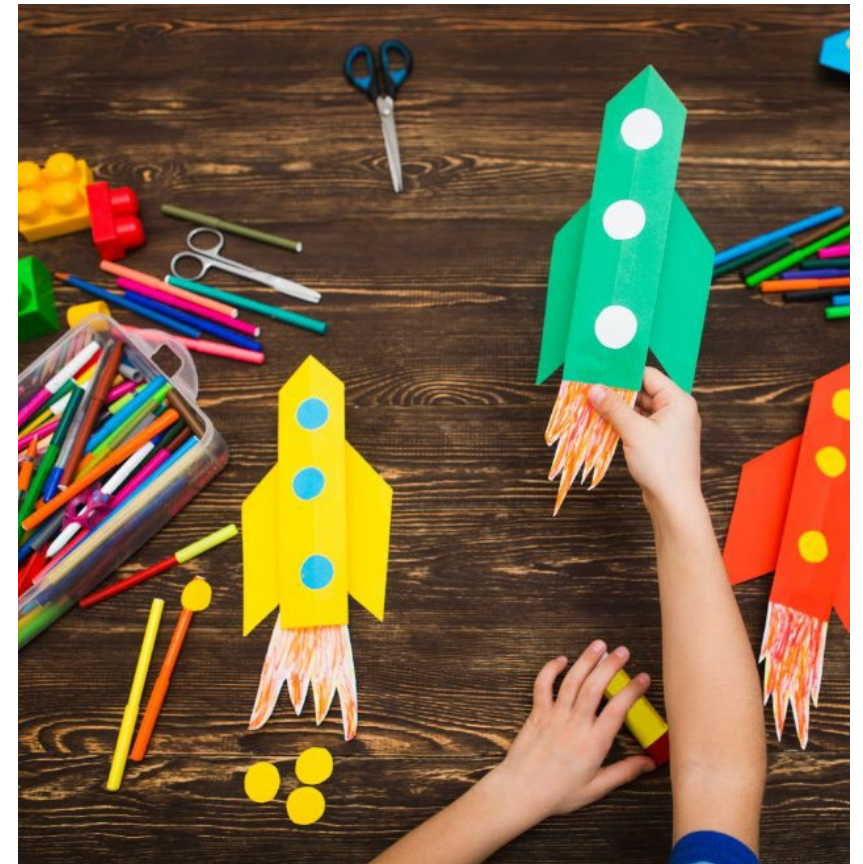
Participation and children's voices

What children and young people tell us

- While some local authorities have well-established participation structures, others face challenges in ensuring that participation is consistently embedded across services.
- Some children and young people whose voices are less often heard, and who can face additional barriers to participation, include Black, Asian and minority ethnic children and young people and disabled children and young people.

What we want to see

- Strengthened participation structures at both national and local level, ensuring that children and young people have meaningful opportunities to influence decisions.
- The current review into school governance should be ambitious in exploring how governance arrangements can better support school leaders, strengthen accountability, improve safeguarding and ensure that learners' experiences and voices are reflected in decision-making.



Children's rights advice and assistance team

The children's right advice and assistance team offer a free and confidential advice line, offered to children and young people and those who care for them or feel that a child has been treated unfairly.

We can help children up to the age of 18 (or up to 25 in certain circumstances) who may need advice or assistance to access any of their rights. We can also provide advice and assistance to adults who work with or care for children.

Contact

Our opening hours are 9am-5pm Monday to Friday, except bank holidays.

Phone: 01792 765600

Freephone: 0808 801 1000

Email: advice@childcomwales.org.uk



Any questions?

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