

## Appendix 7: Additional notes on WAG measures

### Additional notes on the Children and Families (Wales) Measure 2010

- ⇒ This Measure was introduced on 2 March 2009 by the Minister for Social Justice and Local Government. It was passed by the National Assembly for Wales on the 10 November 2009 and approved by Her Majesty in Council on 10 February 2010.
- ⇒ The Measure takes forward our commitment to tackling child poverty. It provides greater support to families where children may be at risk and strengthens regulatory enforcement in childcare settings.
- ⇒ The Measure covers three main subject areas:
  - Child poverty, play and participation;
  - Child minding and day care for children;
  - Integrated family support teams.
- ⇒ The Measure aims to improve the lives of vulnerable children and families in Wales and the lives of those disadvantaged by poverty. It will enable support to be provided to those families and children in the greatest need who, without additional support, would be unfairly disadvantaged within our society.
- ⇒ VERY IMPORTANT THAT CHILD POVERTY IS HIGHLIGHTED AS A RIGHTS ISSUE
- ⇒ Part 2 of the Measure consolidates all existing primary legislation in relation to childminding and daycare in one place, making it more accessible both to lawyers and to those using and providing childminding and daycare services.
- ⇒ <http://www.legislation.gov.uk/mwa/2010/1/contents>

### Additional notes on the Rights of Children and Young Persons (Wales) Measure 2011

- ⇒ This Measure was introduced on 14 June 2010 by the Deputy Minister for Children.
- ⇒ The Measure places a duty upon the Welsh Ministers to have due regard (balanced consideration of the UNCRC and other factors) to the substantive rights and obligations within the UNCRC
  - a) When making any decision relating to developing policy and legislation between 1st May 2012 – 30th April 2014
  - b) When exercising their functions (using a legal power or duty to do something) from 1st May 2014
- ⇒ This means that in the future Welsh Ministers will have to consider the UNCRC (and how they could give further or greater effect to the rights and obligations within it) when they are making decisions or using their legal powers or duties. In effect this makes the UNCRC part of the decision making framework or process of Ministers
- ⇒ The Measure will require the Welsh Ministers to prepare a children's scheme and to produce reports about compliance with the duty to have due regard to the UNCRC and its Optional Protocols. Welsh Ministers are also under a duty to promote knowledge and understanding of the UNCRC and can also amend legislation to give better effect to the UNCRC and its Optional Protocols if a report on compliance indicates this would be beneficial.
- ⇒ The Measure aims to embed the principles of the United Nations Convention on the Rights of the Child into law on behalf of Welsh children.
- ⇒ The Measure became part of domestic law in Wales on 17<sup>th</sup> March 2011.
- ⇒ <http://www.legislation.gov.uk/mwa/2011/2/contents/enacted>