

Office of the Children's Commissioner

Annual Report and Financial Statements for 2011-2012

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FOREWORD FROM AMPLIFY

My name's Nick Toner and I am a member of Amplify, the Children's Commissioner's Children and Young Person's Advisory Group.

There are 21 members of Amplify and all of us love it. We're right in the middle of the Children's Commissioner's work and are very fortunate to have the opportunity to get the voice of children and young people listened to and taken seriously by Maggie and her team. We attend meetings and share our views by e-mail, but we also have a brand new and very exciting secure online community, which we helped to design.

The best thing about being a part of Amplify is the huge diversity of the young people involved. So many different backgrounds and experiences are represented which always leads to some inspiring debate on a huge variety of topics.

To give you a snapshot of what we've been up to, here are some of the things we've been doing: We've contributed to Government consultations such as the review of the National Curriculum which looked at what children and young people think is important to learn; we've supported the recruitment of staff and organisations to work with us; we've presented to the Westminster Media Forum about our work on children, young people and the commercial world for Reg Bailey's Review; and represented the views of children and young people at numerous meetings such as the National Participation Forum where we discussed which groups of children and young people may find it harder to have their voice listened to.

This year, the biggest piece of work we've been involved with is the Children's Commissioner's School Exclusions Inquiry. We were part of the scoping stage right at the start of the Inquiry all the way through to the launch of the final report in the House of Commons! On top of that, the Children's Commissioner's Takeover Day is a big part of our year. I spent the day at BBC Radio 1 working with their music team; working with a busy organisation was great preparation for working life and I would really recommend the day to every single young person across England. The 2012 date is Friday 23rd November.

Amplify spend a lot of time each year looking at the Children's Commissioner's Business Plan and it is great to be able to share with you how things have gone in this Annual Report. All of us are looking forward to working with Maggie and her team on this year's projects so please keep up to date with us throughout the year to see what we're up to. I hope you enjoy reading the report.



Nick Toner
Member of Amplify

FOREWORD FROM THE CHILDREN'S COMMISSIONER

I am delighted to join Nick to introduce this Annual Report. The Office of the Children's Commissioner (OCC) promotes and protects children's rights under the United Nations Convention on the Rights of the Child (UNCRC) ratified by the UK in 1991. Our energies focus especially on both policy and practice where children's rights are ignored or violated. We concentrate on the vulnerable, marginalised, and those unable to speak for themselves.

This report covers all our work, but here I will highlight three areas where our impact has been profound.

- Positive change has happened in secure settings to improve the emotional and mental health of incarcerated young offenders, as an acknowledged result of our report, "I Think I Must Have Been Born Bad"
- In our "Landing in Dover" investigation, our intervention stopped the Gentleman's Agreement being used to return unaccompanied children to France
- Following our School Exclusion Inquiry report "They Never Give Up On You", the Department for Education's and Ofsted's early responses confirm they will act on many of our recommendations. Year two will press for proof of how.

Being Children's Commissioner is a wonderful job, made so by children and young people. Nick, this foreword's co-author, is part of a lively group aged nine to 18 who hold me to account, advise us all on our work, and know how to have fun. Last November, tens of thousands of England's children and young people stepped into decision-makers' shoes on the Children's Commissioner's Takeover Day, receiving insights into the adult world and contributing fresh ideas to adults' thinking and actions. For the day, 90 joined the Royal British Legion to help us to mark Remembrance Day well. We meet children and young people everywhere, some already young leaders, others facing negative odds in their lives, but all marked by the same characteristic: a determination to be proud, positive young citizens.

They talk to us both openly and clearly, whether they are already doing well, or their lives are fraught with problems. In this short foreword, one example must give you a flavour. A 16 year old boy in an inner city comprehensive, when I asked why this school was succeeding with him where others had not, simply said "It's simple. It's a bond. This is a family." This gave his friend the opening to add, "They know you, and we all make it work. The best thing is, my mum's proud of me now."

Our work helps us to open the door for children and young people to let the nation know they want to matter to and work with all the adults around them. They want to contribute, and to belong.

Alongside the work planned for 2011-12, other things arose during the year. We were a voice of reason after the August 2011 disturbances, reminding the nation that whilst most perpetrators were over 18, many involved in clean-ups were much younger. We gave evidence to the Victims and Communities Panel, putting its chair in touch with young people who told him their stories. At the end of March 2012, not captured in this report, we helped ensure the postponement – we hope the cancellation - of dental x-rays' use when asylum seeking young people claim to be under 18, but are assessed as adults.

2012-13 will be another busy and productive year. Our annual Business Plan, which is part of a two-year strategic plan for 2012-14, contains details all our work. Both are available on our website: www.childrenscommissioner.gov.uk

The staff in OCC are extraordinarily committed to achieving the best for children and work tirelessly to this end. They are nationally recognised experts in their field, leading ground breaking work to improve the lives of vulnerable children. Our impact on improving the lives of vulnerable children is due to their wonderful efforts and I thank them all.



Dr Maggie Atkinson
Children's Commissioner for England

19 June 2012

ABOUT THE OFFICE OF THE CHILDREN'S COMMISSIONER

The Office of the Children's Commissioner is a national organisation led by the Children's Commissioner for England, Dr Maggie Atkinson. The post of Children's Commissioner for England was established by the Children Act 2004. The United Nations Convention on the Rights of the Child (UNCRC) underpins and frames all of our work.

The Children's Commissioner has a duty to promote the views and interests of all children in England, in particular those whose voices are least likely to be heard, to the people who make decisions about their lives. She also has a duty to speak on behalf of all children in the UK on non-devolved issues which include immigration, for the whole of the UK, and youth justice, for England and Wales. One of the Children's Commissioner's key functions is encouraging organisations that provide services for children always to operate from the child's perspective.

Under the Children Act 2004 the Children's Commissioner is required both to publish what she finds from talking and listening to children and young people, and to draw national policymakers' and agencies' attention to the particular circumstances of a child or small group of children which should inform both policy and practice.

The Office of the Children's Commissioner has a statutory duty to highlight where we believe vulnerable children are not being treated appropriately in accordance with duties established under international and domestic legislation.

OUR VISION

Children and young people will be actively involved in shaping all decisions that affect their lives, are supported to achieve their full potential through the provision of appropriate services, and will live in homes and communities where their rights are respected and they are loved, safe and enjoy life.

OUR MISSION

We will use our powers and independence to ensure that the views of children and young people are routinely asked for, listened to and that outcomes for children improve over time. We will do this in partnership with others, by bringing children and young people into the heart of the decision-making process to increase understanding of their best interests.

ACHIEVEMENTS IN 2011-12

It has been a busy and successful year for the Office of the Children's Commissioner (OCC). Following our stronger focus on becoming a children's rights organisation we have undertaken a number of successful projects, influencing significant changes to policy and practice that can improve children and young people's lives.

Throughout this report, we highlight our impact and achievements in a range of policy areas, and provide an overview of the progress we have made in all our activities.

Major Projects

1. **'They Never Give Up On You'**, our School Exclusions Inquiry was the first ever formal Inquiry to be launched by the Children's Commissioner for England using her powers under the Children Act 2004. The report broke new ground, uncovering clear evidence of illegal school exclusions.
2. **'Landing in Dover'**, our investigation into the treatment of unaccompanied children arriving at Dover has led to important changes in the way the UK Border Agency treats children seeking asylum, and ended the use of the 'Gentleman's Agreement' to return non-asylum seeking children – including trafficked children – to France.
3. Our report **'I Think I Must Have Been Born Bad: Emotional wellbeing and mental health of children and young people in the youth justice system'** has led to major changes and improvements in management, leadership, and the living environment for children and young people in the secure estate.

Focus Areas

4. **Amplify**, our children and young people's advisory group has played a significant role in directly influencing Government policy. In just one of their many achievements, their independent research for the Reg Bailey Review directly influenced the Review's final recommendations.
5. **Children's Commissioner's Takeover Day** continues to grow and be successful. Tens of thousands of children and young people took part across the country. Hundreds of organisations were involved from schools, police and fire services, newspapers and banks to TV and radio stations, local councils, Ministers, MPs, museums, charities and Government departments. The partnerships generated by the Children's Commissioner's Takeover Day break down barriers and encourage cohesion between generations and across communities.
6. We influenced the priority given in the **Family Justice Review's** report to making children's interests central to the operation of the family justice system. Our contributions on the child's voice are represented in the Review's executive summary and recommendations.
7. We have been successful in highlighting the child's perspective which had a central role in shaping the final recommendations of the **Munro Review** into child protection.
8. **Our Child Rights Impact Assessment on the Welfare Reform Bill 2011** was used to highlight our concerns to Government, Parliament and others about the potential impact of the Bill on children's rights, raising much needed awareness in this area. We will monitor implementation of the Welfare Reform Act and continue to present evidence to the Department for Work and Pensions to prevent any negative effects on children.
9. The four UK Children's Commissioners produced a **UNCRC Mid-Term Report** on the Government's progress in realising some of the rights outlined in the UNCRC, to mark International Day of the Child. The report highlights areas of concern and makes recommendations relating to the realisation of children's rights. Research from this report has directly informed many of the projects the Commissioner has undertaken this year and projects during 2012-13.

Please see table on page 15 for an overview of all activities.

1. SCHOOL EXCLUSIONS INQUIRY

Achievements

Conducted first ever formal Inquiry into school exclusions under Children Act 2004 powers that:

- For the first time on record shows clear evidence that some schools have illegally excluded children
- Placed children and young people's voice and experience at the heart of the work through the participation of Amplify and Catch 22
- Attracted significant attention in both Houses of Parliament and extensive coverage in all major media channels
- Influenced both policy and practice – from the Government's official schools' guidance on exclusions to the training and practice of local schools.

'They Never Give Up On You', our School Exclusions Inquiry was the first formal Inquiry to be launched by the Children's Commissioner for England using her powers under the Children Act 2004.

New evidence

The report broke new ground in uncovering clear evidence of illegal exclusions. For example, in one school, 15-year-olds were sent home at Christmas and told not to come back until their GCSEs in June.

Dr Maggie Atkinson, Children's Commissioner for England explains: "For the first time schools are on record saying they had illegally excluded pupils. Due to the informal nature of such exclusions it is difficult to know how widespread this practice is but it is worth further examination. Our Inquiry, which took evidence from a wide range of education partners and young people, found both good practice and serious causes for concern."

Inequalities highlighted

The report also noted that although overall exclusion figures may have reduced the gap between who does and who doesn't get excluded remains wide. Gender, race and poverty all had a bearing on exclusion rates, with children from poor backgrounds, boys, pupils from Black Caribbean families and those with special educational needs (SEN) far more likely to be excluded than other children.

A Black boy from an African Caribbean background, who has SEN and is also from a low income household, is **168** times more likely to be permanently excluded from the same school than a White female classmate, who does not have SEN and comes from a more affluent household.

Highlighting a hidden issue

The Inquiry attracted significant national attention in both Houses of Parliament and across all major media channels. We successfully placed the issues surrounding schools exclusions firmly on the political agenda and raised public awareness of the impact on young people and our concerns over current practices. Media coverage included coverage on BBC breakfast and BBC News, BBC Newsround, Sky Sunrise and Bolton and Co., Channel 4 News, BBC Radio 4's Today Programme, BBC Radio 5 Live, The Daily Telegraph, The Times, The Guardian, Times Educational Supplement and Children and Young People Now.

Young people's voices

The Inquiry modeled best practice in terms of young people's participation. Children and young people were at the heart of shaping and informing all aspects of the Inquiry – from its inception with a survey of over 2,000 young people who stated that they were concerned about exclusions, to the involvement of Amplify - the Children's Commissioner's children and young people's advisory group, who helped define its remit. The Inquiry was aided by a young people's Advisory Group coordinated by Catch 22 and made up of young people who had been or were at risk of being excluded. Evidence was gathered directly from young people through the fieldwork interviews and visits as well as through our online call for evidence. Some of those involved were also part of the Inquiry launch in Parliament on March 19th, which was hosted by Charlotte Leslie MP, member of the Education Select Committee and Baroness Estelle Morris, former Secretary of State.

This way of working placed children and young people's voices and experiences at the heart of the Inquiry, and helped shape the Commissioner's recommendations.

"I think there will still be exclusions for people who are really naughty but I think they should sit them down in [...] Isolation? Then they have to stay there and do their work by themselves. Because they can think about what they've done because if they're at home, they're not doing anything."
[Boy, 14, north of England]

One young person who was repeatedly excluded for short periods said: *"It doesn't work, because whenever I got excluded, I just got sent home and stayed at my mum's place and played the PS3 and stuff."*

Reporting our work

In line with the OCC's responsibility to produce child-friendly versions of its reports, the Children's Commissioner also produced an animated film in conjunction with Amplify and the Catch 22 group that reported some of the Inquiry's main findings. Some of the young people involved have said they will promote the film in schools. It is available online at:

<http://www.youtube.com/childschampion>

We expect a formal response to our Inquiry from the Government and Ofsted by the end of May 2012.

Making an impact

The Inquiry has generated some rapid significant changes:

- The United Learning Trust and E-ACT Academy chains are using information based on the Inquiry finding in head teacher and staff training
- The Forces Families organisation is using our findings in training for its schools staff
- A number of parents, grandparents and others are contacting us about their child's experience of school exclusions – this information will form part of the evidence-base for continuing work in this area.

2. LANDING IN DOVER INVESTIGATION

Achievements

- Ending of the 'Gentleman's Agreement' between the UK and France in respect of children
- The Home Affairs Select Committee cited our findings several times and expects the UKBA to comply with OCC requests for further information on the Agreement
- Strengthened child protection and safeguarding measures
- An end to UKBA screening interviews on asylum seeking children when they first arrive
- Immediate access to social services and child protection staff
- Her Majesty's Chief Inspector of Prisons has introduced an 'expectation' that 'unaccompanied children are referred immediately on arrival to social services' as a direct result of our report

'Landing in Dover', our investigation into the treatment of unaccompanied child asylum seekers when they first arrive in the UK has led to significant changes in the way the UK Border Agency (UKBA) treats these children.

A catalyst for change

Our investigation resulted in an end to the 'Gentleman's Agreement' between the UK and France in respect of children. This allowed unaccompanied children arriving into Kent to be returned to France if they did not apply for asylum straightaway, without contact with social services or child protection staff.

This was despite the fact that many of the children returned under the agreement had a clear profile of being trafficked into the UK for exploitation. Returning these children fell well below the child protection standards set out in the United Nations Convention on the Rights of the Child and breached the UKBA's own safeguarding duties. As a result of our investigation, the UKBA immediately halted this practice for children at all of its ports.

Improving children's welfare

Our report also uncovered excessive periods of detention prior to release into local authority care due to the number and length of immigration interviews undertaken at the point of arrival. As a result of our investigation, the UKBA no longer conducts screening interviews on asylum seeking children when they first arrive - a practice which our investigation highlights as having detrimental effects on a child's prospects of establishing their claim. This means children will

have some days to recover from their journey in local authority care and the chance to secure legal representation before their case for asylum is examined. This gives the child a better chance of establishing their claim.

These changes will benefit thousands of vulnerable children. In 2010, 1,700 unaccompanied children who entered Britain sought asylum, while a number who were returned to France may have been trafficked for exploitation or were children seeking asylum who were escaping war zones or persecution.

Children's Commissioner Dr Maggie Atkinson says: "Children arriving unaccompanied in the UK are some of the most vulnerable that my office and society encounters. That is why we have continued to investigate how they are dealt with, working constructively with UKBA to improve their treatment. This has been advanced through the end of the 'Gentleman's Agreement'."

Media coverage

Our investigation's extensive media coverage which extended to France, included; BBC News online, The Guardian, Press Association, Huffington Post UK, BBC South East (TV), Children & Young People Now, Family Law Week, regional press and radio and Le Monde.

Children's voices

The voices of unaccompanied children have played a central role in this investigation; many of the changes we have secured were guided by their experiences as illustrated in the quotes below:

"First of all they [UKBA] should allow some time for people like myself when they come into the country to rest, to gain their self for a little while. Then they should proceed with the interviews. You should not be in the position where you feel under pressure."

[Child D]

"Whoever needs a doctor should be seen by a doctor. As soon as you arrive you shouldn't be taken to be interviewed straight away."

[Child A]

Influence

The report influenced the two relevant inspectorate bodies in formulating their inspection plans and expectations of the standards they should apply.

Her Majesty's Chief Inspector of Prisons has finalised its inspection guidelines for prisons and other places of detention, including the short term holding facilities where many unaccompanied children are initially held. It has introduced an 'expectation' that states: 'unaccompanied children are referred immediately on arrival to social services' as a direct result of our report.

3. YOUTH JUSTICE INVESTIGATION

Achievements

- Recruitment of child and adolescent trained mental health professionals - a whole mental health team replaced in one Young Offenders Institution (YOI)
- Complete redecoration of one YOI
- Leadership change in one Institution; leading to a substantial improvement in staff morale
- The cessation of routine strip searches of children
- Ending the 'no hugging' rules during visits at one prison
- The implementation of an action plan agreed with the Department of Health, Ministry of Justice, Youth Justice Board and National Offender Management Service (NOMS). This has already led to:
 - Breakfast packs being phased out; and a review of both the timing of meals and the quality and quantity of food being undertaken
- A new Training Programme for all secure estate staff being developed which will include attachment theory, speech language and communications needs and emotional wellbeing of young people.

Significant changes for children and young people in the secure estate have arisen from our investigation into the mental health needs of children in custody and the quality and range of services they need.

Our report '***I think I Must Have Been Born Bad: Emotional wellbeing and mental health of children and young people in the youth justice system***', has secured major improvements in management, leadership, and the living environment across the children's secure estate (see achievements box above).

The investigation led by Deputy Children's Commissioner, Sue Berelowitz was supported by a group of professionals with expertise in youth justice and mental health. Lord Bradley and Paul Maynard MP co-hosted an event at the House of Commons to launch the investigation's final report on 23 June 2011.

Sue Berelowitz explains: "We are pleased that where we raised significant concerns with the Youth Justice Board during the course of this investigation, they were taken seriously and the necessary improvements were implemented.

"These changes wouldn't have happened without our intervention. We utilised all the Children's Commissioner's powers; powers of entry, powers to require information and to speak with children in private.

"We are proud that this evidence-based piece of work has resulted in significant change and improvement for vulnerable children."

Highlighting inconsistencies

The investigation heard first-hand the views of governors, directors, frontline staff and the powerful testimonies of 49 children aged 13 to 17 on the effectiveness of mental health provision across the system during 19 visits in 2010/11.

We found a lack of consistency and wide variation in the type, level and quality of measures put in place to support the emotional wellbeing and good mental health of children in the youth justice system and specifically, in the children and young people's secure estate.

This was despite the fact that the majority of children who commit offences have suffered abuse, abandonment and bereavement, often compounded by learning difficulties and disabilities which have too often been inadequately addressed.

We found a wide variation in the understanding and recognition by staff of young people's emotional wellbeing and mental health problems and inconsistent levels of support and training in these areas for frontline staff.

Media coverage

There was widespread media coverage for the youth justice final report which included an in-depth exclusive report on BBC 10 o'clock news the night before the report launch, plus all-day mentions on BBC news and coverage on the website. Both Sue Berelowitz and a young person with whom we worked during the investigation were interviewed by the BBC. Other coverage included stories in The Guardian, Children and Young People, BBC Radio 4's Woman's Hour, BBC London Radio and BBC Radio Essex.

The coverage significantly raised awareness of the issues, particularly among those in the youth justice sector and in health and mental health services.

Four Government departments have produced an action plan in response to the recommendations in the report and are working with the OCC on implementation.

Young people's voices

Young people's experiences have been at the heart of this investigation.

We made a moving short film highlighting some of their powerful testimonies. This starkly illustrates the importance of addressing the mental health and emotional wellbeing of young people who get into trouble with the law.

"I don't want an appointment with the shrink. I just want someone to talk to when I'm feeling down."

[14-year-old in a secure training centre]

"I am getting into trouble because I can't make eye contact. They think I'm being rude. I am not being rude it's because I've got Asperger's and I can't make eye contact and they don't understand. I then get frustrated and angry as they think I'm rude. With my peers I get into trouble, I take things literally. I don't always understand instructions. I need things in short simple sentences, because that way I can understand them."

[A 15-year-old boy in a young offenders institution]

The film can be viewed at:
www.youtube.com/childenschampion

Focus on securing change

We are currently working with the Department of Health, Ministry of Justice, Youth Justice Board and the National Offender Management Service (NOMS) on an action plan to achieve progress on the issues raised in our report.

In the course of our work for this investigation, we noted that a number of young people in the secure estate had ADHD, a learning disability or speech and language problems. We were determined to undertake more work in this area and our health project in 2012-13 has commissioned a knowledge and evidence review of the incidence and prevalence of neuro-disability in young people in the secure estate. The findings will inform potential future work relating to the assessment, treatment and care of young people with neuro-disability by health and care staff, improve the quality of the information that is available on young people's reception into secure settings and on their return into the community.

The knowledge and evidence review is being undertaken by Professor Huw Williams at Exeter University and Dr Nathan Hughes at Birmingham University and their teams. It will take into account the views of young people currently in the Bristol Young Offenders Institution.

4. AMPLIFY

Achievements

- Published '*Children, Young People and the Commercial World*' report (contribution to Reg Bailey Review) and directly influenced recommendations of the Review, commissioned by Government leading to "Letting Children be Children"
- Contributed to the Department for Education consultation on the National Curriculum
- Received the Diana Champion Volunteer Award for giving their time to improve the lives of others
- Played a major part in planning, delivery and participation of the Children's Commissioner's Takeover Day 2011
- Involved in the scoping of the School Exclusions Inquiry and continued involvement in this work
- Contributed to the Dunford Review of the Office of the Children's Commissioner
- Involvement in the judging for The Right Year for Children logo
- Involved in BBC Children in Need's 'Speak Out Listen Up' campaign.

Amplify, our children and young people's advisory group, plays an integral role in shaping and guiding our work, and advising on policy and Government thinking. The group of 21, aged eight to 18 years, fulfill an essential role in promoting Article 12 of the UNCRC, realising children's rights are heard in the decisions that affect their lives.

Tom Green, Participation Officer says; "Each member of Amplify brings their own unique experience and views to each meeting, which truly enhances all of the work we do."

Influence

Their work has real impact. For example, Amplify's research '*Children, Young People and the Commercial World*' that was submitted to the Reg Bailey Review informed and directly influenced many of the recommendations in the final report.

The Review said: "The children and young people who carried out research on their own initiative through the Office of the Children's Commissioner for England were especially impressive, and show so clearly that if we as parents can create the right environment in which our children can thrive, the future of all of us will be the better for it."

5. CHILDREN'S COMMISSIONER'S TAKEOVER DAY

Achievements

- Tens of thousands of children and young people took part
- Hundreds of organisations around the country were involved, including Government departments, schools, charities and media organisations
- Widespread media coverage - national, regional and local media channels
- Feedback shows the partnerships generated by Takeover Day break down barriers and encourage cohesion between generations and across communities
- Tackled negative perceptions of children and young people, highlighting the positive impact they can have on adult decision-making.

Children's Commissioner's Takeover Day continues to grow and be successful. This national event gives children and young people a taste of the world of work, the opportunity to get involved in decision-making and offer their opinions on key issues.

"The day provides such a brilliant opportunity for children and young people to make a difference to their schools and communities, have their voices heard and challenge the stereotypes about them that we hear too often. Children and young people have so much to offer. They bring ideas, imagination and energy which can really make a difference to organisations," explains Dr Maggie Atkinson, the Children's Commissioner.

Participation

A wide range of organisations participated from businesses, schools, police and fire services, newspapers and banks to TV and radio stations, local councils, MPs, museums, charities and Government departments. These included the Deputy Prime Minister and other Government Ministers, MPs from each of the main national political parties, the Mayor of London, BBC Radio 1, the Metro newspaper, Barnardo's, Children's Society, Hampton Court Palace and Tate Liverpool.

A young person's experience

One positive experience is that of Naomi, one of two London students that took over the Deputy Prime Minister Nick Clegg's office.

She said: "*We got a chance to meet members of the offices and found out a bit about their job roles and how their jobs help make the government run.*"

"We helped the Deputy Prime Minister prepare for his question time which he will be doing on Tuesday in the House of Commons. We also got a chance to ask him about young people and how they can be more involved in politics; he gave us really good advice of going to our local MP's surgeries which happen weekly as this would be a great way of getting our point of views across directly."

"We also got the chance to talk to the communications team and a policy team and advised them on the best and effective ways they can communicate to young people."

(source: <http://www.dpm.cabinetoffice.gov.uk/news/takeover-day-2011-blog>)

The next Children's Commissioner's Takeover Day is on 23rd November 2012. The day is an essential part of the OCC's activities and it is successful in raising awareness and understanding of the UN Convention on the Rights of the Child and the role and function of the Children's Commissioner for England and her office.

6. OCC RESPONSE TO THE FAMILY JUSTICE REVIEW

Achievements

- Key contributor of children's views to the Family Justice Review's executive summary and recommendations
- With our support, children's views were influential in determining the Review's key messages. These confirmed the importance of the child's interests, their experience and their views to the family justice system
- The children and young people involved understood how their right to make their voice heard in decisions that affect them could make a real difference (Article 12, UNCRC).

The Voice of the Child sub-group of the Family Justice Council asked OCC to gather children's and young people's views for their submission to the Family Justice Review (FJR).

The Review considered how the family justice system can be improved. The focus of our work has been to assist the FJR team to gain a greater understanding of children's experiences and to provide opportunities for children and young people to make proposals for improvements.

Listening to young people's voices

Our report details the views and perspectives of 35 children and young people between the ages of three and 17 with recent experience of either public or private law processes.

Sue Berelowitz, the Deputy Children's Commissioner, explains: "We captured the experiences shared by many children who live through family breakdown as a result of separation, divorce or having to come into care because of abuse or neglect.

"The children and young people told us their stories because they want real improvements in the family justice system. We have been committed to ensuring that they are heard and the changes they request are made."

A key part of our submission to the review addressed the need to hear children's voices when decisions that affect them are being made. Many young people spoke of not having clear information and not understanding what was happening, illustrated by their comments below:

"There is lots of jargon in this world - I want someone to help me understand it."

"You need to know what happened and what was said in court."

"In the middle [of the process] you don't know what's happening. You think that something bad is happening even when it might be good for you."

"The kids should always come first, and I don't think I ever did."

Impact

The final recommendations of the FJR on which the OCC had a direct influence were:

- a. Children and young people should be given age appropriate information to explain what is happening when they are involved in public and private law cases
- b. Children should be 'supported to be able to make their views known and older children should be offered a menu of options to lay out the ways in which they could- if they wish- do this'.

7.OCC RESPONSE TO THE MUNRO REVIEW OF CHILD PROTECTION

Achievements

- We have been influential in highlighting the child's perspective which informed the final recommendations of Professor Eileen Munro's Review
- Our evidence from children and young people, was immensely powerful and has been included in Professor Munro's reports, helping to shape the future of child protection
- The OCC Principal Policy Advisor on Safeguarding issues has had an ongoing role in contributing to the Review, and so to improvements in child protection.

The Department for Education invited OCC at an early stage to gather the views of children and young people with experience of the child protection system for the Review. We subsequently undertook a programme of consultation with children and young people. Our focus on the child's perspective had a central role in the final recommendations of the Munro Review.

Children's Commissioner Dr Maggie Atkinson says: "Professor Munro has listened to the views of the children and young people which my office has gathered for her independent Review. Children want an ongoing relationship with their social worker, to be listened to and to be at the centre of the help given. This is highlighted in our written evidence to the Review."

Listening to young people's voices

Our timely research report, 'Don't Make Assumptions', formed part of our submission to the Review. A total of 26 children, aged six to 17 years, from 18 families were interviewed to find out their experiences of the child protection system.

This was in order to consider how their views might contribute to improvements in responses to abuse and neglect. A sample of what they said is highlighted below:

"Look out for children who are slipping through the system. Social workers should really look into the cases that matter so that children don't get hurt."

"Get some help for my mum because she needs to talk about things as well."

"Make the [court] system move faster."

"Check back with the family before putting things in the report, get the family view."

"Do the best you can, don't just go into a family and back out and not actually try and help them."

Influence

The reports from Professor Munro's Review were delivered in three phases and all reference our submissions. Our work has clearly contributed to the children's rights focus and reference to the UNCRC in the Munro Review and in the Government's response.

Professor Munro's recently published Progress report (May 2012) quoted from our submission to the Department for Education's performance consultation on ways in which children can contribute to the evaluation of services.

She highlighted the views we had gathered on the importance of a listening culture. Young people told us:

'It has to be the norm to listen to young people.'

'It's about starting a conversation – it can't be just when the adults want it.'

"Listen to what children have got to say and work with them."

8. UK CHILDREN'S COMMISSIONERS' UNCRC MID-TERM REPORT

Achievements

- The report has informed our work on a number of specific projects that have had impact: These include the School Exclusions Inquiry; Youth Justice Investigation; Landing in Dover Investigation; and the Child Rights Impact Assessment on the Welfare Reform Bill 2011 and child poverty
- Raised public awareness of the UNCRC
- Highlighted concerns with Government and stakeholders and made recommendations relating to the realisation of children's rights.

The four UK Children's Commissioners produced a mid-term report on the Government's progress in realising some of the rights outlined in the United Nations Convention on the Rights of the Child (UNCRC) to mark International Day of the Child on 20 November 2011.

The report looked at asylum and trafficking, disability, participation, poverty and youth justice. We highlighted amongst other things, serious concerns at the high levels of persistent poverty across the UK and the need for children to be given priority in national and local budgets so that vital children's services are protected.

The report came half way through the Convention's reporting cycle, which requires UK Government to report on progress to the UN Committee on the Rights of the Child every five years.

Influence

The mid-term report influenced a number of OCC projects, such as our work on school exclusions, youth justice, asylum seeking children and the Welfare Reform Bill through establishing a strong evidence-base across a range of issues.

It has led to a number of opportunities across Parliament, academia, the media and our participation work with children and young people to discuss and promote the UNCRC.

The participation toolkit produced alongside the mid-term report has proved a valuable resource for the children's sector and is being used across the UK to explain both the Convention and how some specific Articles relate to the lives of children in the UK.

The report in November generated interest in Parliament and the media on children's rights and on issues like poverty, immigration, disability, youth justice and participation in the context of the UK's obligation to international treaties and standards.

9. CHILD RIGHTS IMPACT ASSESSMENT ON THE WELFARE REFORM BILL 2011

Achievements

- Successfully highlighted our concerns to Government, Parliament and others about the potential impact of the Bill on children's rights and increased awareness of children's rights
- Our findings were quoted extensively in House of Lords' debates
- Received widespread media coverage raising awareness of the real concerns we have for children's rights in this area.

We published a Child Rights Impact Assessment (CRIA) on the Welfare Reform Bill (2011) stating our concerns about the negative impact of the proposals in the Bill on hundreds of thousands of children.

We highlighted a number of children's rights issues; including concerns that some measures in the Bill would result in children being pushed further into poverty and the disproportionate impact of some provisions on vulnerable groups like disabled children and young people. This CRIA was used to inform the debate in the House of Lords on the potential impact of the changes on children's rights. It was quoted in debates in both Houses and referenced by a number of organisations campaigning on different aspects of the Bill.

Results

We've made a notable impact. The Government has responded to concerns we have raised and has expressed its intention to work with us around the issue of implementing the Bill to minimise the negative impact on children and maximise the positive provisions. Our CRIA has increased parliamentary awareness of the Children's Commissioner's office and children's rights. It will potentially have longer-term impact on the implementation of the Welfare Reform Act.

Ross Hendry, OCC Director of Policy explains: "We are in a unique position to bring the children's rights perspective into the debate. Although many voluntary sector organisations have highlighted the financial impact and the number of children involved, the Commissioner has a rights-based legal framework to assess what is happening and scrutinise the proposals through a human rights lens."

We will monitor implementation of the Welfare Reform Act and continue to present evidence to the Department for Work and Pensions on negative effects on children.

OVERVIEW OF ALL OCC PROJECTS IN 2011-12

UNCRC CLUSTERS	PROJECT TITLE AND DESCRIPTION (Taken from the OCC Business Plan 2011-12; list updated to reflect new projects during the year)	ACTIONS & IMPACT
General measures of implementation	<p>Work on promoting the UNCRC</p> <p>Strengthened our partnerships with children's rights organisations to complement and support the Government's role in promoting children's rights and the UNCRC across our areas of work.</p>	<ul style="list-style-type: none"> Submitted report to the UN Human Rights Council Universal Periodic Review (UPR) and contributed to Ministerial preparation for Geneva Made a submission to the Commission on a UK Bill of Rights Four UK Children's Commissioners' UNCRC mid-term report, November 2011 All OCC projects promote and support children's rights i.e. two major inquiries launched: school exclusions and child sexual exploitation.
	<p>UK Commissioners UNCRC mid-term report</p> <p>A joint project with other UK Children's Commissioners reporting the UK's progress on implementing a limited number of the CRC's articles in response to the UN Committee's concluding Observations.</p>	<ul style="list-style-type: none"> Four UK Children's Commissioners submitted a mid-term report to the UNCRC on International Day of the Child The report has formed the basis of our work on a number of specific projects that have had impact - these include: School Exclusions Inquiry; Youth Justice Investigation; Landing in Dover Investigation; and the Child Rights Impact Assessment on Welfare Reform Bill 2011 The report raised public awareness of the UNCRC The report highlighted concerns with Government and stakeholders and made recommendations relating to the realisation of children's rights.
	<p>Developing an effective complaints system for children and young people</p> <p>Work with the Office of the Children's Rights Director to examine complaints systems available both to children living away from home and children more generally. Develop children and young people led proposals for where we find systems to be inadequate or ineffective.</p>	<ul style="list-style-type: none"> Launched a complaints project for sexual and mental health services, alongside work by the Children's Rights Director Project complete. Publishing our recommendations for Government and stakeholders in summer 2012 Using combined findings to develop a blue print for child-friendly rights-based complaint processes.

General principles	<p>Child Rights Impact Assessments (CRIA)</p> <p>Established a framework agreement with an external organisation to support OCC in a minimum of 4 child rights impact assessments in 2011-12.</p>	<ul style="list-style-type: none"> • CRIA produced on the Welfare Reform Bill (2011) • Successfully highlighted our concerns to Government, Parliament and others about the potential impact of the Bill on children's rights • Received widespread media coverage raising awareness of the real concerns we have for children's rights in this area • We are involved in the Bill's implementation to help minimise the negative effects on children • Increased awareness of the Commissioner's concerns in this area • Increased awareness of children's rights in Parliament • Four more CRIAs planned for 2012-13.
	<p>Amplify: OCC's Children and Young People's Advisory Group</p> <p>Continued to invest in and support our children and young people's Advisory Group.</p>	<p>The range of activities and achievements this year include:</p> <ul style="list-style-type: none"> • Published '<i>Children, Young People and the Commercial World</i>' report (contribution to Reg Bailey's Review) and directly influenced recommendations of the Review, "Letting Children be Children" • Contributed to the Department for Education consultation on the National Curriculum • Received the Diana Champion Volunteer Award for giving their time to improve the lives of others • Played a major part in planning, delivery and participation of the Children's Commissioner's Takeover Day 2011 • Involved in the scoping of the School Exclusions Inquiry and continued involvement in this work • Contributed to the Dunford Review of the Office of the Children's Commissioner • Involved in judging for The Right Year for Children logo • Involved in BBC Children in Need's 'Speak Out Listen Up' campaign.
	<p>Tackling negative perceptions of young people</p> <p>Worked with the other UK Children's Commissioners, Government and other partners to improve society's perceptions of young people</p>	<ul style="list-style-type: none"> • Demonstrated in all project work (i.e. Children's Commissioner's Takeover Day, School Exclusions Inquiry, Youth Justice report) and contributions to consultations (i.e. National Curriculum, Reg Bailey Review, Communities and Victims Panel report after August 2011 disturbances).

	<p>Children's Commissioner's Takeover Day</p> <p>Co-ordinating OCC's National Takeover Day in November 2011</p>	<ul style="list-style-type: none"> • Tens of thousands of children and young people took part in the day, from all parts of England and all backgrounds • Hundreds of organisations around the country were involved, including Government departments • Widespread media coverage – national, regional and local media channels • Partnerships generated by Children's Commissioner's Takeover Day break down barriers and encourage cohesion between generations and across communities • Tackled negative perceptions of young people • Increasing numbers of organisations build Takeover Day into long term and real participation and involvement strategies.
Family environment and alternative care	<p>Children's access to protection: Recognition and Telling</p> <p>Conduct research that will build our understanding of ways to work with children and young people at risk in order for them to access help earlier.</p>	<ul style="list-style-type: none"> • Two-year project results to be delivered in 2013 • University of East Anglia undertaking this project, following tender exercise.
	<p>The impact of parental substance misuse</p> <p>Completing our work (started in 2010) on adult and children's services working together so that children's needs are properly acknowledged.</p>	<ul style="list-style-type: none"> • A Knowledge Review was conducted • Work is complete. Dissemination of key messages Summer 2012.
	<p>Child protection systems in school settings</p> <p>Developed a project looking at good practice in schools, highlighting the role of schools in child protection and their ability to work with children's services.</p>	<ul style="list-style-type: none"> • NSPCC undertook this research. Completed in April 2012 • The NSPCC has arranged a conference to launch the report in September 2012
	<p>Examine older children's and young people's access to child protection services</p> <p>This work was guided by the outcomes of a cross-sector multi-agency roundtable event hosted by the OCC in January 2011.</p>	<ul style="list-style-type: none"> • This is the overall theme underpinning much of the safeguarding work of the OCC in this policy area, as well as our liaison with a range of agencies and submissions to Government consultations highlighted in this report.

	<p>OCC Response to the Family Justice Review (FJR)</p> <p>The focus was to assist the FJR team to gain a greater understanding of children's experience and to provide opportunities for children and young people to make suggestions for improvements in the family justice system.</p>	<ul style="list-style-type: none"> • Voice of the Child sub-group of the Family Justice Council commissioned OCC to gather children's and young people's views for submission to the Family Justice Review (FJR) • Key contributor of children's views to the FJR report's executive summary and recommendations • These views were influential in determining the Review's key messages. This confirmed the central importance of the child's interests, experiences and views to the family justice system. • The children and young people involved understood how their right to make their voice heard in decisions that affect them, could make a real difference (Article 12, UNCRC).
	<p>OCC response to the Munro Review of Child Protection</p> <p>The Government's Review into social work and child protection practice</p>	<ul style="list-style-type: none"> • We have been Influential in highlighting the child's perspective which informed the final recommendations of the Review • Our evidence from children and young people, was immensely powerful and has been included in the reports, helping to shape the future of child protection • The OCC Principal Policy Advisor (PPA) Safeguarding has had an ongoing role in contributing to the Review and so to improvements in child protection.
<p>Basic health and welfare</p>	<p>Children and young people's experience of GPs</p> <p>Conduct further work on the impact of the White Paper on NHS reform (and consequent Bill) and undertake a project with UKYP on children and young people's experience and expectations of GPs.</p>	<ul style="list-style-type: none"> • We developed a project looking at the experience and use of complaint processes available to children and young people who use sexual and mental health services. This project was informed by the UKYP research on children and young people's experience and expectations of GPs
	<p>Implementing the Child Poverty Strategy</p> <p>A project investigating the likely impact of the child poverty strategy in reaching the 2020 targets and improving life chances from perspective of children and young people.</p>	<ul style="list-style-type: none"> • Our Child Rights Impact Assessment on the Welfare Reform Bill 2011 is closely linked to this work. All preparatory work will feed into a specific project investigating the likely impact of the Child Poverty Strategy in reaching the Government's 2020 targets that will begin in 2012/13.

<p>Education, leisure and cultural activities</p>	<p>OCC INQUIRY: Inequality in schools exclusions</p> <p>Explore launching a formal Inquiry into whether public bodies (potential to focusing on schools) are meeting their legal duties under equalities legislation with regard to school exclusions and other aspects of their policy.</p>	<ul style="list-style-type: none"> • Conducted first ever formal Inquiry into school exclusions under Children Act 2004 powers • For the first time on record there is evidence that some schools have illegally excluded children • Placed children and young people's voice and experience at the heart of the work through the participation of Amplify and Catch 22 • Inquiry has attracted significant attention in both Houses of Parliament • Achieved extensive coverage in all media channels • Government response to Inquiry findings expected by end of May 2012
<p>Special protection measures: Child sexual exploitation</p>	<p>OCC INQUIRY: Child Sexual Exploitation in Gangs and Groups (CSEGG)</p> <p>We will undertake a two year Inquiry to establish prevalence and the impact of child sexual exploitation on victims and effective measures to address the sexual exploitation of children.</p>	<ul style="list-style-type: none"> • Launched formal Inquiry into Child Sexual Exploitation in Gangs and Groups (CSEGG) • Commissioned the University of Bedfordshire to conduct a two-year research project into sexual violence in gang-affected neighbourhoods to inform the Inquiry • Interim report due autumn 2012.
<p>Special protection measures: Youth justice</p>	<p>Promoting and protecting children's rights in secure settings</p> <p>As a member of the National Preventive Mechanism, conducted visits to secure settings, interviewing staff and engaging and involving children and young people to ensure children's rights were respected.</p>	<p>Produced youth justice report, '<i>I Think I Must Have Been Born Bad</i>', which achieved:</p> <ul style="list-style-type: none"> • Recruitment of child and adolescent trained mental health professionals - a whole mental health team replaced in one unit • Complete redecoration of one Young Offenders Institution • Leadership change in one Institution; leading to a substantial improvement in staff morale • The cessation of routine strip searches of children [only on an intelligence basis] • Ending the 'no hugging' rules during visits at one prison • The implementation of an action plan agreed by the Department of Health, Ministry of Justice, Youth Justice Board and National Offender Management Service, which has already led to: • Breakfast packs being phased out; and a review of both the timing of meals and the quality and quantity of food for all meals • A new Training Programme for all secure estate staff being developed including attachment theory, speech language and communications needs and emotional wellbeing of young people

	<p>Developing an effective complaints system in the secure estate</p> <p>Worked with key partners to investigate the effectiveness of complaints systems and propose change where that is appropriate and necessary.</p>	<ul style="list-style-type: none"> • Launched complaints project - young people within youth justice settings, alongside work by the Children's Rights Director • Project complete. We will publish our recommendations for government and stakeholders in summer 2012 • We will use the findings to develop a blueprint for child friendly rights-based complaint processes.
	<p>Listening to excluded voices</p> <p>Worked with key partners, like User Voice, to ensure the voice and experience of those in trouble with the law is heard in developing effective youth justice policy.</p>	<ul style="list-style-type: none"> • Many of the activities in our key policy areas, linked to the UNCRC reflect this commitment, and numerous examples of these are highlighted throughout this report • For example, we commissioned charity User Voice to gather the experiences of 89 children and young people's lives in the secure estate, to influence and improve the Youth Justice Board's safeguarding practices. Also see our School Exclusions Inquiry, page 6)
<p>Special protection measures: Refugee Children (including asylum and trafficking)</p>	<p>Applying the best interest test to arrivals of asylum seeking children and young people</p>	<ul style="list-style-type: none"> • We conducted an investigation into the treatment of unaccompanied children asylum seekers when they first arrive in the UK <p>The investigation's final report, '<i>Landing in Dover</i>', achieved:</p> <ul style="list-style-type: none"> • Ending of the 'Gentleman's Agreement' between the UK and France in respect of children • The Home Affairs Select Committee cited our findings several times and expects the UKBA to comply with OCC requests for further information on the Agreement • Strengthened child protection and safeguarding measures for asylum seeking children • An end to UKBA screening interviews on asylum seeking children when they first arrive • Her Majesty's Chief Inspector of Prisons has introduced an 'expectation' that 'unaccompanied children are referred immediately on arrival to social services' as a direct result of our report
	<p>Monitoring the end of detention of children and families for immigration purposes</p> <p>Visited settings where children and families are accommodated or held for immigration purposes prior to removal from the UK.</p>	<ul style="list-style-type: none"> • A central role in shaping the Government's new arrangements for family returns by monitoring how the new arrangements are working and assisting with the training of staff (from Barnardo's, G4S and UKBA) at the pre-departure accommodation • Strengthening relationship with the new Family Returns Panel.

	<p>Ensuring children and young people's interests are prioritised in age determination processes</p> <p>Continued to monitor policy and practice of age assessment and age disputed cases with the aim of improving the quality and consistency of decision-making.</p>	<ul style="list-style-type: none"> • Commissioned research into how the courts are handling age assessment cases. Due for publication in July 2012 • Challenged the Government's trial introduction of dental x-rays to determine the age of disputed cases. (Trial is currently suspended - April 2012) • We will continue to develop the understanding of the issues around age assessment with a group of age disputed young people and by working with the Royal College of Paediatrics and Child Health.
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THE YEAR AHEAD: 2012-13

We will be guided by our three strategic priorities to promote and protect children's rights in 2012/13. They are:

1. Tackling inequality and child poverty through promoting and realising children's rights
2. Protecting children and young people from exploitation and abuse
3. Running a highly efficient and effective organisation that maximises the resources we have to help children and young people

We will continue broadly to cluster our work using the United Nations Convention on the Rights of the Child (UNCRC) reporting framework (see below). Many of the projects listed in this report are ongoing and will develop further in the coming year:

- **UNCRC implementation:** focusing on supporting the creation of a stronger more independent Children's Commissioner for England [UNCRC Articles 4 and 42]
- **UNCRC General Principles:** championing the best interests, equality, voice of the child and their right to optimal development [UNCRC Articles 2, 3, 6 & 12]
- **Safeguarding children, care and family:** ensuring children and young people are protected from abuse and neglect [UNCRC Articles 9, 19, 20, 25 and 37]
- **Health, wellbeing and poverty:** focusing on poverty and the impact of NHS reorganisation [UNCRC Articles 6, 24, 26 and 27]
- **Education :** highlighting the impact of exclusions (permanent, fixed term and unlawful) [UNCRC Articles 2, 28 and 29]
- **Protection of vulnerable groups:** a focus on children in youth justice, sexual exploitation; asylum and immigration. [UNCRC 22, 34, 37 and 40]

For an up to date account of our activities read our **Business Plan 2012-13** and also see our **Strategic Plan 2012-14**.

MANAGEMENT REPORT

The Children's Commissioner is a Corporation Sole, established under the Children Act 2004, with statutory duty to promote awareness of the views and interests of children and young people in England. The Children's Commissioner has a UK-wide responsibility for non-devolved issues that affect children and young people. The OCC is administered as a non-departmental public body, sponsored by the Department for Education. The budget is set by the Secretary of State for Education.

Introduction

Following the Dunford Review of the Office of the Children's Commissioner (OCC) which reported in December 2010, this year marks the start of a process of transition to a new Office of the Children's Commissioner for England (OCCE) with a strengthened remit to promote and protect children's rights as set out in the United Nations Convention on the Rights of the Child (UNCRC).

Pending legislative changes arising from the Dunford Review, the OCC has been working in the spirit of the Dunford recommendations, most notably with the increased focus on promoting and protecting children's rights. As well as realigning the strategic themes in our business plan under the seven 'clusters' of UNCRC articles used by signatory nations to report on progress to the UN, we are also developing new performance indicators to measure our work, based on the framework used by national human rights institutions.

In line with Dr Dunford's recommendation that the new OCCE should combine the current Office of the Children's Commissioner and the Office of the Children's Rights Director (OCD), the two organisations have been working collaboratively during the transition. The Department for Education has set up a Transitions Board, of which the Children's Commissioner and Deputy Children's Commissioner are members.

Investment in fixed assets

There has been no investment in fixed assets during the reporting period.

Future fixed asset investment

No costs are anticipated during the transition period.

Our staff

We spent £1,425,000 on staff costs in 2011-12 a 3.7% increase on the prior year. The additional staff costs were in support of the Schools Exclusions Inquiry, Child Sexual Exploitation Gangs and Groups Inquiry and one off restructuring costs which resulted in two posts in Communications not being replaced and the voluntary early release of one post in Corporate Services.

During 2011-12 the total number of working days lost due to sickness absence amounted to 42 days. This is an average of 2.1 days' absence per employee (2010-11 8.68 days).

The Office of the Children's Commissioner employees are covered by the provisions of the Principal Civil Services Pension Scheme (PCSPS). Further details of this can be found in notes 1 and 2 of the accounts.

Operating costs

We spent £427,000 on operating costs during 2011-12, a decrease of 293% on the prior year. This was due to the estimated costs of dilapidations in respect of 1 London Bridge of £372,000, depreciation of non-current assets £257,000 being recorded in the financial statements for 10-11, together with efficiency savings resulting from the office move to Greycoat Street, London, SW1P 2QF.

Strategic theme expenditure

The spend on strategic themes in 2011-12 was £550,000. This was an increase of 90% on the prior year. This excludes the direct and indirect cost of staff investment in these areas. Details of this project expenditure can be found on page 47 of the financial statements.

Efficiency and value for money

For the first five years of its existence, the resource allocation of the organisation stood still at £3 million. Managing within this limitation in the context of inflation has demanded year-on-year savings. In 2011-12 the organisation was required to make further savings of 6% (£175,368) as a result of efficiency savings across Government which reduced the annual budget to £2,674,632. This total resource allocation equates to 23 pence per year for each child and young person in England, significantly lower than the costs of other UK children's commissioners.

Supplier payments

During 2011-12, we paid 100% of our suppliers within 30 days (2010-11: 78%). The aggregate amount owed to trade creditors at 31 March 2011 compared with the aggregate amount invoiced by suppliers during the year, expressed as a number of days in the same proportion to the total number of days in the financial year, is equal to 98 days.

Governance

The Children's Commissioner continues to be well served by the Commissioner's Board and Audit and Risk Committee. As confirmed by the National Audit Office, the organisation has adequate and effective risk management, control and governance processes in place to mitigate its risks.

We are committed to continuing to improve the control environment within our organisation, and to improving our systems further and devoting resources to this work. More details on this can be found within the Governance Statement.

Child Protection

The safety and welfare of children and young people who become involved in our work is an absolute priority. All staff are checked by the Criminal Records Bureau to an enhanced level. We have a comprehensive safeguarding policy, and we ensure that all third party suppliers who come into contact with children and young people are enhanced CRB checked.

Opportunities and diversity

We provide support and assistance to enable staff to manage their own career development in partnership with us and to reach their full potential. We have reviewed and updated our equality and diversity framework to ensure we are meeting the legal duties outlined in the Equality Act 2011, which came into force on 6 April 2012. We are now looking at going beyond these requirements to develop a more nuanced policy which better reflects the nature of our work.

Health and safety management

The Office of the Children's Commissioner is committed to providing a safe and healthy workplace for all employees, consultants, agency workers and children and young people as specified by the occupational health and safety requirements in the Health and Safety at Works Act 1974 and subsequent legislation or amendments. The ultimate goal of the health and safety policy is to prevent injury and ill health in the workplace.

Environmental policy

The Office of the Children's Commissioner is committed to best environmental practices including recycling. We have a recycling contract and staff are encouraged to recycle all paper and plastic waste. Our corporate social responsibility policies and procedures are in the process of being revised ready for implementation.

Data security

We have taken significant steps to ensure that all of our information data is effectively managed and we have robust policies and practices over how data is stored, transmitted and destroyed. We have a comprehensive staff handbook on information data security and all staff are required to undertake Cabinet Office training level one and two on information data security as soon as they come into post. We suffered no incidences of data loss during the year. We have gained security Accreditation to underpin our data security arrangements for the CSEGG Inquiry. Collectively, the Risk Management Accreditation Set documents provide evidence that applicable risks have been identified and assessed and that proportionate protective controls have been recommended in order to reduce the risks to an acceptable level.

Each Department and sponsored body is required to submit an annual report to Cabinet Office on its performance in the management of information risk. The Office of the Children's Commissioner has made good progress in introducing the mandatory requirements of this Security Policy Framework with a 80% implementation level. Responses to the assessment are analysed as follows: 28 of the 79 requirements were not applicable, 41 of the remaining 51 were fully completed, and work is on track to address the remaining 10. A post annual report action plan is being designed and we will ensure that we are fully compliant in 2012-13.

Audit

In accordance with the Children Act 2004, our financial accounts are audited by the National Audit Office under direction from the Comptroller and Auditor General. So far as the Accounting Officer is aware, there is no relevant information of which the auditors are unaware. The Accounting Officer has taken all steps that she ought to have taken to make herself aware of any relevant audit information and to establish that the auditors are aware of that information.



Dr Maggie Atkinson
Children's Commissioner and Accounting Officer

19 June 2012

REMUNERATION REPORT

Remuneration committee

The Office of the Children's Commissioner has appointed an Audit and Risk Committee. The Department for Education undertakes scrutiny and approval of our pay and reward policy under the terms of our framework agreement. The Children's Commissioner's pay is reviewed and approved by the Permanent Secretary in the Department for Education (formerly Department for Children, Schools and Families), in line with average Senior Civil Service pay increases.

Service contracts

In accordance with the Children Act 2004, the Children's Commissioner's salary is paid for by Grant-in-Aid from the Department for Education. Other appointments are made in accordance with the Civil Service Commissioners' Recruitment Code, and the Cabinet Office Efficiency Controls which requires preference to be given to Civil Servants placed at risk. All appointments are to be on merit on the basis of fair and open competition but there is allowance for circumstances when appointments may otherwise be made. Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended until they reach the normal retiring age. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Salary and pension entitlements (audited information)

The following sections provide details of the remuneration and pension interests of the senior officials of the Office of the Children's Commissioner.

Remuneration (salary and payments in kind)

	2011-12		2010-11	
	Salary (£)	Benefits in kind (to nearest £100)	Salary (£)	Benefits in kind (to nearest £100)
1. Dr. Maggie Atkinson Children's Commissioner Letter of appointment 1 March 2010	£140,000 - £142,500	£5,500	£140,000 - £142,500	£10,000
2. Susan Berelowitz Deputy Children's Commissioner/Chief Executive Date of contract 1 October 2008	£95,000 - £100,000	-	£95,000 - £100,000	-
3. Lisa White Director of Communications and Participation Date of contact 9 January 2006	£75,000 - £80,000	-	£25,000 - £30,000	-
4.. Ross Hendry Director of Policy Date of contract 1 June 2009	£60,000 - £65,000	-	£60,000 - £65,000	-
5. David Ryan Director of Corporate Services Date of contract 1 March 2011.	£60,000 - £65,000	-	£0 - £5,000	-
6. Anne Mason Director of Participation	-	-	£60,000 - £65,000	-
7. Peter Bennett Director of Corporate Services	-	-	£15,000 - £20,000	-
8. Oliver Berman Interim Director of Communications	-	-	£50,000 - £55,000	-
10.Terry Price Non Executive Chair of Audit and Risk Committee (ceased June 2011)	£0 - £1,500	-	£0 - £5,000	-
Band of the highest paid Director/Accounting Officer Total Remuneration (£'000)	£140,000 - £142,500	-	£140,000 - £142,500	-
Median Total Remuneration	£42,490	-	£42,155	-
Ratio	3.32	-	3.35	-

10. Members of Audit and Risk Committee were paid on a daily rate basis. This ceased in June 2011. Since September 2011 Audit and Risk Committee members are permitted to claim reasonable travel expenses only.

2011-12 salaries

Salary

'Salary' includes gross salary; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; and any other allowance to the extent that it is subject to UK taxation. This report is based on accrued payments made by the Office of the Children's Commissioner and thus recorded in these accounts. This total remuneration, as well as the allowances to which they are entitled, is paid by the Office of the Children's Commissioner and is therefore shown in full in the figures above.

Benefits in kind

The monetary value of benefits in kind covers any benefits provided by the Office of the Children's Commissioner and treated by HM Revenue and Customs as a taxable emolument.

Bonuses

No staff bonuses were awarded during the last two financial years (2011-12 and 2010-11).

Bonuses are based on performance levels attained and are made as part of the appraisal process. Bonuses relate to the performance in the year in which they become payable to the individual.

Pension benefits 2011-12

	Accrued pension at pension age as at 31/3/12 and related lump sum £'000	Real increase in pension at pension age as at 31/3/12 and related lump sum £'000	CETV at 31/3/12 £'000	CETV at 31/3/11 £'000	Real increase in CETV £'000
Dr. Maggie Atkinson Children's Commissioner	85-90	0-2.5	1,163	1,044	No increase
Susan Berelowitz Deputy Children's Commissioner/ Chief Executive <i>Three months' notice</i>	35-40	0-2.5	549	493	5
Lisa White Director of Communications and Participation <i>Three months' notice</i>	5-10 £28,391	0-2.5 £28,391	123	88	9
Ross Hendry Director of Policy <i>Three months' notice</i>	0-5	0-2.5	21	16	5
David Ryan Director of Corporate Services <i>Three months' notice</i>	0-5	0-2.5	10	1	7
Anne Mason Director of Participation <i>Three months' notice</i>	-	-	-	121	-
Peter Bennett Director of Corporate Services <i>Three months' notice</i>	-	-	-	9	-
Sandra Hines Director of Corporate Services <i>Three months' notice</i>	-	-	-	122	-

Civil Service Pensions

Pension benefits are provided through the Civil Service pension arrangements. From 30 July 2007, civil servants may be in one of four defined benefit schemes; either a final salary scheme (**classic**, **premium** or **classic plus**); or a whole career scheme (**nuvos**). These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under **classic**, **premium**, **classic plus** and **nuvos** are increased annually in line with Pensions Increase legislation. Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a 'money purchase' stakeholder pension with an employer contribution (**partnership** pension account).

Employee contributions are set at the rate of 1.5% of pensionable earnings for **classic** and 3.5% for **premium**, **classic plus** and **nuvos**. Increases to employee contributions will apply from 1 April 2012. Benefits in **classic** accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years initial pension is payable on retirement. For **premium**, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike **classic**, there is no automatic lump sum. **Classic plus** is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per **classic** and benefits for service from October 2002 worked out as in **premium**. In **nuvos** a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation. In all cases members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.

The **partnership** pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3% and 12.5% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of three providers. The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of **classic**, **premium** and **classic plus** and 65 for members of **nuvos**. Further details about the Civil Service pension arrangements can be found at the website www.civilservice.gov.uk/pensions

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

STATEMENT OF RESPONSIBILITIES OF THE CHILDREN'S COMMISSIONER

Under the Children Act 2004, Schedule I, Clause 8, the Children's Commissioner is required to prepare accounts in accordance with HM Treasury requirements. The accounts are prepared on an accruals basis and must give a true and fair view of the Children's Commissioner's state of affairs at the year end and of its income and expenditure and cash flows for the financial year just ended.

In preparing the accounts the Children's Commissioner is required to:

- observe the accounts direction set out in the Financial Memorandum and Accounts Direction issued by the Secretary of State for Education, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make estimates on a reasonable basis;
- state whether applicable accounting standards have been followed, and disclose and explain any material departure from these in the financial statements; and
- prepare financial statements on the going concern basis, unless it is inappropriate to presume that the Children's Commissioner or its functions will continue.

The Principal Accounting Officer for the Department for Education has designated the Children's Commissioner as Accounting Officer for the Office of the Children's Commissioner.

The Accounting Officer is responsible for the proper management of resources and staff, for ensuring that Government guidance on regularity, propriety and value for money is complied with, and is responsible for the following:

- keeping proper records and safeguarding the Office of the Children's Commissioner's assets;
- advising the Audit and Risk Committee on financial control and risk
- ensuring the efficient, economic and effective management of the Children's Commissioner's resources, including cash, liquid assets, capital assets, equipment and personnel;
- signing the final statement of accounts and sending copies of the statement to the Secretary of State for Education and the Comptroller and Auditor General in accordance with the timetable; and
- observing the guidance in Managing Public Money and all other guidance on the responsibilities of accounting officers that the Treasury or the Cabinet Office may issue from time to time.

A copy of the accounts is available from the Office of the Children's Commissioner at 33 Greycoat Street, London SW1P 2QF or via our website at www.childrenscommissioner.gov.uk

GOVERNANCE STATEMENT

Statement

As Children's Commissioner for England and Accounting Officer for the Office of the Children's Commissioner. I have personal responsibility for maintaining a sound system of governance, internal control and risk management within whilst safeguarding public funds and the sponsoring department's assets.

The system of governance, internal control and risk management is designed to manage risk to a reasonable level rather than eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide high and not absolute assurance of effectiveness.

I confirm that I have reviewed the governance, internal control and risk management arrangements in operation within the Office of the Children's Commissioner. My review of the effectiveness of the system of internal control has been informed by the work of the Deputy Commissioner/Chief Executive and the Leadership Team who share responsibility for the development and maintenance of the Office's internal control framework.

The Children's Commissioner for England is a Corporation Sole. The role was established by the Children Act 2004. The Office of the Children's Commissioner (OCC) is an executive non departmental public body of and grant in aid funded by the Department for Education. The Commissioner has a remit to bring the views and interests of England's children and young people into policymaking and practice. Under the 2004 Act she also speaks on behalf of all the UK's children on non-devolved issues: immigration across all four nations in the UK, and youth justice in Wales. These cross-border elements of the remit are in practice undertaken in collaboration with the Children's Commissioners in the other three UK jurisdictions.

The 2004 Act requires that the Commissioner employs a staff to help deliver on the Commissioner's priorities. The Children's Commissioner appoints a Deputy Children's Commissioner under Schedule 1 to the Children Act 2004. The main purpose of the role of Deputy is to:

1. Support the Children's Commissioner in promoting awareness of the views and interests of children and young people, improving their outcomes and advocating for their interests under the Convention of the Rights of the Child.

2. Represent as authorised by the Children's Commissioner the work of the Children's Commissioner and the OCC to children and young people, external stakeholders, the general public and the media
3. Deputise for the Children's Commissioner during his absences, assuming the responsibilities of Accounting Officer and Corporation Sole should the Children's Commissioner be incapacitated or absent for an extended period

This post holder is also Chief Executive of the OCC and has delegated authority for day to day staff and financial management. The CEO reports directly to the Children's Commissioner.

The OCC identifies its own strategic aims and objectives within the functions for which the Office was created under the Children Act 2004, and the areas on which performance should be assessed. Its remit letter is therefore a confirmation of funding and governance rather than a direction of the Children's Commissioner's actions by the DfE. OCC then sets out its aims and objectives in its longer term Strategic and Annual Business Plans.

The Queen's Speech in May 2012 highlighted that the Government will propose measures to "strengthen the role of the Children's Commissioner", providing the new office with the powers and remit to promote and protect children's rights.

This follows the Independent Review our office by Dr. John Dunford in 2010, which recommended the creation of a stronger, more independent, and rights-focused Office of the Children's Commissioner for England. We therefore look forward to a Bill that reflects the support of the wider children's sector, which supported Dr. Dunford's recommendations. A Transitions Programme Board is now in place, established and chaired by the Department for Education (DfE). Under this legislation, the new OCC(E) will merge the existing Office of the Children's Commissioner (OCC) and Office of the Children's Rights Director (OCRD) currently based at Ofsted. The new OCC(E) will have powers and functions corresponding to current arrangements, strengthened in line with the recommendations in the Dunford review.

Context

Over the past 12 months the organisation's governance, risk management and internal control processes have experienced the impact of a number of significant issues driven by the Government's ongoing Comprehensive Spending Review (CSR). These have included:

- Increased restrictions on spending enforced by DfE, including robust efficiency controls to ensure that any significant expenditure is subject to a formal exemption process.
- Year on year budget reductions based on the Comprehensive Spending Review (CSR).

This Governance statement has taken cognisance of these external factors as well as these key inputs:

- Confirmation of the role of the Commissioner's Board and therefore the Commissioner as its chair, as outlined in the then-DCSF Governance Review in 2009-10, in setting the strategic direction of the organisation and formally approving all the OCC's strategic policies, other vital documents and processes, the OCC's Strategic and Business Plans and both monthly and annual budgets and accounts.
- Regular monitoring of the status of corporate risks by the Commissioner's Board
- Review and approval by the Commissioner's Board of key policies which underpin internal control systems
- Oversight of the status of all risks by the Audit and Risk Committee at its meetings, and update conversations and correspondence with the Chair and other members between meetings as necessary
- Scrutiny of all internal and external audit reports by the Audit and Risk Committee, supported by follow-up reports on the management response
- Receipt of the Internal Auditor's Annual Report
- Receipt of the External Auditor's opinions at mid year (interim) and end of year (final)
- Receipt of the Audit and Risk Committee's Annual Report as part of the OCC's creation of its full annual report and accounts which, retrospectively for the previous Financial Year, are laid before Parliament in June each year.

The governance structure has been amended slightly with the following groups reporting directly to the Commissioner as Corporation Sole:

- Commissioner's Board
- Leadership Team
- CYP Advisory Group

The following groups feed directly into the OCC as an NDPB:

- Audit & Risk Committee
- Quality Management Group

In accordance with two of the Dunford recommendations the following external groups have all been implemented:

- Interim Advisory Board - Providing strategic support, advice on, and challenge to, the OCC's Business Plan and the process by which its priorities are arrived at and delivered;
- OCC & OCRD Joint Development Team (JDT)

Attendance at Audit and Risk Committee

There was a complete change of membership of the Audit and Risk Committee after the June 2011 meeting, with a new Chair and two other members appointed in September 2011, following a recruitment and appointment process managed by the Appointments Commission. There has been a 93% attendance rate since September 2011. Prior to September 2011, there was an 83% attendance rate.

Internal Audit Assurance Statement

The role of internal audit is to provide management with an objective assessment of the adequacy and effectiveness of internal control, risk management and governance arrangements. The following conclusions were given, based on the internal audit work undertaken during 2011-12:

Governance – Green

Based on the findings of the governance related audits.

Risk Management – Green

The opinion reflects the organisation's current levels of risk maturity:

Risk identification – Risk Managed;
Risk Assessment – Risk Managed;
Assurance - Aware

OCC has demonstrated significant progress since 2010/11 in this area.

Control – Green

Informed by the assurance related reviews completed in year, as well as relevant advisory review, none of which were qualified or raised significant control weaknesses.

An action plan has captured the recommendations from the audit work conducted and all outstanding areas for improvement are being addressed.

Value for Money

When the OCC undertakes procurement, a rigorous process is undertaken in order to secure value for money. Government Procurement Service (GPS) Framework Agreements are examined firstly to realise efficiency savings, where appropriate. If we are unable to use Framework agreements, a competitive tendering process is undertaken in house. All contracts over £10,000 are advertised on Contracts Finder in full compliance with transparency arrangements.

Throughout any project's life-cycle, the project manager collects regular information in order to monitor the contractual performance and give assurance that resources are being used effectively. The PID provides a firm foundation for the initiation of the project and clearly articulates how the resources will be deployed effectively. This information will include:

- Performance
 - Delivery of key activities / milestones.
 - Financial (Budget Monitoring).
 - Targets / Outputs
 - Quality
- Risk Updates
- Partnership reviews / performance
- Lessons Learned / Change.

In future planning years there will in addition to a project manager be a project owner, who will be either the Commissioner, or a member of the Leadership Team led by the DCC/Chief Executive.

Delivery Arrangements and Achievement against Business Plan

The OCC has an integrated business planning process, detailing how objectives will be achieved, based on the following key elements:

- A clear vision, communicated and understood throughout the organisation, and by relevant parts of government, our stakeholders and partners. A clear ranking of strategic priorities, informed by the CC/OCC remit as set out in law, along with national priorities and bound by our strategic risks register and environmental scanning assessment.

- Determination of how the available budget and resources will be assigned against these priorities and cascading of these priorities throughout the organisation 35

- Development and use of appropriate indicators – clearly aligned to team/individual priorities – that, through an appropriate monitoring regime, provide an

appreciation of performance, and inform refinements and improvements to the ways in which available budget and resource are used.

Risk Profile

Risk Management is an integral part of the Corporate Governance process within the OCC. It provides assurance, both for the Audit and Risk Committee and the Children's Commissioner as Accounting Officer, that there is a continuous process of identifying risks to the OCC, and that mitigating actions are implemented effectively.

It is regrettable to highlight in this formal statement that risks in relation to efficiency controls have materialised during 2011-12. Exemptions have all been approved and the projects are now fully staffed and progressing to a successful conclusion.

Considerable progress has been made with regards to embedding the risk management framework within the OCC, and we are striving to improve our risk mitigation and assurance capabilities to prevent risks from materialising.

Information Security Risk Management

An audit of Information Security Risk Management was undertaken as part of the approved internal audit periodic plan for 2011/12, to provide assurance regarding the accuracy and completeness of information reported in the Security Risk Management Overview (SRMO) and related action plans. We gained the 'Reasonable Assurance' rating from our internal auditors with regards to the OCC having a detailed action plan that identified work necessary to achieve compliance with the HMG Information assurance requirements.

The annual report of the Audit and Risk Committee for 2011-12 concluded as follows:

The Committee has discharged its responsibilities in full in 2011/12. Based on the reports and briefings considered in relation to 2011/12, the Committee is able to provide assurance to the Children's Commissioner on the OCC's financial systems, financial information, and information data security, the risk management system, governance arrangements and internal control mechanisms. There have been no significant issues in the year.



Dr Maggie Atkinson
Children's Commissioner
19 June 2012

AUDIT CERTIFICATE

THE CERTIFICATE AND REPORT OF THE COMPTROLLER AND AUDITOR GENERAL TO THE HOUSES OF PARLIAMENT

I certify that I have audited the financial statements of the Office of the Children's Commissioner for the year ended 31 March 2012 under the Children Act 2004. These comprise the Statement of Comprehensive Net Expenditure, the Statement of Financial Position, the Statement of Cash Flows, the Statement of Changes in Taxpayers' Equity and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

Respective responsibilities of the Accounting Officer and auditor

As explained more fully in the Statement of Responsibilities of the Children's Commissioner, the Commissioner, as Accounting Officer, is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. My responsibility is to audit, certify and report on the financial statements in accordance with the Children's Act 2004. I conducted my audit in accordance with International Standards on Auditing (UK and Ireland). Those standards require me and my staff to comply with the Auditing Practices Board's Ethical Standards for Auditors.

Scope of the Audit of the Financial Statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to Office of the Children's Commissioner's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by Office of the Children's Commissioner; and the overall presentation of the financial statements. In addition I read all the financial and non-financial information in the Annual Report to identify material inconsistencies with the audited financial statements. If I become aware of any apparent material misstatements or inconsistencies I consider the implications for my certificate.

I am required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Opinion on Regularity

In my opinion, in all material respects the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Opinion on financial statements

In my opinion:

the financial statements give a true and fair view of the state of Office of the Children's Commissioner 's affairs as at 31 March 2012 and of its net expenditure for the year then ended; and

the financial statements have been properly prepared in accordance with the Children's Act 2004 and Secretary of State directions issued thereunder.

Opinion on other matters

In my opinion:

the part of the Remuneration Report to be audited has been properly prepared in accordance with Secretary of State directions issued under the Children's Act 2004; and

the information given in the Management Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements and the part of the Remuneration Report to be audited are not in agreement with the accounting records or returns; or
- I have not received all of the information and explanations I require for my audit; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Report

I have no observations to make on these financial statements.

Amyas C E Morse

Comptroller and Auditor General
National Audit Office
157-197 Buckingham Palace Road
Victoria
London
SW1W 9SP

Date: 21 June 2012

FINANCIAL REVIEW

Statement of comprehensive net expenditure for the year ended 31 March 2012

	Note	<u>2011-12</u> £000	<u>2010-11</u> £000
Expenditure			
Staff Costs	2	1,425	1,374
Project Costs	3	550	289
Other Operating Expenses	4	427	1,255
Total Expenditure		<u>2,402</u>	<u>2,918</u>
Income			
Grants	5	-	(20)
Other Operating Income	5	(3)	(1)
Total Income		<u>(3)</u>	<u>(21)</u>
Net Expenditure for the year		2,399	2,897

Note:

A) All of the income and expenditure of the Children's Commissioner is in respect of continuing operations.

The notes on pages 39 to 50 form part of these accounts.

Statement of financial position as at 31 March 2012

	Note	2011-12	2010-11
		£000	£000
NON-CURRENT ASSETS			
Property, plant and equipment	6	24	36
Intangible Assets	7	4	27
		28	63
CURRENT ASSETS			
Trade and other receivables due after more than one year	8a	89	89
Trade and other receivables due within one year	8b	30	22
Cash and cash equivalents	9	110	143
		229	254
CURRENT LIABILITIES			
Trade and other payables	10	(239)	(161)
Provisions	11	(447)	(372)
		(429)	(216)
ASSETS LESS LIABILITIES			
		(429)	(216)
TAX PAYERS' EQUITY			
General Reserve		(429)	(216)
		(429)	(216)

The financial statements on pages 35 to 39 were approved by the Children's Commissioner on **xx June 2012**.



Dr Maggie Atkinson
Children's Commissioner & Accounting Officer
19 June 2012

The notes on pages 39 to 50 form part of these accounts.

Statement of cash flows for the year ended 31 March 2012

	Notes	2011-12 £000	2010-11 £000
Cash flows from operating activities			
Net Expenditure		(2,399)	(2,897)
Depreciation and amortisation	6 & 7	35	257
Disposals - Fixture & Fittings	6	-	18
Increase / (Decrease) in trade and other receivables	8	(8)	2
Increase / (Decrease) in trade payables	10	78	(124)
Increase/(Decrease) in provisions	11	75	372
Net Cash outflows from operating activities		(2,219)	(2,372)
Cash flows from investing activities			
	6	-	(35)
Net cash outflow from investing activities		-	(35)
Cash flows from financing activities			
Grant received towards resource expenditure		2,186	2,526
		2,186	2,526
Net financing			
Net increase / (Decrease) in cash and cash equivalents during the Period		(33)	119
Cash and cash equivalents at the beginning of the period	9	143	24
Cash and cash equivalents at the end of the period	9	110	143

Statement of changes in Tax Payers' Equity for the year ended 31 March 2012

Changes in taxpayers' equity for 2010-11		£000
At 1 April 2010		155
Net Expenditure on continuing operations		(2,897)
Grant-in-aid received towards capital expenditure		-
Grant-in-aid received towards resource expenditure		2,526
At 31 March 2011		(216)
 Changes in taxpayers' equity for 2011-12		 £000
At 1 April: 2011		(216)
Net Expenditure on continuing operations		(2,399)
Grant-in-aid received towards resource expenditure		2,186
At 31 March 2012		(429)

Notes to the Accounts

1. Statement of Principal Accounting Policies

a. Basis of preparation

The Children's Commissioner was created as a Corporation Sole under Schedule 1 of the Children Act 2004 and was established following the appointment of the Commissioner in March 2005. Accounts are drawn up in accordance with Treasury Guidance, Annual Reports and Accounts guidance, the Children Act 2004, and the Accounts Direction and the financial memorandum between the Secretary of State for Children, Schools and Families and the Commissioner dated 12 September 2005, copies of which can be obtained from the Children's Commissioner or Department for Education (DfE). They are drawn up in accordance with the Government Financial Reporting Manual (FRoM). The accounting policies contained in the FRoM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the FRoM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Children's Commissioner for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Children's Commissioner are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

The particular accounting policies adopted by the Children's Commissioner are described below. In accordance with IAS 8, the accounting policies and estimation techniques used are those that are judged to be the most appropriate for the purpose of giving a true and fair view. These policies are reviewed regularly to ensure they remain the most appropriate. OCC to formally adopt new and amended policies not yet adopted. They have been applied consistently in dealing with items considered material in relation to the accounts.

These accounts have been prepared on a going concern basis.

b. Accounting convention

These accounts have been prepared under the historical cost convention modified to account for the revaluation of property, plant and equipment, intangible assets and inventories. The Statement of Financial Position at 31 March 2012 shows net liabilities of (£429,000), which takes into account an accrual for voluntary early release relating to the Children's Commissioner's restructuring costs. This accrual will be due in 2012-13 and will be met by future Grant in Aid from DfE. This is because, under normal conventions applying to parliamentary control over income and expenditure, Grant in Aid may not be issued in advance of need.

c. Grant in aid

Grant in aid received from DfE in respect of revenue expenditure or relating to general capital expenditure is recognised in the general reserve in the year it is received.

d. Income recognition

Grant income that is receivable for a specific purpose or project is credited to the Statement of Comprehensive Net Expenditure over the duration of the activity to which it relates. Other income is recognised in the Statement of Comprehensive Net Expenditure on an accruals basis.

e. Pensions

Past and present employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS). The defined benefit schemes are unfunded and are non-contributory except in respect of dependants' benefits. The Children's Commissioner recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution schemes, the Children's Commissioner recognises the contributions payable for the year. PCSPS also permits employees to opt for a partnership pension account, a stakeholder pension with an employer contribution. The defined benefit schemes are treated for accounting purposes as a defined contribution scheme as required by IAS 26. The defined benefit scheme prepares its own financial statements. A description of the pension schemes is at Note 2.

f. Project costs

Expenditure on projects funded from grant-in-aid is charged to the Statement of Comprehensive Net Expenditure as it is incurred. Project grants payable by the Children's Commissioner are recognised when they fall due for payment.

g. Property, plant and equipment and intangible assets

Assets purchased for use on a continuous basis at a cost in excess of £2500 are initially recorded at cost price. Assets other than construction in progress are re-valued to current replacement cost as at 31 March using price indices for current cost accounting published by the Office for National Statistics, when the effect of their revaluation over time is material.

In instances where there are separate individual items of IT hardware which individually fall below the capitalisation threshold, similar items are grouped together and the combined cost is used for the purposes of determining whether they fall with the threshold.

Construction in progress is capitalised at cost. When complete the cost of a construction project is transferred to the relevant asset class as a single item of expenditure.

h. Depreciation

Modified historic cost of a tangible fixed asset is depreciated to expected residual value by equal annual installments from the date of bringing of into operation as follows:

Equipment

- **Information technology** - over four years capital equipment is depreciated over its estimated useful economic life from the month of acquisition.
- **Furniture and fittings** - the cost of improvements to leasehold buildings that have been made are depreciated over the remaining life of the lease.
- **Intangible fixed assets** – intangible fixed assets are amortised over expected useful economic life from the beginning of next calendar month after the acquisition.
- **Software licenses** - over four years.

i. Notional charges

The Treasury Financial Reporting Manual requires that the result of operations disclosed in the Operating Cost Statement should reflect the true value of resources consumed. Where a supply of goods or services is received at less than full cost a charge equivalent to the estimated difference is introduced into the Operating Cost Statement.

j. Leases

Leases in which a significant portion of the risks and rewards of ownership are retained by the lessor are classified as operating leases. Payments made and due to be made under an operating lease of real property (net of any benefit received from the lessor) are charged by equal annual installments to the Operating Cost Statement over the period from the date of first occupation until expiry of the lease. Resulting debit balances are classified as prepayments in the Balance Sheet. Resulting credit balances that will be eliminated within one year are classified as current liabilities. Operating lease costs are charged to expenditure as they are incurred (see Note 14 for further details).

k. Segmental analysis

The Children's Commissioner is not required to show a segmental analysis. This is because the quantitative thresholds required for segmental reporting, in accordance with IFRS 8, have not been met.

Notes to the Accounts (continued)

2. Staff costs

	Staff with a permanent (UK) contract £000	Contract Personnel £000	Total 2011-12 £000	Total 2010-11 £000
Costs of employment				
Salary	953	-	953	1019
Restructuring costs	86	-	86	-
Social security costs	92	-	92	93
Pension costs	190	-	190	186
Cost of non-employed staff	-	104	104	76
Total	1,321	104	1,425	1,374

The average number of persons employed by the Children's Commissioner during the period expressed as full time equivalents was:

Executive	5	0	5	5
Other personnel	15	3	18	17
Total	20	3	23	22

The salary costs include an accrual of £12,341 for outstanding staff leave in accordance with IAS 19 Employee Benefits.

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme but the Children's Commissioner is unable to identify its share of the underlying assets and liabilities. A full actuarial valuation was carried out as at 31 March 2007. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation. <http://www.civilservice-pensions.gov.uk/>

For 2011-12, employers' contributions of £190,000 (2010-11 £186,000) were payable to the PCSPS at one of four rates in the range 16.7 to 24.3 per cent of pensionable pay, based on salary bands. Employer contribution rates are reviewed every four years following a full scheme valuation by the Government Actuary. The contribution rates reflect benefits as they are accrued, not when the costs are actually incurred, and reflect past experience of the scheme.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. No employer's contributions were paid to any of the panel of three appointed stakeholder pension providers.

Notes to the Accounts (continued)

2a. Exit packages

2011-12

Exit package cost band	Number of compulsory redundancies	Number of voluntary exits	Total number of exit packages by cost band
<£10,000	-	-	-
£10,000 - £25,000	-	1	1
£25,000 - £50,000	-	-	-
£50,001 - £100,000	-	1	1
£100,001 - £150,000	-	-	-
£150,001 - £200,000	-	-	-
£200,001 - £250,000	-	-	-
Total number of exit packages	-	2	2
Total resource cost /£	-	86	86

No exit packages were paid in 2010-11.

Notes to the Accounts (continued)

3. Project costs

	<u>2011-12</u>	<u>2010-11</u>
	£000	£000
CSEGG Inquiry	131	-
Schools Exclusions Inquiry	81	-
Working on Promoting the UNCRC	9	-
Child Rights Impact Assessments	4	-
CYP Advisory Groups	54	54
Children's Access to Protection	41	-
Impact of Parental Substance Misuse	18	-
Child Protection Systems in School Systems	26	-
Implementing Child Poverty Strategy	3	-
Having a Positive Influence on Teaching Quality	2	-
Promoting and Protecting Children's Rights	39	-
Developing an Effective Complaints System	39	-
Listening to Excluded Voices	17	-
Trafficked Children	14	-
Applying best interest test to Immigration returns	3	-
Monitoring the end of detention of Children and Families	1	-
Takeover Day	2	15
Press Office	30	28
Web & New Media	27	21
OCC Safeguarding Policy	10	-
Safeguarding children and young people	-	40
Developing Participation Networks	-	30
Education	-	35
Healthy Children and Safer Communities	-	11
Asylum	-	6
Stakeholder Engagement	-	18
Promoting Children as Positive Citizens	-	4
Building Safer Communities (Youth Justice)	-	1
Response to key health strategies	-	4
BINOCC	-	3
Corporate Publications	-	15
Web and social media development	-	3
Developing an e-newsletter	-	1
Project Expenditure Total	<u>550</u>	<u>289</u>

Notes to the Accounts (continued)

4. Other operating expenses

	<u>2011-12</u>	<u>2010-11</u>
	£000	£000
IT Support costs	49	47
Corporate communications	-	-
Travel	5	16
Attendance at meetings and conferences	1	2
Training	22	14
Administration services	14	39
Office supplies	11	6
Legal and professional expenses	27	10
Miscellaneous expenditure	5	4
Recruitment	7	24
HR Advisor	43	-
Telephone	5	36
Auditors remuneration		
- External Auditors - statutory audit work	22	23
- External Auditors - other assurance work	-	-
- Internal Auditors	25	19
Governance Costs	3	1
Accommodation costs	148	300
Heating & Lighting	2	6
Dilapidations Costs - 1 London Bridge	3	55
Relocation Costs	-	6
Non-cash items		
Depreciation & amortization	35	257
Disposals - Fixtures & Fittings	-	18
Provision for Dilapidations	-	372
	<u>427</u>	<u>1,255</u>

The Children's Commissioner signed a licensing agreement in January 2012 with Partnership for Schools (PFS). The rent payable over the term is £254,693. A rent free period from 11 February to 31 March 2011 was provided as part of this agreement. The rent forms part of the accommodation costs charged under Other Operating Expenses above

5. Income

	<u>2011-12</u>	<u>2010-11</u>
	£000	£000
Project specific grant	-	20
Other operating income	3	1
	<u>3</u>	<u>21</u>

Notes to the Accounts (continued)

6. Property, plant and equipment

2011-12	Fittings £000	Equipment £000	Total £000
Valuation/Cost			
At 1 April 2011	1,154	140	1,294
Additions	-	-	-
Disposals	-	-	-
At 31 March 2012	1,154	140	1,294
Depreciation			
At 1 April 2011	1,124	134	1,258
Charge for Year	9	3	12
At 31 March 2012	1,133	137	1,270
Net Book Value			
At 31 March 2012	21	3	24
At 1 April 2011	30	6	36
2010-11	Furniture & Fittings £000	Equipment £000	Total £000
Valuation/Cost			
At 1 April 2010	1,143	134	1,277
Additions	29	6	35
Disposals	(18)		(18)
At 31 March 2011	1,154	140	1,294
Depreciation			
At 1 April 2010	918	119	1,037
Charge for Year	206	15	221
At 31 March 2011	1,124	134	1,258
Net Book Value			
At 31 March 2011	30	6	36
At 1 April 2010	225	15	240

Notes to the Accounts (continued)

The assets are stated at cost as the net change in value when using modified historical cost convention is not material. The Children's Commissioner owns all its assets and none of them are leased.

7. Intangible assets

2011-12	Software Licenses £000	Website £000	Total £000
Valuation/Cost			
At 1 April 2011	100	50	150
Additions	-	-	-
	<hr/>	<hr/>	<hr/>
At 31 March 2012	100	50	150
Amortisation			
At 1 April 2011	90	33	123
Charge for Year	9	14	23
	<hr/>	<hr/>	<hr/>
At 31 March 2012	99	47	146
Net Book Value			
At 31 March 2012	<hr/> <hr/> 1	<hr/> <hr/> 3	<hr/> <hr/> 4
At 1 April 2011	<hr/> <hr/> 10	<hr/> <hr/> 17	<hr/> <hr/> 27
2010-11	Software Licenses £000	Website £000	Total £000
Valuation/Cost			
At 1 April 2010	100	50	150
Additions	-	-	-
	<hr/>	<hr/>	<hr/>
At 31 March 2011	100	50	150
Amortisation			
At 1 April 2010	62	25	87
Charge for Year	28	8	36
	<hr/>	<hr/>	<hr/>
At 31 March 2011	90	33	123
Net Book Value			
At 31 March 2011	<hr/> <hr/> 10	<hr/> <hr/> 17	<hr/> <hr/> 27
At 1 April 2010	<hr/> <hr/> 38	<hr/> <hr/> 25	<hr/> <hr/> 63

Notes to the Accounts (continued)

8. Trade and other receivables

	<u>2010-12</u>	<u>2010-11</u>
	<u>£000</u>	<u>£000</u>
8a Amounts falling due after one year		
Rent Deposit	89	89
Pre-payments	-	-
	<u>89</u>	<u>89</u>
8b Amounts falling due within one year		
Pre-payments	18	9
Trade receivables	3	-
Staff receivables	9	13
	<u>30</u>	<u>22</u>
8c Balances with other central government bodies	-	-
Balance with local authorities	-	-
	<u>-</u>	<u>-</u>
Intra-Government balances	-	
Balances with bodies external to Government	119	111
	<u>119</u>	<u>111</u>
Total trade and other receivables at 31 March 2012	119	111

Notes to the Accounts (continued)

9. Cash and cash equivalents

	<u>2011-12</u>	<u>2010-11</u>
	£000	£000
Cash and cash equivalents		
Government Banking Services	106	137
Commercial Bank & cash in hand	4	6
	<u>110</u>	<u>143</u>

10. Trade and other payables

Amounts falling due within one year

	<u>2011-12</u>	<u>2010-11</u>
	£000	£000
10a Analysis by Type		
Trade payables	97	26
Accruals	94	136
PAYE	15	(1)
National Insurance Contributions	13	-
Pension Contributions	20	-
Childcare	-	-
Deferred Income	-	-
	<u>239</u>	<u>161</u>

The accruals include £12,341 (£10,920 2010-11) in relation to untaken staff leave at the year end, in accordance with IAS 19 Employee Benefits.

	<u>2011-12</u>	<u>2010-11</u>
	£000	£000
10b Intra-Government Balances		
Balance with other central government bodies	48	(1)
Balance with Local Authorities	-	-
	<u>48</u>	<u>(1)</u>
Intra government Balances	48	(1)
Balance with bodies external to government	191	162
	<u>239</u>	<u>161</u>
Total creditors at the 31 March 2012	<u>239</u>	<u>161</u>

Notes to the Accounts (continued)

11. Provisions

11a Provisions – Dilapidations 1 London Bridge	2011-12	2010-11
	£000	£000
Brought forward	372	372
Change in year	-	-
Carried forward	<u>372</u>	<u>372</u>

The provision relates to estimated dilapidation costs for 1 London Bridge.

11b Provision for Voluntary Exits

	2011-12	2010-11
	£000	£000
Brought forward	-	-
Change in year	75	-
Carried forward	<u>75</u>	<u>-</u>

The provision relates to estimated exit costs under the Cabinet Office VER scheme.

Total provisions as at 31 March 2012	<u>447</u>	<u>372</u>
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12. Commitments under leases

Operating leases

The Children's Commissioner has entered into operating lease contracts for the provision of a photocopier, post franking machine, hot and cold water systems and office accommodation. At 31 March 2012, the total future minimum lease payments will be met on the following dates:

Year of payment	2011-12 £'000	2010-11 £'000
Buildings		
Not later than one year	85	85
Later than one year and not later than five years	85	170
Later than five years	-	-
Other		
Not later than one year	2	3
Later than one year and not later than five years	4	7
Later than five years	-	-

13. Related party transactions

The Children's Commissioner is sponsored by the DfE which is regarded as a related party. There were material transactions with the DfE in respect of Grant-in-Aid. None of the Board members, key managerial staff or other related parties has undertaken any material transactions with the Children's Commissioner during the year.

14. Financial instruments

The Children's Commissioner has no borrowings and relies primarily on departmental grants for its cash requirements, and is therefore not exposed to liquidity risk. It has no material deposits, and all material assets and liabilities are denominated in sterling so it is not exposed to interest rate risk or currency risk.

15. Post Balance Sheet Events

In the Queen's speech on the 9th of May 2012 it was announced that the powers of the Children's Commissioner are to be strengthened. The Accounting Officer issued the accounts for issue on 21 June 2012.



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