



The Children's Commissioner for Wales - Freedom of Information Act 2000

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Introduction

The Children's Commissioner for Wales was established by the Care Standards Act 2000, the Children's Commissioner for Wales Act 2001 and the Children's Commissioner for Wales Regulations 2001.

The first Children's Commissioner, Peter Clarke, was appointed on the 1st March 2001. The Commissioner has two offices based in Swansea and Colwyn Bay. With a staff team of 23 including three young person's posts, and currently an annual budget of 1¼ million pounds.

The primary statutory aim of the Commissioner is to safeguard and promote the rights and welfare of children in Wales. The Commissioner does this in a number of ways:-

- By listening to children across Wales about the matters that are important to them
- By reviewing complaints, whistleblowing and advocacy procedures of statutory bodies in Wales
- By giving advice and assistance to any person
- By investigating individual cases
- By holding Public Inquiries
- By communicating with children throughout Wales about their rights
- By producing an Annual Report for the National Assembly for Wales
- By researching and producing other reports

The Children's Commissioner for Wales must have regards to the UN Convention on the Rights of a Child in everything that he does. His powers to review and



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investigate are limited to those areas which have been devolved to the National Assembly for Wales. But he can make representations about any matter which affects any child in Wales to the National Assembly.

The Commissioner achieves his primary aim of safeguarding and promoting the rights and welfare of children in Wales through the work of four groups, Communications, Policy, Legal and Investigations and Corporate Services. These groups work closely together on project teams to achieve the aims and objectives of the Commissioner.

The Children's Commissioner for Wales was the first children's commissioner appointed in the UK. He is appointed for a period of 7 years and was selected with the full and equal participation of children and young people.

The Freedom of Information Act

The Freedom of Information Act 2000 (the Act) gives the public a general right of access to all types of recorded information held by Public Authorities including the Children's Commissioner for Wales. It sets out exemptions from that right and places a number of obligations on the Children's Commissioner including a duty to produce a Publication Scheme.

The Act comes into force in two stages. From April 2004 the Commissioner must adopt and maintain a Publication Scheme setting out the classes of information he publishes or intends to publish, the manner in which the information in each class is, or is intended to be published and whether the material is intended to be available to the public free of charge or upon payment of fee. From January 2005 any person who makes request to a public authority for information must be informed whether the public authority holds that information and be supplied with that information, subject to any exemptions.

The Publication Scheme

The purpose of the Publication Scheme is to ensure that a significant amount of information is available to the public, without the need for a specific request. The Publication Scheme is a complete guide to the information routinely published by the Commissioner.



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It is not a list of the actual publications since this will change, but rather it is a description of categories, called classes and sub-classes in the Act, of the information published. The Act requires that each scheme specifies classes of information it makes available. The Commissioner's published scheme is arranged in the following **4** classes. For ease of reference each class contains sub-classes. Classes and sub-classes describe the material available under the scheme.

Class 1 How the Children's Commissioner for Wales operates

- 1.1 Objectives of the Children's Commissioner for Wales
- 1.2 Corporate Plan
- 1.3 Strategies
- 1.4 Senior Management Team

Class 2 The Children's Commissioner for Wales finances

- 2.1 The Annual Statement of Accounts
- 2.2 The Audit Committee
- 2.3 Finance Handbook
- 2.4 Funding Award Letter
- 2.5 Probity Issues

Class 3 Human Resources

Class 4 Publications & Reports

- 4.1 Reviews
- 4.2 Examinations
- 4.3 Annual Reports
- 4.4 Consultation & Responses



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4.5 Press Releases & Speeches

It is the Commissioner's intention to provide the public with an overview of his work, whilst enabling individual members of the public to access key areas of the Commissioner's activities in which they have an interest and concern. The Commissioner is committed to openness in the provision of information to the public.

Charges under the Publication Scheme

The Publications Scheme itself is available to the public free of charge. Information available under the scheme is also free of charge unless otherwise stated. There is no charge for viewing material at the Commissioner's offices. Charges may be made to cover the cost of photocopying.

Complaints about the Publications Scheme

The Commissioner has appointed the Assistant Commissioner (Legal and Investigations) **Maria Battle**, who is based at the Children's Commissioner for Wales, Oystermouth House, Charter Court, Phoenix Way, Llansamlet, Swansea SA9 7FS (Telephone 01792 765600) as the officer responsible for the scheme on his behalf.

The Commissioner has a set complaints procedure and **Maria Battle** will deal with any complaint about freedom of information or other services generally and these may be dealt with by contacting her office.

The opportunity to complain to the Commissioner under his complaints policy does not limit any rights the public have to complain directly to the **Freedom of Information Commissioner**, either about freedom of information or data protection at the following address:-

**Information Commissioner
Wycliffe House
Water Lane
Winslow
Cheshire
SK9 5AF**



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Fax: 01625 524514
DX: 2081-Winslow
Telephone: 01625 545745
Email: data@dataprotection.gov.uk

Changes to the Publications Scheme

It is important to the Commissioner that the Scheme meets your needs and he would therefore welcome suggestions for additional classes of information that could be included. The Commissioner would also welcome suggestions as how publications themselves might be improved.

The Commissioner will review his first Publication Scheme during its first 12 months and afterwards it is anticipated that the Publications Scheme will be reviewed, renewed and submitted to the Information Commissioner every 3 years.

Availability of the Publications Scheme

The Commissioner intends that his Publications Scheme will be made available on his website address **www.childcomwales.org.uk** and at the reception in his offices at Penrhos Manor, Oak Drive, Colwyn Bay, Conwy LL29 7YW and at Oystermouth House, Charter Court, Phoenix Way, Llansamlet Swansea SA7 9FS. The Publication Scheme is published in English and Welsh. Any person who has difficulty in obtaining a copy of the Scheme in any format may contact **Jamie Gwilliam IT and Web Co-ordinator** on 01792 765600. Some material referred to in the Scheme may only be available in English.

Exclusion of Information from the Publications Scheme

The following material is excluded in respect of all classes and sub-classes within the Scheme:-

- **Exempt information is defined in sections 21 to 44 of the Freedom of Information Act 2000**
- **Commercially sensitive material for example quotations, tenders and insurance policies**



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- **Personal and sensitive information is defined by the Data Protection Act 1998**
- **All internal working groups procedures, briefing notes and draft documents**

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Class 1

How the Commissioner operates

This class includes information about how the Children's Commissioner for Wales operates.

1.1 Objectives of the Children's Commissioner for Wales

This sets out the objectives of the Children's Commissioner for Wales as derived from the Care Standards Act 2000, the Children's Commissioner for Wales Act 2001 and the Children's Commissioner for Wales Regulations 2001. The strategic targets set out how the Commissioner intends to use his powers and duties to achieve his targets with the primary aim of safeguarding and promoting the rights and the welfare of children in Wales.

1.2 Corporate Plan

This sets out the strategic and operational plan within the Children's Commissioner for Wales' office, the objectives of each activity, the targets and timescales.

1.3 Strategies

This sets out the strategies of project teams and groups within the Commissioners office

1.4 Senior Management Team

This includes the agenda and minutes of the senior management team meetings.



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Class 2

The Commissioner's Finances

This class includes information on the Commissioner's accounts, funding, budget and audit arrangements.

2.5 The Annual Statement of Accounts from 2001 – 2004

This comprises of the statement of accounting policy used, auditors report and certificate.

2.6 The Audit Committee

This comprises of the terms of reference of the Audit Committee and the minutes.

2.7 Finance Handbook

This information includes the general explanation of the finance policies and procedures.

2.8 Funding Award Letter

This details the funding award from the National Assembly for Wales

2.6 Probity Issues

This includes probity issues relating to the Commissioner. It comprises;

Register of Interest, Gifts Register and Relevant Policies

Class 3 Human Resources

This includes the policies and procedures, terms and conditions of employment, recruitment and job vacancies



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Class 4 Publications & Reports

This sets out the reports published by the Children's Commissioner for Wales.

3.1 Reviews

This sets out the framework for reviews that the Children's Commissioner has undertaken in accordance with his statutory powers and those reports which have been published.

3.2 Examinations

This sets out the framework for examinations, the terms of reference for examination and the procedures followed and published Examination reports.

3.3 Annual Reports

This includes the reports published annually by the Commissioner which are presented to the National Assembly for Wales and Parliament.

3.4 Consultation & Responses

This includes the responses of the Children's Commissioner for Wales to various consultation documents issued by statutory agencies.

3.5 Press Releases & Speeches

This sets out the press releases issued by the Children's Commissioner for Wales and presentations and speeches made by the Commissioner and members of his staff