

Children's Commissioner for England
Annual Report and Accounts 2020-21

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1. Introduction by Dame Rachel de Souza, Children's Commissioner for England



This is my first annual report since taking up the role of Children's Commissioner for England at the beginning of March 2021. It is such an honour to have been appointed and I am excited about the challenges ahead and the opportunities to bring real change to children's lives.

Part of this job is having the right answers to big questions. It is what children expect from us as adults – having some answers

to the things that they are concerned about. Sometimes they may not even be able to say it yet, but it is what they expect. I have spent my working life trying to get those answers right, firstly as a teacher, then a headteacher and then as the CEO of a family of schools. I will do the same as Children's Commissioner.

If you work with children, it is tempting to see those big questions as daunting. In 2021, as we emerge from the Covid pandemic, the challenges are in many ways greater than at any time since the Second World War. Yet there are also opportunities. A previous generation came out of the trauma of the 1940s with a blueprint for a National Health Service, an expanded education system and social security to protect the most vulnerable. They remade the social settlement.

There is no doubt that for our children the last year has been one like no other. The sacrifices they have made have been enormous, from not seeing friends and family, to spending months out of school and missing out on so many of the things children love to do. The Covid pandemic has also revealed some of the major structural barriers that exist today which are holding back our children.

As life now begins to return to normal, I believe we are at a pivotal moment when it is time to take stock of where we are, understand the impact of the pandemic on children's lives and build a consensus around the vision and ambition needed to ensure every child in England has a good childhood and reaches their full potential.

That task will be helped by the excellent work done by this office under my predecessor Anne Longfield over the last six years. Most of this report covers Anne's final year in post, from the beginning of the first national lockdown at the end of March 2020, to just before schools reopened for a second time a year later. It shines a light on a range of issues affecting children - particularly the most vulnerable, like improving the children's social care system, making sure we have children's mental health services that meet every child's needs, helping those children who have fallen behind during lockdown to catch up and protecting the rights of children in the secure estate.

In my first month as Children's Commissioner, I launched the 'Childhood Commission', to put the prospects and welfare of children at the heart of our economic recovery. I want it to have the spirit and the ambition of the Beveridge Report – something that leads to long term changes that improve the chances of every single child, whatever their early standing in life and wherever they are in England.

The Childhood Commission will re-cast Beveridge's 'five giants' for children today, identifying the barriers which prevent them having the best childhoods, the best preparation for successful futures, and a better life than their parents. It will not focus only on the problems that have been highlighted and amplified by the Covid pandemic but will also address the policy shortfalls that have held back the lives of many children for decades. It will propose bold and radical solutions with measurable impact on children's lives, and ambitious targets by which Government and local agencies can be held to account for progress.

At its heart is 'The Big Ask', the largest ever consultation with children in this country. The scale of this survey means I will have heard from children from every background about how the pandemic has affected them, their hopes and ambitions for the future, and what is holding them back. It puts children's voices at the centre of the Commission, with their views, experiences and ideas shaping the way we deliver better outcomes not just for them, but for all our children in the decade ahead.

When I hand over this role in six years' time, I want to be able to look back at six years in which the adults in power in this country have done even more for children than the post-war generation. I want to see not just a golden age of policy-making, but a golden age of delivery. This report shows how Children's Commissioner's Office can help drive that change, as well as holding to account those who make the big decisions about children's lives.

I am in no doubt that the experiences of this last year will have changed our children. But I am optimistic this does not have to be a lost generation. It is our job to make sure this is a turning point that changes children's lives for the better. Children should leave this pandemic with the knowledge they were able to weather the trickiest of storms, and that we are there to help them through the next stage. When they come to us with their questions about how we can improve their lives, it is our responsibility to have the right answers.

A handwritten signature in dark ink, appearing to read 'R. de Souza', written in a cursive style.

Rachel de Souza DBE
Children's Commissioner for England

5 July 2021

2. What Children and Young People Have Told Us

The views of children in England influence so much of our work. That is why we put our survey 'The Big Ask' at the heart of our Childhood Commission – to find out what matters to children, what is holding them back, what are the good things about their childhood, and the bad. Their answers help us plan our work for the coming year. We make sure that we speak with children from different parts of the country, with different ages and different experiences. In particular we always want to speak with and hear from children who face the biggest challenges, like those in the care system or those with special needs and disabilities.

Children's Voices

"I don't want schools to have to close again. I don't want to miss out on education" Girl aged 9

"It's really hard doing quarantine, I didn't like wearing the mask. I'm a sociable person and it's hard to keep away. I found going to the shops scary because there were a lot of people and it's hard to keep away from people." Ted aged 10

"I call my friends every day, it's so hard. We'd be out every day but we can't now. I'm out socialising, but we would have had a sleep over, I'm bored and fed up, I've lost my social life." Robin aged 16

"My friend hates walking to meet us at my house. And she, it's her number one fear, she feels like she's going to get stabbed or whatever." Teenage girl

"My worry isn't Christmas, my worry is the effect of Christmas...As someone who has their exams this year, if we come back from Christmas or New Years and there's a spike in cases and I'm back in lockdown learning like I wouldn't be able to do it, and I know a lot of people who wouldn't either... People are like 'Coronavirus will leave you alone because it's festive'... I don't mind people meeting with their friends, but I'm worried about having the social bubbles and then seeing the figures in the next few weeks go back up to where we were earlier this year to get us into lockdown in the first place or get us back into the place that got us into lockdown 2 and then the long reaching effects of that..." Girl aged 17

"None of the other kids are wearing facemasks or following the social distancing rules, my parents are so worried they are thinking about pulling me out of school altogether" Girl aged 16

"I've been on a counselling waiting list for ages. I know it's hard times for everyone but if there was more counselling I think people would be happier. [I was] referred to CAMHS like 10 months ago by the Doctor." Tim aged 15.

"I'm 17 years old and I put my mum's wellbeing before my own education that just shows what life is as a young carer. Pandemic or no pandemic. That just shows what I give up, I know no different. This pandemic has changed my life, it has changed

everyone's lives. As a young carer my life originally was never 'normal' but what's 'normal' especially in a global pandemic." Alicia aged 17

"How can a kid who is 14 live on the streets for a year and a half? Where were Social Services at that time? Why did no-one come and get me and put me in a care home? I was sleeping in a shed in a back garden with 2 of my mates who were "wanted". 14!

If I caught a 14-year-old now on the streets I would put them into care." Boy aged 16

"When I was in school, I wasn't problematic. I just used to not come in or come in late ... Lots of warning signs about my situation were missed. They should have sat me down on my own [and tried to talk to me], I have some issues going on." Boy aged 17

"Students aren't social distancing properly and often saying jokes about Corona. Teachers are confused and parents don't seem to know how to queue" Girl aged 10

"I don't think they [exams] should be cancelled, because I feel like that means all our hard work gone to waste. I do feel like content should be reduced, you've got to learn so much that you had to teach yourself, for A-levels especially you've got so much content. We were doing coursework by ourselves and that was stressful [because] you couldn't get hold of a teacher sometimes because they had like, what, 40 students to talk to as well." Girl aged 17

"Young people and children are suffering a lot more than people think they are. In my opinion, people underestimate how much young people and children are affected by these current circumstances." Boy aged 16

"We'll be walking home and cars will beep or stop or shout things out of the window." Teenage Girl

"No one pays attention and it just doesn't make sense. Like why send a [child] home for bad behaviour when the issue is, being at home is why they're being badly behaved? But then like you're sending them home but it's home that's causing the issue ... No one sat us down in school and said, "Right, what's the issue, why don't you want to come in?" Ask me why I haven't done my work. Like how do you know what I had going on at home like the night before?" Boy aged 17

"I've had conversations with loads of adults, like family members, teachers, and it's really frustrating when they're so set in their ways that they won't listen to what we have to say, and then they complain all the time that we're trying to get them to understand our point of view but they're so adamant on their own. It's really hard because it's as if they still see us as children. Even though we may have all these experiences, they still see us as these little children that are still growing up, don't understand the world properly." Girl aged 15

3. The Performance Report

This section details the Office of the Children's Commissioner (OCC) organisational structure and performance and its key issues and risks.

3.1. Statement by the Children's Commissioner on the performance of her Office 2020-21

- 3.1.1 This report presents work undertaken during 2020 and 2021 and its impact on children in England, especially the most vulnerable.
- 3.1.2 Independent from Government and answerable to Parliament, the Children's Commissioner has a number of unique powers to deliver the role, namely the power to gather data from public sources and the power to enter any premises where children are away from home to learn more about their welfare. The Office of the Children's Commissioner has a staff of 31.

COVID-19

- 3.1.3 In March 2020 and in response to the Covid-19 emergency, staff commenced working from home in line with lockdown restrictions. This has worked well, and the Office has been able to continue to fulfil its operational responsibilities with minimal impact on the efficiency of the organisation. Limited numbers of staff were able to return to the office during August through to October when lockdown restrictions were relaxed before returning to work from home in November 2020.
- 3.1.4 Demands on the organisation have increased because of the emergency, and a revised work-plan focusing on the priorities of vulnerable children during lockdown was carried out.
- 3.1.5 Covid-19 related expenditure in 2020-21 falls into three categories and is estimated to total £14k:
- Commissioning of two specific studies on Stress and Back to School, c. £10k
 - Zoom conference and webinar facilities and external meeting room hire to accommodate social distancing, c. £2k
 - Employee expenses for working from home equipment and supplies, c. £2k
- 3.1.6 OCC did not receive any additional funding in relation to Covid-19.

3.2. Key Risks and Issues 2020-21

3.2.1. The key strategic risks during 2020-21 were:

- a) Failure to leave the organisation in a sustainable and healthy position on transfer to the new Commissioner
- b) National crisis/event hinders or prevents delivery of critical functions and other business activities
- c) Failure to achieve positive change for vulnerable children

3.2.2 Implications of failing to mitigate these risks were as follows:

- a) Impact of change for children, particularly the most vulnerable, is delayed or diminished.
- b) Delivery of statutory functions and compliance with governance requirements are delayed or not delivered.
- c) Risks to children are not reduced.

3.2.3 The Senior Management Team implements an assurance framework which provides evidence and assurance on risk mitigation controls. The assurance framework affords the Senior Management Team, Audit and Risk Committee members and internal auditors the opportunity to test the accuracy, completeness and reliability of assumptions made, together with the sources of assurances.

3.2.4 The Audit and Risk Committee reviews, scrutinises and challenges the strategic risk register and provides advice to the Commissioner.

3.2.5 We have consulted widely to produce qualitative and quantitative research data that both informs policy and shapes the direction of our work programme. We regularly review and strengthen internal controls to address strategic risks; incorporating safeguarding, communications, data protection, governance, finance and business operations. Assurances from audits have been substantial.

3.2.6 A number of steps were taken to mitigate risk including:

- timely engagement with the incoming Commissioner to familiarise her with OCC work;
- implementation of a succession planning and governance process monitored by the senior management team;
- business continuity plan implemented in relation to loss of staff and appropriate mitigations put in place to cover absences;
- reallocation of resource and prioritisation of statutory functions with cover identified for critical roles
- resourcing and infrastructure reviewed to ensure that they were Covid robust;
- immediate help provided to the Cabinet Office and Department of Education

- strengthened relationships with central government and Parliament at a senior level.

3.2.7 **EU EXIT**

The EU Exit has not affected the organisation's goals, strategic objectives and priority outcomes.

3.2.8 OCC did not have any EU Exit related expenditure in 2020-21.

3.2.9 OCC did not receive any additional funding in relation to the EU Exit in 2020-21.

3.2.10 **Going Concern**

The Office of the Children's Commissioner, as a non-departmental public body (NDPB) of the Department for Education, is funded by grant-in-aid. The Department's estimates and forward plans include provision for OCC's continuation and a new Commissioner has just been appointed for a six-year term. It is therefore appropriate to prepare these accounts on a going concern basis.

Protecting children during the Covid-19 lockdown

Throughout the year, we have pushed the Government to prioritise children in their Covid-19 response. We showed that although they were less likely to fall ill as a result of Covid-19, they faced a range of secondary risks. We continued to call for schools and other services like health visiting to be kept open to children wherever possible.

We published a series of reports on school closures, children's wellbeing, online learning, poor quality housing, and the issues that needed to be addressed to prioritise children during any future lockdowns. This was in part about the learning loss children will face, so we have called for significant catch-up funding and additional resource for holiday schemes, as well as the provision of laptops and routers to all children in need of them.

We also highlighted the additional risks created by so many more vulnerable children becoming 'invisible' to professionals or others who can keep them safe. Using our CHLDNRN app, we highlighted the number of vulnerable children in each area, to encourage and support agencies to proactively reach out to those in need. Our research found that fewer children were being referred to children's social care, and so we have called for significant additional investment to help identify and support all those who have gone under the radar this year.

We have also worked to address the reductions in legal protections and care given to some of the most vulnerable children in the country. We produced statements on the changes to regulations affecting children with SEND, and regulations and guidance affecting children in care. We also produced briefings on the rights of children in inpatient mental health wards and custody, and pressured Government to ensure that these children were entitled to access visits from family, education, and to minimise any additional restrictions on their freedom.

Our September 2020 report, 'Childhood in the time of Covid', captured all these issues as it examined the impact of the first six months of the Covid crisis on children's lives. It called for a comprehensive recovery package for children and provided a roadmap for what should be done to help children to recover from their experiences.

In March 2021 we launched the 'Big Ask', the biggest ever consultation with children undertaken in this country, which will ask children across England to set out their priorities for improving childhood post-Covid. The results of the survey will form the cornerstone of our 'Childhood Commission' – a once in a generation review of the future of childhood, inspired by the

ambition of the Beveridge report, which laid the foundations of the post-War social security system. The Childhood Commission will identify the barriers preventing children from reaching their full potential, propose solutions and come up with targets by which improvements can be monitored.

Invisible children

A great deal of our work in response to Covid-19 was about seeking out those children who have become invisible during the pandemic, and highlighting the risks they faced. However, we also continued to highlight the children who even before the pandemic were consistently overlooked and missing out on support.

In particular, this year, we published a report on the public health response to children involved with gangs, detailing the lack of strategies to identify these children. We found that one in twenty-five teenagers in England were falling through the gaps in education and social care – absent or excluded from school or going missing – in ways that could put them at risk. We also for the first time gathered data on children coming to this country to seek safety, and found out that some children were being illegally detained in immigration centres, and having to wait too long to be transferred somewhere where they would get accommodation.

Children's wellbeing and digital lives

This year we submitted, with the other UK Children's Commissioners, our list of priorities for the United Nation Committee on the Rights of the Child, highlighting the key areas of progress that we think are needed for children in the UK. We will continue to engage with the process as the Committee assesses the Government's record on children's rights over the next year.

In the last year of the previous Commissioner's term, we considered ways to address the underlying causes of so many of the difficulties we find children facing in all the other areas of our work. In particular we called on Government to take child poverty out of the 'too difficult' box, and address the root causes of disadvantage. We published a collection of essays from leading thinkers on strategies to address child poverty. We also produced a report 'Best Beginnings in the Early Years' focused on getting things right for children in the early years, with a comprehensive blueprint for how Government can help all babies and young children to thrive and prevent vulnerable children falling behind or reaching a crisis point as they grow up.

We also produced our fourth annual report on the state of children's mental health services, and

challenged the Government to raise its ambition for mental health provision in order to address historic inadequacies and to cope with a rise in need which will likely be a long-term impact of the pandemic.

We continued our focus on children's digital lives, with our report on encrypted messaging services, like WhatsApp, which have shot up in popularity amongst children. The report set out risks children can face if adequate safeguards are not in place. We have kept up pressure on Government to introduce Online Harms legislation urgently, and to ensure that it covers all the ways in which children spend time online – including social media, gaming and messaging services.

This year we also sought to understand a bit more about how children make use of their physical environment, and produced a report on what can and should be done to make them feel safe and able to play and spend time out in public, something which will be more important than ever as we attempt to Build Back Better after the pandemic.

Children in care



This year we produced a comprehensive series of reports that illuminated different parts of the care system, and demonstrated how it is failing to meet the needs of children.

Our 'Unregulated' report showed that one in eight children in care ended up in homes which are not inspected by Ofsted, and some of which are unsafe and unsanitary. The Government have committed to introducing minimum standards for these settings, and banning their use for under 16s. We have called for them to go much further and ban the use of these settings for under 18s, as every child who is 'in care' deserves to actually receive care no matter their age. We also looked into the market for care, and showed how private provision of children's homes has rapidly expanded, with private companies making significant profits. We called on Governments, both nationally and locally, to take responsibility for providing sufficient high quality homes for all the children who need them. Finally, we produced our annual Stability Index, a unique measure of how many times children in care have to move home, change school or get a new social worker each year. This shows there has been no improvement in recent years in children's stability, with too many continually uprooted and moved on from their homes.

This research culminated in a keynote speech from the Children's Commissioner on how the forthcoming Independent Care Review must address all these systemic issues for children in care. This was accompanied by the findings from our engagement with children in care and care leavers over the course of the year about what they wanted to see from the care

review. It is essential that this opportunity to reform the care system has at its centre what is most important to children themselves – loving, stable relationships that allow them to thrive.

IMO, our peer-led digital network for care experienced children, was nominated for two CYPNow Awards. The IMO Podcast was a finalist at the 2020 British Podcast Awards, and won the Best Interview award at the European Lovie Awards.

Our 'Help at Hand' service has continued to provide support and advice to children and care leavers throughout the pandemic, many of whom faced additional challenges with reduced support and increased isolation.

Behind closed doors



We continue to speak to children in secure settings of every kind - youth custody settings, secure children's homes, inpatient mental health wards – in person where possible, but often remotely when necessary. As well as producing reports on the conditions in these settings during Covid-19, we also continued with ongoing work to push for improvements in the way in which children who need secure care are treated in the long term.

We produced our second annual 'Who are they? Where are they?' report which details what we do and don't know about the location and welfare of some 1,300 children detained in secure settings in England. We called for Government to develop a new approach to secure accommodation, which makes locking children up an absolute last resort, and does not try to sort children in crisis into the siloes of custody, mental health, or social care, but can meet all the needs of a child no matter where they are. This year we particularly highlighted the plight of those children deprived of liberty outside the secure estate, and with fewer safeguards in place. We intervened in a Supreme Court case concerning one child deprived of liberty in an unregulated setting, to highlight the extent of this issue and advocate for increased protections. We also published research on children admitted to mental health hospitals who were there because either they or their parents consented to their admission – many of these children told us how they felt similarly trapped to children formally detained, yet they do not have the same protections in law.

We produced a report on children's journeys through the criminal justice system, highlighting the disproportionate number of black and mixed-race children, as well as children with care experience, who end up in custody. We called for improved efforts to divert children from a criminal response at every stage of this journey, as well as the need to fundamentally rethink youth custody provision based on best practice international examples.

3.4. The Year in Summary

- 3.4.1 This report focuses on the period April 2020 to March 2021 and predominantly covers Anne Longfield's tenure as Children's Commissioner for England. Dame Rachel de Souza took up the role of Children's Commissioner on March 1st 2021.
- 3.4.2 The Children's Commissioner's Office has continued to focus on standing up for the rights of all children in England, including those children who are 'invisible' in the system, children living behind closed doors, children growing up in care and children's well-being and digital lives.
- 3.4.3 Our work frequently shows government where children are falling through the gaps and identifies those children most at risk – from failures in the children's social care system, to insufficient CAMHS (Child and Adolescent Mental Health Services) support, to children living in families in poverty or where there are problems with domestic abuse, drug or alcohol abuse or serious mental health problems.
- 3.4.4 Throughout the year, our work has been reported to Government departments, Ministers and Parliamentarians, as well as receiving extensive media coverage. Our communications interventions have continued to lead the news and set the agenda. The Children's Commissioner and her office have also provided written and oral evidence to a large number of Parliamentary select committees over the last year including the Health, Education, Justice, Home Affairs and Work and Pensions Select Committees, the Lords Public Services Committee, and the Commons Petitions Committee. We have responded formally to a range of Government consultations, including most recently a consultation on changes to exam processes because of the covid pandemic.
- 3.4.5 We also continue to meet and liaise with a wide range of Government bodies, associations and professionals, including Secretaries of State and senior civil servants, the Information Commissioner, the Victims' Commissioner, Ofsted, the CQC, Police and Crime Commissioners, Directors of Children's Services and the Youth Justice Board, NHS England, Public Health England, teaching unions and Royal Colleges. The Children's Commissioner is a member of groups such as the UK Council for Internet Safety and the National Preventative Mechanism, which acts to prevent torture and deprivation of liberty in secure settings such as youth custody, and she has attended the National Stability Forum for children in care and the Oversight Board of the NHS England Taskforce to improve the quality of mental health inpatient treatment for children.

Coronavirus

- 3.4.6 The outbreak of the coronavirus in March 2020 has continued to have a significant impact on our work - and will continue to do so in the future. The Children's Commissioner has been a passionate advocate for keeping schools open for as long as it has been safe to do so, as well as pushing

Government to reopen schools following the lockdowns. The focus of many of our reports over the last year has inevitably been about how the pandemic has impacted on the lives of children – either from losing out on education and the growing attainment gap, access to online learning, holiday hunger and Free School Meals, the increasing pressures on children’s mental health and wellbeing or missing out on playing and spending time with friends.

- 3.4.7 Over the last year we have published a series of briefings looking at the impact of Covid-19 on children’s lives, as well as putting forward practical solutions to enable schools to stay open. We have consistently made the case since the summer of 2020 that schools should always be the last to close and the first to reopen.
- 3.4.8 Before schools returned in September 2020, we published a briefing setting out the key actions needed to ensure all children are at the heart of planning for any coronavirus lockdowns, arguing that once the wider social costs of school closures are factored in, it is clear that all schools should be kept open for all children as far as possible, and only ever closed as a last resort. The Children’s Commissioner started to call for the regular testing of pupils and teachers, regardless of whether they had Covid-19, from August 2020 and made clear that schools should always be kept open for vulnerable children and the children of keyworkers.
- 3.4.9 Our research published in September 2020 looked at some of the worries children had during the first lockdown. A survey of children by the Children’s Commissioner’s Office, “Stress Among Children During the Coronavirus Lockdown” revealed the greatest reported increase in stress during lockdown came in worries about school. 41% of children reported feeling more stressed about schoolwork and exams after schools closed to most in March. However, overall, it appears many children felt less stressed as the lockdown went on.
- 3.4.10 During the last year we have continued to speak with children about their experiences, particularly when it comes to the impact of the Covid pandemic and lockdowns on their lives. We have talked with children regularly about their experiences of being out of school, on how it felt to return to school, whether exams should go ahead, what it’s like to be autistic during lockdown, and how they found Christmas during a pandemic.
- 3.4.11 In August 2020, the Children’s Commissioner for England joined with her counterparts in Wales, Scotland and Northern Ireland to organise a ‘children ask the scientists event’, where 12 children from across the UK aged 7 to 19 asked questions about the Covid-19 pandemic to three members of the Scientific Advisory Group for Emergencies (SAGE) – Professor Brooke Rogers, Professor Charlotte Watts and Professor Russell Viner.
- 3.4.12 With millions of children having to learn remotely due to lockdowns, the Children’s Commissioner published research last year estimating that almost one in ten families do not have a laptop, desktop or tablet at home. There were also many more children who were not able to access technology at

home because it is being shared with a sibling or a parent is using it for work. The Government was quick to announce a free laptops scheme at the beginning of the pandemic, however the initial offer of 200,000 devices fell well short of what was required. The Children's Commissioner's Office used its data gathering powers to obtain breakdowns of how many laptop trusts and local authorities received. The data showed that a third of trusts received fewer than 10 laptops for all of their year 10s and 27 received just a single device during the first lockdown. These numbers increased dramatically during the second school lockdown earlier this year.

- 3.4.13 Throughout the year, we pushed the Government to prioritise children in their Covid-19 response. We have also worked to address the reductions in legal protections and care given to some of the most vulnerable children in the country. We produced statements on the changes to regulations affecting children with SEND, and regulations and guidance affecting children in care. We also produced briefings on the rights of children in inpatient mental health wards and custody, and pressured Government to ensure that these children were entitled to access visits from family, education, and to minimise any additional restrictions on their freedom
- 3.4.14 Our report, 'Childhood in the time of Covid', published in September 2020 examined the impact of the first six months of the Covid-19 crisis on children's lives. It called for a comprehensive recovery package for children and provided a roadmap for what should be done to help children to recover from their experiences. While for some children there were certain aspects of the pandemic that brought benefits such as spending more time with their families, the report set out how for many of the most vulnerable children, the disruption of the last six months has been damaging and compounded existing inequalities.
- 3.4.15 Even before the crisis struck, there were 2.3 million vulnerable children living in risky home situations in England, including nearly 800,000 children living with domestic abuse and 1.6 million living with parents with severe mental health conditions. The report warned these numbers are likely to have swelled, fueled by families locked down in close quarters for weeks and months, and an emerging economic crisis adding pressures on family finances. At the same time, the disruption to children's education has been sizeable, with schools closed to millions of children for six months. The report predicted a widening of the attainment gap between children from disadvantaged or vulnerable backgrounds and their peers.
- 3.4.16 The report argued the nation's efforts to 'build back better' must begin with a focus on children, sometimes sadly lacking during the pandemic. It detailed how millions of children have faced a cocktail of secondary risks, which means that many have suffered disproportionately as a result of the crisis. Some of the most vulnerable children, including children in care, children in custody and children with Special Educational Needs or Disabilities saw their rights actively downgraded at a time when protections should have been increased, not weakened.

- 3.4.17 The report called on the Government to ensure all families have the basic resources to provide care for their children by introducing a pre-emptive package of welfare and housing support for families who have built up rent arrears to counter a potential wave of family homelessness. It also called for greater investment in local authority early help services, the Troubled Families programme and health visitors. It said local authorities should do everything possible to ensure respite services for disabled children and their families continue to operate.
- 3.4.18 Reducing educational disparities between disadvantaged children and their wealthier peers must be central to the Government's levelling up agenda, the Commissioner argued. The report also set out how children's rights and protections should be upheld and legal changes which reduced children's rights reversed.
- 3.4.19 In March 2021, Rachel de Souza launched the 'Childhood Commission', a once-in-a-generation review of the future of childhood. The Commissioner is inspired by the ambition of William Beveridge's pioneering 1940s report, which laid the foundations of the post-War social security system. It will identify the barriers preventing children from reaching their full potential, propose policy and services solutions and develop targets by which improvements can be monitored. The Commission is focusing not only on the problems that have been highlighted and amplified by the Covid-19 pandemic but will also address the policy shortfalls that have held back the lives of many children for decades.
- 3.4.20 At its heart is 'The Big Ask' - the largest consultation ever held with children in England. The Children's Commissioner has asked children how the pandemic changed their lives for better or worse, what their aspirations are and the barriers to reaching them, how things are at home, how their communities and local environment could be improved, and how they feel about the future and the challenges facing the world. 'The Big Ask' was made available to every school in England, with schools encouraged to use it during classes and assemblies. It was also available via the Oak National Academy. The survey was accompanied by an online assembly introduced by England international footballer Marcus Rashford.
- 3.4.21 'The Big Ask' was available to any child who could access the internet as well as to organisations and services working with children including schools, youth groups, local authorities, charities who work with children and young people, Children in Care Councils, children's homes, children's mental health services, youth justice settings, community groups and others. The survey was completely anonymous and did not ask children to submit any directly identifiable information. To ensure that the experiences of babies and pre-school children are captured, the Children's Commissioner ran focus groups with different communities and groups of children, which included talking to parents and carers. There were also focus groups for children with Special Educational Needs or Disabilities or other complex needs.
- 3.4.22 As part of 'The Big Ask', Rachel de Souza visited schools to speak with

children about their experiences of the pandemic and to hear about their hopes for the future. The tour included visits to schools in Bedfordshire, Cumbria, Yorkshire, Norfolk, the Midlands, the South West and London.

- 3.4.23 'The Big Ask' consultation will drive the subsequent phases of the Childhood Commission. The Children's Commissioner will publish an interim report before the summer, setting out children's expectations and aspirations, and the barriers to attaining them, informed by the results of the consultation, an evidence review and data analysis. A subsequent report will propose solutions, investment, metrics, and set out the challenge to society to pay back to this generation of children and re-set their future. The Childhood Commission will also look at the ways in which society and political structures often short-change children. The pandemic has exposed social fault lines which had been hidden from the view of many and affected the wellbeing and prospects of the young. The number of children with probable mental health problems rose from one in nine children in 2017 to one in six in July 2020, and the IFS has calculated that 6 months of missed schooling can be expected to reduce someone's lifetime earnings by around £40,000. Multiplied across all of the 8.7 million school children in the UK, this would amount to £350 billion over their lifetimes. The long-term impact of the crisis across all areas of children's lives will only be known in years to come.
- 3.4.24 The Commission will argue that the prospects and welfare of children must be put at the heart of our economic recovery and show the way to do it. It will re-cast Beveridge's 'five giants' for children today, identifying the barriers which prevent them having the best childhoods, the best preparation for successful futures, and a better life than their parents. It will propose a 10-year plan with annual metrics to monitor progress, across the sweep of childhood and the span of government.

Strategic objective: Invisible Children

- 3.4.25 We define 'invisible' children as those children with additional needs not in receipt of specialist or statutory services. The Children's Commissioner's ongoing Vulnerability Framework, first launched in July 2017, is our ground-breaking project which gathers all the information known about childhood vulnerability, as well as what is not known, in one place. This information helps to guide much of our work in identifying where further investigation may be required to look into the issues faced by particular vulnerable groups because current data is inadequate.
- 3.4.26 The Children's Commissioner puts an important focus on the difficulties experienced by groups of marginalised, excluded, invisible children whose needs are not being recognised or met by local services. This ranges from children in care who are being bounced around the system, to children who are in need of mental health support but not receiving it, to children living on the edge of the care system who are not receiving any support from services, and who are at risk of exploitation or falling out of sight of those whose job it is to keep them safe.

- 3.4.27 Our local area profiles continue to show the extent of child vulnerability around the country, council by council, and are increasingly used by parliamentarians, charities, data journalists and others to highlight problems in particular local areas. This project remains the only comprehensive source of data on all risks to children in England and remains an important tool in helping government – national and local – to identify how many vulnerable children there are in each local authority area. It has been a useful tool in highlighting groups at heightened risk during the pandemic.
- 3.4.28 The dire consequences of criminal exploitation and serious violence on children are sadly too often clear to see, with young lives lost or ruined after children become sucked into criminal exploitation by gangs. The Children's Commissioner has undertaken research in the past, looking at how children at risk of exploitation can be kept safe. Too often the serious case reviews into those who have been killed after becoming involved with gangs reveal a series of missed opportunities from a broad range of agencies to intervene and protect them. In February 2021, the Children's Commissioner published a report assessing how effectively existing infrastructure within local authorities is being used to deliver a public health approach to preventing gang involvement and youth violence. It concluded that two years on from the CCO's last report into this issue thousands of children are still not being kept safe.
- 3.4.29 "Still not safe: The public health response to youth violence" revealed how a lack of coordination between different agencies responsible for helping to keep vulnerable children safe is failing to prevent thousands of children from falling through gaps in the education, health, justice and care systems, leaving them vulnerable to exploitation and grooming from ruthless criminal organisations or others who seek to abuse them.
- 3.4.30 The report warned the threat of gang exploitation shows no sign of abating. Research published in 2019 by the Children's Commissioner found that there were around 27,000 children at high risk of gang exploitation who had not been identified by services, and as such were missing out on vital support to keep them safe. However, the number of children experiencing broader risk factors linked to exploitation is even larger. 120,000 children - one in 25 of all teens in England – are already falling through gaps in education and social care. These are children who are being excluded from school or are persistently absent – often attending alternative provision. They are children who are going missing from care, many facing a combination of factors that could leave them vulnerable to exploitation. The report argued that often these children are not receiving the additional support they need from the state, and that interventions to reduce these vulnerabilities are key.
- 3.4.31 The report highlights how the pandemic has meant that the most vulnerable children are even harder to identify – November 2020 saw a 12% drop in referrals to children's services, in spite of the increased risks. It seems likely that even more children at risk of exploitation are going undetected. While this report's research was undertaken with data from before the pandemic, the Covid-19 lockdowns are likely to have increased vulnerability further.

- 3.4.32 The report praised Government's allocation of large sums of money to combat serious violence – £35 million for violence reduction units (VRUs), £200 million to the Youth Endowment Fund over 10 years, and £500 million over 5 years to the Youth Investment Fund, and its commitment to using a public health approach to gang violence. VRUs in particular are doing important work to deal with serious violence in the 18 areas they have been established. However, the report says insufficient attention has been paid to the need for agencies in other areas to adopt both a safeguarding and public health response across the country, working in partnership with local police forces. The report argued that the vast majority of local authorities still do not have a sufficient grip on the drivers for youth violence in their areas, nor do they have a cogent strategy to reduce risk factors in vulnerable cohorts.
- 3.4.33 To inform the report, the Children's Commissioner's office requested data from local authorities via their Directors of Public Health. It revealed few local authorities are using public health infrastructure effectively to address the issue of gang-involvement and youth violence and prevent future harm. The number of local authorities quantifying the levels of youth violence in their local health strategies is low. 91% of local authorities were tracking some of the risk factors associated with gang-involvement and serious violence, but only 1 in 4 (35) local authorities were tracking some risks more closely associated with exploitation. The vast majority of local authorities (115) reported funding drug awareness intervention materials for schools, with 90% of these local authorities including awareness training for different types of substances. However, only 50% of local authorities (64) reported having a public health drug policy for children and young people. The survey found a small minority of local authorities (1 in 4) are using their public health mechanisms well to deal with youth violence. These areas are quantifying levels of youth violence and are more likely to be involved in other aspects of youth violence prevention. Those reporting quantifying levels of youth violence are more likely to record a wider range of risk factors for involvement, directly fund youth violence specific programmes and have a drugs policy for children and young people. However, most local authorities are missing opportunities to identify some of the most at-risk children and ensure appropriate services are in place to prevent harm.
- 3.4.34 The report concluded that a lack of focus on these issues in local authorities is driven by the absence of cross-government national leadership and oversight on the implementation of a public health approach to youth violence. So far, there is little evidence of a public health approach to youth violence being a national priority in government departments' work programmes. The term 'youth violence' is not mentioned once in Public Health England's 2020-25 strategy.
- 3.4.35 The report made a number of recommendations, including a strong national leadership to drive the issue as a priority for local authorities, including support for local authorities to use data better to understand who is at risk in their areas, a cross-government framework to better coordinate the safeguarding work of local partners, such as police forces (including VRUs),

public health, the NHS and children's services, a national drugs strategy for children is urgently needed to address falling numbers entering treatment and to ensure clear pathways of support and diversion for children. It called for specific public health funding to be provided to local authorities to deal with criminal exploitation and serious violence, and that reform of the alternative provision sector in education must focus on making exclusion a last resort, improve the quality of alternative provision, ensure routes back into mainstream schooling are strengthened and increase accountability on providers for the destinations of children excluded from mainstream settings.

- 3.4.36 The report argued funding is needed for schools to stay open at evenings and weekends and throughout school holidays. Investment is also needed in high quality support from youth workers able to work with children at risk in their communities, as well as a significant expansion of early help services and increased investment in mental health, with a NHS trained counsellor in every school, levelling up on spending on speech and language therapy around the country, and an expansion of Troubled Families style intensive support to prevent children from reaching crisis point.
- 3.4.37 Throughout the year, we have focused on areas where children are falling through the gaps, or off the radar, like those children living in families facing eviction as a result of the economic consequences of Covid-19. In August 2020, the Children's Commissioner published a report, 'No Way Out' revealing the experiences of thousands of children living in B&B temporary accommodation during the first coronavirus lockdown in 2020. The report highlighted the damaging effects eviction and homelessness can have on vulnerable children. The report estimated that 420,000 children in England are in families that are at risk of being evicted, while a further 640,000 children are in families who rent and who have been using up their savings or borrowing more in order to make ends meet. These families are at risk of ending up in rent arrears in the future. The report collected data from the 15 local authorities with the highest number of children in bed and breakfast (B&Bs) accommodation. The analysis showed when lockdown began there were 714 families housed in B&Bs across those council areas. Hundreds of families with children were living in B&Bs at the end of lockdown, despite this being unlawful.
- 3.4.38 Hundreds of children continue to risk their lives embarking on highly dangerous journeys from France to the UK by boat. Since the beginning of the Covid-19 pandemic, many child refugees abroad saw their already desperate living conditions deteriorate as support and aid fell away. In Calais, evictions and the dismantling of camps left children without shelter and basic facilities. European lockdowns, travel bans and tighter port security have also restricted options for children to find safety elsewhere. Many children have decided that crossing the English Channel – and putting their lives in the hands of criminal traffickers or people smugglers in most cases – was their only option for refuge after months of unimaginable hardship.
- 3.4.39 Growing numbers of children are fleeing danger and harm, yet are blocked from finding sanctuary in the UK by prohibitive legislation set within an

unwelcoming, slow-moving system. Hundreds of children in northern France and thousands in Greece remain in dangerous and inhumane living conditions. They are mentally and physically exhausted from the traumas of rough sleeping, insecure food and shelter, intimidation and exploitation.

3.4.40 Progress in addressing this issue has taken one step forward and two steps back. Three years ago, the French and UK governments worked together to identify and assess the eligibility of hundreds of children in Calais – undoubtedly saving lives. However, the safe and legal routes which used to be available to them to come to the UK have fallen away. Last year, the Government announced its closure of the Section 67 (Dubs) scheme after success in bringing 480 children to the UK via this route. Need is increasing but the few remaining doors for vulnerable children are closing. Once children do reach the UK we need to do all we can to help them. But the numbers of children crossing the Channel has left current systems and processes buckling and in need of reform. Having so many children concentrated in one area has put immense strain on Kent's ability to meet their needs, such as making sure they are in suitable housing, accessing education at the right level, and getting health treatment.

3.4.41 This year, the Children's Commissioner has used her statutory powers under Section 2F of the Children Act 2004 to request information about how many children are coming to the UK via boats and how long children are waiting to be transferred once they arrive in Kent. Our team visited the Kent reception centre and talked to children going through the system. These 16 and 17 year old boys were waiting weeks and often months to be assessed and transferred to another area. They spoke of their frustration at waiting so long to be transferred, and not being able to get on with their lives, like getting on a college course. Our Help at Hand helpline often hears from unaccompanied asylum-seeking children who – particularly during the pandemic – have struggled to access adequate support. Some have faced a toxic combination of increased financial hardship, reduced access to support networks and services, and lack of access to devices and the internet.

Strategic Objective: Behind Closed Doors

3.4.42 At any given time almost fifteen hundred children in England are 'locked up' in secure children's homes, secure training centres, young offender institutions, mental health wards and other residential placements, either for their own safety or the safety of others. These are some of the most vulnerable children in the country who, for a variety of reasons, we have not been able to help to live freely in their own homes or communities. Over the last two years, the Children's Commissioner has published research looking at who these children are and where they live, the cost of keeping them locked up, and to understand more about whether these places are truly meeting their needs.

3.4.43 In November 2020, we published our second 'Who are they? Where are they?' report, shining a light on these very vulnerable children. The report revealed that in the official figures there are 1,340 children 'locked up' in

various institutions. On 31st March 2020 there were 715 children in youth custody, 81 children placed in secure children's homes for their own welfare and 544 children detained in hospitals under the Mental Health Act.

- 3.4.44 For the first time, the Children's Commissioner was able to show what types of ward children were detained on, with 237 children in secure mental health wards and psychiatric intensive care units. The report showed that although children end up in different types of settings, they often have very similar and overlapping needs – nearly half the children in custody have been in care, and three quarters have mental health needs. Half the children locked up for their own welfare have mental health needs, and 80% have also been charged with a criminal offence. It also warned that children continue to be required to fit into different types of settings, run by different Government departments with different priorities, rather than have settings which can adapt to the needs of children. There is also a worrying disparity in which children end up in which type of setting – Black children (especially boys) are far more likely to be in youth custody, and if they do end up in mental health wards are more likely to have been sent there by a court. Girls are much more likely than boys to be in mental health wards – three quarters of the children detained under the Mental Health Act are girls.
- 3.4.45 While the report showed there is some good news that the numbers of children in youth custody has fallen, it also revealed concerning evidence of a growing number of children who are locked up but who do not appear in any official statistics and who are not living in places designed to hold children securely. Although these children are incredibly vulnerable and can be at risk of being sexually or criminally exploited or harming themselves, often there is no space in a secure children's home for them to be kept safe. As a result, councils are having to come up with makeshift arrangements like flats or hostels or even caravans. One child was living in a holiday home but had to move out for a weekend as it had already been let out to holidaymakers.
- 3.4.46 The report shows how there are children who are being deprived of their liberty in settings which are inappropriate for their needs and are not even registered with Ofsted. These children appear to be at risk of significant harm because they are not living in accommodation that can hold them securely, because none is available.
- 3.4.47 The Children's Commissioner showed that in 2019/20, 327 children in England were deprived of their liberty through the 'inherent jurisdiction' of the High Court. This is used by courts when no piece of legislation provides a way for a child to be deprived of their liberty, but a judge rules that it is necessary to keep them safe. The report also reveals that the number of children locked up through the 'inherent jurisdiction' has tripled since 2017/18. The report explained how because the inherent jurisdiction is used when no other legislation can be used to deprive a child of liberty, there are no regulations and no government guidance that clearly sets out when and how the inherent jurisdiction should be used. As a result, the Children's Commissioner is concerned that children placed under the inherent

jurisdiction of the court do not have access to the same legal safeguards as children placed under the Children Act. For example, a child is only entitled to an annual review rather than reviews at 3 months and then 6 monthly, which is the requirement under the Children Act.

- 3.4.48 The Children's Commissioner was also concerned that without any data collected on where these children are living, it is harder to ensure that they are in appropriate and safe conditions. For this reason, the previous Children's Commissioner, with the support of Leigh Day, Victoria Butler-Cole QC, Alex Ruck Keene and Edward Bennett, recently intervened in a Supreme Court case about the use of the inherent jurisdiction in order to highlight her concerns about the legal protections in place for these children, and the appropriateness of their accommodation.
- 3.4.49 The report also warned that those children where a court order is in place may just be the tip of the iceberg when it comes to children who are locked away but do not appear in official statistics. The Children's Commissioner's Office helpline Help at Hand service has been alerted to several children living in situations which clearly amounted to a deprivation of liberty, but where no court authorisation was in place. For example, a 14-year-old boy who was in care but because his local authority was unable to find a home for him, was living in a campervan under 3:1 supervision with staff on 72 hour shifts. Although this amounted to a deprivation of liberty, the council did not appear to have applied for an authorisation from the court.
- 3.4.50 The report also detailed how the Children's Commissioner's Office visited 13 children's homes, residential special schools and mental health wards and found significant concerns about children who appear to be deprived of their liberty illegally, without the appropriate legal safeguards in place. In all the settings visited, there were children who needed a high level of care because of the trauma or difficulties they had experienced. Many of the children were living with high levels of restrictions in place. One of the residential special schools, for example, used restraints such as 'safe space' beds which are fully enclosed zipped beds which a child could not get out of without help. They also used lap belts on wheelchairs and various types of walking harnesses.
- 3.4.51 The Children's Commissioner for England has a statutory duty to promote and protect the rights of all children in England, a duty which extends to children within the criminal justice system. The Commissioner also chairs the Children's Sub-Group of the National Preventative Mechanism, so has a role in independently monitoring custodial conditions for Children in England and Wales to strengthen the protection of children deprived of their liberty. The Commissioner undertakes a rolling programme of visits to Young Offender Institutions and Secure Training Centres where she speaks to children and staff to keep abreast of the issues children are experiencing.
- 3.4.52 In December 2020, the Children's Commissioner's Office published a report looking at the youth justice system in England. "Injustice or In Justice: Children in the justice system" called for a radical approach to preventing

children becoming involved in crime and turning children's lives around when they have spiralled out of control. It urged Government to put more resource into stopping gangs from exploiting vulnerable children, into identifying children at risk of getting involved in crime and diverting them away from that path, into reducing the numbers of children in custody to an absolute minimum and into transforming secure care for children so that rehabilitation is at its heart.

- 3.4.53 The report welcomed the reduction in the numbers of children caught up in the criminal justice system - over the last decade the number of children receiving a caution or sentence has fallen by 83% and the number of children in custody has fallen by 73% - but asked why there are still hundreds of children ending up in our courts and prisons. By comparison in 2015 there were only 13 children aged 15-17 in prison in the whole of Sweden, Norway, Iceland, Finland and Denmark combined. Locking these children up is not helping to stop crime. In England, 7 in 10 children released from custody reoffend within a year.
- 3.4.54 The report warned that an under-resourced and fragmented system of child protection is letting down thousands of children before they ever set foot inside a police station. It showed how over half of children sentenced are currently or have already been a 'Child in Need', 7 in 10 have identified mental health needs and 85% of boys in young offender institutions have previously been excluded from school. When compared to their peers, children in residential care are at least 13 times more likely to be criminalised. The Children's Commissioner argued in the report that at every stage of a child's journey through the criminal justice system, opportunities are being missed to get to the root causes of offending and that the system is failing to see the child first and the 'offender' second, reducing the opportunity for real change. This appears to be particularly true for Black children, who are over four times more likely to be arrested than White children. Despite accounting for only 18% of the general population, children from BAME backgrounds now make up almost half (49%) of the entire population of youth custody.
- 3.4.55 The Children's Commissioner made a number of recommendations for building on the gains of recent years, to further reduce the numbers of children going into custody, including a significant expansion of early help services, increased investment in mental health support, levelling up on spending on speech and language therapy around the country, and an expansion of Troubled Families style intensive support to prevent children from reaching crisis point. The report also called for investment in high quality support from youth workers able to work with children at risk in their community, reform of the Alternative Provision sector in education, raising the age of criminal responsibility to 14 years old in line with the recommendations of the UNCRC, reforms to the court system to make it more child-friendly and an ambition to reduce the number of children in custody. The report also called for a national network of accommodation providers and youth organisations to provide support to children leaving custody and argued that restraint in youth custody settings should be

reserved for incidents where it would prevent harm to the child them self or to others.

Strategic objective: Children's Wellbeing and Digital Lives

- 3.4.56 Children's mental health remains the issue most often raised by children with the Children's Commissioner. We hear from children all the time who tell us they are having difficulties accessing mental health services, with referrals only made when a child is at crisis point. They also talk about the lack of information available for them online; a sign of a service not designed around user needs. We have continued our work to drive transparency in terms of NHS spending and provision for children and advocate for children's mental health to be a priority locally and nationally.
- 3.4.57 The Children's Commissioner's Office fourth annual report on the state of children's mental health services in England was published in January 2021. The analysis examined the progress that has been made over the past five years as well as looking at the impact the Covid-19 crisis has had on children's mental health. It found that while there has been an expansion of children's mental health services over the past four years, such was the poor starting point that services are still nowhere near meeting the needs of many hundreds of thousands of children. The report argued that this is because of a lack of ambition in improving children's mental health services, despite numerous Government announcements on children's mental health.
- 3.4.58 The main positive from the analysis is that some individual local areas are improving above and beyond what central Government has expected of them, and delivering vastly improved services for children. The data in the report largely covered the period up to end of March 2020, showing a system without the necessary capacity or flexibility to respond to the pandemic, which has been such a seismic event in the lives of children. The major disruption to two years of education, alongside the limited opportunities to see friends and wider families, to play and enjoy activities and the worry about the impact of Covid-19 on their families, has taken a heavy toll on some children. The report shows how even before this crisis, children's mental health services were far from meeting the existing level of need. In the year before the pandemic, referrals to children's mental health services increased by 35% while the number of children accessing treatment increased by just 4%.
- 3.4.59 A large study, undertaken by the NHS in July 2020, found that clinically significant mental health conditions amongst children had risen by 50% compared to three years earlier. A staggering 1 in 6 children now have a probable mental health condition. We do not yet know if this spike will be permanent, but it is highly likely that the level of underlying mental health problems will remain significantly higher as a result of the pandemic. There had already been a spike in referrals to NHS services during Autumn 2020.
- 3.4.60 In the report, the Children's Commissioner called for the Government to raise

its ambition significantly to deliver a wholesale change in the way we provide children's mental health services. The report says the work that has been undertaken over the past five years paves the way – in particular the creation of Mental Health Support Teams which provide a model of integrated mental health care across schools and the NHS. One positive development from the Covid-19 crisis is that it has shown that some of these services can be provided digitally. The report also warned that the Government's current plan to roll out NHS-led counselling in schools to 20-25% of areas by 2023 is not ambitious enough, particularly following the Coronavirus pandemic, and repeated calls for an NHS-funded counsellor for every school as quickly as possible.

- 3.4.61 The substantive findings for this report were based on detailed examination of the data on children's mental health for 2019/2020. It showed access to children's mental health services is still not adequate. 4% of children accessed mental health services in 2019/20 - equivalent to about 1 in 3 children who needed mental health services (based on 2017 estimates of need); or 1 in 4, based on 2020 estimates of need mention above. Those that do access services often have to wait weeks or months for treatment. Last year only 20% of children referred to services started treatment within 4 weeks.

- 3.4.62 The report showed how access is improving, but not as quickly as we would expect. The number and rate of children referred to NHS mental health services has continued to increase. In 2019/20, 538,564 children were referred for help, an increase of 35% on 2018/19, and nearly 60% on 2017/18. The numbers getting treatment are also increasing but at a much slower rate. In 2019/20, 391,940 children received treatment. This number is up only 4% on the previous year. Spending on children's mental health is slowly increasing but highly variable and still inadequate. The biggest constraint on improvements appears to be spending decisions made locally and nationally. On average, local CCG areas spend less than 1% of their overall budget on children's mental health and 14 times more on adult mental health services than on services for children. However, some local areas are spending considerably more, and have, accordingly much better mental health services.

- 3.4.63 There is a postcode lottery around what local areas spend, waiting times for treatment, access to treatment and how many children are referred to services and go on to receive support. 70 local areas in England close 30% or more of their cases before children access support – in Herefordshire, this rises to 48% of cases.

- 3.4.64 Our report, 'Best Beginnings' looking at the provision of early years services for children across the country, published in July 2020, described a system that is disjointed and often failing to target those disadvantaged children with development problems who most need early help. With thousands of nurseries under financial pressure due to the Covid-19 pandemic, the report argues that an overhaul of the early years system in England is more urgent than ever.

- 3.4.65 The report detailed how too many children, particularly those growing up in disadvantaged families, are already behind by the time they start formal education. Last year, 29% of five-year-olds in England were not at the expected level of development by the time they started school, including 45% of children receiving Free School Meals. In Middlesbrough, 38% of children are not achieving the expected level of development aged 5, while in Dudley and Sandwell it is 35% of children. The report sets out how starting school behind can undermine children's life chances and analyses all children in England who had not met the expected level on half of their early learning goals at age 5, tracking them through to the end of primary school. The report found that that these children were five times as likely to end up being excluded by age 10, twice as likely to have had contact with children's social care by age 11, three times more likely to be struggling with reading at age 11, and four times more likely to be struggling with writing at age 11. These children are more likely to leave school with no GCSEs and more likely to suffer some form of mental ill health, as well as being more likely to be obese.
- 3.4.66 The report calls for a new 'Best Beginnings' early years investment plan, ranging from Children and Family hubs to midwives and health visitors, to tackle these problems at the beginning of a child's life rather than waiting until crises develop in later years. While some foundations of an excellent early years service are already in place, the Children's Commissioner urges the Government to bring together and turbocharge these services into one system which provides first class provision that works for families and ensures that all children, including the most disadvantaged, get the best possible start in life.
- 3.4.67 The report makes a number of recommendations, including an emergency recovery package for the childcare providers, an expanded offer of 30 hours free childcare and early education for all children aged two, three and four, and 15 free hours for all one-year-olds, a cross-government 'Best Beginnings' strategy led by a Cabinet Minister for the Early Years, a Family Guarantee of support for under-fives and their families delivered by health visitors, early help and Troubled Families workers, family nurses or family support workers based in Family Hubs, and a national infrastructure of Children and Family Hubs. The report also calls for a Government review of early education and childcare funding to ensure it is working as effectively as possible to help children and families who need it most, a single system for supporting families with early years education and childcare, with fees charged in relation to families' incomes as they are in Sweden and Norway, and a national workforce strategy for the early years, focusing on staffing across existing health, local government and early years settings.
- 3.4.68 The Children's Commissioner has continued to campaign against the blight of child poverty, a long-standing problem which looks set to worsen as a result of the economic consequences of the Covid-19 pandemic. In 2010/11, there were 3.6 million children living in relative poverty in the UK after housing costs. By the start of 2014/15, the number had risen to 3.9 million,

rising to 4.2 million or 30% of children by 2018/19. By the end of this Parliament, even with a strong economic recovery, one in three children will be living in relative poverty – a level not seen since the 1990s. The Children’s Commissioner argued for a long term strategy to cut child poverty and in January 2021, published a collection of essays from a cross-party collection of politicians and campaigners, including Robert Halfon MP, Chair of the Education Select Committee, DWP Select Committee Chair Stephen Timms MP, Legatum Institute Director Baroness Philippa Stroud, former Prime Minister Tony Blair, Helen Barnard of the Joseph Rowntree Foundation and Oasis Charitable Trust founder Steve Chalke setting out practical solutions.

- 3.4.69 While growing up in poverty doesn’t necessarily mean an unhappy childhood, it can make life a lot harder. In a survey carried out in 2020 by the Children’s Commissioner, one in five children listed “not having enough money” as one of their top three worries. 5% listed “not having enough food or clothes”. At every stage of education, poorer children do worse than their more affluent peers. As a result, they are more likely to enter adulthood with fewer opportunities. Previous Children’s Commissioner’s Office research shows that children on Free School Meals (FSM) are more than twice as likely as their peers to leave education without a Level 2 Qualification (5 GCSEs, a technical equivalent or an apprenticeship). For the first time in decades, the disadvantage gap between children in poverty and their peers during school has increased, while the disadvantage gap at age 19 has been increasing for several years. The Children’s Commissioner urged the Government to keep the £20 a week Universal Credit uplift introduced by the Chancellor at the start of the Covid-19 crisis and to make child poverty one of the major political, economic and social challenges facing the country. In the March 2021 Budget, the Government confirmed the uplift will be in place until at least September 2021.
- 3.4.70 Our work on children growing up in the digital age has exposed the gulf between children’s experiences online and the protections and preparation in place for them. The Children’s Commissioner’s Office has made protecting and empowering children online and holding social media companies to account one of its priorities. We are pleased the Government has finally confirmed its plans to introduce a new ‘duty of care’, which the Children’s Commissioner has been calling for over the last few years. The signs are this legislation will have teeth, including strong sanctions for companies found to be in breach of their duties. However, much will rest on the detail and the Children’s Commissioner has called for the Bill to be passed into law as quickly as possible so all children can enjoy the benefits of the online world, while being kept safe from harm.
- 3.4.71 In December, we published a report, “Access Denied: How end to end encryption threatens children’s safety online”, looking at children’s use of private messaging services like WhatsApp and Facebook Messenger. The study suggested that millions of children in England are using messaging platforms that they are not old enough to be accessing. The report came following announcements by Facebook, and indications by other platforms

such as Snap that they plan to apply end-to-end encryption to all their messaging services.

- 3.4.72 The report included a survey revealing the extent of children's use of messaging services, including by children much younger than the minimum age requirement. It showed nine out of ten children aged between 8-17 are using messenger services, 60% of 8-year-olds and 90% of 12-year-olds reported using a messaging app with an age restriction of 13 or older and almost one in ten children reported using a messaging service to talk to people they don't already know. One in six girls aged 14-17 reported having received something distressing from a stranger via a private message and 1 in 20 children said they have shared videos or photos of themselves with strangers. Over a third of 8-10-year-olds and over half of 11-13-year olds admitted that they have said they were older than they were in order to sign up to an online messaging service.
- 3.4.73 The report warned that the privacy of direct messaging platforms can conceal some of the most serious crimes against children, including grooming, exploitation and the sharing of child sexual abuse material, and that end to end encryption makes it impossible for the platform itself to read the contents of messages, risking preventing police and prosecutors from gathering the evidence they need to prosecute perpetrators of child sexual exploitation and abuse.
- 3.4.74 The Children's Commissioner's survey found that WhatsApp – the end-to-end encrypted service owned by Facebook – is the most popular messaging app among all age groups, used by 62% of children surveyed. Chat services attached to large social media sites, such as Snapchat, Instagram, Facebook and TikTok, are also popular, particularly among teenagers. None are yet end-to-end encrypted by default but all – with the exception of TikTok – have made public their plans to do so in the near future or suggested that they are looking into it. All have age limits which children routinely ignore, and which platforms do little to meaningfully enforce.
- 3.4.75 The report made a series of recommendations, including arguing that new legislation should set a strong expectation on platforms to age verify their users and allow for strong sanctions against companies that breach their duty of care. This should include GDPR-style fines and a requirement to issue notifications to users when tech firms are found to be in breach of their duty of care. It should also bring the full range of services used by children in scope – including social media, messaging services (end-to-end encrypted or not) gaming platforms, and more. The report also recommended the Government should ensure that if tech giants are unable to demonstrate that new features they introduce will not put younger users at heightened risk of harm, the feature should not be implemented. It called for tech giants not to apply end to end encryption to children's accounts if doing so reduces children's safety, and called for better mechanisms for proactively monitoring their platforms for child sexual exploitation. Platforms which fail to meet these tests should be judged to have breached their duty of care.

3.4.76 In October 2019, we published our report ‘Gaming the system’, which shone a light on the range of ways in which children spend money in online games. Our research found that some children are spending significant amounts of money trying to win items through loot boxes, with little chance of reward, and that they sometimes felt that their spending was out of control. We are pleased that the Government has pledged to review the Gambling Act, “with a particular focus on tackling issues around loot boxes and credit card misuse”, and in November 2020 we submitted a briefing as evidence to the Government’s consultation on loot boxes in video games.

Strategic Objective: Children in Care

3.4.77 The Children’s Commissioner has a particular responsibility to children in the care system and we regularly visit and speak with children growing up in care. The care system works for many children, who grow up in happy and loving foster or care homes. However, there remain serious problems in the system and there are still too many children in care who are being failed. That is why before the 2019 General Election, the Children’s Commissioner persuaded both of the two main parties to include a manifesto commitment to set up a wide-ranging independent review of the care system. We are pleased that the Government launched the review in January 2021, and we will be making our own contributions to it, building on the work.

3.4.78 In November 2020, the Children’s Commissioner’s Office published a series of reports showing how the children’s residential social care system is broken and is failing many of the most vulnerable children, in particular those who are most at risk of falling through gaps in the system and becoming victims of criminal or sexual exploitation.

3.4.79 Our report ‘The children who no one knows what to do with’, was the culmination of three years of wide-ranging research into children’s homes. It highlighted the issues faced by certain groups of children in care for whom the system is not working, including the 8,000 children who have three different homes within a single year; the 13,000 children who end up in unregulated homes at some point during the year; and the hundreds of children who need a place in a secure children’s home but cannot get one anywhere in England. The report detailed the experiences of these children, including constant moves. One teenager talked of being placed 8 hours journey time from her hometown and not seeing her Mum for months. Other children said they felt “dumped” in areas they had never heard of and could not identify on a map, only to then be isolated at home for months waiting for a school place.

3.4.80 Our report ‘Private provision in children’s social care’ explored the growth of private companies providing foster placements and children’s homes. It warned there is a clear lack of planning and oversight for the market, leading to an increasingly fragmented, uncoordinated and irrational market. Private provision accounts for 73% of the growth in the number of children in care between 2011 and 2019. The number of children in homes provided by the private sector has grown by 42% over this period whereas local authority

provision has not kept pace and has actually shrunk in some areas.

- 3.4.81 The Children's Commissioner argued that the responsibility for making the system work has fallen through the cracks: the growth in private provision may not have been a deliberate policy choice but it is a consequence of government inaction along with the options and funding available to local authorities. The report also found that certain large providers are seeing a profit margin of around 17% on fees from local authorities, which can amount to over £200 million a year in total. It looked at how the companies providing these services are increasingly being owned by private equity firms and raises questions about the way some large private providers are financed, with high levels of debt that could potentially create instability in future. It also showed how opaque the system has become, with detailed and complex investigation needed to understand the ownership, accountability, profits, costs, and prices of different providers – and the situation is changing rapidly.
- 3.4.82 As part of this research, the Children's Commissioner's Office spoke to children in care and care leavers about their experiences of the care they received from providers. Most were not concerned by who owned their care home, but they did care deeply about the care they receive and the people who give it.
- 3.4.83 The report showed that differences in the quality of care – as measured by Ofsted ratings – between local authorities and large private providers are generally small, but smaller private providers are more likely to have worse Ofsted ratings than large private providers. At the same time, however, the majority of children's homes are rated "Good" or "Outstanding", regardless of whether they are run by local authorities or the private sector.
- 3.4.84 In November, the Children's Commissioner also published the 2020 Stability Index, the Office's fourth annual study of the instability that children in care experience. This year's update showed that 1 in 10 children in care moved home at least twice in 2018/19, while 1 in 4 moved home at least twice in two years. It also showed just over 11% of children care enrolled at school in 2019 had a change of school during the school year. These rates have generally not improved since 2015/16. The Stability Index also showed how 6,500 children in care had three or more home moves over the last two years, meaning they had at least four separate homes to live in over two years. It showed how older children are more likely to experience multiple home moves and how rates are highest amongst 12-15-year-olds who have recently entered care. Almost 1 in 5 of this group moved home two or more times in 2018/19.
- 3.4.85 This year, the Children's Commissioner made a number of recommendations to improve the provision of children's social care in England, including that local authorities should prioritise using their capital budgets to increase their children's home capacity, and that they should also collaborate more in terms of commissioning, making better use of their power as purchasers to shape the market. The Commissioner also called for a strategy to improve

capacity, stability, quality and costs in residential care, following from previous reports on these issues from the Children's Commissioner, the National Audit Office, the Public Accounts Committee, and the Housing, Communities and Local Government Select Committee. The Commissioner argued a central body (whether DfE, Ofsted or a new regulator) should be responsible for assessing current and future levels of demand for care provision, both locally and nationally. It should also be charged with monitoring what provision is in place, to provide oversight and assurance that the right provision is available in the right areas at the right price. If additional funding is needed to ensure this, then this body should determine how much and ensure that government provides it.

- 3.4.86 Last year the Children's Commissioner called on the Government to change the law to stop councils placing under 18s in care in unregulated accommodation. This change would see all children in care who need a residential placement housed in accommodation regulated under the same standards as children's homes and would put an end to 16 and 17 year old children being placed in bedsits, hostels, caravans and other unsuitable accommodation.
- 3.4.87 The call came alongside the publication of the Children's Commissioner's report, 'Unregulated: Children in care living in semi-independent accommodation', which showed how thousands of children in care are living in dangerous or unsuitable unregulated accommodation. These settings are not inspected and children living there often go without regular support from adults. The accommodation can range from a flat to a hostel or bedsit or even caravans or tents. These looked after children are entitled to support but not care and as a result are often left to fend for themselves, with minimal support, for all but a few hours a week.
- 3.4.88 Analysis by the Children's Commissioner in the report, revealed that one in eight children in care spent some time in an unregulated placement in 2018-19 – a number that has increased due to a lack of capacity in children's homes. While we did hear from children about high quality settings and good support from staff, we also heard shocking stories including from children with mental health, self-harm or drug abuse issues, who became victims of exploitation and abuse while living in unregulated accommodation. Many providers of this accommodation are making extraordinary profits, with local authorities paying thousands of pounds a week to private providers who then provide poor quality accommodation and little support. While the Government does support and has plans to introduce a ban on under-16s in unregulated accommodation, the Children's Commissioner does not believe this goes far enough.
- 3.4.89 Our Help at Hand service continues to provide advice and representation primarily for children and young people living away from home. It supports, advises and makes representations on behalf of children who are in care, or are care leavers, or are otherwise working with local authority children's services, or are living away from home in some other provision such as residential school, hospital or youth custody.

- 3.4.90 The primary purpose of Help at Hand is to ensure that all decisions and plans made for children living away from their families are made taking their views and wishes into account and are in their best interests, whilst also ensuring their rights are maintained. This service seeks to resolve issues co-operatively with those responsible for children's care and well-being, ensuring the children's views are listened to and their legal rights adhered to. However, where authorities are not responsive or are not ensuring children's rights and entitlements are adhered to, matters are sometimes escalated to Director level and in more serious circumstances shared with Ofsted or the relevant regulator.
- 3.4.91 Some of the examples of children in care and care leavers who contacted Help at Hand, shed light on the complications for children who live apart from their families and who rely on state support running smoothly to live their everyday lives.
- 3.4.92 The lockdowns have meant many families have been unable to see their children in-person. "James" was living in a specialist children's home due to his disability, under a voluntary care order. Before Covid-19 he was having overnight contact with his family every other weekend and for half of the school holidays. During the lockdown he was not allowed home and could only see his family over Skype. This was really distressing for James and staff saw his behaviour change as his family time was withdrawn. "Adam" was receiving palliative care in a specialist children's home when the lockdown happened. His parents wished to see him on his birthday, especially as they feared this could be his last. The home said this was not possible and had not been open to solutions like his parents wearing PPE or only seeing Adam outside in the garden. "Claire" is 2 years old and was living in a kinship placement. Before Covid-19 she was seeing her parents four times per week but we heard that this was stopped when lockdown started. Claire's parents were told they would have to see Claire via video calls instead, even though Claire was too young to properly engage using this technology.
- 3.4.93 In stark contrast, other children with special educational needs and disabilities were spending all their time at home with families, which presented different challenges. Several families whose children have Education, Health and Care Plans (EHCPs) have reached out to Help at Hand. "Danny" has multiple learning and physical disabilities. His parents have other children to care for too. His school was open but said they did not have the capacity to have him. His parents contacted Help at Hand as they were struggling to keep him safe at home. "Eli" has severe autism. He had been excluded from school just before Covid-19. His mother was having difficulty finding carers to come into the home and managing Eli's behaviour with the restrictions on play outside. She was under severe strain caring for him at home when she made contact with our service.
- 3.4.94 Over the lockdown Help at Hand heard from children who were living in secure homes. This period was especially hard for these children who

already have so many curbs on their freedom. They too had to manage without family visits or fun visits from professionals such as beauticians or entertainers. Children in these homes were especially frustrated by national guidance which required them to isolate in their bedrooms for 14 days when they moved to a secure home, even if they had tested negative for Covid-19. Some children told us they were not getting any fresh air outside during this fortnight and this was affecting their mental health.

- 3.4.95 Help at Hand intervened in all of the above cases to challenge certain decisions and secure better support and outcomes for the children and young people involved. The Children's Commissioner continues to raise issues with the Government and other bodies to bring about changes in policy. The Commissioner's Office was successful in protecting statutory duties towards care leavers and in making adopted children eligible to attend school. The Government also exempted children with SEND from the restrictions on time outside the home, based on cases which were raised with them.

- 3.4.96 From January to December 2020, the Help at Hand service received 966 enquiries, the majority of which concerned children in care and care leavers. The issues raised by these children and young people were disparate and varied but included being forced to move from a happy foster home, being restrained inappropriately while in care, feeling isolated in mental health hospital or secure children's homes, not having enough information about their rights, or being faced with homelessness. Some of these problems had been further exacerbated by the pandemic.

- 3.4.97 Our Help at Hand advisers work hard to get the right outcomes for children and young people who make contact. In 2020, the team were able to completely or partially resolve the problem in 8 out of 10 cases they took up. Among many positive outcomes, they ensured that children and care leavers received the resources they were entitled to (such as allowances or laptops), prevented children from being moved from their foster home against their wishes, made sure children were given accommodation when they were at risk of being homeless, and helped young people in custody to get the right support to make a fresh start back in the community. The team also worked proactively with many local authorities and health services to improve the health and educational provision for children in need, and made sure that children and care leavers were given access to independent advocacy, so their wishes and feelings were clearly represented in decisions being made about them. The experiences of children who call the Help at Hand team inform the priorities for the research and policy work of the Children's Commissioner's Office. While responding to individual cases, the Office also identifies where difficulties and trends indicate there is a systemic issue which needs to be addressed. These are reflected in ongoing investigations, policy work and recommendations to improve the experience of children living away from home.

- 3.4.98 IMO – In My Opinion – is our digital network for children in care. A peer-led web platform which serves as a virtual meeting point for children in the care

system and care leavers. We share stories, experiences and advice directly from young people with care experience in the form of blogs, videos and animations, to change the narrative of the UK care system. IMO aims to challenge negative perceptions of the care system and offer a fresh perspective on the often-hidden experiences of those who exist within it. Launched in 2018, the digital platform which receives 33,000 unique page views annually, social media channels with a combined following of 3,586 users, and a podcast series which has been listened to over 5,600 times.

- 3.4.99 Last year we launched the IMO podcast, featuring open and honest conversations with care leavers from across the country. Two series' later, we have had the privilege of giving eleven brilliant care-experienced guests the space to tell their stories on their terms, but also we won Gold at the European Lovie Awards for best interview/talk show podcast. The Lovie Awards honour the best and brightest of the European internet, and we are thrilled to have won this award.
- 3.4.100 The people we interview are the heart and soul of the IMO podcast, and we are grateful to and proud of every single one of them for telling their stories. In series one we spoke to Ella who talked about the criminalisation of young people in care, Ryan who talked about reading his files, Nathaniel and Victoria who told us about sibling contact, Rhianna who spoke about being a child with HIV in England and Steven, who is training to be a social worker. In series two we heard from Louise about mental health and post graduate support, Charlotte who talks about moving into semi-independence, and Max and Brandon on their life in a children's home. We also recorded a lockdown special with Zara about her experience of starting university in the midst of a global pandemic.

United Nations Convention on the Rights of the Child

- 3.4.101 Every five years, the United Nations Committee on the Rights of the Child examines the whole UK on how well it is meeting its promises under the UN Convention on the Rights of the Child (UNCRC). In December 2020, along with the Children's Commissioners of Northern Ireland, Scotland and Wales, the Children's Commissioner for England published a series of reports to be submitted to the Committee. They assess how the UK Government and devolved administrations have progressed towards giving every child the opportunities and protections enshrined in the UNCRC. The "Report of the Children's Commissioners of the United Kingdom of Great Britain and Northern Ireland to the United Nations Committee on the Rights of the Child", included a "Covid annex", and identified emerging trends and key issues regarding children's human rights in the UK. Some of these draw on previous concluding observations while others reflect worrying trends caused by the UK's departure from the European Union (Brexit) and the Covid-19 pandemic.
- 3.4.102 The report "Are we there yet?" was based on engagement with children and young people in all four nations, and it aimed to provide the Committee with children and young people's voices about their experiences on the delivery of

their rights. A summary report was published alongside it.

- 3.4.103 In the reports, the four UK Children's Commissioners called on the UK Government and its devolved governments to address the systemic disadvantages facing children and young people across the nations. The Commissioners concluded that the Covid-19 pandemic has amplified the systemic disadvantages faced by thousands, and identify services that have been critically affected. Within the report they called for a 'no wrong door' approach to mental health services, where no child or young person who needs help is turned away without any support. The report also called on the four nations to focus on lifting many more out of poverty through the reversal of the most damaging aspects of welfare reform measures, and through clear and immediate action plans for ending child poverty. Before the pandemic, there were some positive developments for children in England."
- 3.4.104 All four UK Children's Commissioners concluded each nation should incorporate the United Nations Convention on the Rights of the Child into their domestic laws. This would create a systematic way of working across the UK, ensure an end to the persistent disadvantages faced by some of our more vulnerable children and young people and ultimately improve their lives.
- 3.4.105 The Children's Commissioner for England continues to meet, speak and work regularly with the other Children's Commissioner in Britain, including regular British and Irish Network of Ombudsman and Children's Commissioners (BINOCC) meetings which help the Commissioners to update each other on ongoing work and to discuss issues affecting children's rights. The Children's Commissioner and her team also attend meetings of the European Network of Ombudpersons for Children (ENOC) and speak with other Children's Commissioner's around the world, sharing best practice and hearing about the experiences of children living in other countries.
- 3.4.106 In November 2020, the Court of Appeal ruled that the Government should have consulted with the Children's Commissioner and other organisations representing children about changes affecting children. The Children's Commissioner welcomed this judgement, and believes it reflected a systemic issue within the Department for Education's approach to understanding the needs of children within children's social care. This is an issue that the Children's Commissioner and other institutions, including the National Audit Office (NAO), have raised in the past. Any decision to remove the rights of those dependent on the state must be informed by an understanding of how little power children have in the system. The Children's Commissioner has argued that the DfE has historically not engaged proactively enough with children, including during the Covid-19 crisis, and its policy makers do not always fully comprehend how often children's experience is of being at odds with the state caring for them. This approach also undermines the history of children's rights legislation in England, on which the whole Children Act is based. The UNCRC, which the DfE is committed to upholding, demands that those making decisions about children hear from them directly when making these decisions.

3.5. Performance Analysis

- 3.5.1. The Children's Commissioner is a unique statutory role with an extremely wide remit and many demands on our resources. This report sets out the impact we are having on children across all areas of statutory responsibility. Working with Parliamentarians to bring about policy changes that reduce risk for children and do more to champion early help for those who need it, remains a crucial objective for this office. We intervene regularly to help individual children, but also strategically to highlight where there are gaps in the system where children are being failed by those with power over their lives. An overview of our performance in the four main areas of work follows.

Invisible Children

- 3.5.2 The Coronavirus pandemic has increased the risk factors for vulnerable children slipping under the radar, with support services either closing or operating remotely, and children having spent so much time out of school. It has, however, shone a spotlight on this group of children, which existed long before the covid crisis. Our research highlighting the needs of vulnerable children helped to increase this profile, and our CHILDRN local area profiles have provided key information to national and local partners about childhood vulnerability at a local level. For example, the House of Lords Public Services Committee has recently launched an inquiry into childhood vulnerability. The Department for Education has also worked with local authorities and schools to prioritise places for vulnerable children during the pandemic and vulnerability was acknowledged as a reason why schools should be the first to open and the last to close in any national lockdown.

Children Behind Closed Doors

- 3.5.3 The Office's research highlighting the experiences of children in secure settings, and deprived of their liberty elsewhere, has also helped to raise the profile of this group of children at a national and local level. NHS England launched an independent taskforce to improve inpatient treatment for children and young people and invited Anne Longfield, then Commissioner, to chair it as a result of the focus and attention the Office has given to this issue.
- 3.5.4 Our research on children's experiences of the justice system has been cited in a subsequent Justice Select Committee report, and we intervened in a Supreme Court case on deprivation of liberty in non-secure settings.

Children's Wellbeing

- 3.5.5 Our report into the Early Years aimed to outline a strategy for the first years of life that could be adopted by Government. It was referenced by the Andrea Leadsom review, which adopted a number of our proposals. We have

continued to publish our annual briefing on children's mental health care, which is regularly cited in research by other organisations, and welcomed the subsequent announcement of additional funding for children's mental health.

- 3.5.6 This year, we also highlighted the impact of encrypted messaging on risks to children online, and welcomed the long awaited online harms legislation and the introduction of an age appropriate design code for social media, both measures which we have called for over recent years.

Children in Care

- 3.5.7 The children's social care review is an opportunity to address some of the longstanding problems in children's social care, including disinvestment in early help services and the fragmented nature of the residential care system. Our research on children in care over recent years, such as on children living away from home, and on private provision, has been submitted to the review. We also highlighted the poor quality of care experienced by many children in unregulated accommodation. We welcomed the subsequent ban on this accommodation for under 16s and the introduction of national standards for these services. We will continue to push to ensure that these standards are as high as possible, in line with our recommendation that all children should receive care until the age of 18.

Non-Financial Matters

Social matters

- 3.5.8 The Equality and Diversity Policy sets out the Children's Commissioner's commitment to create an environment in which individual differences and the contributions of all staff are recognised and valued. Every employee is entitled to a working environment that promotes dignity and respect to all; no form of intimidation, bullying or harassment is tolerated. Training, development and progression opportunities are made available to all staff.

Respect for human rights

- 3.5.9 Under the Equality Act 2010, the Children's Commissioner encourages and supports the development of a society in which:
- people's ability to achieve their potential is not limited by prejudice or discrimination;
 - there is respect for and protection of each individual's human rights;
 - there is respect for the dignity and worth of each individual;
 - each individual has an equal opportunity to participate in society; and
 - there is mutual respect between groups based on understanding, valuing diversity and shared respect for equality and human rights.

Anti-corruption and anti-bribery matters

- 3.5.10 The Children's Commissioner is committed to conducting its affairs in an ethical and honest manner and to implementing and enforcing systems that ensure bribery is prevented.
- 3.5.11 The Children's Commissioner has zero-tolerance for bribery and corrupt activities. We are committed to acting professionally, fairly and with integrity in all business dealings and relationships.
- 3.5.12 The Children's Commissioner will constantly uphold all laws relating to anti-bribery and corruption. The Children's Commissioner is bound by the laws of the UK, including the Bribery Act 2010.

Sustainability

- 3.5.13 The Children's Commissioner occupies office space in Sanctuary Buildings, Westminster with shared service agreements for ICT and premises that support best practice on sustainability. The Children's Commissioner promotes smart working practices throughout the office to reduce paper and other resource use, including travel and waste. Since March 2020 staff have been largely working from home in line with government Covid-19 guidance.
- 3.5.14 The Children's Commissioner implemented her Business Continuity plan since March 2020, in response to the coronavirus emergency, instructing her staff to work from home. Additional use of technology has enabled staff to work effectively and productively. Post Covid-19 working practices will remain under review to ensure the organisation can retain smarter working practices that enhance business delivery and support sustainability.

Financial review

- 3.5.15 The Children's Commissioner operates within the budget resource allocated by the sponsor department. As Accounting Officer, the Commissioner is responsible for the efficient and effective delivery of the budget within the budgetary controls as delegated by the Department. The Children's Commissioner can confirm that expenditure during 2020-21 was delivered within these controls.
- 3.5.16 The financial statements for the period to 31 March 2021 are set out on page 67 onwards. The notes contained within these accounts also form an integral part of the accounts. In 2020-21, the budget for the year was £2.527m, comprising £2.484m cash budgets and £43k additional non-cash depreciation budget (£2.764m in 2019-20, of which £2.729m cash budget and £35k non-cash depreciation budget). Note that only drawn-down cash funds are shown in the SoCTE. In 2020-21 the net expenditure was £2.501m (£2.634m in 2019-20). Details of expenditure can be found in the notes to the accounts.

3.5.17 Throughout the year the Commissioner actively managed her budget in order to achieve effective operation and value for money.

Auditing of Accounts

3.5.18 The external audit is carried out by the Comptroller and Auditor General, who is required to examine, certify and report on the annual financial statements in readiness for their laying before the Houses of Parliament. The external auditor's remuneration for the audit of the 2020-21 financial statements was £33,600 (£33,600 for 2019-20).

A handwritten signature in black ink, appearing to read 'R. de Souza'.

Rachel de Souza DBE
Children's Commissioner for England

5 July 2021

4. The Accountability Report

4.1. Corporate Governance Report

4.1.1 Director's Report

Introduction

4.1.2 Governance is through a number of groups who advise, scrutinise and challenge the Commissioner:

- **Advisory Board**
Leading figures and experts in areas of priorities provide advice to the Children's Commissioner;
- **Specialist advisory groups**
Specialist experts and practitioners support our work and programmes. This includes specialist children's groups;
- **Audit and Risk Committee**
The Audit and Risk Committee (ARC) is responsible for providing independent assurance and objective review of financial systems, financial information, information data security, risk management, governance arrangements and internal control mechanisms;
- **Remuneration Committee**
The Remuneration Committee provides a means of independent assurance and objective review of remuneration systems;
- **Internal Audit**
The Internal Auditors assist the organisation to achieve effective and efficient governance, risk and control processes. These are linked to strategic objectives and financial and management reporting objectives to support the delivery of the Business Plan;
- **Senior Management Team**
The Senior Management Team supports the Children's Commissioner with both strategic and operational duties. They assist with the identification, development and implementation of strategic priorities in the form of a five-year strategic plan and an annual business plan.

4.1.3 There are a wide range of stakeholders with whom the Children's Commissioner works in order to further children's outcomes. This includes children's groups and professionals, parliamentarians, government officials, charities, parents and community groups and, of course, children and young people themselves.

4.1.4 Further information about the Office's governance arrangements can be

found in the Accounting Officer's governance statement on pages 41 to 49.

Registration of Interests

- 4.1.5 The Office of the Children's Commissioner keeps a record of all staff, Audit and Risk Committee and Advisory Group members' interests, which is updated annually and published on the Children's Commissioner's website at:

<http://www.childrenscommissioner.gov.uk/publications/registration-interestssenior-staff-and-members-audit-and-risk-committee-and-advisory>

Corporate governance

- 4.1.6 Information about the Office of the Children's Commissioner's corporate governance structure can be found in the Performance section of this report.

Personal Data Incidents

- 4.1.7 In 2020-21 my Office had one protected personal data related incident which was judged significant enough to be formally reported to the Information Commissioner's Office, no further actions were required.

Complaints

- 4.1.8 The Office of the Children's Commissioner takes complaints seriously and welcomes comments regarding performance and suggestions for improvements.
- 4.1.9 Information regarding the Office of the Children's Commissioner's complaints procedure can be found on the Children's Commissioner's website at:

<https://www.childrenscommissioner.gov.uk/report/complaints-procedure/>

Donations

- 4.1.10 In 2020-21 there were no political donations made to or from the Office of the Children's Commissioner. No further charitable donations in kind of goods and services were made to the IMO hub. This aspect of the project has been discontinued now that the website is well established, and the intention is to distribute the remaining stock appropriately without seeking any further donations.

4.2. Statement of the Accounting Officer's and Children's Commissioner's Responsibilities

- 4.2.1 Under the Children Act 2004, Schedule 1, Clause 8, HM Treasury has directed the Children's Commissioner to prepare for each financial year, a statement of accounts and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Office of the Children's Commissioner and of its income and expenditure, Statement of Financial Position and cash flows for the financial year.
- 4.2.2 In preparing the accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual (FReM) and in particular to:
- observe the Accounts Direction issued by HM Treasury, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
 - make judgements and estimates on a reasonable basis;
 - state whether applicable accounting standards as set out in the FReM have been followed, and disclose and explain any material departures in the accounts;
 - prepare the accounts on a going concern basis; and
 - confirm that the Annual Report and Accounts as a whole is fair, balanced and understandable and take personal responsibility for the Annual Report and Accounts and the judgement required for determining that it is fair, balanced and understandable.
- 4.2.3 The Permanent Secretary as Principal Accounting Officer of the Department for Education has designated the Children's Commissioner as Accounting Officer of the Office of the Children's Commissioner. The responsibilities of an Accounting Officer, including responsibility for the propriety and regulatory of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Office of the Children's Commissioner's assets, are set out in Managing Public Money published by HM Treasury.
- 4.2.4 As the Children's Commissioner, I can confirm that:
- There is no relevant audit information of which the auditor is unaware;
 - I have taken all the steps that I ought to in order to ensure that I am aware of relevant audit information;
 - I have taken all the steps that I ought to in order to establish that the Office of the Children's Commissioner's auditor is aware of the information; and
 - The Annual Report and Accounts as a whole is fair, balanced and understandable and I take personal responsibility for the Annual Report and Accounts and the judgements required for doing so.

4.3. Governance Statement

Scope of Responsibility

- 4.3.1 As Children's Commissioner I am designated 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 my area of responsibility to support the achievement of my Office's policies, aims and objectives, whilst safeguarding public funds and the sponsoring department's assets.

Governance Framework

- 4.3.2 The framework document for my Office sets out the arrangements for the governance, accountability and operation of my Office. This has been agreed between the Department for Education and myself.

Governance

- 4.3.3 I confirm that I have reviewed the governance, internal control and risk management arrangements in operation within my area of responsibility. My review of the effectiveness of the system of internal control has been informed by senior managers within my office, who have responsibility for the development and maintenance of the internal control framework and supported by internal and external audits. The quality of data throughout the Governance structure is robust and regularly fed through appropriate channels assisting informed decision making and strategic planning. More detail is available in the following pages. I also confirm that governance arrangements are compliant with Department for Education and Cabinet Office requirements placed on NDPBs and are compliant with the UK Corporate Governance Code for Central Government. The key staff members involved in governance, control and risk management remained in post during the transition between Commissioners and ensured that robust processes were maintained. A succession plan monitored and managed the business planning cycle and governance processes during the transition. This was audited as part of our internal audit cycle and received substantial assurance. A large part of the Annual Report and Accounts process was completed early with established protocols and handover with the outgoing Commissioner. A full induction and briefing pack was provided and early meetings held with key employees prior to my arrival in post.

Advisory Board

- 4.3.4 Membership is at the formal invitation of the Children's Commissioner, with members being recruited through open competition. The term of office for members is three years. However, there may be occasions when a member's term of office can be extended. All members of the Advisory Board are required to declare any potential conflict of interest on appointment and at the beginning of each meeting they attend. The Register of Interests is reviewed on an annual basis.

4.3.5 The Advisory Board met four times during 2020-21; on 3 June 2020, 16 September 2020, 21 January 2021, and 23 March 2021, chaired by the Children's Commissioner, the attendance list below relates solely to this period. Four new members were recruited during the period.

4.3.6 The Advisory Board Terms of Reference and Member Register of Interests can be found on the Children's Commissioner website.

Advisory Board Attendance				
Name	Date of appointment	Term of Appointment	Term end date	Board attendance 2020-21
*Josh MacAlister	October 2017	Three years (extended by 3 months)	January 2021	3/3
*Rt. Hon Jacqui Smith	April 2018	Three years	February 2021	1/3
Sophie Humphreys OBE	September 2018	Three years	August 2021	4/4
Jackie Sebire	June 2020	Three years	May 2023	4/4
Nick Bent	June 2020	Three years	May 2023	4/4
Bernie Brown	June 2020	Three years	May 2023	4/4
Baroness Phillipa Stroud	October 2020	Three years	September 2023	1/2

*Members stepped down at end of term

Audit and Risk Committee

4.3.7 The Audit and Risk Committee (ARC) is responsible for providing scrutiny, challenge, advice, oversight and assurance to myself as Accounting Officer; acting in an advisory capacity to provide independent opinion and feedback on how well objectives are being met, good practice, risk management and control.

4.3.8 ARC agrees the content of the annual internal audit programme with senior managers and myself, and also oversees internal and external audit arrangements covering financial and non-financial systems. ARC receives the external auditor's planning report, audit completion report and management letter and also produces an Audit and Risk Committee Chair's Annual Report, summarising how the Committee has discharged its

responsibilities for the twelve month period to date. The report also sets out key issues arising.

- 4.3.9 ARC membership is at the formal invitation of the Children's Commissioner; with members being recruited through open competition. The term of office for members is three years. However, there may be occasions when a member's term of office can be extended. All members of ARC are required to declare any potential conflict of interest on appointment and at the beginning of each meeting they attend. The Register of Interests is reviewed on an annual basis. The Audit and Risk Committee Terms of Reference and member Register of Interests can be found on the Children's Commissioner website. During the reporting year 2020-21, no members declared any directorships or other significant interests that may have conflicted with their responsibilities.
- 4.3.10 ARC met five times during 2020-21; on 20 May 2020, 18 June 2020, 23 September 2020, 25 November 2020 and 24 February 2021. The attendance table below relates solely to this period. Two new members were recruited during the period.

Audit and Risk Committee Attendance				
Name	Date of appointment	Term of appointment	Term end date	Board attendance 2020-21
David Clarke (Chair)	October 2015	Three years (extended for a further four years)	September 2022	5/5
*Dr Susan Tranter	October 2015	Three years (extended for a further two years)	October 2020	3/3
Brian Tytherleigh	April 2016	Three years (extended for a further two years)	June 2021	5/5
James Norton	April 2016	Three years (extended for a further three years)	October 2022	5/5
*Owen Vallis	April 2016	Three years (extended for a further 18 months)	November 2020	4/4
Richard Smith	November 2020	Three years	November 2023	2/2
George Stylianides	November 2020	Three years	November 2023	2/2

*Member stepped down in 2020

4.3.11 When the Committee has five members, the meeting is quorate with three members present.

Senior Management Team

4.3.12 The Senior Management Team (SMT) meets monthly and supports me with the identification, development and implementation of my strategic priorities in the form of a five-year strategic plan and an annual strategic business plan. The remit of SMT is both strategic and operational and includes the following:

- strategic and operational policy;
- communications; and
- corporate planning and delivery

4.3.13 This includes business planning and performance measurement, national crisis and Covid-19 preparedness, financial management and budgetary control, human resources, risk management, internal audit, external audit, premises management, IT and systems, and information governance.

Senior Management Team Attendance			
Name	Position	Date of appointment	Attendance record
Anne Longfield*	Children's Commissioner	March 2015	11/11
Rachel de Souza**	Children's Commissioner	March 2021	1/1
Haroon Chowdry	Director of Evidence	October 2019	11/12
Alice Miles***	Director of Strategy and Policy	November 2016	12/12

*Anne Longfield's term of office ended on 28 February 2021

**Rachel de Souza commenced in post on 1 March 2021

***Alice Miles was seconded to Cabinet Office from 14 December 2020 to 14 March 2021 to assist with the COVID response, but continued to attend SMT meetings. This was the only secondment.

4.3.14 An extended Senior Management Team (ESMT) attended by Heads of Service meets bi-monthly to review and take forward delegated operational issues and reports back to SMT on outcomes.

4.3.15 In response to the Covid-19 emergency members of the ESMT joined SMT on daily calls to enable the organisation to respond agilely to emerging issues.

Internal Control

- 4.3.16 The following section of this statement describes the system of internal control in operation for the year. This has continued up to the date of approval of the Annual Report and Accounts, and accords with HM Treasury guidance.
- 4.3.17 Our internal controls accord with HM Treasury guidance and have been in place for the whole of 2020-21. We assess how the achievement of our policies, aims and objectives might be affected by the risks we face. We design a system of internal controls, which mitigate those risks. The system is not designed to eliminate risk but to strike an appropriate, proportionate balance between control, cost and level of risk tolerance.
- 4.3.18 The Senior Management Team and Audit and Risk Committee consider a number of sets of management data at each meeting. This includes monthly management accounts, performance and delivery indicators, Covid-19 response, risk management and communication and awareness data.
- 4.3.19 These matters are considered a key aspect of reporting to the Children's Commissioner and the Audit and Risk Committee. During 2020-21, the SMT continued to embed internal controls, ensure robust risk management and enhance data and cyber security, and GDPR policies.

Internal Audit

- 4.3.20 An internal audit function is provided by the Head of Internal Audit who delivers independent and objective assurance to me on the adequacy and effectiveness of my Office's framework of governance, risk management and control, by measuring and evaluating the Office's effectiveness in achieving its published objectives. A full audit plan was produced and delivered for 2020-21 and the following levels of assurance provided during the year, the Office of the Children's Commissioner has:
- Project Planning and Management, Delivery of IMO – Substantial
 - Preparedness for Handover to New Commissioner – Substantial
 - Key Financial Controls - Payroll – Substantial
 - Business Continuity Planning and Management – Substantial
- 4.3.21 The overall opinion of the Head of Internal Audit is that, for the areas reviewed during the year, the Office of the Children's Commissioner has adequate and effective management, control and governance processes in place.

Programme and Project Management

- 4.3.22 A project management framework is in place that supports and monitors the efficient planning, execution and control of projects. Resourcing and infrastructure was reviewed throughout the year, working flexibly to deliver

the core of our business plan while ensuring that children's rights and interests were upheld in the country's response to the virus. A project board reviews the risks and delivery of all projects and escalates matters of concern to the Senior Management Team. The SMT is responsible for ensuring effective project delivery and progress against milestones and budgets. This is reported at high level to the Audit and Risk Committee.

Financial Management

- 4.3.23 The Office has reviewed and further enhanced its financial processes, controls, risk management and fraud prevention measures so that propriety, regularity and value for money are achieved. The Senior Management Team receive and discuss monthly financial management reports and the Head of Finance provides financial management information for SMT and meets regularly with budget holders. I meet monthly with my finance and business leads to review and agree priorities. I am confident that my Office has clear lines of accountability for all programme and administrative expenditure.

Delivery Arrangements and Achievement against Business Plan

- 4.3.24 My Office has continued to develop the strategy for business planning and performance measurement. The strategy supports the identification of strategic priorities and the development of the annual business plan in response.
- 4.3.25 Before publishing my business plan, I consulted widely in line with the requirements set out in the Children Act 2004. Following consultation, I published my business plan, detailing proposed strategic priorities as part of that process. A three-month delay to the publication of the 2021-22 Business Plan was agreed with the Department for Education in the first year of my term of Office. The business plan was provided to the Department for Education for comment before being published on my website in June 2021.

I.T. Management and Data Safeguarding

- 4.3.26 Data is securely handled and safeguarded within my Office. General information systems are in place to meet internal and external standards and the needs of the business. Mandatory information assurance training is undertaken by all staff annually and adherence to policy is monitored. My Office had no protected personal data related incidents which were judged significant enough to be formally reported to the Information Commissioner's Office in 2020-21.
- 4.3.27 The Department for Education (DfE) provides my office with its IT services via a shared services agreement, and the IT network is subject to regular penetration tests and vulnerability scans. Our digital platforms and services adhere to the Government Digital Strategy. My Office has adopted DfE

procedures in the name of the Office of the Children's Commissioner which ensures adequate physical security to our premises. In March 2020 staff commenced working from home in response to Covid-19. Our Data Protection Policy and Secure Desk Policy set out the guidelines for how staff can work in a way which protects the information owned by my Office, particularly when working from home or remotely. All my staff have confirmed that they are complying with the relevant aspects of these policies.

People Management

- 4.3.28 Performance Management systems are in place. The performance of staff at all levels in my Office is satisfactorily appraised. For details of my Office's full time equivalent staffing level, please refer to the Staff Report within the Remuneration and Staff Report on pages 50-59.

Whistle-Blowing Arrangements

- 4.3.29 Whistle-blowing arrangements offer a framework of protection against victimisation or dismissal for workers who blow the whistle on criminal behaviour or other wrongdoing. Whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place and have been throughout 2020-21.
- 4.3.30 The Office of the Children's Commissioner has received whistle-blowing concerns from a variety of people including employees of children's services and residential schools. Many different types of concerns have been raised and these include failures in safeguarding procedures and restraint. Sometimes we are the first people that the whistle-blower has raised the concern with and sometimes they have raised it many times before and felt no one was listening.
- 4.3.31 The Employment Tribunal may also refer claims to us when they feel we are the relevant prescribed person. We will always discuss anonymity and confidentiality with whistle-blowers and we will never close a case until we are sure that the necessary safeguarding action has been taken. No notifications against my Office have been received during 2020-21. As a prescribed person I am required to report in writing annually on whistle-blowing disclosures made to me. My report for 2020-21 will be available to view by 31 October 2021.

Risk Management Arrangements

- 4.3.32 My Office has an overarching risk management policy. The Audit and Risk Committee support me and my SMT in reviewing the process for risk identification and mitigation. The Senior Management Team's responsibility is to ensure risk is effectively reviewed and managed by the development of adequate and effective controls.

- 4.3.33 Alongside the principal Strategic Risk Register and quarterly assurance reviews, the project management framework requires project leaders to identify risks.
- 4.3.34 Project risks assigned a red rating are escalated to the Senior Management Team for appraisal and action. Strategic risks are monitored monthly by the Senior Management Team and are regularly reviewed by the Audit and Risk Committee. The Audit and Risk Committee challenge Senior Management Team members on their delegated risks and any changes to status or recommended action plans, providing insightful feedback and comment.

Assessment of Risk

- 4.3.35 Ongoing review of our risk management procedures inform development and implementation of enhanced controls to ensure internal controls are robust in design and that project management, financial controls and purchasing procedures remain fit for purpose.

Key Risks in 2020-21

- 4.3.36 In March 2020 and in response to the coronavirus emergency, staff commenced working from home in line with lockdown restrictions. This has worked well and the Office has been able to continue to fulfil its operational responsibilities with minimal impact on the efficiency of the organisation. Limited numbers of staff were able to return to the office during August - October when lockdown restrictions were relaxed before returning to work from home in November 2020.
- 4.3.37 Demands on the organisation have increased as a result of the emergency, and a revised work-plan focusing on the priorities of vulnerable children during Covid-19 and its aftermath was put in place.
- 4.3.38 The key strategic risks during 2020-21 were:
- i. Failure to leave the organisation in a sustainable and healthy position on transfer to the new Commissioner
 - ii. National crisis/event hinders or prevents delivery of critical functions and other business activities
 - iii. Failure to achieve positive change for vulnerable children

Mitigating Controls

- 4.3.39 A number of steps were taken to mitigate risks including a regular review of strategic risks to strengthen internal controls; incorporating safeguarding, communications, data protection, data and cyber security, and finance and business operations. Assurances from audits have been favourable.

- 4.3.40 The Commissioner implemented her business continuity plan in March 2020 in response to the Covid-19 emergency. Resourcing infrastructure and business activities were reviewed to ensure that they were Covid-19 robust and to enable the organisation to respond agilely to emerging issues and challenges.

Overall Assessment

- 4.3.41 The information outlined above demonstrates that my Office has been managed in an effective and efficient manner during 2020-21. Corporate support arrangements provide value for money and improve access to specialist skills.
- 4.3.42 As Accounting Officer I am satisfied with my Office's internal control, risk management and governance arrangements. My Office continues to deliver successfully across a broad range of areas and governance arrangements have supported the effective delivery of this work.

A handwritten signature in black ink, appearing to read 'R. de Souza', written in a cursive style.

Rachel de Souza DBE
Children's Commissioner for England

5 July 2021

4.4. Remuneration and Staff Report

Part 1: Unaudited Information

Senior Team Members' Remuneration Policy

- 4.4.1 The Office of the Children's Commissioner has a Remuneration Committee to provide scrutiny and challenge on pay and reward and ensure good corporate governance as part of the performance management system. The Remuneration Committee is made up of the ARC membership. The Remuneration Committee met on one occasion during 2020-21, on 18 June 2020.

Remuneration Committee Attendance				
Name	Date of appointment	Term of appointment	Term end date	Board attendance 2020-21
James Norton Chair	April 2016	Three years (extended for a further three years)	October 2022	1/1
David Clarke	October 2015	Three years (extend for a further four years)	September 2022	1/1
Dr Susan Tranter	October 2015	Three years (extended for a further two years)	October 2020	1/1
Brian Tytherleigh	April 2016	Three years (extended for a further two years)	June 2021	1/1
Owen Vallis	April 2016	Three years (extended for a further 18 months)	November 2020	1/1
Richard Smith	November 2020	Three years	October 2023	0/0
George Stylianides	November 2020	Three years	October 2023	0/0

- 4.4.2 The Children's Commissioner is required to submit a pay remit proposal on an annual basis for approval to DfE. The Office of the Children's Commissioner has formally adopted the DfE pay and rewards policies to ensure that pay and rewards are linked to a rateable performance management system that is transparent, open and fair.

Service Contracts

- 4.4.3 The Children's Commissioner staff are not civil servants however recruitment is conducted in line with the Civil Service Commissioners' recruitment principles.
- 4.4.4 Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.
- 4.4.5 Further information about the work of the Civil Service Commission can be found at: <http://civilservicecommission.independent.gov.uk/>

Staff Composition

- 4.4.6 At 31 March 2021 our staff headcount figures for permanent staff, including the Children's Commissioner was as follows:

Grade Equivalent	Male	Female	Total
Director	1	2	3
Grade 5	-	1	1
Grade 6	1	1	2
Grade 7	3	3	6
Senior Executive Officer	3	6	9
Higher Executive Officer	1	3	4
Executive Officer	-	4	4
	9	20	29

Sickness Absence

- 4.4.7 The average number of working days lost per FTE was 1.1 day in 2020-21 (1.7 working days per FTE in 2019-20). The average number of days lost per FTE lost due to Covid-19 was 2.1 days. This year two staff members were absent due to Covid-19.

Staff Policies in regard to Employment Opportunities and Development of Disabled Employees

- 4.4.8 The Children's Commissioner is committed to eliminating discrimination, promoting equality and respecting diversity. Her aim is that her workforce will be truly representative of all sections of society and that each employee feels respected and able to give their best.
- 4.4.9 The Children's Commissioner abides by her Equality and Diversity Policy, ensuring that applicants are not unlawfully discriminated against on the basis of a protected characteristic including disability.
- 4.4.10 All applicants who have been shortlisted and are invited for interview will be asked if they require any adjustments to be made to enable them to participate. The Children's Commissioner will make every effort to provide reasonable adjustments.
- 4.4.11 Where an individual with a disability is offered a job, the Children's Commissioner will immediately discuss with the applicant what reasonable adjustments, if any, need to be put in place to enable them to carry out the job. The Children's Commissioner may need to seek professional advice to assist with this.
- 4.4.12 The provision of training and development is consistent with the Children's Commissioner's Equality and Diversity policy.

Off Payroll Engagements

- 4.4.13 There were no off-payroll engagements between 1 April 2020 and 31 March 2021.

Consultancy Spend

- 4.4.14 Engaging consultants can be a cost effective and efficient way of hiring the temporary and skilled workers that the organisation needs. We ensure compliance with HMRC Off-payroll working rules (IR35) by checking the individual's employment status using the HMRC online employment status for tax, checking service.
- 4.4.15 There was one consultancy payment of £1,200 in 2020-21 (£13,000 in 2019-20).

Part 2: Audited Information

Directors' Remuneration

Officials	Salary £000's		Bonus Payments £000's		Pension Benefits £000's		Total Salary and Pension Benefits £000's	
	2020-21	2019-20	2020-21	2019-20	2020-21	2019-20	2020-21	2019-20
Children's Commissioner Rachel de Souza From 1 March 2021	10-15* (130-135)	-	-	-	4	-	15-20	-
Children's Commissioner Anne Longfield To 28 February 2021	120-125* (130-135)	130-135	-	-	22**	38 Alpha 6 Partnership**	140-145**	170-175**
Director of Strategy and Policy Alice Miles	90-95* (100-105)	90-95	0-5	0-5	41	37	135-140	130-135
Director of Evidence Haroon Chowdry From 1 October 2019	85-90	40-45* (80-85)	0-5	-	34	17	120-125	55-60
Director of Evidence Prof. Leon Feinstein To 30 September 2019, 0.8 FTE	-	35-40* (95-100)	-	0-5	-	16	-	55-60

Notes:

- No staff received benefits in kind in either 2020-21 or 2019-20.
- *For senior managers who served part of the year or worked part-time the full year FTE is presented in italicised brackets below the actual cost.
- **Anne Longfield opted out of the Alpha defined benefit scheme on 31/12/2019 and joined the Partnership stakeholder scheme. In addition to the Alpha benefits provided above by CSP, the OCC contributed £22,200 in 2020-21 and £5,900 in 2019-20 to this scheme on her behalf. The figures above are restated to add the Partnership contributions for 2019-20 in order to present the substance of her remuneration.

2020-21 Salaries

Salary

- 4.4.16 'Salary' includes gross salary; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office 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 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

- 4.4.17 The monetary value of benefits in kind covers any benefits provided by the Children's Commissioner and treated by HM Revenue and Customs as a taxable emolument. No benefits in kind were paid in 2020-21 or 2019-20.

Performance Awards

- 4.4.18 Performance awards are based on performance levels attained and are made as part of the performance management system which rewards staff assessed as having exceeded their objectives. Awards are accrued and become payable in September of the subsequent financial year.

Pension Benefits

- 4.4.19 The value of pension benefits accrued during the year is calculated as (the real increase in pension multiplied by 20) plus (the real increase in any lump sum) less (the contributions made by the individual). The real increases exclude increases due to inflation or any increase or decreases due to a transfer of pension rights.

Pensions

- 4.4.20 Pension benefits are provided through the Civil Service pension arrangements. From 1 April 2015 a new pension scheme for civil servants was introduced – the Civil Servants and Others Pension Scheme (CSOPS) or alpha, which provides benefits on a career average basis with a normal pension age equal to the member's State Pension Age (or 65 if higher). From that date all newly appointed civil servants and the majority of those already in service joined alpha. Prior to that date, civil servants participated in the Principal Civil Service Pension Scheme (PCSPS). The PCSPS has four sections: 3 providing benefits on a final salary basis (classic, premium or classic plus) with a normal pension age of 60; and one providing benefits on a whole career basis (nuvos) with a normal pension age of 65.
- 4.4.21 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, nuvos and alpha are increased annually in line with Pensions Increase legislation. Existing members of the PCSPS who were

within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 will switch into alpha sometime between 1 June 2015 and 1 February 2022. All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes.) 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).

- 4.4.22 Employee contributions are salary-related and range between 4.6% and 8.05% for members of premium, classic, classic plus, nuvos and all other members of alpha. 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. Benefits in alpha build up in a similar way to nuvos, except that the accrual rate is 2.32%. 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.
- 4.4.23 The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of 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 0.5% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).
- 4.4.24 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, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS

and alpha the figure quoted is the combined value of their benefits in the two schemes, but note that part of that pension may be payable from different ages.)

4.4.25 Further details about the Civil Service pension arrangements can be found at the website www.civilservicepensionscheme.org.uk

Cash Equivalent Transfer Values

4.4.26 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.

	Accrued pension at pension age as at 31/03/2021 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31/03/2021	CETV at 31/03/2020	Real increase in CETV
	£000's	£000's	£000's	£000's	£000's
*Anne Longfield Children's Commissioner To 28 February 2021	10-15	0-2.5	-	227	-
Alice Miles Director of Strategy and Policy From 7 November 2016	30-35	2.5-5	441	392	20
**Haroon Chowdry Director of Evidence From 1 October 2019	5-10	0-2.5	58	40	11
Dame Rachel de Souza. Children's Commissioner From 1 March 2021	0-5	0-2.5	3	0	2

* Anne Longfield opted out of the Alpha pension on 31/12/2019. Since that point she has been a member of the Partnership stakeholder pension and OCC have paid contributions of £22,200 in 2020-21 and £5,900 in 2019-20 to this scheme on her behalf in addition to the preserved Alpha pension included above.

** Haroon Chowdry was appointed to the Director position on 1st October 2019; however, he was an existing member of the Civil Service Pension Scheme at that point.

4.4.27 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 calculated 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.

Real increase in CETV

4.4.28 This reflects the increase in accrued pension. It excludes increases 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.

Payments to Past Directors

4.4.29 There were no payments made to past directors in either 2020-21, or 2019-20.

Compensation on early retirement or for loss of office

4.4.30 No members of staff received compensation for early retirement or loss of office in 2020-21.

Fair Pay Disclosure

4.4.31 Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid director in their organisation and the median remuneration of the organisation's workforce.

	2020-21	2019-20
Band of the highest-paid director's total remuneration (£000's)	130-135	130-135
Median total remuneration (£000's)	44	40
Range (£000's)	28-135	21-135
Ratio	2.99	3.33

4.4.32 The banded remuneration of the highest paid director in 2020-21 was £130,000 to £135,000 (2019-20, £130,000 to £135,000). This was 2.99 (2019-20, 3.33) times the median remuneration of the workforce, which was £44,380 (2019-20, £39,829). The equivalent median remuneration and subsequent change in ratio is attributable to the hire of four temporary hourly-paid project worker increasing the headcount at the bottom of the scale while only representing around 0.1 FTE each. The subsequent change in ratio is as a result of the previous inclusion of the four temporary hourly staff.

4.4.33 In 2020-21 and 2019-20, no employees received remuneration in excess of the highest paid director. FTE remuneration ranged from £28,000 to £132,000 in 2020-21 (2019-20, £21,000 to £131,000).

4.4.34 Total remuneration includes salary, non-consolidated performance related pay and benefits in kind. It does not include severance payments, employer pension contributions and the cash equivalent transfer of pensions.

Staff Report

4.4.35 Staff costs comprise:

	2020-21			2019-20		
	Permanently employed staff	Others	Total	Permanently employed staff	Others	Total
	£000's	£000's	£000's	£000's	£000's	£000's
Wages and Salaries	1,597	5	1,602	1,487	14	1,501
Social security costs	181	-	181	163	-	163
Pension costs	413	-	413	396	-	396
Restructuring costs	-	-	-	-	-	-
	2,191	5	2,196	2,046	14	2,060
Less recovery in respect of outwards secondments	(36)	-	(36)	(37)	-	(37)
	2,155	5	2,160	2,009	14	2,023

* Staff loans and secondments into other departments and public sector organisations totalled one person. The average duration of staff secondments as at 31 March 2021 was 3 months.

Pension Schemes

4.4.36 'The Principal Civil Service Pension Scheme (PCSPS) and the Civil Servant and Other Pension Scheme (CSOPS) – known as “alpha” – are unfunded multi-employer defined benefit schemes but OCC is unable to identify its share of the underlying assets and liabilities.

4.4.37 The scheme actuary valued the PCSPS as at 31 March 2016. You can find details in the resource accounts of the Cabinet Office: Civil Superannuation.

4.4.38 For 2020-21, employers' contributions of £390,284 were payable to the PCSPS (2019-20, £390,052*) at one of four rates in the range 26.6 to 30.3 per cent (2019-20 26.6 to 30.3 per cent of pensionable pay), based on salary bands. The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2020-21 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

*Note: the mini-ASLCs reported separately at 4.4.40 were included here in the 2019-20 Annual Report.

4.4.39 Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employer's contributions of £23,668 in respect of 2020-21 and £5,778 in respect of 2019-20 were paid to the appointed stakeholder pension provider, Legal and General. (None were paid in year in 2019-20). Employer contributions are age-related and range from 8% to 14.75%.

4.4.40 Employers also match employee contributions up to 3% of pensionable earnings. In addition, mini-ASLC employer contributions of £720, 0.5% of pensionable pay, (2019-20, £163) were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service or ill health retirement of these employees.

4.4.41 Contributions due to the partnership pension providers at the balance sheet date were £369. No contributions were prepaid at that date.

4.4.42 No persons retired early on ill-health grounds in 2020-21, or in 2019-20.

Average Number of Persons Employed

4.4.43 The average number of whole-time equivalent persons employed during the year was as follows:

	2020-21			2019-20		
	Permanently employed staff	Others	Total	Permanently employed staff	Others	Total
Staff numbers	30.7	0.1	30.8	28.9	0.2	29.1

Reporting of Civil Service and Other Compensation Schemes – Exit Packages

4.4.44 There were no exit packages paid in either 2020-21 or 2019-20.

4.5. Parliamentary Accountability and Audit Report

Part 1: Unaudited Information

Long-Term Expenditure Trends

- 4.5.1. The Office of the Children's Commissioner budget was reduced by 11% in 2020-21 as the additional programme funding awarded in 2019-20 was discontinued.

Part 2: Audited Information

Regularity of Expenditure

- 4.5.2. There were no losses in aggregate over £300k in either 2020-21 or 2019-20.
- 4.5.3. There were no special payments in either 2020-21 or 2019-20.
- 4.5.4. There were no small losses/fruitless payments in either 2020-21 or 2019-20.

Contingent and Remote Contingent Liabilities

- 4.5.5. There were no contingent or remote contingent liabilities in either 2020-21 or 2019-20.



Rachel de Souza DBE
Children's Commissioner for England

5 July 2021

4.6. The Certificate and Report of the Comptroller and Auditor General

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

Opinion on financial statements

I certify that I have audited the financial statements of the Office of the Children's Commissioner for the year ended 31 March 2021 under the Children Act 2004. The financial statements comprise of: Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes, including the significant accounting policies. These financial statements have been prepared under the accounting policies set out within them. The financial reporting framework that has been applied in their preparation is applicable law and International Accounting Standards as interpreted by HM Treasury's Government Financial Reporting Manual.

I have also audited the information in the Accountability Report that is described in that report as having been audited.

In my opinion, the financial statements:

- give a true and fair view of the state of the Office of the Children's Commissioner's affairs as at 31 March 2021 and of the net expenditure for the year then ended; and
- have been properly prepared in accordance with the Children Act 2004 and Secretary of State directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects, the income and expenditure 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.

Basis for opinions

I conducted my audit in accordance with International Standards on Auditing (ISAs) (UK), applicable law and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate.

Those standards require me and my staff to comply with the Financial Reporting Council's Revised Ethical Standard 2019. I have also elected to apply the ethical standards relevant to listed entities. I am independent of the Office of the Children's Commissioner in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK. My staff and I have fulfilled our other ethical responsibilities in accordance with these requirements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern

In auditing the financial statements, I have concluded that The Office of the Children's Commissioner's use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on Office of the Children's Commissioner's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the Accounting Officer with respect to going concern are described in the relevant sections of this report.

The going concern basis of accounting for Office of the Children's Commissioner is adopted in consideration of the requirements set out in the Financial Reporting Manual, which require entities to adopt the going concern basis of accounting in the preparation of the financial statements where it anticipated that the services which they provide will continue into the future.

Other Information

The other information comprises information included in the annual report, but does not include the parts of the Accountability Report described in that report as having been audited, the financial statements and my auditor's certificate thereon. The Accounting Officer is responsible for the other information. My opinion on the financial statements does not cover the other information and except to the extent otherwise explicitly stated in my certificate, I do not express any form of assurance conclusion thereon. In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude

that there is a material misstatement of this other information, I am required to report that fact.

I have nothing to report in this regard.

Opinion on other matters

In my opinion, based on the work undertaken in the course of the audit:

- the parts of the Accountability Report to be audited have been properly prepared in accordance with Secretary of State directions made under the Children Act 2004; and
- the information given in the Performance and Accountability Reports for the financial year for which the financial statements are prepared is consistent with the financial statements

Matters on which I report by exception

In the light of the knowledge and understanding of the Office of the Children's Commissioner and its environment obtained in the course of the audit, I have not identified material misstatements in the performance and accountability report. 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 returns adequate for my audit have not been received from branches not visited by my staff; or
- the financial statements and the parts of the Accountability Report to be audited are not in agreement with the accounting records and returns; or
- certain disclosures of remuneration specified by HM Treasury's Government Financial Report Manual are not made; 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.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities the Accounting Officer, is responsible for:

- the preparation of the financial statements in accordance with the applicable financial reporting framework and for being satisfied that they give a true and fair view;
- internal controls as the Board and the Accounting Officer determines is necessary to enable the preparation of financial statement to be free from material misstatement, whether due to fraud or error.
- assessing the Office of the Children's Commissioners' ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Accounting Officer anticipates that the services provided by The Office of the Children's Commissioner will not continue to be provided in the future.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Children Act 2004.

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue a certificate that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

I designed procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of non-compliance with laws and regulation, including fraud.

My procedures included the following:

- Inquiring of management, the head of internal audit and those charged with governance, including obtaining and reviewing supporting documentation relating to the Office of the Children's Commissioners' policies and procedures relating to:
 - identifying, evaluating and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected or alleged fraud; and
 - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations including the Office of the Children's Commissioners' controls relating to Children Act 2004;

- discussing among the engagement team and involving relevant internal and or external specialists, regarding how and where fraud might occur in the financial statements and any potential indicators of fraud. As part of this discussion, I identified potential for fraud in the following areas: posting of unusual journals;
- obtaining an understanding of the Office of the Children's Commissioners' framework of authority as well as other legal and regulatory frameworks that the Office of the Children's Commissioner operates in, focusing on those laws and regulations that had a direct effect on the financial statements or that had a fundamental effect on the operations of the Office of the Children's Commissioner. The key laws and regulations I considered in this context included the framework of authorities and the Children Act 2004, Managing Public Money and relevant employment law and taxation legislation and regulation.

In addition to the above, my procedures to respond to identified risks included the following:

- reviewing the financial statement disclosures and testing to supporting documentation to assess compliance with relevant laws and regulations discussed above;
- enquiring of management, the Audit Committee and in-house legal counsel concerning actual and potential litigation and claims;
- reading minutes of meetings of those charged with governance and the Board;
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business.

I also communicated relevant identified laws and regulations and potential fraud risks to all engagement team members including internal specialists and significant component audit teams and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

A further description of my responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at:

www.frc.org.uk/auditorsresponsibilities. This description forms part of my certificate.

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

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Report

I have no observations to make on these financial statements.

Gareth Davies

Date

Comptroller and Auditor General

National Audit Office

157-197 Buckingham Palace Road

Victoria

London

SW1W 9SP

5. Financial Statements

Statement of Comprehensive Net Expenditure

For the year ended 31 March 2021

	Note	2020-21 £000	2019-20 £000
Staff costs	Acc 2	2,160	2,023
Income	3	-	(17)
Expenditure	4 & 5	341	628
Net operating expenditure		2,501	2,634
Net expenditure for the year		2,501	2,634
Other comprehensive expenditure		-	-
Total other comprehensive expenditure		-	-
Comprehensive net expenditure for the year		2,501	2,634

The notes on pages 72 to 81 form part of these accounts.

Statement of Financial Position

As at 31 March 2021

		2021	2020
	Note	£000	£000
Non-current assets:			
PPE	6	2	2
Intangibles	7	31	73
Total non-current assets		33	75
Current assets			
Receivables	8	39	39
Cash and cash equivalents	9	57	106
Inventory	10	6	7
Total current assets		102	152
Total assets		135	205
Current liabilities			
Payables	11	(203)	(274)
Total current liabilities		(203)	(274)
Total assets less current liabilities		(68)	(47)
Assets less liabilities		(68)	(47)

Taxpayers' equity:

General fund

(68)

(47)

Total taxpayers' equity

(68)

(47)



Rachel de Souza DBE
Children's Commissioner for England

5 July 2021

The notes on pages 72 to 81 form part of these accounts.

Statement of Cash Flows

For the year ended 31 March 2021

		2021	2020
	Note	£000's	£000's
Cash flows from operating activities			
Net operating cost	SoCNE	(2,501)	(2,634)
Adjustments for non-cash transactions		44	48
(Increase)/decrease in receivables	8	-	(17)
Increase/(decrease) in payables	11	(71)	29
Net cash outflow from operating activities		(2,528)	(2,574)
Cash flows from investing activities			
Purchase of PPE	6	(1)	(2)
Purchase of Intangibles	7	-	(26)
Net cash outflow from investing activities		(1)	(28)
Cash flows from financing activities			
Exchequer supply from sponsor department	SoCTE	2,480	2,627
Net cash inflow from financing activities		2,480	2,627
Net increase (decrease) in cash and cash equivalents		(49)	25
Cash and cash equivalents at beginning of the year		106	81
Cash and cash equivalents at end of the year		57	106

The notes on pages 72 to 81 form part of these accounts.

Statement of Changes in Taxpayer's Equity

For the year ended 31 March 2021

	Note	General Fund £000's
Balance at 31 March 2019		(40)
Grant in Aid from sponsor Department		2,627
Comprehensive expenditure for the year		(2,634)
Balance at 31 March 2020		(47)
Grant in Aid from sponsor Department		2,480
Comprehensive expenditure for the year		(2,501)
Balance at 31 March 2021		(68)

Note: taxpayers' equity comprises the general fund

The notes on pages 72 to 81 form part of these accounts.

6. Notes to the Accounts

1. Statement of accounting policies

These accounts were drawn up in accordance with HM Treasury Guidance, Annual Reports and Accounts Guidance, the Children's Act 2004, and the Accounts Direction and the financial memorandum between the Secretary of State for Children, Schools and Families (now the Secretary of State for Education) and the Commissioner dated 12 September 2005, copies of which can be obtained from the Children's Commissioner. They have been prepared in accordance with the 2020-21 Government Financial Reporting Manual (FReM) issued by HM Treasury and NDPB Green (Simplifying and Streamlining Accounts project). The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be the 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 considered material in relation to the accounts.

1.1 Accounting Convention

These financial statements have been prepared under the historical cost convention.

1.2 Areas of Judgement

In accordance with IAS 8: Accounting Policies, Changes in Accounting Estimates and Errors, 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. These accounts have been prepared on a going concern basis. There are no significant areas of judgement.

1.3 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.

1.4 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. The share of liabilities for the defined benefit schemes cannot be identified and this drives the accounting treatment. Liability for payment for 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 19. The defined benefit scheme prepares its own financial statements.

1.5 Tangible and Intangible Assets

Assets with a useful economic life in excess of one year and where expenditure of £2,500 or more is incurred are initially valued at cost price and then depreciated or amortised over their estimated useful economic lives. Intangible assets under construction are amortised from the date they come into use.

The following asset lives are in the range of 4 years:

- Website
- Equipment
- Software licences
- Customer Relationship Management System
- IMO

1.6 Leases

Leases are classified as finance leases whenever the terms of the lease transfers substantially all the risks and rewards of ownership to the lessee. All other leases are classified as operating leases. Operating leases are charged to the Statement of Comprehensive Net Expenditure as expenditure is incurred. The Children's Commissioner does not hold any finance leases.

1.7 Provisions

Provisions are recognised when it is probable that it will be required to settle a present obligation resulting from a past event and can make a reliable estimate of that obligation. The obligation is normally the sum that the Children's Commissioner would pay to settle the obligation at the year-end or to transfer it to a third party at that time.

1.8 Future Changes to International Financial Reporting Standards.

IFRS 16 Leases (effective for the periods beginning on or after 1 January 2022). The new standard replaces IAS 17 Leases and introduces a new single accounting approach for lessees for all leases (with limited exceptions). As a result, there is no longer a distinction between operating leases and finance leases, and lessees will recognise a liability to make lease payments and an

asset representing the right to use the underlying asset during the lease term. OCC are continuing to assess the impact on the financial statements and are awaiting updated guidance from HM Treasury on IFRS 16 adoption in relation to FReM bodies.

IFRS 17 Insurance Contracts (effective for the periods beginning on or after 1 January 2021). The OCC have completed an initial assessment of the potential impact on the financial statements and concluded that it is not applicable. The OCC will continue to review the requirements for any changes following receipt of HM Treasury guidance.

1.9 Accounting system notional charge

The operating expenditure does not include the costs of the accounting system utilised by OCC as this is provided by the Education and Skills Funding Agency, which does not charge for this. The notional cost is not material to these financial statements.

1.10 Going Concern

These accounts are produced on a going concern basis. The Children's Commissioner draws all of its funding from the Department for Education. Parliament has demonstrated its commitment to fund Office of the Children's Commissioner for the foreseeable future. The new Commissioner has just been appointed for the next six years.

2. Staff Costs

	2020-21			2019-20		
	Permanently employed staff	Others	Total	Permanently employed staff	Others	Total
	£000's	£000's	£000's	£000's	£000's	£000's
Wages and Salaries	1,597	5	1,602	1,487	14	1,501
Social security costs	181	-	181	163	-	163
Pension costs	413	-	413	396	-	396
Restructuring costs	-	-	-	-	-	-
	2,191	5	2,196	2,046	14	2,060
Less recovery in respect of outwards secondments	(36)	-	(36)	(37)	-	(37)
	2,155	5	2,160	2,009	14	2,023

Further details on staff costs can be found in the Remuneration and Staff Report (pages 50 to 59).

3. Operating Income

	2020-21	2019-20
	£000	£000
Income	-	3
Donations in kind (Other income)	-	14
Total	-	17

4. Operating expenditure

	2020-21	2019-20
	£000	£000
OCC project costs	42	265
Staff related costs	17	29
Consultancy fees	1	13
Legal and professional fees	4	11
Marketing	4	8
IT support	52	60
Telephone costs	1	1
Rentals under operating leases:		
- Land and buildings	97	82
Travel and subsistence	2	8
Project travel	-	19
Bank Charges and interest	2	1
Auditor remuneration		
- External audit	34	34
- Internal audit	18	12
Other expenditure	23	23
Total	297	566

5. Depreciation, Amortisation and other non-cash charges

	2020-21	2019-20
	£000	£000
Depreciation	1	-
Amortisation	42	40
Donated inventory	1	22
Total	44	62

The auditors' remuneration for 2020-21 is £33,600. There were no non-audit fees paid to NAO.

6. Fixed Assets

	2021		2020	
	Furniture & Fittings	Total	Furniture & Fittings	Total
	£000	£000	£000	£000
Cost or Valuation				
At 1 April	2	2	-	-
Additions	1	1	2	2
At 31 March	3	3	2	2
Depreciation				
At 1 April	-	-	-	-
Charge in year	(1)	(1)	-	-
At 31 March	(1)	(1)	-	-
Carrying value at 31 March	2	2	2	2

7. Intangible Assets

	2021			2020		
	Software	Websites	Total	Software	Websites	Total
	£000	£000	£000	£000	£000	£000
Cost or valuation						
At 1 April	93	63	156	93	37	130
Additions	-	-	-	-	26	26
At 31 March	93	63	156	93	63	156
Amortisation						
At 1 April	(51)	(32)	(83)	(27)	(16)	(43)
Charged in year	(23)	(19)	(42)	(24)	(16)	(40)
At 31 March	(74)	(51)	(125)	(51)	(32)	(83)
Carrying value at 31 March	19	12	31	42	31	73
Asset financing:						
Owned	19	12	31	42	31	73
Carrying value at 31 March	19	12	31	42	31	73

Note: Asset base is owned. Existing assets include a Customer Relationship Management (CRM) system, the OCC website and the IMO website.

8. Trade and Other Receivables

	2021	2020
	£000	£000
Amounts falling due within one year:		
Trade receivables	12	-
Other receivables	1	-
Prepayments and accrued income	26	39
	39	39

9. Cash and Cash Equivalents

	2021	2020
	£000	£000
Balance at 1 April	106	81
Net change in cash and cash equivalent balances	(49)	25
Balance at 31 March	57	106
The following balances are held at:		
Cash at bank and in hand:		
Government Banking Service	57	106
Balance at 31 March	57	106
Overdrafts:		
Government Banking Service	-	-
Balance at 31 March, net of overdrafts	57	106

10. Inventories

Stock of donations in kind made through IMO website

	2021	2020
	£000	£000
Inventory b/f	7	15
Donations in kind received	-	14
Donations in kind paid	(1)	(22)
Total Inventory	6	7

11. Trade and Other payables

Current payables

	2021	2020
	£000	£000
Trade payables	2	1
Other payables	43	47
Accruals and deferred income	158	226
Total payables due within one year	203	274

12. Provisions

There are no provisions in either 2020-21 or 2019-20.

13. Commitments under Leases

The Children's Commissioner holds a MOTO / operating lease contract for office accommodation with an annual cost of £85k and a three-month notice period.

Commitments under Leases

	2020-21	2019-20
	£000's	£000's
Obligations under operating leases for the following periods comprise:		
Buildings:		
Not later than one year	21	19
Later than one year and not later than five years	-	-
	21	19

14. Related Party Transactions

The Office of the Children's Commissioner is sponsored by the Department for Education and for the purposes of these accounts is regarded as a related party. There were material transactions with the DfE in respect of Grant in Aid, office accommodation and the provision of IT, Finance, Commercial and HR services via a Shared Service Agreement. These shared services transactions are conducted at arms length. The operating lease disclosed in note 8 was with the Department but has now been novated to the new Government Property Agency

In addition, there have been numerous transactions with other government departments and other central government bodies. The significant transactions in this regard have been with Cabinet Office and PCSPS. There are no further transactions with any other related party.

No senior manager or related party has undertaken any material transactions with the Office in the period to 31 March 2020. Compensation to senior managers is disclosed in the remuneration report section of this report.

15. Events after the Reporting Period Date

These accounts were authorised for issue on the date of certification by the Comptroller and Auditor General. There have been no events after the reporting period up to the date the annual report and accounts were authorised for issue impacting on the financial statements.

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