

## **Response to consultation on draft Northern Ireland Budget 2011-15.**

**February 2011**

### **1.0 Introduction**

The Office of Commissioner for Children and Young People (NICCY) was created in accordance with The Commissioner for Children and Young People (Northern Ireland) Order 2003 to safeguard and promote the rights and best interests of children and young people in Northern Ireland.

Under articles 7(2)(3) of this legislation, NICCY has a mandate to keep under review the adequacy and effectiveness of law, practice and services relating to the rights and best interests of children and young people by relevant authorities. The remit of our Office is children and young people from birth up to 18 years, or 21 years of age if the young person is disabled or in the care of Social Services.

In determining how to carry out her functions, the Commissioner's paramount consideration is the rights of the child and NICCY is required to base all its work on the United Nations Convention on the Rights of the Child (UNCRC).

### **1.2 General comments on the draft Northern Ireland Budget**

NICCY welcomes the opportunity to respond to the 2011-15 budget. We recognise that the economic circumstances in which the budget is being developed are extremely difficult, and that it is a considerable challenge for the Executive to make savings while seeking to promote economic growth and minimise the impact on the delivery of public services. We are particularly concerned at how the reduction in expenditure may impact on children and particularly on vulnerable groups of children. Reflecting our statutory duties, our response reviews, as far as the information provided allows, the implications of the budget for children's rights and best interests.

In general, NICCY has been very disappointed at the level of detail contained in the budget documents. We understand that through the Comprehensive



Spending Review process, priorities are established and budgets are supposed to be built up from a zero baseline, in contrast to the normal year by year budget process, where small adjustments are made. While the Executive and the Departments have clearly articulated priorities, it does not appear that the budget has been built up from a zero baseline. Instead Departments largely report on savings made in comparison to the 2010-11 budget. This does not allow for a proper assessment of what will be delivered and, given the level of detail provided, it is difficult to assess the impact of the Departmental savings.

Whilst NICCY recognises the necessity for the Executive to identify and make cost savings, any decisions taken regarding children's services and programmes need to be based on clear, transparent criteria such as:

- Using evidence based on previous outcomes;
- Ensuring the loss or reduction of a programme of services does not impact adversely on children and young people;
- Taking account of the impact of any reduction on service delivery on the ability to meet need; and
- Exploring options regarding maintaining services and/or programmes until future financial resources become available.

NICCY finds the lack of equality proofing and due regard for equality of opportunity in the budget proposals extremely alarming. These spending proposals demonstrate very little account being taken to minimise or mitigate the potential adverse impact on children and young people. This is a serious flaw in the budgeting process, especially so when it is clear that the impact of public sector savings will most affect the vulnerable, marginalised and disadvantaged parts of the community including children and young people.

Equality Impact Assessments (EQIAs) are a critical tool for determining whether cuts will have a detrimental impact on particular groups of people, including children. However, some Departments didn't conduct EQIAs, while others provided only minimal information on the impact of the spending cuts. In most cases, the impact of budget cuts was assessed to be neutral, and some indicated that the impact would be positive. Taken as a whole, it seems incredible that the Northern Ireland Executive have been able to reduce its



budget by such a significant amount without any apparent negative impact on particular groups, such as children. It is more likely that the process of identifying cuts and conducting EQIAs has not been conducted accurately and thoroughly, which makes this consultation process largely meaningless.

It is important to note that the level of detail and quality of the Departmental budgets vary considerably. Some have been extremely thorough and have provided a level of detail and consideration in relation to the proposed spending cuts and their impact, while others have provided little or no detail.

NICCY welcomes the commitment articulated in the draft budget to tackle the problem of disadvantage in Northern Ireland, and is very supportive of the establishment of a Social Investment Fund of £20 million per annum to be administered by OFMDFM, and a Social Protection Fund of a further £20 million in 2011-12. NICCY requests further information about the objectives of these two funds and how they will be targeted. A significant proportion of both of these should go to resource the delivery plan for the Child Poverty Strategy. NICCY is happy to provide advice on the delivery of these two funds.

NICCY is also pleased to see that the Executive has expanded its 'Invest to Save' fund to £100 million per annum. We advise the Executive to ringfence a certain proportion of this – perhaps 60% - to invest in early intervention strategies, or 'preventative spending' for children. This would be a very innovative and forward thinking approach to tackling disadvantage and could have a significant societal and economic impact in the long term.

As the Assembly paper on the topic of Preventative Spending (paper 10/11) outlines, 'Preventative spending is often more valuable during a recession because people are forced to make cuts in their standard of living which has a detrimental impact on their own well being and the prospects for the next generation. The benefits of preventative spending are huge, both in terms of tackling deep seated disadvantage and delivering improved well being into the future. It can also encourage 'joined up government' and overcome what the paper refers to as 'silo budgeting' where departments are 'not sufficiently prepared to spend money on an issue if the benefits/savings are realised by other departments.'



NICCY warmly welcomes the three ringfenced funds: the Social Investment Fund, the Social Protection fund and the Invest to Save fund. A major focus of these should be on particularly marginalised groups of children, particularly children experiencing poverty. The Invest to Save fund should ringfence a significant proportion to be allocated to preventative spending, in particular early intervention programmes for children. The Executive should consult widely in determining how these will be spent, and NICCY will be happy to provide advice in relation to these funds.

## **2.0 Children's rights**

Given NICCY's status as a child rights-based institution, with the statutory duty to advise relevant authorities on issues affecting children's rights and best interests, we would take the opportunity to highlight the relevant child rights standards which the Executive has a responsibility to uphold within the terms of its budget proposals.

### **2.1 The UN Convention on the Rights of the Child**

The UNCRC provides the overarching framework which guides the work of NICCY. The UK Government and, as a result the Northern Ireland Executive, is a signatory to the Convention and has agreed to uphold the rights of children and young people based on the Convention.

NICCY appreciates that there are often complexities when reconciling the rights of children and young people with their welfare and best interests. NICCY would recommend the proposals are reviewed against the relevant articles within the UNCRC, to ensure that the rights and best interests of children and young people are upheld and protected.

The preamble of the UNCRC outlines the rationale behind the development of a set of rights specifically for children, explaining that 'childhood is entitled to special care and assistance', and there is also a 'need to extend particular care to the child'.

Article 4 of the UNCRC focuses specifically on the need for states to prioritise children when allocating resources:



‘States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures **to the maximum extent of their available resources** and, where needed, within the framework of international co-operation.’

This mirrors article 2(1) of International Covenant on Economic, Social and Cultural rights, which also introduced the concept of ‘progressive realisation’. It differentiates between rights that must be met outright and not be subject to budgetary considerations, for example article 2 on non-discrimination, or article 12 on the right of children to have a say in decisions affecting them, and the economic, social and cultural rights that may require a developmental approach, and will be related to the resources available to states. However, the article does emphasise that states should maximise and prioritise the resources dedicated to meeting children’s rights and best interests.

### **2.1.1 Assessment of budget proposals against the UN Convention on the Rights of the Child**

NICCY is disappointed to note that the draft budget does not prioritise resources to meet children’s rights and best interests. The speech made by Minister Wilson on releasing the draft Budget made no reference to children or to key issues affecting them, for example education or safeguarding. There is no evidence of the Executive acting ‘to the maximum extent of available resources’ to advance children’s rights and best interests.

**NICCY recommends that children be prioritised in the Northern Ireland Budget and that it is rewritten to clearly show where resources are being allocated to meet children’s rights and best interests.**



## **2.2 UN Committee on the Rights of the Child day of discussion 2007 on 'Resources for the Rights of the Child – the responsibilities of states'.**

One of the key roles of the UN Committee on the Rights of the Child is to provide guidance on the interpretation of the UNCRC and on its implementation through General Comments and Days of Discussion.

In 2003, General Comment 5 was released in which the Committee outlined the obligations on governments to develop general measures of implementation, and reflected on issues relating to budget allocation for children, while recognising that more guidance was needed in this area.

To elaborate further on obligations of state parties in regard to how budgets should be allocated to maximise resources to meeting children's rights, in 2007 the Committee held a Day of General Discussion on this issue. Some of the key points addressed in that discussion are outlined below.

Investment in children was recognised as having a high economic return, therefore the Committee argued that states should make children a priority in budgetary allocation to maximise return on resources. States were encouraged to make investment in children visible through the detailed compilation of resources allocated to them. They were also encouraged to use rights-based budget monitoring and analysis, as well as child impact assessments on how investments in all areas serve best interests of children. The Committee recognised the importance of political will as an essential condition for making resources available to children recommended that states consider legislating for a specific proportion of public expenditure to be allocated to children.

It also suggested that states need to understand 'available resources' broadly, not just financial resources. Systematically supporting parents and families is essential to as they are among the most important 'available resources' for children.

The Committee also emphasised the principle of 'non-retrogression', the obligation not to take retrogressive steps that could hamper children's enjoyment of their rights. This is particularly relevant in periods of economic



decline when, despite the challenges, states must protect expenditure to children. Allocations to economic growth must not be made at the sacrifice of expenditure on 'social sector', particularly on children.

The Committee also outlined general principles that are central to producing budgets, stating that the process must be based on principles of transparency, accessibility and participation. It emphasised that, in order to promote participation of children as well as adults in public dialogue on state budgets, considerable work needed to go into making budgets readable. This should be supported through producing accessible information and encouraging literacy in budgetary analysis. In particular, children's participation in budget process should be promoted, and the Committees asked States to include information on this in their reports to the Committee. Mechanisms should be developed to hold public officials accountable, and to allow inefficiencies and waste to be identified.

It was explained that transparency needed to be both internal and external. Information on revenues and expenditure and impact on children needed to be made available internally to all government bodies. External transparency refers to the need to be open and accessible to all stakeholders, and a key requirement for this is to communicate information on budgets in a manner that is both comprehensive and easy to understand. Accurate resource tracking systems are vital for the allocation and use of resources.

The Committee identified frequent obstacles to child rights budgeting, which included a lack of transparency, poor monitoring and insufficient coordination among those involved in budget allocation. It also emphasised the importance of monitoring the allocation of resources to ensure that the manner by which it is done is not discriminatory, and does not impact negatively on any particular group of children. Key to effective assessment and monitoring of public expenditures for children is the collation of reliable and accurate data, and for the monitoring of indicators. Child-specific indicators should be developed to assist states in formulating policy, in monitoring and evaluating progress in realising children's rights.



The Committee indicated that State reports to the Committee must contain statistical info on budgets allocations, indicating the resources available and the proportion allocated to children in relation to government priorities. National budgets should also indicate how the 'National Plan of Action for Children' – in this case the 10 Year Strategy for Children - relates to the budget process at the national level.

### **2.2.1 Assessment of Northern Ireland Budget process against UN Committee's recommendations in relation to 'Resources for the Rights of the Child'.**

Few, if any of the above recommendations have been addressed in the Northern Ireland budget process:

- The draft Budget does not make investment in children visible through a detailed compilation of resources allocated. Indeed, children are barely mentioned in the budgets. As indicated in 2.1.1 there is no evidence of political will to prioritise actions that will advance children's rights and best interests, or to ring fence vital services to children.
- Rights based monitoring and analysis of the budget has not occurred, nor have child rights impact assessments. Indeed, it is impossible for external actors, such as NICCY, to conduct child rights impact assessments due to the lack of available information.
- The principle of 'non-retrogression' has not been upheld in this budget. While it is difficult to determine where services will be retained and the extent of cuts to services for children, it is clear that children will be negatively affected. Indeed, important children's services have already been cut prior to the release of the draft budget.
- There has not been sufficient assessment of the impact of the budget on children, or on how particular groups of children may be negatively affected. While EQIAs were done on some departmental budgets, the lack of detail has precluded any meaningful consideration of the impact on children.
- The delay in releasing departmental budgets and the short time frame for consultation has minimised the potential for public participation in the budget process. Moreover, the budget documents themselves have not been particularly accessible in general and the way they have been





presented means that it is unlikely that many children and young people will have been able to understand or comment on them.

The budget process must be reconsidered for the future, taking into account the recommendations from the Committee on the Rights of the Child from its 2007 Day of Discussion. In particular, reliable and accurate data must be collated in relation to spending on children, and indicators development to measure impact of the resources allocated on children's rights and best interests. The Executive should prepare to report on how it has allocated resources to children in its report to the UN Committee on the Rights of the Child, due in 2013.

### **2.3 Concluding Observations of the UN Committee on the Rights of the Child (2008)**

In its Concluding Observations in its Report on the United Kingdom in October 2008, the United Nations Committee on The Rights of the Child ('the Committee') made a number of recommendations regarding budget allocation.

The Committee noted that the following actions from previous Concluding Observations in 2002 in relation to budgetary allocations had not been fully implemented:

**'The Committee recommends that the State party undertake an analysis of all sectoral and total budgets across the State party and in the devolved administrations in order to show the proportion spent on children, identify priorities and allocate resources to the "maximum extent of ... available resources".'** (Para 11).

Paragraph 19 of the 2008 Concluding Observations reiterated these points and recommended that Child rights impact assessments should be used to determine whether the budget allocated is effectively leading to the realisation of children's rights.

**'The Committee recommends that the State party, in accordance with article 4 of the Convention, allocate the maximum extent of available resources for the**



**implementation of children's rights, with a special focus on eradicating poverty and that it reduce inequalities across all jurisdictions. In this endeavour, the State party should take into account the Committee's recommendations issued after the day of general discussion of 21 September 2007 devoted to "Resources for the rights of the child - responsibility of States". Child rights impact assessment should be regularly conducted to evaluate how the allocation of budget is proportionate to the realization of policy developments and the implementation of legislation.'** (Para 19)

Other relevant concluding observations referred to the coordination of actions to implement the UNCRC, to take the form of National Action Plans which would determine appropriate resource allocation for children.

**'The Committee reiterates its previous recommendation that the State party ensure effective coordination of the implementation of the Convention throughout the State party, including locally, especially where local authorities have significant powers to determine their priorities and allocate budgets. To this end, the State party - in addition to ensuring that each of the jurisdictions has a well resourced and functioning coordinating body - could allocate responsibility for the coordination and evaluation of the Convention across the State party to a single, high-profile mechanism.'** (Para 13)

**The Committee encourages the State party to adopt comprehensive plans of action for the implementation of the Convention in all parts of the State party, in cooperation with the public and private sectors involved in the promotion and protection of children's rights and based on a child right approach. In doing so, the State party should take into account the outcome document of the 2002 Special Session of the General Assembly of the United**



**Nations “A world fit for children” and its Mid-Term Review in 2007. The Committee also recommends that the State party ensure adequate budget allocations and follow-up and evaluation mechanisms for the full implementation of the plans of action to regularly assess progress achieved and identify possible deficiencies. These plans should pay special attention to children belonging to the most vulnerable groups. (para 15)**

The Committee also recommended that the four UK Children’s Commissioners be properly resourced, in order to provide independent monitoring of government delivery on children’s rights.

**‘The Committee recommends that the State party ensure that all four established Commissioners be independent, in compliance with the Paris Principles and mandated, inter alia, to receive and investigate complaints from or on behalf of children concerning violations of their rights. These bodies should be equipped with the necessary human and financial resources in order to carry out their mandate in an effective and coordinated manner so that the rights of all children in all parts of the State party are safeguarded. In this regard, the Committee draws the attention of the State party to its general comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child. (Para 17)**

The 2008 Concluding Observations also made recommendations on ensuring adequate resources in relation to specific groups of children and particular issues. These included:

- Using ‘all available resources’ to protect children’s right to life (Para 29)
- Employing additional resources to meet the needs of children with mental health problems, with particular attention to those at greater risk, and making particular reference to Northern Ireland (Para 57)



- Investing considerable additional resources in order to ensure the right of all children to a truly inclusive education particularly for children from disadvantaged, marginalised and 'school-distant' groups. (Para 67)
- Providing the necessary resources to effectively implement the Anti-trafficking Action Plan. (Para 76)

### **2.3.1 Assessment of NI budget against 2008 Concluding Observations**

There is no evidence in the budget documents of the 10 Year Children's Strategy, or indeed of the Ministerial Sub-Group priorities, having determined the allocation of resources for children. There certainly is no evidence of resources being directed to children to 'the maximum extent of available resources'.

Child rights impact assessments have not been conducted. Indeed, as outlined above, where EQIAs were conducted, in general they have been largely tick-box exercises with scant data or evidence of significant consideration.

Following the Concluding Observations in 2008, which argued for action to be taken to ensure adequate resources for the Children's Commissioners across the UK, NICCY has received 3% cuts on its budget year on year. The proposed OFMDFM budget states its intention to further reduce NICCY's resource allocation by 3% a year, for each of the four years of the budget. Contrary to the OFMDFM savings plan tables, this will 'no positive or negative impacts .. for any of the defined groups'. This is not the case. Cuts of this region to NICCY's budget is likely to result in a reduction in the ability of the Commissioner to meet her statutory duties.

The budget spend across the devolved administration has not been analysed to determine the proportion of the budget spent on children. NICCY recommends that the Executive to do this over the next year to inform its report to the UN Committee on the Rights of the Child, due in 2013. As part of this, the Executive should ensure that it is collecting and collating data on children's rights and best interests that will allow it to determine progress achieved against the budget spend. The Executive should also ensure that NICCY has sufficient resources to deliver on its statutory duties.



### **3.0 Research and analysis**

#### **3.1 The Analysis of Public Expenditure (NICCY / DFP / OFMDFM)**

In 2006 NICCY, in partnership with DFP and OFMDFM commissioned an analysis of public expenditure on children in Northern Ireland. This took the form of two reports – one analysing Departmental Expenditure Limits (DEL) and the second analysing Annually Managed Expenditure (AME) for Northern Ireland compared to other parts of the UK. The former report reviewed expenditures on a number of key areas for children and highlighted where there appeared to be significant differences in spending on children in Northern Ireland compared to other parts of the UK. A subsequent report ‘A Childs Portion’ (2008) by Save the Children has had similar findings.

In relation to health the NICCY/OFMDFM.DFP report found that the average per capita spending on children in Northern Ireland was generally higher in Northern Ireland than elsewhere in the UK. However, this related to higher rates of children being reported to be in ‘not good health’ (11% of children in NI, compared with 10% in Wales, 9% in Scotland and 8% in England). There was a higher level of spending on prescriptions per capital in Northern Ireland generally.

The situation was significantly different in relation to personal social services. More than half the spending on personal social services in Northern Ireland focussed on elderly care, and less than 20% on family and childcare. Indeed, the personal social services and community expenditure on children in Northern Ireland was the lowest in the UK, with an average spend per child of £287 in Northern Ireland, £402 in England, £429 in Wales, and £513 in Scotland. Finding similar patterns two years on, the Save the Children report stated that ‘it is hard not to conclude that children’s services appear to be a relatively low priority in Northern Ireland.’

In relation to education, the NICCY/OFMDFM/DFP report found that school children made up 20% of NI population compared to less than 17% in Scotland, Wales and England. Northern Ireland also has the highest levels of eligibility for Free School Meals. There was only comparable data for Wales,



and the analysis found that there was around £500 less per pupil in primary school and about £20 more at post primary. It also found that Northern Ireland had the highest ratio of spending on secondary: primary schools. The 2008 report also found considerably lower spend on education in Northern Ireland, as well as a much lower growth in the education budget. The spending increase on education from 2002/3 to 2006/7 amounted to 29% in England, 27% in Scotland, 23% in Wales and just 9% in Northern Ireland. In terms of skewing resources to the poorer children, Save the Children's report found that, which the Common Funding Formula allocated additional expenditure to schools with high levels of Free School Meals eligibility, evidence suggested that this was not being targeted within schools at the poorest pupils.

The level of provision of early year services in Northern Ireland was also found by both reports to be considerably lower than in other parts of the UK. The NICCY/OFMDFM/DFP report noted that '*Regional funding deviations for this particular programme appear to have stifled the development of Sure Start in NI, particularly in relation to Children's Centres and this might well hinder progress with regard to tackling child poverty.*' The Save the Children report was able to identify comparable figures across the four parts of the UK, and found that funding in Northern Ireland equated to around £630 per child compared with around 000 per child in GB. This was broken down as follows:

- i. Preschool – in Northern Ireland £230 was spent per children, compared with around £1,300 in England and Wales and £1000 in Scotland.
- ii. Surestart - £80 was spent per child of that age in Northern Ireland compared with almost £600 in England.<sup>1</sup>
- iii. The childcare element of tax credits was also taken into account.

When considering how to make savings in the Northern Ireland budget, the Executive must take into account areas which have historically been underfunded and – at a minimum – protect these from cuts. Indeed, NICCY would argue that the Executive should not only be cutting funds, but finding

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<sup>1</sup> It should be noted that more than £80 was spent per child in receipt of Sure Start services in Northern Ireland, but the figure quoted is the total expenditure on Sure Start divided by the total number of children of the eligible age. The low figure represents in part the comparatively low spread of Sure Start services in Northern Ireland compared to other parts of the UK.



additional funding for these priority areas including early years services, personal social services and primary level education.

#### **4.0 Consultation with Children and Young People**

NICCY has regularly expressed through a broad range of policy and consultation work our concern that section 75 of the Northern Ireland Act 1998 is not being adequately enforced in respect of the age criterion and that public authorities are consistently failing in their duty to meaningfully consult with children and young people on issues that have direct relevance to their lives.

The Executive should bear in mind that article 12 of the UNCRC provides that children have the right to express their opinion in matters directly impacting upon them and have those views given due weight in accordance with their age and maturity. With this in mind, NICCY clearly has a particular interest in hearing further information from the Executive as to how it has sought the views of children and young people on the draft budget.

The very limited duration of the consultation ranging from eight weeks for the overall budget to a matter of two or three weeks for some of the Departmental budgets did not lend itself to extensive consultation with children and young people. NICCY requests information on how children and young people were consulted and on how the information gathered will inform the production of the final Northern Ireland Budget.

**NICCY asks the Executive to clarify how it has gathered the views of children and young people on the draft budget and how those views will influence the development of the policy proposals.**



## **5.0 Comments on the Departmental Budgets**

NICCY has comments in relation to a number of departmental budgets.

### **5.1 The Office of the First Minister and Deputy First Minister.**

It is essential that OFMDFM continues to tackle disadvantage and promote equality of opportunity. This is ever more important given the economic challenges which Government faces. There is an increased need to protect the most vulnerable in our society, which includes children and young people.

In continuing to support and co-ordinate the NI Executive, it is important that a joined-up approach to tackling issues is realised in practice and that the longer term aspirations and hopes of our children and young people are not hindered by the need to balance budgets through cost efficiencies in the short term.

NICCY acknowledges the enhanced engagement of the Barroso Taskforce and urges OFMDFM to seize the opportunity to realise fully the potential of European Engagement to improved and enhance the well-being and opportunities for children and young people.

We agree that creating opportunities and tackling disadvantage is a key priority for OFMDFM in the 2011-15 period. This is critical in the current economic environment. NICCY welcomes the necessity for OFMDFM to work in partnership with other Government Departments and would stress that strategies and plans need to deliver real, tangible outcomes and be sufficiently resourced with inter-departmental support at senior levels.

NICCY welcomes the fact that the Ministerial sub-committee for children and young people remains at the heart of government's agenda. The temptation must be resisted and avoided to cut children's services and we would argue that greater efforts should be made to co-ordinate approaches, investment and intervention across government.

As stated in section 2.1, NICCY welcomes the establishment of the Social Investment Programme and Social Protection Fund targeted at disadvantaged individuals and communities, and advise OFMDFM to adopt an inclusive





process in designing the fund. Much of this should go to deliver on the Child Poverty Strategy, as this level of investment will encourage departments to develop creative and potentially joined up programmes to deliver on the Strategic Objectives. NICCY requests further information on these funds.

Restructuring the department may have made savings but arguably there is no evidence of increased – or consistent – delivery across the Department. NICCY is concerned that this has led to less specialised knowledge and less focus on delivering on children’s rights and best interests. NICCY is concerned that OFMDFM is considering applying a similar model to Arms Length Bodies with the goal of delivering savings, but with a detrimental effect on the delivery. NICCY believes merging of OFMDFM’s Arms Length Bodies would diminish the oversight and advisory roles of NICCY. NICCY is not aware of any extensive evaluation of the new OFMDFM structures and suggests that this should happen before OFMDFM considers applying the model to its Arms Length Bodies.

NICCY is unclear as to why ERINI is being closed, as it would seem to be the wrong time to disinvest in expertise in economic analysis and advice. NICCY is also unclear about how savings of £0.3 million can be made on the Civic Forum when it has not been in place over 2008-11.

Similarly it would be useful to have more information on the reduction of £0.55 million on the play policy. Was this one-off funding or was there an intention to continue at this level of funding into the future? The Play Implementation Plan needs resources for it to be delivered, therefore NICCY is of the opinion that this £0.55 million saving should not be made.

As stated earlier, it is very difficult to comment on a budget that only specifies what will be saved, as opposed to what will be spent. NICCY would like to reinforce the points made in Section 3 about the need for children to be prioritised in budgets and for the 10 Year Strategy to direct resources allocation to children. It should be possible to identify the amount of money allocated to children, but instead they appear to be invisible in the budget. NICCY would like to see what money OFMDFM will be spending in relation to children.



NICCY acknowledges the continuing requirement for Government to demonstrate value for money over the period of this budget and is working closely with OFMDFM and other sponsored Arms Length Bodies to identify further opportunities for cost savings.

However, the 3% savings applied to all the Arms Length Bodies each year does not seem to be based on an assessment of where these savings could be made, but rather a blanket approach. Whilst the Commissioner would acknowledge that ALBs may have limited opportunities to reduce staff costs through natural wastage, it could be argued that both the probability of this risk occurring should be higher and that the potential impact of the risk should be higher.

NICCY is not clear how OFMDFM can be confident that these savings can be made via efficiency savings to the operating budgets for staff and administration, without this impacting on organisational delivery. It should be noted that some of the Arms Length Bodies have already been making year on year cuts, while others have had their budgets increased in recent years. Given that NICCY has made 3% savings each year for the last three years, we will find it difficult to make these cuts without an impact on front line services. Indeed, the current recruitment freeze is already making it increasingly difficult for NICCY to deliver efficiently on our statutory duties. It is not clear how the assessment included in the savings delivery plan pro-forma about the potential impact of the 3% cuts to the budget of NICCY and the other ALBs was made. It states: 'If the efficiency savings are delivered as planned, no positive or negative impacts are anticipated of any of the defined groups.' NICCY is not confident that this is the case.

NICCY is also concerned at the planned further reduction of staff by 46. It is difficult to see how this reduction can be absorbed without impact on front line services. We have had concerns about the human resources available within OFMDFM to coordinate action across the departments on the Children's Strategy, the implementation of the 2008 Concluding Observations, the Play Implementation Plan, the Child Poverty Strategy, the Ministerial Sub-Group's priorities for children, among others. We believe a further cut would significantly impact on the delivery of these key Executive Strategies and



commitments for children. NICCY requests to be consulted on these staff reductions.

## **5.2 The Department of Agriculture and Rural Development**

NICCY has no real comments on the DARD budget except to welcome its clarity and thoroughness. However as with all Departmental budgets it would have been useful if the budget had indicated what it will be delivering for children and how this might be affected. There was also no information on the Rural Childcare Strategy and how it is likely to be affected.

## **5.3 The Department of Culture, Arts and Leisure**

NICCY welcomes the Department's commitment to protect library services, as these are important to children and families. We are, however, concerned about budget cuts to NMNI, particularly the education and learning programmes, as well as the reduction in numbers of events and exhibitions. We are not supportive of the proposed mitigating action – 'consider increasing admission charges', as this will result in the exclusion of many disadvantaged children from our cultural facilities. This would lead to the risk of the Department failing to meet its social inclusion targets, which is problematic as arts and culture should be available to all children and young people. As a result, NICCY believes that the EQIA should indicate that children are likely to be negatively impacted.

## **5.4 The Department of Education**

NICCY has been concerned at the removal of the End Year Flexibility previously enjoyed by schools, although we now understand that this decision has been reversed.

We deeply regret the very significant reductions in capital as we believe that this will impact on the Department's delivery of 'Every School a Good School'. NICCY regularly visit schools in the course of our work and are frequently struck by the variability in the quality and upkeep of the buildings. Clearly many of the schools that have been in dire need of a rebuild or significant renovations will not receive them, and this will impact on thousands of



children's experience of education. NICCY urges the Executive to prioritise both capital and current funding to the Department of Education.

NICCY welcomes the stated strategic priorities for the Department, and the recognition both of the problematic performance of the education system as a whole – and the work that needs to be done to tackle the unacceptable levels of poor educational attainment.

We also supportive of many of the priorities in the Education budget, including:

- the protection of allocations to SEN, Extended schools, Post Primary school counselling services and early years.;
- the prioritisation of the extension of eligibility for FSM to Key Stage 2 pupils;
- the £3 million to deliver the Early Years strategy and to ensure sufficient places in pre-school provision; and
- the recent announcement of increased provision for pre-school places in the non-statutory sector.

It is positive that the budget has not only identified savings, but that it also had identified additional resource allocation to priority programmes. However, NICCY remains concerned at the reductions in spending on children, particularly given the historical under-resourcing of education in Northern Ireland, particularly at the primary and early years levels.

## **5.5 The Department of Employment and Learning**

The lack of detail in the budget does not allow NICCY to assess how cuts will affect the Department's delivery for children. We would have expected to see more about Departmental programmes for 'NEET' young people and how they will be affected by the budget cuts. NICCY believes that these programmes are more vital than ever in a recession and require an increase in funding.

## **5.6 The Department of Health, Social Services and Public Safety**

Given the proportion of the budget allocated to the DHSSPS, and the vital services it funds, the level of detail contained in the draft budget is incomprehensible. There is no clarity in the document as to the Departmental



priorities, no detail of what services will be retained and what will be cut, and no Equality Impact Assessment. While NICCY has been pleased that the 'health' aspect of the budget is being protected, we have been very apprehensive about the potential for vital social services delivered to children to be cut. In section 3 of this paper NICCY outlines key findings in relation to public spending on children, and a key finding was that there was historical under-investment in children's personal social services. Given the broad recognition of the vital importance of early intervention for children, NICCY would argue that additional allocation should be made to preventative spending for children, and that resources not be diverted solely to crisis management.

NICCY requests that, when the detailed budget and EQIA are developed, they are shared with NICCY for comment.

### **5.7 The Department of Justice**

There is limited detail in the DOJ budget, which makes it difficult for NICCY to comment. However, NICCY believes that one of the Departmental priorities should be the implementation of the Review of the youth justice system.

### **5.8 The Department for Social Development**

The level of detail included in the Department's budget does not allow NICCY to provide in-depth comment. However, we welcome the proposed strategic objectives, and would like to see children articulated more explicitly in them.



## **6.0 Conclusions**

NICCY appreciates the opportunity to respond to the budget proposals, but has been generally disappointed at the level of detail and analysis contained in the consultation documents. We have also been concerned at the lack of focus on children and on protecting essential services to children. In particular NICCY would emphasise the importance of investing in early intervention for children, and in finding resources to deliver on key strategies for children, such as the Child Poverty Strategy.

NICCY is concerned at the potential for cuts in services to impact on children, particularly the most vulnerable children, such as those with a disability, care experienced children, newcomer children and children experiencing poverty. We therefore intend to monitor cuts in services to children over the lifetime of the 2011-15 budget and to use NICCY's statutory powers to advise and to challenge cuts that would be particularly detrimental to children.

To discuss our comments further, please contact Alex Tennant, Head of Policy and Research on 0289031 6395 or [alex@niccy.org](mailto:alex@niccy.org).

