Advice on Dept for Communities’ Draft Budget EQIA 2023-34

5 June 2023

Introduction

The Commissioner for Children and Young People (NICCY) was established 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 (NI). Under Articles 7(2) and (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. Under Article 7(4), NICCY has a statutory duty to advise any relevant authority on matters concerning the rights or best interests of children and young persons. The Commissioner’s remit includes children and young people up to 18 years, or 21 years, if the young person has a disability or experience of being in the care of social services. In carrying out their functions, the Commissioner’s paramount consideration is the rights of the child or young person, having particular regard to their wishes and feelings. The Commissioner is also to have regard to all relevant provisions of the United Nations Convention on the Rights of the Child (UNCRC).

NICCY is extremely concerned at the cuts to the Northern Ireland budget and how these may affect the services and provision for children and young people. We recognise the extremely difficult position of Permanent Secretaries having to administer these budget cuts, and have already written to the Northern Ireland Affairs Committee,[[1]](#footnote-2) and to the Secretary of State to highlight a range of concerns.

It is important to note that these cuts come on the back of the worst cost of living crisis in 45 years, the absence of an Assembly and Executive Ministers, challenges associated with Brexit and the ongoing impact of Covid, all of which have had an extremely detrimental impact on, and delivery for, children and young people in Northern Ireland, and their families. We are therefore very mindful, as the statutory body providing advice to government on children’s rights and best interests, of our responsibility to advise on these budget decisions, and to monitor their impact on children and young people.

In the conclusion of our report on the statutory response to the Covid emergency, *A New and Better Normal*,[[2]](#footnote-3) we wrote:

‘*It is the case that, when a public emergency occurs, the degree to which the processes in implementing children’s rights are effective and embedded in government policies and service delivery processes, will determine the degree to which children’s rights are prioritised during the emergency response. (…) We must learn the lesson that, alongside the vital actions required to support recovery, there must be a focus on embedding a child rights culture within the fundamental workings of government and its agencies.’* (p151)

In recognition of this, NICCY has worked with colleagues across Europe to develop the ENOC statement on undertaking Child Rights Impact Assessments (CRIAs) recognising their vital role in ensuring children’s rights are fully considered in government decision-making. [[3]](#footnote-4) NICCY has met with key staff from each government department to deliver capacity building workshops, has developed NI-specific CRIA templates and guidance, in addition to an online training module NICCY has developed to support government officials to undertake CRIAs.[[4]](#footnote-5)

Given the potential impact of the cuts to the 2023-24 budget, it is essential that all departments and agencies undertake CRIAs, in addition to EQIAs, to ensure that they have given due consideration as to how they will affect children and young people. This was emphasised very recently at the UNCRC Committee’s periodic examination of the UK State Party’s implementation of the UNCRC on 19 May 2023, where concerns about the impact of budget cuts on vital children’s services in Northern Ireland was raised more than once, and assurances sought from government representatives that CRIAs would be carried out on budget decisions. Subsequently the Committee issued its Concluding Observations and Recommendations on 2 June 2023 calling on the UK State Party to:

“*Withdraw the 2023/24 budget for Northern Ireland and fully consider the*

*Equality and human rights implications of a new budget, taking all possible*

*Steps to mitigate any adverse impact on children’s rights before issuing a*

*Revised budget.”*

**UN Committee on the Rights of the Child**

**02 June 2023**

Comments on EQIA on draft DfC budget

We welcome that DfC has undertaken an EQIA on its draft budget and commend the Department for the clarity it has provided on the potential impact on its overarching budget lines. We appreciate that the Department is facing a shortfall in its non-ring-fenced resource funding of £111.2m (representing 15.5%) and capital funding shortfall of £59m (27.3%) as well as no allocations to progress Ministerial priorities set at £375m which includes welfare mitigations.

However, there is very limited information presented on how the budget decisions might affect children and young people. In this EQIA children and young people under 18 are not considered under the ‘age’ category. It is only under the category ‘People with or without dependents’ that children are mentioned in relation to childcare, and in the ‘Religious Belief’ category that the impact of not mitigating the Two-Child Limit is considered. As a result, children are referenced only in relation to their parent’s benefit levels or restrictions on their work, not as people in their own right, with inherent rights and needs that must be considered when the Department considers how/where to implement the cuts to its budget. This is particularly problematic given that children remain the age group with highest levels of poverty. The FRS data for 2021-22, released in March, indicates that 21% of children were living in poverty, compared to 14% of working age adults, and 16% of pensioners.[[5]](#footnote-6) We also note that the poverty rate for adults with dependent children (18%) is 50% higher than for adults without dependent children (12%).[[6]](#footnote-7)

As outlined in the EQIA, DfC has a critical role in leading the governmental response to tackling disadvantage and promoting social inclusion for children, young people and their families. The EQIA did not, however, provide a detailed list of these important interventions, or indicate whether it was proposed to continue their funding. NICCY has identified 28 programmes funded from the DfC DEL funding, largely drawn from the Delivery Plan for the Children and Young People Strategy 2020-2030, although this list is likely to be incomplete. These programmes are of differing scale, for example one (Action 7) includes 295 projects delivered to children and young people in disadvantaged communities across Northern Ireland. If any of these are cut, this would have a detrimental impact on children and young people, particularly disadvantaged and vulnerable children and young people.

To understand the impact of DfC budget decisions on children and young people it is important that information is provided on the proposals for programme listed. It is vital that each of these decisions are made with full understanding of their likely impact, and so we believe, they must also be informed by carrying out a child rights impact assessment (CRIA) as per our earlier letter to the Permanent Secretary.

Programmes on which further information on impact is required

1. **Social inclusion Strategies**
2. Developing and coordinating implementation of an Anti-Poverty Strategy.
3. Developing and coordinating implementation of a Disability Strategy.
4. Developing and coordinating implementation of an LGBTQ+ Strategy.
5. Child Poverty Strategy annual reporting.

Although they were not mentioned in the EQIA, these strategies are vital in addressing disadvantage and promoting social inclusion, particularly for children and their families. However, without a budget to develop and/or deliver new actions, their impact will be severely limited and have an adverse effect on children, young people and families.

1. **Programmes to tackle poverty and disadvantage**
2. The Welfare Mitigation package – following review of the previous scheme the Independent Advisory Panel proposed additional mitigations, including mitigating the Two-Child Limit to Tax Credits and Universal Credit. The EQIA indicates that there is currently no funding to take this forward, should an Executive be formed.
3. Delivering initiatives under the Anti-Poverty theme within DfC’s ‘Building Inclusive Communities’ Strategy 2020-2025.
   1. The Financial Inclusion team (NIHE) - assist tenants experiencing financial hardship. The key role of the Financial Inclusion team is to improve the financial resilience of tenants and to sustain tenancies through the provision of benefit checks, advocacy, and money and debt advice. In the 2022/23 financial year, they identified over £2,000,000 of additional benefit income for Housing Executive tenants (as reported to NICCY by DfC).
   2. Make the Call around benefits advice and support - The most recent performance data for Make the Call, published in October 2022, shows that during 2021/22 Make the Call helped 10,839 individuals and families receive over £49.7million in additional annualised benefits (as reported to NICCY by DfC).
4. People and Place – A Strategy for Neighbourhood Renewal, including:
   1. educational underachievement/early years – 42 projects
   2. worklessness and employability and support for childcare – 23 projects
   3. sporting and youth – 39 projects
   4. community renewal including advice services – 126 projects
   5. health inequalities – 51 projects
   6. safe environments (re paramilitary threat and youth justice) – 14 projects
5. Delivery of Women’s Centre Childcare Fund.
6. DfC’s Adviser Discretion Fund (ADF) - a non-repayable grant award of up to £1,500 in a 12-month period available to eligible customers.  The grant is used to buy goods or services to remove a barrier to employment, e.g. parents for whom upfront childcare costs are a barrier to commencing employment.
7. Employability programmes and services to assist people to find work, including job search support, information and guidance and access to up to date labour market information and vacancies. ‘Opportunity Guarantee’ strand of Work Experience Programme includes 16-17 year olds on Universal Credit.
8. Support for those with a disability and/or health condition in work to sustain employment.
9. The Northern Ireland Child Maintenance Service.
10. Child Funeral Fund - A one-off lump sum payment of £3,056 to help bereaved families with the cost of a funeral on the death of a child under 18 or in the event of a stillbirth after 24 weeks.

These programmes are critical to support families on low incomes to meet the basic material needs of children through maximising incomes from benefits and employment. While some of these general areas of responsibility were referred to in the EQIA, there were no specific references to these programmes, and it is unclear how they will be affected – adversely or not - by the cuts to the DfC budget.

1. **Housing and affordable/sustainable energy**
2. The delivery of the new Housing Supply Strategy.
3. Young Person’s Peer Support Project providing peer to peer advice and assistance to young people in care experiencing at home or in some way threatened with homelessness. During 2021/22 Housing Rights provided assistance to 10,763 cases regarding the prevention of homelessness, accessing accommodation, affordability and housing conditions.[[7]](#footnote-8)
4. Young Offenders in Hydebank Offenders Centre – NIHE ‘Beyond the Gates’ service.
5. Affordable Warmth Scheme. From 1 April 2022 to 31 January 2023, the Affordable Warmth Scheme (run by the NIHE in collaboration with district councils) grant aided £13.1m to allow 2,2670 homes to be improved. It is recognised that interventions that reduce fuel poverty can lead to improvements to the physical and mental well-being of all members of those households (including children).
6. NI Energy Advice Service provides advice to public on energy efficiency within the home setting, renewable technologies and grant funding opportunities. (Responded to 6,450 energy advice support calls in 22-3)
7. Grants to private sector households to carry out adaptations for children with disabilities (86 families in 2022-2).
8. Homes for Ukraine scheme – assistance centres and safeguarding (including home visits).

These vital programmes focus on ensuring adequate, affordable, warm homes for children, young people and families. The EQIA indicated that the funding for the Housing Supply Strategy would be reduced, leading to fewer new homes to reduce the growing waiting list for social housing. Similarly, the EQIA also indicated that the Affordable Warmth Scheme and Housing Adaptations budgets could be cut, all of which would have negative impacts on disadvantaged children and young people.[[8]](#footnote-9)

1. **Social inclusion, engagement in arts, sport and culture**
2. Delivering T:BUC Uniting Communities through Sports & Creativity Programme.
3. Developing the Sports and Physical Activity Strategy.
4. Development of the Irish Language Strategy and Ulster Scots Language Heritage and Culture Strategy.
5. Sign Language Partnership Group programme of work – in 22-3 supporting over 50 deaf children and their families.
6. Libraries NI programmes aimed at CYP - delivery of resources, programmes and activities which contribute to emotional wellbeing (of parents/carers and children) to literacy and educational achievement, through encouraging reading for enjoyment e.g. Book Trust, Rhythm and Rhyme, storytimes, class visits, reading challenges across libraries, teenage health fair, mental health support, etc.
7. Armagh Planetarium promoting of STEM subjects through programmes such as Afterschools Space Cadets, Bold Futures, Science Experiment Booklet etc.
8. NI Museums – education and play programmes
9. Arts Council funded projects for children and young people (largely funded through Lottery with some funding from Exchequer).

Each of the programmes listed above have been developed to provide children and young people with opportunities to engage in arts, sports, culture, play and learning. Many children and young people were extremely socially isolated during the Covid lockdowns but, unlike England, Scotland and Wales, there has been no subsequent specific funding provided in Northern Ireland to boost the provision of social inclusion programmes. It would therefore be extremely detrimental for these programmes to be cut.

Impact of budget cuts on sectoral infrastructure

**Cuts to Budgets of ALBs such as NICCY**

While NICCY’s role in safeguarding and promoting children’s rights and best interests is always important, it is during times of crisis that an independent scrutiny and advisory body is most essential. This was evident during the Covid pandemic response, and it is equally important now when so many vital children’s services (across government departments) are under threat, the loss of which will adversely impact children and young people. We have written separately to the Department about this. However, we would take this opportunity to reiterate the important of the Children’s Services Co-operation Act 2015, designed to enable and support more ‘joined up government’ the benefits of which have yet to be fully realised.

**Cuts to Voluntary and Community Sector budgets**

DfC has a key role in funding the Voluntary and Community Sector to deliver critical services to children and families, and generally these services are targeted at the most disadvantaged and vulnerable. These services are often delivered on very limited budgets, depending on the commitment of staff and organisations to obtain resources from charitable sources as well as government. NICCY understands that many VCS organisations have been already informed that their funding will be ended, while others have been given letters of offer only until the end of June and do not know if their funding will continue past the end of the month. The way that this sector has been treated undermines any sense of partnership working and does not demonstrate appropriate value of the important role of the sector in providing a wide range of the most critical services to some of our most disadvantaged communities, families and children. Departments must understand that the uncertainty in funding is already having an impact on retention of staff and the delivery of services, and cutting funding will decimate the vital VCS infrastructure in some cases irreversibly or in such a way that it will not be able to be restored should funding be increased again in the future.

Conclusion and recommendations

NICCY recognises the very difficult position departments are in, attempting to implement these severe budget cuts in the absence of Ministers. We welcome that DfC has undertaken an EQIA on its draft budget and commend the Department, as stated earlier, for the clarity it has provided on the potential impact on its overarching budget lines. However, there is very limited information presented on how the budget decisions might affect children and young people.

In this EQIA children and young people under 18 are not considered under the ‘age’ category. It is only under the category ‘People with or without dependents’ that children are mentioned in relation to childcare, and in the ‘Religious Belief’ category that the impact of not mitigating the Two-Child Limit is considered. As a result, children are referenced only in relation to their parent’s benefit levels or restrictions on their work, not as people in their own right, with inherent rights and needs that must be considered when the Department considers how/where to implement the cuts to its budget. This stark omission must be rectified.

In this submission we have outlined 28 specific programmes funded to date through the DfC budget that, if cut, would have a detrimental impact on children and young people. Decisions on some of these will be taken by DfC, but others will be made subsequently by its ALBs, and many of these will adversely impact on the same groups of disadvantaged and vulnerable children and young people. It is vital that each of these decisions are made with full understanding of their likely impact, and so we believe, they must also be informed by carrying out a child rights impact assessment (CRIA) as per letter to the Permanent Secretary. If we are to protect children from the most devastating impacts of these cuts, we must learn the lessons from the Covid pandemic, and ‘focus on embedding a child rights culture within the fundamental workings of government and its agencies.’

**Recommendations**

1. **The EQIA should be revised, fully considering the specific impact of the budget decisions on children under the ‘age’ category.**
2. **A CRIA should be carried out on the draft DfC budget, and this should include information on each programme delivered to children, including the 28 programmes listed in NICCY’s submission, in terms of budget proposals and likely impacts. Cuts should not be imposed where they will have an adverse impact on children and young people.**

1. [NICCY-advice-paper-NIAC-Inquiry-21-April-2023.pdf](https://www.niccy.org/wp-content/uploads/2018/09/NICCY-advice-paper-NIAC-Inquiry-21-April-2023.pdf) [↑](#footnote-ref-2)
2. <https://www.niccy.org/a-new-and-better-normal-children-and-young-peoples-experiences-of-the-covid-19-pandemic/> [↑](#footnote-ref-3)
3. <https://www.niccy.org/wp-content/uploads/media/3766/fv-enoc-position-statement-on-cria.pdf> [↑](#footnote-ref-4)
4. <https://www.niccy.org/what-we-do/training/cria/> [↑](#footnote-ref-5)
5. [Northern Ireland Poverty and Income Inequality report 2021-22 | Department for Communities (communities-ni.gov.uk)](https://www.communities-ni.gov.uk/publications/northern-ireland-poverty-and-income-inequality-report-2021-22) Relative poverty (After Housing Costs) figures are quoted. [↑](#footnote-ref-6)
6. Ibid. [↑](#footnote-ref-7)
7. The figures in this section were provided to NICCY by DfC in its Children’s Champions updates. [↑](#footnote-ref-8)
8. In February 2023 NICCY published research into homelessness and housing instability: ‘A Place to Call Home.’ [NICCY-Homelessness-A-Place-to-Call-Home-Main-Report.pdf](https://www.niccy.org/wp-content/uploads/2023/03/NICCY-Homelessness-A-Place-to-Call-Home-Main-Report.pdf) [↑](#footnote-ref-9)