

NI Commissioner for Children and Young People

CORPORATE PLAN 2017 – 2020

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FOREWORD



Welcome to NICCY's Corporate Plan, which broadly sets out the work for the organisation up to 2020.

This plan outlines the range of duties and powers that I have as the NI Commissioner for Children and Young People - although it is a matter of record and two substantial reviews, that there are limitations within the legislation which restrict NICCY from fully utilising the powers as envisaged in 2003. Regardless of this, we are determined to make maximum use of the powers available to

me. I am determined that NICCY will not be found wanting in holding duty bearers to account. This plan represents the framework by which we will be doing this.

It is a challenge to decide how to best use available resources to achieve maximum impact. There are many competing priorities - particularly at a time when there are so many issues preventing children and young people in Northern Ireland from experiencing the full protection of their rights. Nevertheless, I have identified key priority areas where we hope to see real changes for all children and young people in Northern Ireland wherever they live. Deciding on these has been challenging in some ways, and not so in others.

In view of reducing resources we have taken into account the work of others and will whenever possible, work in partnership with other bodies; we have also made every effort to avoid duplication.

The process of developing this Corporate Plan has included a review of NICCY's work, including the advice and legal casework, as well as engagement with all stakeholders including practitioners, and most importantly children and young people, parents and carers. Finally, we have analysed relevant evidence and data to inform the objectives set out in this plan.

In analysing available evidence, the issues on which we are concentrating - having been identified through research, engagement with children, young people and their parents, and the UN Committee on the Rights of the Child - are the most egregious breaches of children's rights - namely **poverty**, **mental ill health** and **education inequalities**. In the autumn of 2015 we engaged with a range of young people, seeking their views on 'what

matters most'. They stated these three were key, adding others - the main one being the **continuing impact of Northern Ireland's conflict** on their lives. We will also continue to carefully monitor relevant work and activity in relation to the **safeguarding of children** from all forms of abuse and **issues in youth justice**.

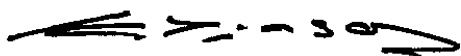
There remain a number of outstanding issues that we shall be addressing specifically **equal protection for children from physical assault** ('smacking') and the protection for children in legislation to prohibit **age discrimination in the provision of goods, facilities and services**.

I am charged with safeguarding and promoting the rights of children and young people and as such the full implementation of the United Nations Convention on the Rights of the Child (UNCRC) and the Committee's Concluding Observations and recommendations will remain a key focus of our work.

Northern Ireland now has *the* opportunity to deliver better outcomes for children and young people, with various processes under development, namely the new Programme for Government, the Children's and Young People's Strategy and of course the Children's Services Co-operation Act.

Although there remain clear uncertainties ahead, particularly with regard to the economy, public expenditure and the impact of 'Brexit', the work to achieve the full realisation of children's rights in Northern Ireland is more important now than ever. It must not be compromised by these uncertainties and the impact on children must be fully scoped and addressed.

Ongoing and direct engagement with children and young people, both through the NICCY Youth Panel and with children and young people across NI, will ensure that this Corporate Plan is a living document and directly relevant to the lives of our Children and Young People.



Koulla Yiasouma
NI Commissioner for Children and Young People

1. WHO WE ARE AND WHAT WE DO

Established in 2003 under the Commissioner for Children and Young People (Northern Ireland) Order 2003. 'NICCY' is the Independent Human Rights Institution with a range of statutory duties and powers to promote and protect the human rights of children and young people here.

In so doing, the work of the Office is guided by the United Nations Convention on the Rights of the Child (UNCRC) as well as domestic, national and international legislation and conventions.

Our Mission

**'To safeguard and promote the rights and best interests of
children and young people'**

[Art' 6 (1)]

Our Vision

**A Society where the rights of all children and young people
are respected and realised**

The 4 UNCRC General Principles as per Articles 2, 3, 6 and 12 fundamentally underpin our approach to our work. These relate to non-discrimination, best interests, survival and development and the voice of the child in the application of all UNCRC Rights.

Our Values

All of NICCY's work is underpinned by a number of core values. We apply these in our day to day work and seek outcomes based on the advocacy and realisation of these values.

NICCY is:

Child centred	Children are at the centre of all we do and we will encourage and value their participation.
Rights focused	Our work is underpinned by the United Nations Convention on the Rights of the Child (UNCRC).
Collaborative	We will work in conjunction with others, while maintaining our independence, to deliver more effectively for children.
Independent	We will challenge Government and relevant authorities and hold them to account.
Dynamic	We are a forward thinking organisation, innovative and open to change.
Transparent	We are open, honest, accountable and responsive in all our work.
Enabling	We will work to build support and capacity to help children, young people, parents and others to act to promote children's rights.

NICCY's Statutory Duties



NICCY's Statutory Powers

Undertake Commission Challenge

Research or educational activities concerning the rights or best interests of children and young persons or the exercise of her functions

Conduct investigations as she considers necessary or expedient to meet her duties

Compile info', provide advice and publish any matter (including educational activities, investigations and advice) concerning their rights and best interests

Art 8(1) & (3) & (5)

Issue Guidance Make Representations

In relation to any matter concerning the rights or best interests of children or young persons

Make representations or recommendations to any body or person relating to the rights and best interests of children and young persons

Art 8 (5) & (6)

Address Rights Breaches Advocacy

Assist with complaints to / against relevant authorities

Bring, intervene in, or assist in legal proceedings

Art 11, 12 & 14

2. THE NEW CORPORATE STRATEGY

Context and Overview



We in NICCY recognise the complex economic and political contexts within which we operate. Public sector reform and budget cuts have and indeed continue, to impact. NICCY now also has a new sponsor department in the Department for Communities. It is anticipated that we will receive a formal comprehensive response to the Review of the Legislation, now currently with them. The ‘unknowns’ following the UK EU Referendum have yet to ‘unfold’. Now more than ever, it is vital that NICCY robustly focuses on protecting and promoting the rights of our Children and Young People. We do not underestimate the challenges facing us during the coming period, and are determined to ensure we meet these effectively. Having restructured internally in response to some of the challenges already outlined, to promote greater focus and multi disciplinary working, this Corporate Plan is reflective of those, but more importantly on ensuring focus on NICCY’s legislative remit.

It is opportune that at the time of writing, we have a developing Programme for Government. The new ‘outcomes based’ approach is to be welcomed and NICCY has provided advice on this. It is particularly timely as the NI Executive are also developing the next Children’s and Young People’s Strategy i.e. the PfG/NI Executive Action Plan for them. With the introduction of the Children’s Services Co-operation Act (2015), the requirement to produce the Strategy, and the statutory duties therein, strengthens the potential for real, effective and lasting change to the lives of, and outcomes for, our Children and Young People. NICCY has devoted much time and resource to working on it for this reason. Our comprehensive advice based on evidence collated, stakeholder engagement and input, as well as our involvement with the Project Board, are all testament to the significance we have placed on it. This has also very much been informed by the UN Committee’s Concluding Observations and recommendations following the UK State Party examination held mid 2016.

NICCY's work is fundamentally based on the UNCRC; our ongoing work and promotion of it is vital in achieving adherence to, and respect for, the rights of our Children and Young People. We have set out, in the following sections, what we will be doing to achieve this, through our strategic objectives and key priority areas of work.

Ever mindful of the need to retain 'flexibility', to react and respond to new and emerging developments and issues over which we maintain a 'watching brief', we will do so as and where appropriate and possible.

Our 'direction of travel' over recent years, has been to work further 'upstream' in advising as legislation, policies and strategies are being developed by Government, and it is encouraging that increasingly departments are coming to us in this regard. Compliance with Children's Rights at the outset of such developments is key to 'getting it right', and thereby enhancing effective delivery, impact and outcomes - NICCY is keen to support Government in doing so.

We will as always, continue to monitor our own performance and delivery on this Corporate Plan 2017-'20 and subsequent Annual Business Plans as necessary.



Mairéad McCafferty
Chief Executive

Political, Economic, Social, Technological, Environmental and Legal (PESTEL) Analysis

Political context

NICCY's work with the Northern Ireland Executive and Assembly will continue, required as we are, to keep under review the adequacy and effectiveness of law, practice and services as they impact upon children and young people. We will maintain our positive working relationships with relevant Ministers, political parties and the necessary range of stakeholders at Northern Ireland, UK and international levels, to address the key issues affecting children and young people. We are mindful that this Corporate Plan will be delivered in a period of considerable political and administrative change – not least in the context of ongoing public sector reform.

Economic context

During this period of plans to reduce public sector expenditure, we are mindful of growing concerns about frontline children's services. We will continue to monitor the potential impact of such cuts to ensure that provision to our most vulnerable groups of children in Northern Ireland is protected. Building on our work in welfare reform – reminding government of its obligations under UNCRC - we will continue to address the issue of growing child poverty which adversely impacts upon their life opportunities and outcomes.

Internally, we continue to work closely with DfC to ensure the 'level of resource' required so that NICCY is 'fit for purpose' and enabled to deliver on agreed priorities is sufficient. We have also been liaising with other Non Departmental Public Bodies (NDPBs) to identify and implement efficiencies and cost savings through closer collaboration and sharing of services.

Social context

NICCY will continue to work to address the marginalisation of children and young people and reduce social exclusion which arises e.g. from social disadvantage, poverty, sectarianism, racism, heterosexism and/or discrimination against those living with a disability. We will also collaborate with our partners in the various human rights and equality bodies, here and externally, in support of the UN Committee's Concluding Observations to promote understanding of how 'rights based approaches' can deliver effectively for children and society.

Technological context

NICCY is mindful of the ever growing plethora of online social media and networking sites, and the need to ensure as far as possible, that children and young people are safeguarded and protected from potential exploitation, grooming and/or cyber bullying. We appreciate that our children and young people – as well as adults - engage with such technologies which shape and impact how they interact with each other and wider society, and therefore it is more important now than ever that we continue to highlight the issues.

Environmental context

We operate in a complex environment – much of which has been highlighted already. We will continue to be aware of the various ‘environmental factors’ – financial, political, social, and indeed physical - which impact on our work and assess risk / ‘horizon scan’ accordingly. We acknowledge that it is good practice for us to ensure effective controls within and across the organisation.

Legislative Context

The Commissioner’s statutory duties and powers (see earlier graphical representations) are set out in the 2003 Order; the work of the Office is guided by the United Nations Convention on the Rights of the Child (UNCRC).

Other key areas of legislation, policies and strategies as well as international recommendations such as the Concluding Observations / General Comments from the United Nations’ Committee on the Rights of the Child, which have an impact on the lives of children and young people within Northern Ireland, are kept under review as necessary.

Our Sponsor Department – Department for Communities (DfC)

Sponsorship of NICCY was transferred to the Department for Communities on 9 May 2016, as part of public sector reforms following changes to the remits and number of NI departments. The relationship with DfC - as sponsor department - is set out in the Management Statement and Financial Memorandum (MSFM). Periodic meetings are held between NICCY and DfC as an accountability mechanism and include oversight of governance arrangements.

NICCY’s remit also includes monitoring the Department’s work - in line with its legislative remit and functions - as this impacts upon children and young people in regard to relevant directorates within DfC.

Review of the Office of the NI Commissioner for Children and Young People

NICCY's sponsor department is required, as detailed within NICCY's Management Statement and Financial Memorandum, to commission a comprehensive review of the Office every three years. This Corporate Plan period will see implementation of agreed recommendations ensuing from the latest Review of the Office conducted by Department for Communities in the 2017-18 business year.

Review of the Legislation: Commissioner for Children and Young People Order (NI) 2003.

This review has been completed and the report on same submitted to DfC as the 'new' sponsor department. DfC are taking this forward. NICCY has also submitted, as required under Article 24 of the Order, recommendations – endorsed by the 'new' Commissioner who took up appointment in March 2015. On receipt of the formal, comprehensive response, NICCY will progress appropriately. Both reports are available on our website at:

- [A Review of the Duties and Powers of the Northern Ireland Commissioner for Children and young people](#) - by Barry Fitzpatrick and Brice Dickson
- [Report To: The Office of the First and Deputy First Ministers Under Article 24 of The Commissioner for Children and Young People \(NI\) Order \(2003\)](#) - NICCY

Review of Performance

Over the past 3 years (2014-'17) NICCY has focused on delivering the corporate and business objectives set for the period. A full review of our overall performance during each of these years, as well as our annual accounts, can be found in successive Annual Reports. These [can be accessed here on our website](#).

3. OUR STRATEGIC OBJECTIVES

We will work to:

Objective 1:

Ensure that Children's and Young People's rights are respected, promoted and protected in the work of all duty bearers.

Objective 2:

Highlight and address critical issues which adversely affect Children and Young People.

Objective 3:

Address breaches of Children's and Young People's rights.

Objective 4:

Raise awareness of Children's and Young People's Rights, the UNCRC and the functions of the Commissioner.

Objective 5:

Promote the participation of Children and Young People in decision making processes.

Objective 6:

Ensure NICCY is an effective and efficient organisation.

1. Ensure that Children’s and Young People’s Rights are respected, promoted and protected in the work of all Duty Bearers.

The UN Committee on the Rights of the Child has provided considerable advice on the processes by which governments and agencies deliver their work in a child rights compliant manner. While this is particularly critical in relation to work targeted at children, consideration of children’s rights should inform the development and implementation of a wider range of policies, services and legislation.

NICCY will achieve this through advising and where necessary, holding government to account regarding inter-related processes:

- **UN Committee on the Rights of the Child: 2016 Concluding Observations**
In May 2016 a total of 156 recommendations were provided, 131 of which fall to the NI Executive to deliver in relation to children in Northern Ireland;
- **Children’s Services Co-operation Act 2015**
This ground-breaking legislation places statutory duties on all departments and agencies to work together to deliver improved outcomes in children’s well-being - as defined by the Act and in reference to the UNCRC;
- **Children’s and Young People’s Strategy**
This will be the overarching mechanism for co-ordinating delivery across all statutory departments and agencies on the duties contained in the Children’s Services Co-operation Act 2015; and should address the UN Committee’s 2016 Concluding Observations and recommendations;
- **Highlighting and Promoting Key Child’s Rights Issues at Local, National and International Levels**
NICCY will work to influence Government and its Agencies to more effectively deliver in compliance with children’s rights, promoting respect for same at all levels – locally, nationally and internationally. We will deliver on a range of activities engaging with the Northern Ireland Executive and Assembly, at Westminster, through the British and Irish Network of Children’s Commissioners, through our European networks and at the UN level. We will also be developing our ‘Statement on Children’s Rights in N. Ireland’ publication during this corporate plan period; and

- **Implications of 'Brexit' for Children's Rights**

'Brexit' may have significant implications for the realisation of children's rights in the future so we will work to ensure that those responsible for negotiating and implementing the changes are aware of these, and that they protect children from any detrimental impacts.

2. Highlight and address critical issues which adversely affect Children and Young People.

There are a wide range of issues adversely impacting children and young people in Northern Ireland and NICCY has identified key priority areas. These priorities have been informed by reviewing the relevant evidence, including the complaints raised with the Office each year by children and young people, their parents and carers.

We have also taken cognisance of the UN Committee's Concluding Observations and have engaged directly with children and young people in identifying the most persistent and egregious breaches of their rights requiring government action.

As a result, we will focus our proactive advice to government on the following key areas:

- **Tackling Child Poverty:** we will raise awareness of the high levels of child poverty in Northern Ireland, its impact on children's lives and advise government on appropriate action to tackle it;
- **Improving Mental Well-being:** we will gather evidence as to the adequacy of child and adolescent mental health services and outline critical actions to better meet the needs of children and young people;
- **Overcoming Educational Inequalities and Promoting Inclusion:** we will work to ensure that the education received by all children in N. Ireland is of a high standard and develops every child's personality, talents and abilities to the full. This includes ensuring that inequalities in educational attainment are addressed and that all children develop to their maximum potential;
- **Addressing the Legacy of the Conflict:** we will hold government to account in relation to the effective protection of children and young people from trauma, violence or mistreatment due to the continuing legacy impact of the conflict;
- **Challenging Discrimination:** we will provide a robust challenge where children and young people experience discrimination in relation to the provision of goods, facilities or services and in the protections available to them in legislation;

- **Strengthening Safeguarding Provisions:** we will monitor the statutory mechanisms in place to safeguard children and young people e.g. in relation to child sexual exploitation, protection from violence and provisions for separated children; and
- **Addressing Issues in Youth Justice:** we will monitor, advise and challenge government on the implementation of outstanding recommendations from the Youth Justice Review (2011), relevant concluding observations and recommendations from the UN Committee on the Rights of the Child and application of the 'best interests' principle across the youth justice system.

3. Address breaches of Children's and Young People's Rights.

The 2003 Order confers a range of powers upon the Commissioner. These powers are the 'tools' which enable her to fulfil her duties.

They include the power to bring, assist with, or intervene in, legal proceedings and the power to assist with complaints to, or about, relevant authorities.

It is these powers which we shall utilise to challenge breaches of Children's and Young People's rights through:

- **Conducting Independent Investigations** where breaches of the rights of children and young people are alleged, and when internal complaints processes have been exhausted - in line with the requirements of our legislation;
- **Assisting Children and Young People with Complaints** to, or against, relevant authorities, when the matter has yet to be resolved - in line with the requirements of our legislation;
- **Bringing, Intervening in, or Assisting with, Legal Proceedings** in challenging breaches of children's and young people's rights;
- **Holding Government to Account** when they fail to protect children's rights; and
- **Providing Advice** to ensure the implementation of children's rights in legislation e.g. in relation to equal protection from assault in the home.

4. Raise awareness of Children's and Young People's Rights, the UNCRC and the functions of the Commissioner.

NICCY has a duty to promote awareness of children's and young people's rights and to create an understanding of the role and functions of the Commissioner and the Office. Communicating our work and what we do - and listening to what others tell us in the process - is a key priority for the Office.

We will achieve this through:

- **Raising awareness** by engaging formally and informally with children and young people, their parents, carers and other significant adults, duty bearers and all other relevant stakeholders;
- **Outreach work** with a diverse range of communities within both rural and urban settings;
- **Effective communications** channels including two-way engagement with our stakeholders, particularly children and young people;
- **Gauging the views and opinions** of key stakeholders to inform our work, ascertain any gaps in awareness and develop appropriate stakeholder engagement, communication and participation strategies and action plans; and
- **Advising** that the UNCRC becomes a mandatory part of the curriculum in schools, youth clubs and for all professionals working with children and young people.

5. Promote the participation of Children and Young People in decision making.

The participation of children and young people is key to the implementation of the United Nations Convention on Rights of the Child. Evidence highlights the lack of consistency in existing participation mechanisms in schools, at community, local government and national levels. There is also an absence of evidencing the impact of engagement with children and young people in the development of legislation, policies, strategies, action plans and service delivery.

NICCY is required to take reasonable steps to seek the views of children and young people and their parents in the work of the Office. The UN Concluding Observations (2016) reiterated the requirement by Government to actively and meaningfully ensure the participation of children and young people in having a say in decisions which affect their lives.

This will be achieved through:

- **Advising** the NI Assembly, NI Executive and its agencies in the development of meaningful participation policies and practice in Schools, Local Government Community Planning and the development of a Northern Ireland Youth Assembly;
- **Promoting the development of monitoring and evaluations processes** to measure the quality of engagement processes and the impact of the participation of children and young people on decision making;
- **Seeking the views** of children and young people especially those who may be most marginalised, including younger children, about the issues affecting them;
- **Creating opportunities** for children and young people to have a direct say in decisions affecting them;
- **Supporting NICCY's Youth Panel** to:
 - Inform NICCY about issues which affects the lives of children and young people; and
 - Work with their peers to ensure their views are heard and duty bearers are aware of changes necessary to the realisation of their rights.

6. Ensure NICCY is an effective and efficient Organisation.

We will ensure effectiveness and efficiency in maximising our organisational performance by delivering on our strategic objectives as detailed in our annual Business Plans; through appropriate staffing levels; professional systems of internal control; corporate governance and accountability mechanisms; sound financial management and performance reporting to achieve greatest impact within organisational resources.

We will do this through:

- **Annual Business Plan** development and delivery of objectives and targets based on this 3 year Corporate Plan utilising organisational resources – Human, Financial and Physical - to best effect, including collaborative working with relevant partners;
- **Accurate Monitoring and Reporting** on NICCY's performance and impact through laying of the Annual Report & Accounts before NI Assembly, Quarterly Reports to our Sponsor Dept, internal reporting and periodic reports / updates to stakeholders;
- **Efficient Systems** of corporate governance, performance management, internal controls, risk management, internal and external audits and relevant reviews;
- **Prompt implementation** and/or updating of relevant guidance, recommendations and legislative changes to policies, procedures and practice as directed and necessary;
- **Accreditation** - organisational e.g. liP, EFQM and as appropriate, for our Staff; and
- **Corporate Social Responsibility** activities e.g. shared services ensuring appropriate 'value for (public) money', sharing of expertise, environmentally friendly policies and practices.

NI Commissioner for Children and Young People (NICCY)

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If you would like to discuss any aspect of this Corporate Plan, please contact the Chief Executive Mairéad McCafferty via 028 9031 1616 or Mairead@niccy.org

Please contact the Communications Staff at NICCY if you require alternative formats of this material.