



Northern Ireland
Assembly

**COMMITTEE
FOR THE OFFICE OF THE
FIRST MINISTER AND DEPUTY
FIRST MINISTER**

**OFFICIAL REPORT
(Hansard)**

**Northern Ireland Commissioner for
Children and Young People**

23 February 2011

NORTHERN IRELAND ASSEMBLY

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FOR THE OFFICE OF THE FIRST MINISTER AND
DEPUTY FIRST MINISTER**

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Children and Young People**

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Members present for all or part of the proceedings:

Mr Tom Elliott (Chairperson)
Dr Stephen Farry (Deputy Chairperson)
Mr Allan Bresland
Mr William Humphrey
Mrs Dolores Kelly
Mr Danny Kinahan
Mr Barry McElduff
Mr Francie Molloy
Mr George Robinson
Mr Jimmy Spratt

Witnesses:

Ms Patricia Lewsley) Northern Ireland Commissioner for Children and Young People
Mr Gerry Campbell)

The Chairperson (Mr Elliott):

I welcome Patricia Lewsley, the Northern Ireland Commissioner for Children and Young People (NICCY), and Gerry Campbell, the chief executive of NICCY. This session is on the recent review of NICCY, and it will be recorded by Hansard. We have received the report from OFMDFM and the briefing papers that you have supplied us with. I ask you to make opening comments of around 10 minutes. After that, hopefully you will take questions from members.

Ms Patricia Lewsley (Northern Ireland Commissioner for Children and Young People):

Thank you for the opportunity to come before the Committee. Originally, we asked to share with the Committee my assessment of a number of important documents, such as the play implementation plan, the child poverty strategy and our Budget analysis. I welcome the fact that the Committee has been flexible and allowed us to change our presentation. As you said, you have received copies of our responses, and we are happy to take questions.

I want to focus on the review of my office and the debate about whether other structures could deliver on the duties of my office. Also, given that we will be starting a new three-year corporate plan, I want to briefly outline some of the work that we will be undertaking in the future. However, I feel that it is important to start with a few words to express our concerns about the draft Budget.

Very often, children are invisible until there is a tragedy. It is my job to make them visible before any tragedy happens. Therefore, it is disappointing that, in this Budget, children are invisible. It is not possible to see how they will be affected and, over the period of this Budget, I will be very closely monitoring the impact that its cuts have on children and I will be doing all that I can to protect children's services.

It is evident from this Budget that, rather than developing a fresh Budget from scratch, Departments generally only listed savings, which made it difficult to assess the impact on children. Indeed, if you take the Budget as a whole, the impact assessments would lead us to believe that it would have little or no impact on any marginalised groups. That is very hard to believe and, while recognising that cuts need to be made, the Executive must prioritise vulnerable groups and protect areas that have been underfunded historically, such as early-years provision and personal social services. I am deeply concerned that those areas will be badly affected by the cuts. If the Budget goes through in its present format, it will actually cost government more money in the long term.

We welcome the establishment of the two new funds that will be administered by OFMDFM, and we emphasise the importance of them having a significant focus on children.

I recognise the importance of transparency and scrutiny of public bodies, so I engaged fully with a review of my office, but I have told OFMDFM that I do not agree with many of that

review's observations. I also recognise that, although I am confident about the effectiveness of our delivery for children and young people, there is always room for improvement.

In essence, the purpose of the review was to cover two main areas: whether the current delivery mechanism is the best way of delivering the services in question; and to determine the efficiency and effectiveness of NICCY. The review found that the current structure is the most effective for meeting the statutory aims and duties. That is outlined in recommendation 1 and is accompanied by suggestions for how I might improve the effectiveness of the office, particularly in the face of significant budget cuts.

Recommendation 9 also suggested that OFMDFM undertake a full investigation of the potential impacts and benefits of merging rights-based organisations such as ours. However, in the body of the report, the advantages and disadvantages of a merger are listed. The advantages were largely related to making savings and providing better value for money, and the disadvantages highlighted a reduction in the focus on children and the impact on the access of children to services, which, as I said at the very beginning, makes children less visible.

Furthermore, a merger would mean that Northern Ireland would be the only part of the United Kingdom and Ireland not to have an independent children's commissioner or ombudsman. I hope that Committee members will reflect on the fact that, last year in Scotland, the Holyrood Parliament's review of rights bodies, while recommending the merging of other bodies, concluded that the Scottish Commissioner for Children and Young People should remain a separate and independent body. Committee members may also want to reflect on the fact that the Dunford review of the English Children's Commissioner, which was carried out on behalf of the coalition Government, not only backed it continuing as a separate and independent body, but stated that its powers should be increased. Similarly, in the Republic of Ireland, the decision was made to retain an independent ombudsman for children, particularly in light of the Ryan report.

You will be aware that the Executive are undertaking a landscape review of arm's-length bodies, and I am confident that that will clarify the need for my office to be retained in its current format. The legislation for the office was developed in response to a widespread recognition of the need for an independent champion for children. Circumstances have not changed substantially since then to warrant a diminution of NICCY's powers or duties. Indeed, at a time of severe budget cuts, which have potential to impact particularly on vulnerable children and

young people, the scrutiny of an independent commissioner for children is needed more than ever.

Turning to what the review said about the effectiveness of the delivery of my office, I would like to make a few comments. In general, we have found the recommendations helpful in identifying areas for improvement. However, in a number of areas, I have taken issue with the way in which those recommendations are stated. For example, recommendations have been made that appear to suggest that I do not have adequate systems in place and that there was an issue that was not addressed from the last review. I have been aware of that issue and actively working on it from some time. Recommendation 2 referred to our considering the approaches of other jurisdictions and downsizing to five or six priorities. When I took up post, NICCY was dealing with 15 priorities, and we downsized those to five. Recommendation 8 relates to the ongoing issue of the cost of the office, and I have had ongoing conversations with the Department for some time now about how we can explore different ways of moving out of that building or subletting some of the floor space.

Another concern about the review relates to its terms of reference. Rather than reviewing the work of NICCY and tracking interventions on issues over a three-year period, the terms of reference required the review to consider each year in isolation. I have argued that that approach is not appropriate, given that my role is to advise government and influence changes in policy, legislation and services. Those changes rarely happen quickly and rarely respect the need for results within one financial year.

Owing to the requirement to look at each year in isolation, if an action in one financial year had an impact the following financial year, that was not taken into account. The phrase used was:

“It is not clear from the monitoring information received how these were progressed or what outcomes were achieved.”

Other issues were raised in the review and subsequent coverage that draw into question the robustness of our financial management procedures and allocation of budgets. Gerry Campbell, my chief executive, and I will be pleased to answer any questions you may have on those or any other issues emerging from the review.

I will now take a few minutes to address some of the points that the Committee has raised in relation to its review of the Northern Ireland Ombudsman’s office. Having reviewed the

Committee evidence session on 12 January, it is evident that two different things were discussed: that all ombudsmen's powers could be held solely by the Northern Ireland Ombudsman and that other arm's-length bodies, such as the Children's Commissioner, could be merged into the Northern Ireland Ombudsman's office.

My legislation particularly recognises the vulnerable position of children when challenging public authorities. It allows a final avenue for a child to take their complaint after other statutory complaints mechanisms have been exhausted. That includes the Northern Ireland Ombudsman's investigation processes. The Northern Ireland Ombudsman looks at the process and whether it was carried out correctly, while my office looks at the rights and the best interests of the child involved in that process.

In the paper that we recently submitted to the Committee, you will have seen the range of duties and powers held by me. As can be seen, those extend far beyond the powers to investigate complaints and include the duty to review services, legislation and practice on matters concerning the rights or best interests of children and young people.

Over the period of the review, my legal team has dealt with over 1,600 individual complaints from children and young people. My staff and I have also met and consulted almost 22,000 children over those three years. To subsume NICCY into a "super ombudsman's" office would be to greatly diminish the protections afforded to children that were included in the Children's Commissioner legislation drawn up by the Assembly back in 2001-02.

I would like to touch on my own review of legislation. My own legislation required me to review that legislation after three years to determine what changes may be needed to ensure that it is fit for purpose in enabling me to meet my statutory duty to promote and protect the rights and best interests of children. That review was completed in 2006, and I subsequently raised a number of critical issues with the First Minister and deputy First Minister. Over the past four years, I have repeatedly requested a decision from OFMDFM in relation to the recommendations that I made, and, to date, no decision has been forthcoming. My legislation requires me to start a second review of my legislation shortly, and I would welcome the opportunity to make a presentation on that to the Committee later in the year.

Finally, as we are currently completing one three-year corporate plan and planning the next, I

want to briefly update you on some of the pieces of work that we will be taking forward in the 2011-14 corporate plan. Our objectives will closely mirror my statutory duties and we will explore how my office can more effectively apply its powers to compel government to take action to meet children's rights and best interests. One way in which we will do that is to undertake structural investigations into key children's rights issues. We will focus on ensuring that it does not duplicate the work of others. One example of how we will do that is to seek to provide advice further upstream in the policy process, including to Departments in advance of consultation processes, with a particular focus on the Department of Education, the Department of Health, Social Services and Public Safety, the Department of Justice, and OFMDFM. We will continue to press government to take action in the 12 areas that we identified as critical and which we communicated to the Committee through the 'Make it Right' policy briefings. We will also proactively advise government on the structural barriers that are preventing effective delivery for children. Queen's University is producing a report for us on those barriers.

As I said earlier, a key area of work for me will be to monitor the extent and impact of the budgetary cuts on children's services for the duration of the forthcoming Budget period. That will take the form of budget analysis, similar to that commissioned by us in 2006. We will also collate information on cuts as they happen. Where possible, I will use my legal powers to protect children from cuts in particularly problematic areas.

Despite our budget being cut by 3% year on year for the past three years, I have been told that we will be required to make a further 3% saving each year for the next four years. I will attempt to find those savings in administration, premises and overheads in order to protect the services that we deliver on behalf of children and young people. However, there is a strong chance that the cuts will impact on our delivery for children, at least in year 3 and year 4.

I am committed to working with OFMDFM to resolve the issue of the high cost of premises. If, as I hope, that is resolved, we should be able to make the savings required without it having a significant impact on our delivery for children.

I will continue to ensure that children's views are heard and taken into account through consultation, participatory research and other mechanisms. I will also continue to raise awareness of children's rights and of the role of the office, focusing particularly on marginalised and disadvantaged children.

Thank you again for the opportunity to brief the Committee on those issues. Gerry and I are happy to take any questions.

The Chairperson:

Thank you very much. Patricia, you referred to your recommendations to OFMDFM regarding the legislation. We do not have a copy of those, do we?

Ms Lewsley:

No, because they go to OFMDFM, which has to make a decision on them.

The Chairperson:

How long ago was that?

Ms Lewsley:

It was in 2006.

Mrs D Kelly:

Chairperson, is it in order for us to get a copy so that we can carry out our scrutiny role?

The Chairperson:

I am sure that the witnesses could provide us with a copy.

Ms Lewsley:

I am sure that we could. It is our review of our legislation. We supplied it to OFMDFM for comment or for a decision to be taken. It has not made any decision. Part of the reason why it was holding back concerned the issue of victim status. It was looking at that issue in respect of the Commissioner for Older People. However, we would have liked to at least have received a reply on some of the other issues.

The Chairperson:

Patricia, you said that you did not agree with some aspects of the OFMDFM report. Maybe you could highlight some of the positive aspects of your organisation. Perhaps you could also outline some of the negatives or the areas that need to be improved.

Ms Lewsley:

As I said, my job is to hold government to account. You know as well as I do that, sometimes, that is not area where you can get a quick win; it needs constant work over time. I will give two examples of work that we have been heavily involved in. The first is around speech and language therapy services. As a result of complaints coming to us from children and parents, we conducted an investigation that resulted in us using our power and going to the Department to say that we were going to investigate the process around where services are being provided. We did that because our initial investigation proved that there was a postcode lottery for services and that speech and language therapists were not using their money appropriately. Therefore, we received complaints and, as a result, we conducted a review and a follow-up, the outcome of which is that some additional services are being provided in schools. That also resulted in the establishment of a task force on speech and language therapy, which has now come to fruition. We now have that task force and the action plan. However, it has taken about four years to get to that stage. So, again, it has been a slow process.

The other area is school councils. Since 2005, we have been calling for participation of pupils in schools. We have produced detailed guidelines for schools to support the development of pupils, and the High Court has said, as a result of our intervention, that school councils are needed in schools so that young people can be involved in the decision-making.

As a result of all of that work, the Department of Education is working towards issuing guidelines for all schools. We are working with that Department, and we look forward to seeing its policy on that. Again, that has taken us four or five years.

So, that is some of the positive stuff that we have done, never mind the day-to-day work that we do on the 1,600 cases that my legal and casework team work on, and which I have told you about. One of my duties is to raise awareness of children's rights in the United Nations Convention on the Rights of the Child (UNCRC) which is done through education programmes. My participation officers have met nearly 22,000 children. We have got involved in the Make it Right campaign. We have to also look at some of the other stuff that we have done on a day-to-day basis.

Like any organisation, we need to look at how we can improve what we do. We decided to

change our business plan after two years, because of circumstances and because of other issues that have come through the office and through our review of children's rights, and put our Make it Right campaign in place.

The big issue for us in the coming years is the cut in the Budget and how we manage that.

The Chairperson:

Do you mean a cut in the budget for your own organisation or a cut in the budget for services for children?

Ms Lewsley:

Both, but the biggest worry for us will be the cut in the budget for children's services. We will monitor that over the next three years.

The Chairperson:

There was quite severe criticism of your organisation in a recent newspaper report, which suggested that only 11.6% of your funding goes on programmes for children.

Ms Lewsley:

We do not deliver services to children. We supply the information, the support and the help for you. Chairperson, you said in the Assembly that I had not taken one child out of poverty, but that is not my job; that is the job of the Government. My job is to highlight to you where the gaps are, where we need to change the policy and the legislation and where we need to ensure that funding is kept and that budgets are not cut to ensure that we take children out of poverty. We have seen the number of children who are in persistent poverty rise from 32,000 to 40,000. The economic downturn will have a huge impact on children, yet budgets are being cut. As we know, the most vulnerable are always the easiest target.

Mr Gerry Campbell (Northern Ireland Commission for Children and Young People):

On the issue of the figures for the reduction in the programme budget since 2004, which the newspaper article quoted, we did not have a full complement of staff in 2004. Since then, a highly trained, skilled and professional team has been built up, which is taking forward issues on behalf of children and young people and supporting the commissioner in executing her statutory functions. That work is happening through the staff, and that is more value for money for the

taxpayer than bringing in external consultants and support.

The Chairperson:

What are those people “highly trained, skilled and professional” at doing?

Mr Gerry Campbell:

They are skilled and trained in policy work, research, dealing with legal issues, communicating, working with children and young people, and participating with children of a variety of ages across Northern Ireland, whether they are in urban or rural areas.

The Chairperson:

Doing what?

Ms Lewsley:

I will outline two of my core roles as an example. One is raising awareness of children’s rights as outlined in the UNCRC, which we do through education programmes. So, I have participation officers who go out to all kinds of events at schools, youth clubs and the premises of other stakeholders. As you will see at your party conferences, we have a stand to promote the organisation and provide access to it for all kinds of people. That is a statutory duty that I have to comply with. We do that in many ways.

We have trained over 200 student teachers on the UNCRC. We are putting a module in the Masters programme for education, and are working with Stranmillis University College, the University of Ulster at Jordanstown and Queen’s University. So, we need professional people to be able to do that.

The Chairperson:

Sorry, what have you trained them in?

Ms Lewsley:

We train them to make the wider community aware of the United Nations Convention on the Rights of the Child. That is written into my legislation. It is one of my duties. My second core duty is to advise government. I do that by communicating on issues, producing guidance and reports and through our website. As I said, we communicate in lots of other ways, and we need

professional people to be able to do that.

The Chairperson:

OK.

Mr Spratt:

Thank you for the presentation. I think that you will admit that the report contains some pretty damning stuff, but, in fairness, you said that there is room for improvement, as with any report. As regards recommendation 7 on financial management, the Chairperson said that programme costs had significantly declined over the past number of years, representing only 11% of the overall expenditure compared with 25% in 2005-06. I think that we are entitled to an explanation for that.

The general theme that runs through non-departmental public bodies (NDPBs), including the Policing Board which was reported on recently, is that they represent no value for money. The same accusation could be levelled at your good selves in relation to that. As regards staffing, am I right in saying that you have around 30 staff?

Ms Lewsley:

No.

Mr Spratt:

The report states that the office currently employs 29 staff.

Mr Gerry Campbell:

It employs 26 staff at the moment.

Mr Spratt:

We will come back to that in a minute. How significantly have staffing levels changed between 2005-06 and now? You have fought some pretty expensive legal battles, and there is a question mark over whether you should have done that.

The office's city centre location is another theme that seems to run through NDPBs. I do not know whether it is a result of direct rule, but you were allowed to pick a plum office site in the

middle of the city centre.

As regards staffing issues, it is clear that you have a staff morale and organisational culture issue. Recommendation 17 of the report clearly indicates that the findings from the review suggest that the organisation has worked hard to promote a better working environment, and, as a result, staff morale is reported to have improved in the past 12 months. However, there continues to be a need to monitor closely staff turnover and absence rates. What is the staff turnover at the moment? What are the staff absence rates, and how much has that improved? Can you tell us about any robust procedures that you have put in place to deal with staff morale and staff absence? That also seems to be a theme that runs through the report. Those issues should concern anybody sitting around this table because there are Budget cuts coming, and we will have to suffer them the same as everybody else. We cannot just come along here and cry about them all the time. Every single body in Northern Ireland will probably have to accept that.

On the staffing issues and staffing numbers, you told us on a previous occasion that you would be happy to share administration with other commissioners or bodies. Have you chatted to any bodies in relation to the possibility of memoranda of understanding (MOUs)? It seems that you do not really need a substantial part of the building. How did you get tied into a long-term lease? That question must be asked because it is also the history of other bodies, such as the Policing Board, which are tied into long-term leases. I find that hard to understand, because you have to make cost savings, and you will not be able to afford that rent in the future. Frankly, your organisation could be run from Coleraine or —

The Chairperson:

Fermanagh.

Mr Spratt:

I knew that I would probably hear a bid from west Tyrone or Omagh —

Mr G Robinson:

Limavady.

Mr Spratt:

— or Limavady or dear knows where. Seriously, it could be run from anywhere.

The other thing that strikes me — sorry, Chairperson, there is a fair number of questions, but answers are needed — is that your organisation seems to send out a continual flow of highly glossy publications. That must involve a fair amount of cost? Is that cost effective? Does it get information to the people who you really need to get it to? How much does it cost?

The Chairperson:

There is a range of issues there.

Mr Spratt:

It is a serious matter, because, frankly, this report says to me that the organisation in front of us needs to convince me that it is fit for purpose.

Ms Lewsley:

I will answer the question on accommodation first. When I took up the post the commission was locked into a 10-year lease, which had been agreed by OFMDFM and DFP, with no get-out clause. After the first five years the rent was allowed to be hiked up, and we could make no argument. However, the Land Registry negotiated to have that dramatically reduced. That cost still continues —

Mr Spratt:

That would have been in the previous term, not this one?

Ms Lewsley:

Yes. We looked at the possibility of buying ourselves out of the lease. However, that would have cost nearly £1 million, so that was not cost effective. The lease has three years to run. We have looked at other ways to reduce the cost. In the past year, we have spoken to numerous bodies that were looking for accommodation to ask them whether they would like to rent the bottom floor. However, one issue with that was that it was too expensive, and they could get accommodation elsewhere. We looked at alternatives, and that is why we house the Older People's Advocate. That has saved the taxpayer a considerable sum, because that body pays a minimal amount of money, far less than if it had to rent its own office and pay all the overheads of that. We have been innovative in seeking ways to help other bodies and accommodate them.

Mr Spratt:

What about the staffing of the Older People's Advocate? You seemed to indicate before that you could share administration with some other bodies. That says to me that you already have an administration that is, perhaps, not working to its full power.

Ms Lewsley:

Sorry, I do not understand what you mean by that.

Mr Spratt:

If you are able to share staff and take on additional administration work, perhaps your present administration is overstaffed.

Ms Lewsley:

No. We house the Older People's Advocate. That body has its own administrative and policy staff. We simply give it accommodation, and that saves the taxpayer the cost of that body paying for a whole office of its own and the related overheads.

We, along with the Older People's Advocate, the Commission for Victims and Survivors for Northern Ireland and others, share IT services with the Equality Commission and we outsource our payroll. We have already done all of that. Gerry will fill in the details of this. We were involved with the OFMDFM shared services group, which was subsequently closed down by OFMDFM. In recent months we, as a group of organisations, have decided collectively to come together to see how we can help one another and cut costs ourselves.

Mr Gerry Campbell:

As regards accommodation, there was an OFMDFM sponsored group that we participated in, and OFMDFM decided that the savings did not justify continuing the project at that time. That was about 18 months ago. Since November, we have been meeting as arm's-length bodies within the OFMDFM family with OFMDFM senior civil servants.

The Chairperson:

Who is in that grouping?

Mr Gerry Campbell:

It comprises our organisation, the Equality Commission, the Commission for Victims and Survivors, the Community Relations Council and the Older People's Advocate. The big issue, as Mr Spratt has indicated, is the accommodation. We have put on record on numerous occasions, and we have raised the issue with our sponsor Department, that we are not tied to the accommodation. If we could get other accommodation, we would be more than happy to go down that route, because there is too much space for us. We were tied into it by the Department; it was not our decision. The rent was raised by about 50% nearly two years ago. That was beyond our control; it was because of the way the lease was written. That caused us significant difficulties.

That explains why the programme costs have reduced as well. Our fixed costs, including staffing, accommodation and other costs, such as electricity, have risen over the last number of years. Bringing the Older People's Advocate on board, although they pay us a nominal amount of rent, creates a greater saving for the public purse. We are committed. We have passed the issue back to OFMDFM, because the sponsor body needs to take a collective approach not only to the situation NICCY is in but to that of other arm's-length bodies. Other leases will come to an end in the near future, and we think that central government needs to take a holistic approach to that. We are tied to our lease for three years, but a more holistic approach to accommodation needs to be taken.

Ms Lewsley:

If you read back to the first review of the office you will see that one of the main issues was that staff morale was at rock bottom. We have addressed that by doing a number of things, including having staff motivational days and other things that we can use to try to encourage staff to speak out if there are issues that they feel need to be raised. As I said some time ago at this Committee, staff morale is not something that you put a sticking plaster on to fix; it is something that needs continuous work. Issues are raised in the workplace that need to be dealt with, and we do that. In comparison to where it was nearly four years ago, staff morale is now in a much better place.

Sadly, you are saying that that has only happened in the last 12 months. That is because, as I said, the report has been done year on year. It does not say that it had been done over the last three years; it said that it had got better in the last 12 months. Whereas, had the report looked at it over three years, it could have said that staff morale has been lifted in the last three years.

Mr Spratt:

What were the morale issues?

Ms Lewsley:

It is very difficult for me to go into them now, but, remember, the first commissioner was only in post for six months and took ill, then someone acted commissioner, and then the commissioner came back, but was very ill, and he died. There were a lot of issues there that staff needed to deal with, and perhaps the people who were there at the time were not equipped to deal with them. There were a number of issues that I had to deal with when I came into the organisation, and it took me almost two and a half years to sort some of those issues out.

Mr Spratt:

What can you tell us about absence procedures?

Mr Gerry Campbell:

We have absence management policies. We follow guidelines laid down by the Civil Service and report our absences at senior management meetings. Senior managers or heads of department, the commissioner and I are given a monthly report from our human resources officer, detailing where there are absences. It breaks those down into short- and longer-term absences. It is monitored regularly. We agree that, like any organisation, it is an issue that we have to keep on top of, because, with a shrinking workforce and the recruitment freeze being in place, we have to ensure that we keep occupied the posts that we have.

Mr Spratt:

You are skirting around the issue. What are the numbers? Maybe you do not have them with you today, but perhaps you could let us have the numbers for the last three years and tell us how they have improved and what new procedures you have put in place since the recommendation was made?

Ms Lewsley:

Yes. The other thing is that we are a small organisation, so if two people are absent the percentage is much bigger than in other organisations, but we are 4% below the Civil Service rate.

Mr Spratt:

Patricia, it seems to me that you are making excuses. It has been drawn to people's attention in a report, and I am only asking a question which, as a public representative, I think I am entitled to ask, and I am entitled to straight and clear answers to it.

Ms Lewsley:

I am giving you those straight and clear answers. As I said, we will deal with any issues that have been raised in the report or by the Committee.

Mr Spratt:

Can we have that information?

The Chairperson:

In fairness, she said that she will provide the information. She said that the rate is 4% below that of the Civil Service, so we will get the information.

Ms Lewsley:

Yes. It is about putting it in context.

Mr McElduff:

Will Patricia and Gerry provide a little bit more information on where their office has had an impact, specifically in the area of health? You gave the example of speech and language services, which have relevance to both education and health. Are there any other examples, specifically in health, where NICCY has made an impact?

Ms Lewsley:

We made an impact on the issue of young people being incarcerated in Muckamore Abbey Hospital. That practice is no longer happening, and such young people are now kept in the community. At the time the issue was raised, 17 young people were kept in Muckamore Abbey. Once such issues are highlighted with the Department, our job is to monitor them, and my understanding is that all those young people are out in the community, getting the services that they deserve. The practice now is that young people are not incarcerated in such places.

The number of beds, the lack of provision and the lack of access to services for young people with mental health problems are issues that we monitor. That is particularly important given the recent spate of suicides. We have had conversations with different organisations, and I have been to the area involved to speak to some of the young people who live there to try to find out what some of the issues are.

Mrs D Kelly:

It strikes me that some people have difficulties with rights-based organisations.

There are a couple of recommendations in the report that I want to pick up on. One is about reaching out to marginalised young people, generally those who are outside the reach of some of the youth clubs. How do you plan to take forward that recommendation? I also note that there is a need for the Children's Commissioner to target specific groups, particularly parents, because there seems to be a lack of awareness of your role among some parents.

Obviously, I share the concerns about the lease, but I accept that that problem is not of your making. Chairperson, if there are other leases, it might be useful for the Committee look at procurement in relation to rent. I am not sure if that is the responsibility of DFP or the Audit Committee.

The Chairperson:

To be fair, Patricia and Gerry have explained the issue around rent in their case, and we do not want to dwell too much on other cases. That is a matter for DFP.

Mrs D Kelly:

I do not have a difficulty with that. All I was going to say is that we should raise with DFP the difficulties that NICCY has had in the procurement of the lease.

Mr Gerry Campbell:

That is a point that we have stressed, and we raised it with senior officials from OFMDFM last week. We asked them to look at the wider Civil Service and central government, instead of just looking at the OFMDFM family, because it also affects other agencies and NDPBs. We asked them to take that widest possible view on the issue.

Mrs D Kelly:

We should write to OFMDFM and DFP on that matter.

The Chairperson:

Do members agree to write to those Departments on that matter?

Members indicated assent.

Ms Lewsley:

The issue of marginalised young people was something that we addressed in the Make it Right campaign. We looked at some of the most marginalised groups, such as newcomer children, children in poverty and children in the juvenile justice system.

Apart from that, our legal and casework team and our participation officers have gone out and conducted surgeries and clinics in areas where we think some of the most vulnerable people are to try to pick up on what some of the issues are for them. That enables those young people to get their voices heard and helps us to see how we can move forward.

Mrs D Kelly:

It might be useful just to see where some of those clinics have been held, because I am sure that we would want to promote them.

Ms Lewsley:

We did six pilot schemes at first, which were very positive, because they threw up issues that we had not found in our children's rights review and some of the other pieces of work that we have done. So, it is important that we continue doing that and are out physically targeting some of those marginalised young people.

The second issue that you raised concerned what we are going to do about parents. One theme in our 'Make it Right' campaign is supporting parents. Even in our 'Talking Transfer' consultation we spoke to groups of parents so I think that we have a job to do in extending that work and doing it regularly.

Mrs D Kelly:

It would be interesting to know what collaboration takes place between the Health and Education Departments. We have one of the highest rates of teenage pregnancy. Therefore, we are dealing not only with the young person's needs, but their needs as parents. Young fathers are another issue.

Ms Lewsley:

The issue for us is that we have to make sure that we are not duplicating the work of other organisations. We work with the Parents Advice Centre, Barnado's, and other organisations to ensure that where there are gaps, we can make them visible, so that government can take them into consideration.

Mrs D Kelly:

Have there been any findings on that work?

Ms Lewsley:

Do you mean findings on the work that we have done with those groups?

Mrs D Kelly:

Yes.

Ms Lewsley:

There is an issue about supporting parents, and the need for more parenting groups and classes. As you say, it is about taking this down to school level, where young people can be taught some of those skills, particularly given the high rate of teenage pregnancy.

Mrs D Kelly:

I will move to the comments on the draft Budget. You say that children are not visible in it. Given the publication of OFMDFM's imminent child poverty strategy for consultation, I am interested in what contact the Department had with you and what advice of yours it has taken on board on that strategy.

Ms Lewsley:

Sadly, we have simply been asked to respond to the consultation like everyone else. As I said

earlier, we need to be a step above that. The Department should be coming to us and having a conversation with us before policies are issued for consultation. We would like to work more closely with Departments to ensure that that happens in the future.

Mrs D Kelly:

Perhaps we can pick up that point with officials later.

Mr Spratt:

I wish to pick up on a point made by Mrs Kelly. I have no issue with rights bodies. However, I am entitled to ask questions regarding —

The Chairperson:

We appreciate that, and I do not think that anyone prevented you from asking them.

Mr Spratt:

There is one other issue. It is difficult to take a lecture from Mrs Kelly who, only two weeks ago —

The Chairperson:

No, no; I am not going to allow this to go into something else. Are you finished, Dolores?

Mrs D Kelly:

Yes.

Mr Humphrey:

Thank you for your presentation, Patricia and Gerry. I declare an interest as a member of the Scout Association. Before I ask questions on the report, I would like to know whether, following your last appearance at the Committee, when I suggested that you contact the state organisations such as the Girls' Brigade, the Scout Association and the Boys' Brigade, the commission made such contacts.

Ms Lewsley:

I think I told you at that time that we are in constant contact with all of those organisations. I have attended prize-givings and Boys' Brigade —

Mr Humphrey:

I mean contact with the heads of those organisations. One can go to a scout hall, but that is not the same as making contact with the organisation. My point is that you need to make contact with the heads of the organisations.

Ms Lewsley:

We have done that, but not in all cases. It is work in progress.

Mr Humphrey:

I appreciate that, and where it has not been done, Patricia, I encourage it to take place, because society has lost sight of the work done by those organisations compared with others, given the sheer numbers of young people they work with. They come into contact with tens of thousands of young people each week and do so with little or no funding from the state or from other organisations. There are no comparable organisations.

I am concerned, like Mrs Kelly, that you feel that children are not visible in the draft Budget. As for the financial situation in which the country finds itself, we are where we are. One thing that we all have to do is to address matters with the budgets that we have. You mentioned the word “robustness” in your presentation. When I read the report, I was a wee bit concerned about a couple of areas that I would be keen to tease out with you. In the section entitled “Performance”, paragraph 3.41, on page 25, which deals with financial management, states:

“Furthermore, the review suggested that the Commissioner consider a method of linking performance to expenditure to determine value for money to help with efficiency improvements.”

I take the point that Gerry made about the highly skilled and professional workforce, and so on, but I am keen for you to explain how you have set about addressing that.

Paragraph 3.42 then states that:

“a number of the specific recommendations within this area i.e. to enable the Commissioner to demonstrate value for money and to show where staff are focusing their time does not appear to have been implemented.”

Given that you stated in your presentation that you believe that the organisation is providing value for money and is fit for purpose, it is important that you give assurances to the Committee on those issues.

Ms Lewsley:

One of the issues is that, while we were doing the work, we were probably not collating the impact that it was having. When the three-year review ended, that work had already started to be addressed through the ‘Make It Right’ campaign. That will come through in the next review, because it was year-long. This review ended in March last year, and the campaign had started only in January, so we could not evaluate its impact until the end of the year in December.

We have now been able to evaluate the impact. More than 2,000 children and young people got physically involved in the campaign and more than 7,000 young people have now been made aware of all of the issues that we raised throughout those 12 months. We finished that by bringing the campaign here to the Assembly in December, where Executive Ministers received all of the issues that young people had raised throughout the campaign. In fact, over the past couple of weeks, we have received quite a number of letters from Ministers and Departments thanking us from the information that they have now gleaned directly from children and young people. That has been the start of a framework with which we will now assess everything that we do and the impact that we have. That was a work in progress that would not have been seen at the time of the review.

Mr Gerry Campbell:

In addition to that, we are learning. We accept that there is a process through which we have to improve and develop. In reporting back on the current corporate plan we aim to produce a full analysis of the impact that NICCY has had over the 2008-2011 period by September of this year. That has come out through the report. It reported on the work of the Commissioner on a year-by-year basis, so we want to give a three-year report, analysis and evaluation of the impact that the Commissioner has had over that period.

Mr Humphrey:

But this report was produced in November 2010, and it specifically mentions efficiencies. In an ideal world, efficiencies should always prevail, but when we have a difficult financial situation, not just here but across the United Kingdom — and it is going to get worse in the not-too-distant future — efficiencies become all the more important. They are the way in which we can prevent people from losing their jobs and deliver and improve value for money. That needs to be looked at and addressed, given the budgetary constraints that you will have to operate under.

Mr Gerry Campbell:

It is a challenging time. Our complement of staff was set at 28 in the corporate plan and budget, but that has been reduced to 26. We have had two vacancies within our administrative pool and we are now organising the work within other administrative staff. We are doing that as well as making our 3% efficiency savings over the last three years. The same challenges are facing other public sector organisations as well, but we are rolling our sleeves up and getting stuck into it.

Ms Lewsley:

We are not saying that we should be treated differently from anybody else. We realise that the cuts are there and we will have to cut our cloth according to what we have. We are not asking for more than anybody else, but it is important that people understand that we have been making 3% cuts for the last three years, before the economic downturn started. We have already lost 9% of our budget since I took up post.

Mr Humphrey:

But, effectively, it is a work in progress?

Ms Lewsley:

Yes.

Mr Kinahan:

Thank you very much. I have two questions. The first one is following up on what the others have been talking about, which is duplication and value for money. You already explained why you did not see how savings could be made by joining the commission with the Northern Ireland Ombudsman. Further in your document, there is mention of mergers or possibilities involving the Equality Commission or the Human Rights Commission. Are there roles that could be merged to save costs?

My other question is a shorter one. The Environment Committee is asking councils for their guidance notes on how they deal with on-the-spot fines for young people. Have you been asked about that by the Department of the Environment?

Ms Lewsley:

No.

Mr Kinahan:

That answers that question.

Ms Lewsley:

It would be very difficult for me to pre-empt the review of arm's-length bodies as regards mergers. My worry is that if a children's rights organisation is merged with a bigger organisation, children will fall dramatically down the agenda and become invisible because older people and other issues often take precedence. We have already been looking at sharing back-office functions. I explained about ICT, and so on. If there is more that we can do, we will do it.

Mr G Robinson:

You mentioned that you have 26 staff. Given budget constraints, and so on, will some of the staff have to go?

Ms Lewsley:

At the moment, two vacant posts have been frozen. Other temporary posts in the organisation will go at the end of March as well. In order to make our 3% savings, we would have to lose two members of staff.

Mr G Robinson:

What impact will that have on your work?

Ms Lewsley:

There will be some work that we would like to do but will be unable to. I suppose that, given that we are going forward with a new corporate plan and business plan, we will be able set the work that we need to do. That is why we changed from looking at five specific priorities around themes to taking a more strategic approach around our duties and powers.

The Chairperson:

I suppose this should be seen in the context of a number of issues, one being the budget for your organisation and the budget for wider children's issues. However, there are also issues around the wider ombudsman/commissioner services throughout Northern Ireland. This Committee has been looking at new legislation for the Northern Ireland Ombudsman and a number of members,

perhaps in a private capacity, are keen to see a review of arm's-length bodies overall.

I still have some concerns about delivery of children's services on the ground. My final question concerns children in care. I am concerned that children in care sometimes come way down the line in lots of organisations and statutory bodies' representations. What have you done for children in care?

Ms Lewsley:

That was our theme in August last year. We made three calls to the Government then about making sure that children have more stability in their lives; to give more help to teenagers as they become adults; and to make sure that children have a say in the decisions made about them. Therefore, we have already raised that issue around children —

The Chairperson:

Did you find that anything was done about any of that? If you do not mind my saying so, we all say these things to the Government, but if nothing happens, we have to question whether that is any use.

Ms Lewsley:

I take on board what you are saying, but, had you let me finish, I was about to say that that was why that campaign was raised. Those were the issues that young people from the different groups and areas had raised. We have now passed those on to Ministers. We will go back in a few months to ask the Ministers what exactly they have done. It is my role to challenge them if they have not done anything, to use my powers and duties as leverage to ensure that those children's voices are heard and that they see a change, and to carry it through.

The Chairperson:

Thank you very much for your presentation and for answering questions.