

Children's Commissioner for England
Annual Report and Accounts 2019-20

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of the Children Act 2004.**

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1. Introduction by Anne Longfield, Children's Commissioner for England



This is my final year as Children's Commissioner and so my last Annual Report in post. It has been a pleasure and a privilege to hold this Office and to work with so many people to stand up for the rights of children and to bring their experiences and their point of view to those with power over their lives.

Throughout my term, I have repeated my belief that most children in England grow up living happy and healthy lives. They receive

a good education and they go on into apprenticeships, to university or jobs well-prepared for adulthood. We should be proud that this is a good country to grow up in for most of our children. But we should also continue to be relentless in holding those in power to account when they don't do enough or fail those many vulnerable children who need extra help and support. It is those children who I have focussed on in particular over the last five years, and who are at the core of so much of our work. They are the children who fall out of school, have lower life chances and poorer health - the children who are consistently left behind.

Over the last twelve months I have continued to show again and again where these children are falling through gaps in the system: those growing up in care who are too often moved around the country, sometimes ending up in places they can't even pinpoint on a map; the hundreds of thousands of children leaving full time education without even the basic qualifications; the children who are still struggling to access mental health services that are improving, but still a decade away from being able to treat all those who need help; the children who are ripe for criminal exploitation; and the children who are not being protected online by the big tech companies who hold so much influence over their lives.

This report sets out all that work and how we have continued to reveal the realities of life for millions of the most vulnerable children – not only those already in care but those on the edge of it, not quite meeting the criteria for being taken into the care of the state, but living in homes where they are at risk or experiencing trauma or neglect. Standing up for these children and hammering home their need for help to Ministers and Whitehall has accounted for so much of our work over the last year.

The scale of the challenge of keeping those vulnerable children safe is enormous. We estimate there are 2.1 million children in England in homes where there is either a problem with drug or alcohol abuse, domestic violence or serious parental mental health problems. There are also 128,000 children living in temporary accommodation, nearly 200,000 children referred to social services but not getting help, and 100,000 children caring for other family members. Our data work contains many more examples.

However, I am proud of all we have done to continue to fill the many gaps in the

knowledge about these children's lives. Sometimes government has been unaware, unwilling or just too slow to confront and address the huge problems facing many children. From the services provided to children with lower level mental health needs, and waiting times for Child and Adolescent Mental Health Services (CAMHS) appointments, to a children's social care system that is in crisis, or even the most basic level of knowledge about how many children are locked up in this country at any one time, and where.

Inevitably, the COVID-19 crisis has had an impact on our work in recent months. From the moment the Government announced schools were closing and a lockdown was in place my office has worked tirelessly to ensure that the enormous impact of the lockdown on vulnerable children was understood and responded to. I am pleased that Government quickly made vulnerable children a priority in its early response and pleased too that many schools have remained open to provide places for them. However, my concerns that the majority of vulnerable children were not in school remained. Throughout the emergency I pressed the Government to prioritise support for vulnerable children so that they could attend, called for additional funding for struggling families and highlighted issues raised through our Help at Hand helpline, including the need to protect vulnerable care leavers.

Our local area profiles of child vulnerability, published in April 2020, helped government and councils identify how many vulnerable children there are in each local authority area, and those children at heightened risk during the lockdown. This analysis was also used to inform the Government's own work to create a dashboard to monitor the safety and care of vulnerable children throughout the crisis.

In many ways, the COVID-19 crisis has forced government to act quickly to protect vulnerable children in a way none of us could have predicted even a few months ago. After the crisis passes, I hope that the Government will understand better the dangers facing many vulnerable kids, and that it will be bold and brave enough to recast our country so that we offer the best start in life to all children. I also hope that it recognises there are groups and communities who have been left behind and who are in desperate need of help.

For a country as wealthy as ours, it cannot be right that in 2018/19 over four million children in England were living in poverty - an increase of 600,000 children since 2010/11. This rise has taken place most significantly for in-work families, with 72% of poor children now growing up in working families compared to 58% in 2010/11. For these children, being in poverty is not a statistic, it is an inescapable and all-encompassing element of their lives. This poverty will not go away with coronavirus, and indeed it may even worsen. How the Government responds to this challenge will affect the lives of millions of children for many years to come. Any failure to address child poverty will lead to failures in many other policy areas which ministers say they wish to tackle, from gang-related crime to the rising costs of the care and SEND systems.

Helping children should not be a consequence of a once in a lifetime public health crisis, it should be a mission of every government of whatever political persuasion. It is undeniable that there are millions of children who are not part of our nation's

progress. Each one of them has the right to expect the same life chances as the millions of other children who are doing well. Identifying these children, standing up for their rights, making their experiences known to those in power and, crucially, trying to improve their lives, has been my mission since 2015, and I will continue to fight their corner for my remaining time as Children's Commissioner for England.

A handwritten signature in black ink, reading "Anne Longfield". The signature is written in a cursive style with a horizontal line underneath.

Anne Longfield OBE
Children's Commissioner for England

29 June 2020

2. What Children and Young People Have Told Us

The views of children in England influence all of the work we do. What matters most to children today? What makes them feel good? What do they worry about? These are the questions we ask children. Their answers help us plan our work for the coming year. Our annual business plan consultation involves hundreds of children with different ages and in different parts of the country. We make sure we hear from those who face more challenges than most – living in care or with special needs or disabilities, young people in the youth justice system, and children living in poverty.

“[I’d like] less internet. Because if you want to play with your sister or brother and they’re just always sat on their phone, you want them to play with you but they never do.” Megan, aged 10

“[I’m worried about] global warming - the older generations have caused all of this trouble but realistically we’ve got longer on the planet. It’s affecting us the most. So I’m seeing it as them being selfish.” Finn, aged 13

“It’s unfair when women do the same amount of work they’re not still getting paid as much.” Molly, aged 9

“There’s so much violence nowadays with all the gang stuff going on at the moment ... It’s literally so unsafe to go to certain places. People are getting stabbed, everything.” Oliver, aged 14

“I don’t have a job but I would love to get a job and be paid rather than people saying, oh, you’ve got to do voluntary work, I would love to be paid. I would love to contribute to things.” Niamh, 18, with SEND

“I’ve been having bad days when I’ve been out in my wheelchair, I’ve had people literally step over my footplates to get in front of me ... people’s attitudes can be really horrible sometimes.” Jonah, 18, with SEND

“We had a comment once, ‘You don’t look like you’re in care.’ Everyone was like, what are we supposed to look like then?” Holly, 11, in care

“I have lots of just rats just run around the house and it’s not really good for my little sister’s health, because she just loves to run around and pick everything up that she sees and put it in her mouth.” Adebbe, 10

“If you have to get a calculator for a test, and maybe you don’t have enough money to buy the calculator, you fail your test and then everything is just less because of that one calculator.” Saeed, 11

“I’m really scared because at the end of this year we have a test on our times tables and I don’t know all of my times tables.” Hannah, aged 8

“It seems nowadays, like our generation, you have to get this grade in order for you to become whatever you want. If you don’t get this grade then you’ll fall to the bottom of society.” Clarissa, 15, living with HIV.

“I feel like a parcel getting moved around all the time, getting opened up and sent back and moved on to somewhere else.” Teenage girl in care, placed over 100 miles from home.

“I miss the normality of my old life ... Care was made out to be a fairyland ... You lose everything being in care. You don’t get the same things you get as a normal kid, you have to arrange to do everything.” Teenage girl in care

“I’ve asked multiple times to see my mum but it hasn’t happened.” Teenage girl, in care, placed over 250 miles from home.

“There is no space to play.” Jade, aged 4 living in a B&B with her family.

“When we sleep water drips on us which we don’t like.” Girl, aged 11, who lives in a converted shipping container.

“I lived in a hotel for 8 months ... it’s like where all the prostitutes live.” Matthew, aged 14.

“They [teachers] can stress you out. If you’ve got a big exam coming up they’ll tell you every assembly how long you’ve got and the closer you get to it, the more stressful it is. Say for exams, they’re already saying to us, ‘You’ve got eighteen months, so be prepared,’ and it’s just so stressful.” Sophie, 13

“I think people should get access to counselling faster, or even make more counselling things available for people. The waiting list in our school was three years, and three years waiting for counselling, that’s somebody’s life that could change within three years.” Leah, 18

“For me, I deleted my social media because I realise I’m not happy, and I used to compare myself to a lot of girls on Instagram as well. But now I’ve deleted it, I feel much happier with myself” Jennifer, 17

“I don’t feel like I’m a normal child, because I’m in a position where I can’t be a child. If I had a house for myself, and my mother, I would bring a friend and we would go shopping and I would feel more safe about it because if they come over in my situation,

the house is not proper ... you feel embarrassed because you don't want anyone to know about your situation." Zahira, 14, Child with a migrant background.

"You ask your mum can you go but they can't afford it, and everyone in your whole class is going, like you're the only one that's not going, you'll kind of feel sad and upset ... and people will be asking you are you going to and you wouldn't be able to answer, or some people would maybe lie, but really they know they're not going. It really hurts them." Arman, 12, child with a migrant background.

"Jail is not the place to send kids, it does not help ... all that's going to do, he's going to go to jail he's going to meet different connections from all across the country there, you're going to be having fights every single day it's just going to make kids worse. There's only two ways it goes: you either come out a shell of a person who is expecting for everybody to call them a little shithouse when they're walking down the street, cos that's how it was for the last however long you were in jail, because they didn't do the fighting. Or you could go the other way and you're fighting every single day, potentially like getting stabbed 3 or 4 times while you're in there. It's a downward spiral. And what does it do to kids when they get out, they've got nothing? No-one's helping you get a job, where you going to live? What you gonna do? You gonna do the same shit." Toby, 16, Youth Offending Team

"It's like gambling - you could lose your money and not get anyone good, or get someone really good." Tim, 16 (FIFA player).

3. The Performance Report

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

3.1. Statement by the Children's Commissioner on the performance of her Office 2019-20

3.1.1 This reports presents work undertaken during 2019 and 2020 and its impact on children in England, especially the most vulnerable.

3.1.2 Independent from Government and answerable to Parliament, the Children's Commissioner has a number of unique powers to deliver the role, namely the power to gather data from public sources and the power to enter any premises where children are away from home to learn more about their welfare. The Office of the Children's Commissioner has a staff of 38, including one care leaver apprentice and four young care leavers who are each working part-time (20-25 hours per month) as digital and social media coordinators for 'In My Opinion' (IMO), our digital network for children in care.

3.1.3 Over the last year, the Commissioner has strengthened her office with additional appointments to her evidence team and her policy and public affairs team, including an investigative researcher, a quantitative data analyst and a specialist in statistics, data collection and data linking. This reflects the additional emphasis we have put this year on our statutory responsibility to bring together a variety of evidence to shine a light on issues affecting children, to government and parliament, shaping government policy and political decision-making. We have integrated our Help at Hand team of child rights advisors into our policy and advocacy team to ensure that we tackle wider systemic issues that cause the individual problems we are asked to help with.

3.2. Key Risks and Issues 2019-20

3.2.1. The key strategic risks during 2019-20 were:

- a) Failure to achieve positive change for vulnerable children;
- b) Failure to effectively deliver our business plan; and
- c) Operational failure.

3.2.2 Implications of these risks were as follows:

- a) Risks to children are not reduced;
- b) There is little impact from our work; and
- c) The organisation is unable to effectively deliver its work.

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

of assurances.

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

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

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

- consulting widely to inform development of our annual programme of activity and ongoing consultation with stakeholders;
- recruitment of a highly skilled wider team to further develop our evidence and strategic capacity;
- improved policies for data handling and engagement with children;
- implementing and embedding full GDPR compliance in relation to information and data;
- strengthened processes for scoping new projects and monitoring existing projects and data collections, both to ensure prompt delivery and appropriate impact;
- strengthened relationships with central government and Parliament at a senior level.

3.2.7 In mid-March and in response to the coronavirus emergency, staff commenced working from home in line with lockdown restrictions. This has worked well and the office has been able to continue to fulfil its operational responsibilities with minimal impact on the efficiency of the organisation.

Demands on the organisation have increased as a result of the emergency, and a revised work-plan focusing on the priorities of vulnerable children during COVID-19 and its aftermath was put in place.

Going Concern

3.2.8 The Office of the Children’s Commissioner, as a non-departmental public body (NDPB) of the Department for Education, is funded by grant-in-aid. The Department’s estimates and forward plans include provision for OCC’s continuation and it is therefore appropriate to prepare these accounts on a going concern basis.

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Protecting children during the Covid-19 lockdown

During the national lockdown, we pushed the Government to make protecting vulnerable children a key priority, ensuring those children entitled to free school meals continued to receive them, calling for families with children living in temporary accommodation to be found housing, pressing the Government and councils to do more to ensure vulnerable children still attended school, and urging schools, ministers and local authorities to work together so some primary school children could return before the end of the summer term.

In April, we published local area profiles showing the extent of child vulnerability around the country, council by council, to help national Government and local authorities identify how many vulnerable children there are in each local area. We highlighted groups at heightened risk during the coronavirus emergency such as those in overcrowded or inadequate accommodation, with fragile parents, young carers, or without internet access. This analysis informed the Government's work to create a dashboard to monitor the safety and care of vulnerable children and young people through the coronavirus crisis.

Experts from our policy and evidence teams provided assistance to the Department for Education during the crisis, and we published briefings and research looking at how Covid-19 was impacting on families where there is domestic violence, on how closing schools could widen the 'disadvantage gap', how babies and teens were particularly vulnerable during the lockdown, how opening schools to some children might work and how the lockdown was affecting children in the youth justice system.

Invisible children

We remain the only organisation publishing national estimates of child vulnerability in England. This year we published local area profiles showing vulnerability by council area - detailed breakdowns for every local authority of the most vulnerable groups of children. Many of the numbers are stark – for example, there are 2.1m children estimated to be living in households with any of the 'toxic trio' (domestic violence, drug/alcohol abuse, parental mental health problems) present.

Our report 'Bleak Houses' revealed there are thousands of children growing up in temporary accommodation, including in converted shipping containers, office blocks and B&Bs. The report warned that changes to planning regulations mean thousands of children are being housed in accommodation that is frequently not fit

for them to live in. We estimated there are more than 210,000 children in England in temporary accommodation or sofa-surfing.

We have continued to press Government to do more to keep vulnerable children safe from criminal and sexual exploitation, meeting with the Home Secretary, the Education Secretary, the Justice Secretary, the Communities Secretary, and junior government ministers in the DfE, Home Office, Ministry of Justice and Ministry of Housing, Communities and Local Government, as well as Police and Crime Commissioners and local safeguarding professionals.

Our research showed that last year almost one in five of all children leaving education at 18 in England left without reaching Level 2 attainment (five GCSEs A*-C). More than one in three children receiving free school meals left without any substantive qualifications and almost half of children with special education needs did not reach Level 2 attainment by the time they left education.

Children's wellbeing and digital lives

Shortly before the 2019 General Election, we published our manifesto for children. It called on Britain's political parties to back a six-point plan to transform the life chances for disadvantaged children and to help all of England's children to thrive. Our manifesto focused on six key themes: supporting stronger families, providing decent places for children to live, improving mental wellbeing, keeping children active, providing SEND support for those who need it, and creating safer streets and play areas. Since then the Government has announced a £1bn childcare fund to increase the use of schools out of hours and more investment in the Troubled Families programme.

We have continued to highlight the state of children's mental health services and press the Government and NHS England to do more to make sure every child who needs mental health support can receive it. Our third annual briefing on child and adolescent mental health services shone a light on the provision for the hundreds of thousands of children who need help and treatment. We showed that while the NHS has made progress, the current system is still a decade away from adequately meeting the needs of all the children in England with mental health problems.

We published a report looking at how children spend their time gaming and called for tighter rules to protect children who game online after revealing that some are spending hundreds of pounds on 'loot boxes', without any idea of what the rewards will be. We urged the Government to amend the Gambling Act to classify 'loot

boxes' in games like FIFA as gambling, and called for a maximum daily spend limit to be introduced on all games which feature in-game spending, turned on by default for children.

Social media continues to have a huge impact on children, in particular teenagers, and we continue to press the social media giants who have so much power over their lives to take responsibility for what happens on their platforms. We have been closely involved in helping the Department for Culture, Media and Sport to develop the Government's Online Harms legislation and a statutory duty of care. We worked with the Department to run joint focus groups with primary and secondary aged children, ensuring that their views on proposed changes were heard by policymakers and Ministers.

Last year, we celebrated the 30th anniversary of the UN Convention on the Rights of the Child (UNCRC), a landmark agreement by governments around the world on the rights of the child. To mark the anniversary, all four of Britain's Children's Commissioner's published an assessment looking at how the UK Government and devolved administrations have progressed towards giving every child the opportunities and protections enshrined in the UNCRC.

Children in care



We published our report 'Pass the parcel', which revealed four in ten children in care are living 'out of area' – miles away from family and friends. Some of the children we spoke to described being passed around the care system like parcels. Others had been moved to places that they couldn't even place on a map. The report showed 11,000 children in care in England were living more than 20 miles from their home postcode and 2,000 children in care were living over 100 miles away from family and friends – a number that has risen by a quarter over the last four years.

Our annual Stability Index has been accepted by Government and local authorities as the gold standard data for tracking children's moves, experiences and instability within the care system. This year's Index shows how the profile and needs of children in care have changed over the last five years, driven by a growing share of older children and teenage care entrants who have more complex needs and potentially more expensive living arrangements. The report showed they are six times more likely than children under 13 to be living in residential or secure children's homes and nearly half are living in privately run accommodation.

Our research into what councils spend on children revealed that one council had spent over £10m last year on 50 or so children – five times what it spent on early help support for over 1,000 children.

The Government has pledged a review of the care system following evidence presented to ministers by the Children's Commissioner of teenagers being placed haphazardly in last-minute, inappropriate accommodation, often at inflated prices to local authorities. As the Government consults on banning the use of unregulated placements for children under 16, we will continue to argue that no teenager in 'care' should be housed in unregulated accommodation.

Our Help at Hand advice service received hundreds of calls from children living away from home and made more representations for children than ever to those who make decisions about their lives. The issues raised by children and care leavers continue to be disparate and varied and include being secluded in mental health hospitals, being restrained inappropriately, not wanting to move from a foster or children's home and needing immigration legal advice.

We have expanded our IMO ('in my opinion') peer-led digital network for children in care and care leavers by launching a podcast, hiring four care leaverstoworkonthe project as digital coordinators, and publishing more first-hand experiences of the care system than ever. Over 150 children in care councils and children's homes took part in campaigns and competitions and requested free gifts via the platform throughout 2019-20. The IMO Podcast has been nominated for Best New Podcast at the 2020 British Podcast Awards.

Behind closed doors



We have regularly visited children in every secure setting - from young offender institutions, secure training centres and secure children's homes, to long-stay patients in NHS secure units. Understanding their experiences informs our policy work. These are among the most vulnerable children in England, literally out of sight behind closed doors and often shrouded in secrecy and a lack of accountability. Our annual 'Who are they? Where are they?' report details what we do and don't know about the location and welfare of some 1,500 children detained in secure settings in England.

We have been campaigning this year to have all children with learning disabilities and/or autism and no other mental health need moved out of secure hospitals, and to improve the experience and shorten the length of stay for those children with mental illness who do need to be inpatient. NHS England has now convened a taskforce to improve the quality of care for these children and the Children's Commissioner is chairing the Oversight Group. Last year, we also visited children in children's homes and in residential special schools where they are effectively being deprived of liberty to report on their experiences and views.

3.4. The Year in Summary

- 3.4.1 Over the last twelve months, the Children’s Commissioner’s Office has continued to focus on the four key groups we have put a particular emphasis on over the last five years: ‘invisible’ children, children living behind closed doors, children growing up in care and children’s well-being and digital lives.
- 3.4.2 We have continued to focus our work on showing government where children are falling through gaps in the system, meticulously going through every area where the social safety net does not exist for children – from social care support to schools and mental health services, to waiting times for CAMHS appointments, from movements of children around the care system, to children growing up homeless. We have shown again this year that until government makes children a priority in its thinking, tries to understand them better by collecting the basic information it needs to help them do so, and invests in improvements, these generational problems will remain.
- 3.4.3 The outbreak of the coronavirus in March 2020 has had a significant impact on our work in the last quarter of 2019/20. From early March, the Children’s Commissioner has been working with officials and Ministers to seek to ensure that the impact of the virus on children’s lives is mitigated wherever possible. As the seriousness of the emergency became apparent towards the end of that month, we argued strongly that the Government must ensure plans were in place to protect vulnerable children by providing places in school, and ensuring children receiving Free School Meals continued to receive meals. We welcome the Government’s decision to keep school places open for vulnerable children, and consistently pressed for a local and national focus on improving attendance throughout the crisis.
- 3.4.4 Ensuring the Government supports children in care and growing up away from home was also an early priority for the Children’s Commissioner, once the seriousness of the coronavirus outbreak became clear. Throughout the national lockdown, the Children’s Commissioner raised issues affecting children with ministers and government departments – ranging from the impact of Universal Credit on families with children, to calling on the Government to find urgent housing for those families with children living in temporary accommodation or ‘sofa-surfing’. Ahead of the first phase of school returns in June 2020, we urged the Government and teaching unions to work together to make sure parents, teachers and children themselves felt safe as they went back to the classroom.
- 3.4.5 During the initial stages of the coronavirus crisis, we also provided some staffing assistance to the Department for Education, with experts from our policy and evidence team helping to inform the coronavirus response with advice and analysis on issues including data on vulnerable and addressing shortages in the children’s workforce.
- 3.4.6 Throughout the year, our work has been reported to Government departments, Ministers and Parliamentarians, as well as receiving extensive media coverage. Our communications interventions have frequently led the news and

set the agenda. Four of the six journalists nominated for this year's prestigious George Orwell prize for 'Exposing Britain's Social Ills' used material in their investigations supplied by our office. The Children's Commissioner and her office have also provided written and oral evidence to a number of Parliamentary select committees over the last year including the Education Select Committee and the Home Affairs Select Committee. We have responded formally to five government consultations, including most recently on unregulated accommodation for children in care.

- 3.4.7 We continue to meet and liaise with a wide range of Government bodies, associations and professionals, including Secretaries of State and senior civil servants, the Information Commissioner, the Victims' Commissioner, Ofsted, the CQC, Police and Crime Commissioners, Directors of Children's Services and the Youth Justice Board. The Children's Commissioner is a member of groups such as the UK Council for Internet Safety and the National Preventive Mechanism, which acts to prevent torture and deprivation of liberty in secure settings like youth custody, and she chairs the National Stability Forum for children in care, as well as the Oversight Board for the NHS England Taskforce to improve the quality of mental health inpatient treatment for children.

Strategic objective: Invisible Children

- 3.4.8 We define 'invisible' children as those children with additional needs not in receipt of specialist or statutory services. The Children's Commissioner's ongoing Vulnerability Framework, first launched in July 2017, is the first systematic attempt to gather all the information known about childhood vulnerability, as well as what is not known, in one place. This helps guide our work in identifying where further investigation may be required to assess the issues faced by particular vulnerable groups because current data is inadequate.
- 3.4.9 The Children's Commissioner has continued to focus on the difficulties experienced by groups of marginalised, excluded, invisible children whose needs are not being recognised or met by local services. This ranges from children growing up in unsuitable temporary accommodation, children in care who are living 'out of area', to children in need of support or treatment for mental health illnesses but who are not receiving it.
- 3.4.10 In April, we published new local area profiles showing the extent of child vulnerability around the country, council by council. This work is the latest stage in our three year project to ask: if society doesn't know how many vulnerable children there are, how can it do enough to help them? To date, this project remains the only comprehensive source of data on all risks to children in England.
- 3.4.11 Our local area profiles of child vulnerability, published in April 2020, have helped national government and councils identify how many vulnerable children there are in each local authority area, and highlighted groups at heightened risk during the coronavirus emergency – such as those in overcrowded or inadequate accommodation, with fragile parents, young

carers, or without internet access. This analysis was used to inform the Government's work to create a dashboard by which it can monitor the safety and care of vulnerable children and young people through the coronavirus crisis.

- 3.4.12 Our vulnerability figures on local need, updated in 2020, lay bare the extent and nature of child vulnerability in each area, and the extraordinary pressures on some councils to try and protect them all. In particular, we focussed on families under increased pressure, children at risk or suffering harm, children in care and children who are at risk of falling behind in education as a consequence of the lockdown. These groups highlight just some of the many different ways in which children can be vulnerable – those for which high quality local data is available. Our local area profiles provide a detailed breakdown for every single local authority of these and other vulnerable groups. Many of the numbers are stark – for example, there are 2.1m children estimated to be living in households with any of the 'toxic trio' (domestic violence, drug/alcohol abuse, parental mental health problems) present. In May 2020, we produced updated versions of these local area profiles that include new data on numbers of highly vulnerable babies and toddlers for each local authority in England.
- 3.4.13 During the coronavirus lockdown, we also continued to speak with children about their experiences of these unprecedented times. From March 2020 onwards, we regularly published blogs and first-hand accounts from children, revealing how they were coping with being away from school and locked up with family at home. We spoke with children from all around the country, as well as children with different backgrounds, including children with autism and children in foster care.
- 3.4.14 Over the last twelve months, we have been improving the definitions for children vulnerable due to disability or immigration issues, in order to better represent their needs in the framework. The new Data for Children partnership of ONS, UK Research and Innovation, Government and the University of Oxford, headed by the Children's Commissioner, will drive this framework forward as the best resource for understanding the needs of vulnerable children and families. It will also work across departmental silos to fill the gaps in what we know. Children's needs don't sit squarely within the confines of one particular agency, yet the data on them does. By driving new data linkages across agencies, Data for Children will help us understand the extent of multi-faceted vulnerability involving many services – such as the police, schools, mental health, youth justice and adult services.
- 3.4.15 Throughout, we have focused on areas where children are falling through the gaps, or off the radar, like those children growing up in families which are homeless. In August 2019, we published our report 'Bleak Houses', which revealed there are thousands of children growing up in temporary accommodation, including in converted shipping containers, office blocks and B&Bs. The report warned that changes to planning regulations mean thousands of children are being housed in accommodation that is frequently

not fit for them to live in, dangerous, and often far away from family, friends and their school.

- 3.4.16 'Bleak Houses' estimated that there could be more than 210,000 homeless children in England. Of this, 124,000 are officially homeless and living in temporary accommodation, while new analysis by the Children's Commissioner's Office estimated around 90,000 children are also living in 'sofa-surfing' families. The total could be even higher due to a lack of data on the number of children placed in temporary accommodation by children's services.
- 3.4.17 The report also published national estimates of the numbers of children living in temporary accommodation for extended periods, showing that the label "temporary" is sometimes anything but. This analysis suggests that in 2017 around 2 in 5 children in temporary accommodation – an estimated 51,000 children – had been there for at least 6 months. Furthermore, around 1 in 20 – an estimated 6,000 children – had been there for at least a year. Further analysis conducted for the Children's Commissioner has found that an estimated 375,000 children are in households that have fallen behind on their rent or mortgage payments, putting them at financial risk of becoming homeless in the future.
- 3.4.18 The report also warned that temporary accommodation is frequently not fit for children to live in. Due to the level of demand and shortage of accommodation, children are frequently spending years living in temporary housing while they wait for an offer of permanent accommodation. As a result of a shortage of good quality, self-contained temporary accommodation, many families are being placed in accommodation which is poor quality and too small. The report shows the particular concerns around B&Bs, converted office blocks and repurposed shipping containers being used to house some homeless families.
- 3.4.19 Over the last twelve months, we have continued to press government to do more to keep vulnerable children safe from criminal and sexual exploitation. Building on our February 2019 report, 'Keeping Kids Safe', the Children's Commissioner has held high level meetings with the Home Secretary, the Education Secretary, the Justice Secretary, the Communities Secretary, and junior government ministers in the DfE, Home Office, Ministry of Justice and Ministry of Housing, Communities and Local Government, as well as Police and Crime Commissioners and local safeguarding professionals to discuss how to stop some children being exploited by ruthless organized criminals.
- 3.4.20 The criminal exploitation of children, including the 'county lines' phenomena is happening in cities, towns and villages up and down the country. The parallels between the child sexual exploitation of vulnerable girls in Greater Manchester and Rochdale and the child criminal exploitation of county lines are clear. Children are growing up today in the same circumstances as those kids who were targeted and used by ruthless sexual predators – they are the children running county lines or sucked into gangs because local agencies and authorities either haven't spotted them or don't have the resources to

help. Some of them will also be suffering from sexual exploitation. Local safeguarding boards and the police often seem ill-equipped to cope.

- 3.4.21 Over the last twelve months, we have been working to encourage the new, local area ‘multi-agency safeguarding partnerships’ – which ought to be predicting and providing services for local childhood vulnerability – to adopt our data in order better to understand the level of child need in their local area. Work we carried out in 2019 showed how lower scores on the Early Years’ Foundation Stage assessment, which teachers undertake in reception year, can aid the prediction of a higher risk of a whole range of issues by the end of primary school, including undiagnosed special educational needs, school exclusion or persistent absence. Given that all of these are key risk factors for future gang involvement, this shows we can use existing knowledge to identify some children at risk as early as age 5 or even before, through existing health visitor checks - which is when we should be helping these children.
- 3.4.22 We also know, from analysis of children’s social care and Youth Offending Team data, conducted in 2019, that children involved in gangs are 95% more likely to have emotional, social and mental health problems than other children known to social services, more than twice as likely to be self-harming, 41% more likely to have a parent who is misusing drugs, 37% more likely to have witnessed domestic abuse and 37% more likely to have concerns recorded about missing education from school.
- 3.4.23 Over the next few months, we will shine a light on the operation of multi-agency safeguarding partnerships and assess where there are gaps in knowledge or planning for local children’s needs. We have already undertaken a review of the form these arrangements have taken, and the plans they have committed to. Later this year we will follow this up by examining their use of data to understand and combat the risks to children existing in their local areas. We will continue to work with local areas, by providing them with a greater level of local data from our vulnerability framework, to inform local level planning.
- 3.4.24 Over the last year, we conducted the first ever national analysis showing the numbers of children removed from school rolls into home education, often a sign that a child is not getting the support they need from a school or that the school is off-rolling, for every school in the country. We have taken the decision not to publish the analysis for the time being, in order not to add to the pressure schools are facing due to COVID-19. However, we have shared the data with the Department for Education and Ofsted, who will use it to inform their inspections.
- 3.4.25 We also want to keep the focus on making schools fit for all pupils who wish to be at them, by tracking persistent absence and its link to SEND, and publishing finer-grained data on what persistent absence means - and what might lie behind it. In 2019/20, we gathered new data to form a ‘Good Schools Index’: an alternative way of assessing schools that focuses on inclusion and achieving good outcomes for disadvantaged and vulnerable children. It harnesses data on exclusions, absences and withdrawals into home education, and combines these with a new contextualised Progress 8

measure, to show which schools are doing the best to include, encourage and educate all pupils, including those who have more trouble studying due to personal circumstances.

- 3.4.26 While we should celebrate the progress that is being made in raising educational standards for millions of children, it should never be an acceptable part of the education system for thousands of children to leave with next to nothing. Yet our analysis of the numbers of children leaving school having reached Level 2 attainment, published in September 2019, revealed that almost one in five children left education at 18 last year without basic qualifications. Our briefing showed that last year 98,799 children in England - almost one in five (18%) of all children leaving education at 18 - left without reaching Level 2 attainment (five GCSEs A*-C). This is a 24% rise in the number of children leaving education without Level 2 over the last three years. Moreover, more than one in three children (37%) receiving Free School Meals – 28,225 children – left without any substantive qualifications. Since 2015, the rate of children receiving Free School Meals leaving education without Level 2 attainment has risen at almost 3 times the rate of non-FSM children.
- 3.4.27 Children with Special Education Needs have been the worst affected with almost half (45%) not reaching Level 2 attainment by the time they leave education. The research also shows the attainment gap between children living in the least deprived and most deprived areas of England is widening. Children receiving Free School Meals who live in London had the best academic outcomes. London stood out for having the lowest attainment gaps between FSM and non-FSM at 11.9 percentage points in 2018. This contrasts with the East Midlands which had a far greater attainment gap of 27.8 percentage points in 2018.

Strategic Objective: Behind Closed Doors

- 3.4.28 The Children’s Commissioner has powers under s.2E of the Children Act 2004 to enter any premises other than a private home, to speak to children and observe the standard of their care. Over the last twelve months, we have regularly visited children in every secure setting - from young offender institutions, secure training centres and secure children’s homes, to long-stay patients in NHS secure units. Understanding their experiences informs our policy work. These are among the most vulnerable children in England, literally out of sight behind closed doors and often shrouded in secrecy and a lack of accountability.
- 3.4.29 Over the last twelve months, we undertook a series of visits to children in children’s homes and in residential special schools where they are effectively being deprived of liberty. We will be reporting on their experiences and views shortly as part of our second annual ‘Who are they? Where are they?’ report. In 2020-21 we will repeat our mental health briefing for the 4th year.
- 3.4.30 Our work published in 2019 identified 250 children with a learning disability, autism or both – who should not be in mental health wards at all – locked out of sight in hospitals, half of them more than 30 miles from home. On average

they spent 8 months in inpatient care, often because services to help care for them in the community were unavailable; around one in seven had spent at least a year in their current hospital with their current provider. There is a frightening lack of accountability and we have been campaigning this year to have all children with learning disabilities and/or autism and no other mental health need moved out of secure hospitals, and to improve the experience and shorten the length of stay for those children with mental illness who do need to be in secure care. Following pressures from ourselves and others, NHS England has convened a taskforce to improve the quality of care for children and young people with mental health needs in hospital, including those with autism and disabilities and the Children's Commissioner is chairing the Oversight Group. We will use our chairmanship of the Oversight Group to continue to press NHS England this forthcoming year to reduce inappropriate admissions and delayed discharges, as well as significantly improve the quality of care children receive in hospital.

- 3.4.31 Reflecting concern from parents and the Children's Commissioner about lack of accountability in the system and perverse incentives to keep children under lock and key in privately owned hospitals, we will also publish analysis of the ownership and profits of Tier 4 hospitals in the private sector later in 2020.
- 3.4.32 Since publishing our first report on children's mental health in 2017, we have worked hard to persuade central government to collect this data for themselves and to design benchmarks to improve accountability. Both the Department of Health and Department for Education have expressed interest, as have NHS England and the LGA, and ministers have made vague commitments. However, nothing has yet happened. Collecting this data is extremely time-intensive and requires a high level of technical expertise and we had hoped that the Department for Education would fund us to do this work again, but at the time of writing it has refused to do so. We will continue to urge central government to collect this data itself.
- 3.4.33 We are also working across Whitehall to encourage ministers to develop more integrated and effective models of care in the youth justice system, and to expand and improve the secure schools model. We will also continue our work with local authorities, young offender institutions and secure training centres to improve resettlement planning for looked after children. We will contribute to the Royal Commission on Criminal Justice later this year to propose improvements in the way that youth courts operate.

Strategic objective: Children's Wellbeing and Digital Lives

- 3.4.34 Any child can fall prey to mental health problems and it is important that schools are an environment that supports children's wellbeing. Our own survey of nearly 2,000 children in England carried out in early 2020, conducted to inform our 2020/21 business plan, identified a cluster of worries over feeling stressed and sad; doing well at school; the environment; and, for teenagers, their appearance. By the age of 8 or 9, this pattern of stress and sadness and worry about exams is becoming established in children's lives.

- 3.4.35 So often these stresses are amplified in the digital world in which children are growing up. Over recent years, the Children's Commissioner has looked at the benefits and the pitfalls of the internet and social media. Children's use of the internet continues to excite and challenge and they tell us that playing online is an important part of their childhood and how they socialise with friends. That is why making sure they have the resilience, power and information to make informed choices about what they do online, has been a key part of our work over recent years.
- 3.4.36 With 93% of children in England playing games online, in November 2019, we published a report looking at how children spend their time gaming. 'Gaming the system' called for tighter rules to protect children who game online after revealing how some children are spending hundreds of pounds on 'loot boxes' online, without any idea of what the rewards will be. The report urged the Government to amend the Gambling Act to classify 'loot boxes' in games like FIFA as gambling, and called for a maximum daily spend limit to be introduced on all games which feature in-game spending, turned on by default for children. The Children's Commissioner also called for games that are distributed online to be subject to a legally enforceable age-rating system, just as physical games sold in shops are. 'Gaming the system' showed how children enjoy playing online and how gaming can build strategic, teamwork and creative skills. It also highlighted how for too long policymakers have focused their attention on the social media giants.
- 3.4.37 However, social media continues to have a huge impact on children, in particular teenagers, and we continue to press the social media giants who have so much power over their lives, to take responsibility for what happens on their platforms. We had a public exchange of letters with Nick Clegg, Facebook's Head of Global Affairs earlier this year, pressing him to address the concerns parents and children themselves have about the ease with which some children can access harmful, upsetting and even dangerous content on Facebook, WhatsApp and Instagram. While some limited action has been taken by the tech companies, there is still little appetite among them to retrofit safety measures such as age verification, least they clutter up the gateway with delays which damage their ability to grow users. That is why the Children's Commissioner's Office has been closely involved over the last year in helping the Department for Culture, Media and Sport to develop the Government's Online Harms legislation. In 2019/20, we worked with the Department to run joint focus groups with primary and secondary aged children, ensuring that their views on proposed changes were heard by policymakers and Ministers.
- 3.4.38 We are pleased the Government is now proposing to introduce a duty of care and we will continue to press for it to be as robust as possible to protect children. We will also be focussing on the use of messaging services used by children, particularly those which are end-to-end encrypted such as WhatsApp, Apple iMessages and Viber. More platforms are planning to become end-to-end encrypted, including Facebook Messenger. It is unclear if and how the forthcoming duty of care could apply to encrypted messages, which cannot be read even by the platform provider.

- 3.4.39 The discussion around children’s wellbeing so often includes their own mental health. Children tell us a lot of the problems could be curtailed were help available earlier, rather than only when they hit crisis point. Early help mental health services are therefore essential. Over the last year, we have continued to highlight the state of children’s mental health services and press the government and NHS England to do more to make sure every child who needs mental health support can receive it. Our third annual briefing on CAMHS, ‘A Mountain To Climb’, published in January 2020, shone a light on the provision of services for the hundreds of thousands of children who need help, support and treatment.
- 3.4.40 The report shows that while the NHS has made tangible progress in the provision of mental health services for children, the current system is still far away from adequately meeting the needs of all of the estimated 12.8% of children in England with mental health problems – or the many more children who fall just below the threshold for clinical diagnosis. The report welcomes the significant progress made to CAMHS, but warns that a chasm remains between the current levels of NHS services and what children need.
- 3.4.41 Overall, the report showed services are improving, with an extra £60m invested in specialist children’s mental health services and an additional 53,000 children entering treatment. There has been a particular improvement in eating disorder services, where the number of children accessing services has increased by almost 50% since 2016/17. However, services are still far from where they need to be. Just over 3% of children were referred to services last year, only about 1 in 4 of children with a diagnosable mental health condition. On average children are waiting just under 8 weeks (53 days, down from 57 days a year ago) to enter treatment. Where a waiting time target has been introduced – currently just for eating disorders – waiting times are much shorter and 80% of children accessed eating disorder services within 4 weeks. The report also shows how treatment varies hugely across the country and how children account for 20% of the population, but only 10% of total mental health spending. On average, the NHS spends £225 for every adult and £92 for every child.
- 3.4.42 Where data is missing on children’s mental health services, we will continue to make statutory data requests of NHS England to highlight gaps in provision and pressure on services.
- 3.4.43 As well as strategic investigations into parts of the system that are going wrong, we also work hard to map out our vision for improving children’s wellbeing in this country. Shortly before the 2019 General Election, we published ‘Guess How Much We Love You: A Manifesto for Children’. The manifesto called on Britain’s political parties to back a six-point plan in their election manifestos to transform the life chances for disadvantaged children and to help all of England’s 12 million children to thrive. It set out some of the key issues that children have told us are affecting their lives, and reflected many of the subjects the Children’s Commissioner has been shining a light on in recent years - children growing up in chaotic families, inadequate children’s mental health services, children’s safety and children living in poor quality

housing. Our manifesto focused on six key themes: supporting stronger families, providing decent places for children to live, helping children to have healthy minds, keeping children active, providing SEND support for those who need it, and creating safer streets and play areas. It also set out some of the likely costs involved alongside the policy proposals, including the Children's Commissioner's argument that existing statutory services must be put on a sustainable financial footing.

Strategic Objective: Children in Care

- 3.4.44 The Children's Commissioner has a particular responsibility to children in the care system and we regularly visit and speak with children growing up in care. While there are thousands of children in happy, loving foster homes and children's homes who are receiving excellent support from dedicated parents and professionals, there are others who are being failed by the care system.
- 3.4.45 In December 2019, we published our report 'Pass the parcel', which revealed four in ten children in care living 'out of area' – miles away from family and friends. Some of the children we spoke to while writing our report described being passed around the care system like parcels. Others had been moved to places that they couldn't even place on a map. The report showed 11,000 children in care in England were living more than 20 miles from their home postcode and 2,000 children in care were living over 100 miles away from family and friends – a number that has risen by a quarter over the last four years. The 13% rise in the number of children in care living 'out of area' over the last four years means an increasing number of the most vulnerable children in England are living in places disconnected from their support networks of family and friends. Often these moves are being made without advance warning or preparation. The children most likely to live 'out of area' are aged 13 or over.
- 3.4.46 Over the last 3 years we have continued to shine a light on stability for children in care - the one thing those children tell us matters most to them. Our annual Stability Index, our own measure of stability in the care system, has been accepted by government and local authorities as the gold standard data for tracking children's moves, experiences and instability. Thanks to this work, many local authorities now routinely monitor data on placement, school and social worker stability, and discuss it with Ofsted as part of their inspections. In August 2019, we published our third annual Stability Index, for the first time including stability figures for each council. This year's Index showed how the profile and needs of children in care has changed over the last five years, driven by a growing share of older children and teenage care entrants who have more complex needs and potentially more expensive living arrangements. The report showed they are six times more likely than children under 13 to be living in residential or secure children's homes and nearly half are living in privately run accommodation.
- 3.4.47 The Stability Index also highlighted how the number of teenagers in care rose by 21% between 2012/13 and 2017/18, while the number of 0-5 year olds fell by 15% and how there has been a large increase in the number of over 16s

entering care. These changes over the last five years have transformed the children's care model from one based on very young children living in foster homes, to one where more and more older children are entering care and needing more specialist homes.

- 3.4.48 This year's Stability Index reveals that overall, at a national level, most rates of instability have not fallen since last year's Stability Index, with around 1 in 10 children in care experiencing two or more home moves during the year, 1 in 10 moving school in the middle of the school year, and just over 1 in 4 experiencing two or more changes of social worker. Over a three year period more than half of children in care moved home at least once. Three in ten did so at least twice and one in ten moved four or more times. Around 3,200 children moved home, school and social worker within the same year.
- 3.4.49 Our Stability Index data is now being used by the DfE-led National Stability Forum to drive improved stability and better monitoring of the care system. We have always said that this data – much of which DfE already gathers – should be published each year as part of the national statistics on children in care. That is why we have asked the Department for Education to take over publication of the Stability Index from next year and have given them options for how this can be done, including working in partnership for a year and sharing all of our code. Later in 2020, we expect to publish one last Stability Index update, focusing on trends over time and the links between instability and other outcomes. We will produce this data by region and local authority, sharing it with Ofsted to inform their inspections, and also sharing it with local authorities to help them understand where they can improve.
- 3.4.50 Over the last twelve months, our Help at Hand service, which provides advice and help to hundreds of children in care and other vulnerable children each year, received many calls where children were living in unregulated placements such as hostels, caravans and rented holiday accommodation. Worryingly, the number of children in care spending time in unregulated placements has increased by half since 2013 as local councils do not have the places they need to house children coming into care. Shortly, we will publish children's experiences of these placements.
- 3.4.51 Following pressures from the Children's Commissioner and others, the Government is now consulting on banning the use of unregulated placements for children under 16. We will continue to argue that no teenager in 'care' should be housed in unregulated accommodation. We will be submitting detailed evidence to the Government's care review on this issue. Having found private providers resistant to allowing the Children's Commissioner to visit children in their care – which is her statutory right – we want to know much more about what their care is like, whether they are being discharged swiftly enough, and how to improve their experiences. Already we know that children across secure settings have a similar range of issues – from mental health problems to educational disadvantage and communication needs – and that there are more intelligent models for caring for these children, with better outcomes.

- 3.4.52 There is much excellent practice in advocacy in England – but there remains a disparity in the availability and quality of advocacy services. Too often children who rely on the care of the state often feel they have no say in the care they receive. In summer 2019, we published a report looking into advocacy services, “Children and Young People’s Advocacy in England”. The children we spoke to told us that they often feel adults don’t listen to them or attach the same value to their opinions as those of adults. They also told us not having their wishes taken seriously left them feeling disempowered and let down. All of the local authorities we spoke to could explain what advocacy services were available to care leavers, but in stark comparison, 29% of local areas did not know how complaints advocacy for children in receipt of health services was delivered. It is clear from the report that there is a significant group of children being denied access to advocacy – despite having a statutory entitlement to it. In some local authorities, fewer than 75% of care leavers’ referrals for advocacy are being taken forward.
- 3.4.53 Our Help at Hand service continues to provide advice and representation primarily for children and young people living away from home. It supports, advises and makes representations on behalf of children who are in care, or are care leavers, or are otherwise working with local authority children’s services, or are living away from home in some other provision such as residential school, hospital or youth custody.
- 3.4.54 The primary purpose of Help at Hand is to ensure that all decisions and plans made for children living away from their families are made taking their views and wishes into account and are in their best interests, whilst also ensuring their rights are maintained. This service seeks to resolve issues co-operatively with those responsible for children’s care and well-being, ensuring the children’s views are listened to and their legal rights adhered to. However, where authorities are not responsive or are not ensuring children’s rights and entitlements are adhered to, matters are sometimes escalated to Director level and in more serious circumstances shared with Ofsted or the relevant regulator.
- 3.4.55 In 2019/20 there were 995 enquiries for advice and assistance or representation. The majority of enquiries continue to concern children in care and care leavers who are at the centre of the remit of the Help at Hand service. Help at Hand made representations in 46% of cases this is an increase on the year before. These representations were made to a wide range of professionals and agencies on behalf children. In the last year this has included directors of children’s services, chief executives of regional clinical commissioning groups, officials in the Department for Education, the Office of the Children’s Champion and prison governors. The issues raised by children and care leavers continue to be disparate and varied, they have included: being secluded in mental health hospital, being restrained inappropriately, not wanting to move from a foster or children’s home and needing immigration legal advice.
- 3.4.56 A typical example of the work Help at Hand undertook last year, was the vulnerable 19 year old who called us to say he had been in and out of care,

had been homeless and was now receiving no support from his Local Authority. The Help at Hand team made representations to the Local Authority and requested that he be given care leaver (former relevant child) status. As a result of this, this young person has care leaver status and is in receipt of the support he needs.

- 3.4.57 IMO - In My Opinion – is our digital network for children in care. A peer-led web platform which serves as a meeting point for children in the care system and care leavers. It is somewhere they share stories, experiences and achievements, get and give advice, and gain access to free opportunities and gifts. IMO aims to challenge negative perceptions of the care system and offer a fresh perspective on the often-hidden experiences of those who exist within it. Launched in 2018, the project includes a website which receives 50,000 unique page views annually, social media channels with a combined following of 3,000 users, and a podcast series which has been listened to over 2,000 times.
- 3.4.58 IMO has been supported over the past twelve months by generous donations from, among others, Audible, Breethe and PureGym. Over 150 children in care councils and children’s homes took part in user-generated campaigns and competitions and requested free items via the platform throughout 2019-20. At the start of 2020 IMO recruited four care leavers from across the country to work as digital coordinators, helping to improve and grow the platform.
- 3.4.59 In 2019, following the General Election, the Government pledged in the Conservative Party manifesto to review the care system, following evidence presented to ministers by the Children’s Commissioner of teenagers being placed haphazardly in last-minute, inappropriate accommodation, often at inflated prices to local authorities. Our work on spending on children’s services published in summer 2019 showed how many councils are spending huge proportions of their budget on a handful of children. This includes paying extortionate amounts for places, with the price often not matched by the quality. Our work discovered one council had spent over £10m last year on 50 or so children, which was five times their expenditure on early help supporting over 1,000 children.
- 3.4.60 Following the election in December 2019, we have argued within government that the care review should be broad in scope, independent and cross-departmental. Among the issues it needs to consider are the changing nature of demands on children’s services, the need for fair and sustainable funding and significant variation in the provision and quality of services across the country. While the coronavirus outbreak has understandably stalled the review, once the crisis is over we expect the Government to make this a priority.

United Nations Convention on the Rights of the Child

- 3.4.61 In November 2019, we celebrated the 30th anniversary of the UN Convention on the Rights of the Child (UNCRC), a landmark agreement by governments around the world on the rights of the child. To mark the anniversary, all four of

Britain's Children's Commissioner's published an assessment looking at how the UK Government and devolved administrations have progressed towards giving every child the opportunities and protections enshrined in the UNCRC. The report was published against the backdrop of political uncertainty and a forthcoming general election, with Brexit drawing political energy and attention away from domestic issues, including the needs of children.

- 3.4.62 The assessment showed that some progress has been made, with plans in place across much of the UK to improve help for children with mental health needs, new measures for tackling Domestic Abuse, which affects hundreds of thousands of children a year, and Scotland passing legislation which bans physical punishment of children. The report also praised the UK promise to protect children online, with the introduction of the Age Appropriate Design Code. However, the assessment also warned that recent changes to welfare have pushed more children into poverty, which in turn increases demand for services for children. Yet these services also continue to face significant funding pressures, and are not always able to provide the intensive or early help children need. The Commissioners warned that the UK Government and its devolved governments can only uphold the rights of all children to be safe and to thrive with adequate provision of these services.
- 3.4.63 The report also highlights serious deficiencies when it comes to the fundamentals of keeping children safe from violence and abuse. Some children are being ill-treated in institutions meant to care for them, and others are exposed to unacceptable risks in their communities. The assessment calls for children's rights to be respected, and for all children to be given the protections and opportunities to which they are entitled, including: the full, direct and urgent incorporation of the UNCRC into domestic law in England; increased funding for families in challenging circumstances and schools opened to communities outside normal school hours; a trained NHS counsellor in every school and access to mental health support for every child who needs it; urgent action to reduce child poverty and homelessness; increased provision of high-quality care placements for children who cannot live at home; increased action to reduce the number of children entering secure care or custody, reductions in the use of restraint and seclusion and an end to the use of pain-inducing restraint in youth custody; protection for children at risk of serious violence; a change in the law so the 'reasonable punishment' defence for assaulting children no longer applies; adequate levels of funding for children with special needs; and a Cabinet Committee for children.
- 3.4.64 The Children's Commissioner's Office continues to liaise closely with our British and international counterparts. In May 2019, we organised an international conference for Children's Commissioners, hosted by the BBC in Salford, on children and their digital rights. In March 2020, we organised a study-tour to Norway and Sweden, in partnership with the Norwegian and Swedish ombudsman for children. This focused on specialist residential care for children, and linked to the Commissioner's role on the NHS Taskforce. On the trip we were accompanied by national clinical leaders, NHS Trust Chief Executives and we were also due to be joined by members of the Youth Custody Service but this was prevented by COVID-19. The purpose of the trip

was to focus on the inter-related needs of children who end up in either mental health care, specialist social care or youth custody. Both Norway and Sweden have a much more integrated approach than England, but we also chose them because both countries have undergone significant reform in the last few years – in quite different ways. As well as meeting with the commissioners, we visited a number of centres to see the work they are doing, and spoke to staff and the organisations behind those centres about local and national cooperation.

- 3.4.65 Since COVID-19 we have been in regular contact with the other British Children’s Commissioners sharing knowledge gained in the response to the crisis. One particular area where we were keen to share knowledge and experience is in the re-opening of schools. To this end we organised webinars with other countries who have re-opened schools or are looking to do so shortly. This includes European countries such as France, but we are also looking further afield, including Australia.
- 3.4.66 The Children’s Commissioner for England continues to meet, speak and work with the other Children’s Commissioner in Britain, including regular BINOCC meetings which help the Commissioners to update each other on ongoing work and to discuss issues affecting children’s rights. The Children’s Commissioner and her team also attend meetings of the European Children’s Commissioners (ENOC).

3.5. Performance Analysis

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

Invisible Children

- 3.5.2 Over the last twelve months, we have highlighted the experiences of children falling through the gaps in the education system, including those excluded, off-rolled from schools or ending up in home education. We were pleased to see the Government consult on a register for home education and to prioritise plans to reform Alternative Provision. We will continue to press for further reforms, including more accountability on schools who exclude or off-roll pupils and more work to prevent exclusions happening in the first place.
- 3.5.3 The Commissioner has also called for better mental health support, and we have welcomed the roll out of mental health support teams in schools and the additional access to specialist mental health care from NHS England. We are calling for more oversight of low-level mental health support in every area and

for the increased support in schools and specialist services to be introduced more quickly.

- 3.5.4 Our Children's Manifesto called for schools to be open on evenings and weekends to provide more safe spaces for children to use at these times. We were pleased to see the Government announce a £1bn childcare fund to increase the use of schools on evenings and weekends.
- 3.5.5 We were also pleased to see the Government accept our call for more investment in the Troubled Families programme. We would like to see this programme doubled and with a greater focus on outcomes for children, particularly in the early years.

Children Behind Closed Doors

- 3.5.6 In 2019/20, we highlighted the experiences of children living behind closed doors across youth justice, health and social care. Our 'Who are they, Where are they?' yearly report published in 2019 brought all the data on this together in one place for the first time, and highlighted around 200 children deprived of their liberty by the courts rather than under legislation. This research was considered by the Supreme Court during a recent case on deprivation of liberty and we are working with all the relevant Government departments to promote the need for a more integrated approach to secure care for children. The Commissioner is now chairing an Independent Oversight Board which is scrutinising the work of an NHS England Taskforce to improve inpatient mental health care for children.

Children's Wellbeing

- 3.5.7 We were pleased to see the Government agree to our demands for a Statutory Duty of Care on social media companies and to reform of gambling legislation to include 'loot boxes' in online games. We have also pressed for an age appropriate design code for social media companies and are pleased to see this being introduced. We will press for the duties on online harms to be extended to include encrypted message services.

Children in Care

- 3.5.8 This year we have highlighted the treatment of older children in care who are accommodated in unregulated accommodation, without appropriate safeguards, including those being looked after in hostels, tents and caravan parks. Following pressure from the Children's Commissioner and others, the Government is now consulting on proposals to improve standards in these unregulated settings and to ban their use for under 16s. We are now calling for them to go further and set out clearly that these settings are not appropriate for children under 18.
- 3.5.9 We were pleased to see the Government adopt the call in our Children's Manifesto for a review of children's social care and look forward to influencing this review. We would like to see a bold and ambitious review of how the

children's social care system can improve the outcomes of vulnerable children, both those in care and those who don't meet the thresholds for intervention.

Non-Financial Matters

Social matters

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

Respect for human rights

3.5.11 Under the Equality Act 2010, the Children's Commissioner encourages and supports the development of a society in which:

- people's ability to achieve their potential is not limited by prejudice or discrimination;
- there is respect for and protection of each individual's human rights;
- there is respect for the dignity and worth of each individual;
- each individual has an equal opportunity to participate in society; and
- there is mutual respect between groups based on understanding, valuing diversity and shared respect for equality and human rights.

Anti-corruption and anti-bribery matters

3.5.12 The Children's Commissioner is committed to conducting its affairs in an ethical and honest manner and to implementing and enforcing systems that ensure bribery is prevented.

3.5.13 The Children's Commissioner has zero-tolerance for bribery and corrupt activities. We are committed to acting professionally, fairly and with integrity in all business dealings and relationships.

3.5.14 The Children's Commissioner will constantly uphold all laws relating to anti-bribery and corruption. The Children's Commissioner is bound by the laws of the UK, including the Bribery Act 2010.

Sustainability

3.5.15 The Children's Commissioner occupies office space in Sanctuary Buildings, Westminster with shared service agreements for ICT and premises that support best practice on sustainability. The Children's Commissioner promotes smart working practices throughout the office to reduce paper and other resource use, including travel and waste.

3.5.16 In early March the Commissioner implemented her Business Continuity plan in response to the coronavirus emergency, instructing her staff to work from home with effect from 12 March 2020. Additional use of technology has enabled staff to work effectively and productively. Post COVID-19 working practices will remain under review to ensure the organisation can retain smarter working practices that enhance business delivery and support sustainability.

Financial review

3.5.17 The Children's Commissioner operates within the budget resource allocated by the sponsor department. As Accounting Officer, the Commissioner is responsible for the efficient and effective delivery of the budget within the budgetary controls as delegated by the Department. The Children's Commissioner can confirm that expenditure during 2019-20 was delivered within these controls.

3.5.18 The financial statements for the period to 31 March 2020, are set out on page 55 onwards. The notes contained within these accounts also form an integral part of the accounts. In 2019-20, the budget for the year was £2.764m (£2.484m in 2018-19). This budget included an additional allocation of £245k of programme funding, which was used to enhance programme staffing and fund increased project work. In 2019-20 the net expenditure was £2.634m (£2.407m in 2018-19). Details of expenditure can be found in the notes to the accounts.

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

Auditing of Accounts

3.5.20 The external audit is carried out by the Comptroller and Auditor General, who is required to examine, certify and report on the annual financial statements in readiness for their laying before the Houses of Parliament. The external auditor's remuneration for the audit of the 2019-20 financial statements was £33,600 (£35,000 for 2018-19).



Anne Longfield OBE
Children's Commissioner for England

29 June 2020

4. The Accountability Report

4.1. Corporate Governance Report

4.1.1 Director's Report

Introduction

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

- **Advisory Board**

Leading figures and experts in areas of priorities provide advice to the Children's Commissioner;

- **Specialist advisory groups**

Specialist experts and practitioners support our work and programmes. This includes specialist children's groups;

- **Audit and Risk Committee**

The Audit and Risk Committee (ARC) is responsible for providing independent assurance and objective review of financial systems, financial information, information data security, risk management, governance arrangements and internal control mechanisms;

- **Remuneration Committee**

The Remuneration Committee provides a means of independent assurance and objective review of remuneration systems;

- **Internal Audit**

The Internal Auditors assist the organisation to achieve effective and efficient governance, risk and control processes. These are linked to strategic objectives and financial and management reporting objectives to support the delivery of the Business Plan;

- **Senior Management Team**

The Senior Management Team supports the Children's Commissioner with both strategic and operational duties. They assist with the identification, development and implementation of strategic priorities in the form of a five-year strategic plan and an annual business plan.

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

4.1.4 Further information about the Office's governance arrangements can be found in the Accounting Officer's governance statement on pages 31 to 39.

Registration of Interests

- 4.1.5 The Office of the Children’s Commissioner keeps a record of all staff, and Audit and Risk Committee and Advisory Group members’ interests, which is updated annually. The current record of Registration of Interests for Audit and Risk Committee and Advisory Group members can be found on the Children’s Commissioner’s website at:

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

Corporate governance

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

Personal Data Incidents

- 4.1.7 In 2019-20 my Office had one protected personal data related incident which was judged significant enough to be formally reported to the Information Commissioner’s Office, no further actions were required.

Complaints

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

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

Donations

- 4.1.10 In 2019-20 there were no political donations made to or from the Office of the Children’s Commissioner. Charitable donations in kind of goods and services valued at £14k were made to the IMO hub, to be passed on to Children in Care councils and care homes. The Office of the Children’s Commissioner is acting as an intermediary in both receiving and passing on these items and is not itself the beneficiary.

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

4.2.1 Under the Children Act 2004, Schedule 1, Clause 8, HM Treasury has directed the Children's Commissioner to prepare for each financial year, a statement of accounts and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Office of the Children's Commissioner and of its income and expenditure, Statement of Financial Position and cash flows for the financial year.

4.2.2 In preparing the accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual (FReM) and in particular to:

- observe the Accounts Direction issued by HM Treasury, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the FReM have been followed, and disclose and explain any material departures in the accounts; and
- prepare the accounts on a going concern basis.

4.2.3 The Permanent Secretary as Principal Accounting Officer of the Department for Education has designated the Children's Commissioner as Accounting Officer of the Office of the Children's Commissioner. The responsibilities of an Accounting Officer, including responsibility for the propriety and regulatory of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Office of the Children's Commissioner's assets, are set out in Managing Public Money published by HM Treasury.

4.2.4 As the Children's Commissioner, I can confirm that:

- There is no relevant audit information of which the auditor is unaware;
- I have taken all the steps that I ought to in order to ensure that I am aware of relevant audit information;
- I have taken all the steps that I ought to in order to establish that the Office of the Children's Commissioner's auditor is aware of the information; and
- The Annual Report and Accounts as a whole is fair, balanced and understandable and I take personal responsibility for the Annual Report and Accounts and the judgements required for doing so.

4.3. Governance Statement

Scope of Responsibility

4.3.1 As Children's Commissioner I am designated Accounting Officer for the Office of the Children's Commissioner. I have personal responsibility for maintaining a sound system of governance, internal control and risk management within my area of responsibility to support the achievement of my Office's policies, aims and objectives, whilst safeguarding public funds and the sponsoring department's assets.

Governance Framework

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

Governance

4.3.3 I confirm that I have reviewed the governance, internal control and risk management arrangements in operation within my area of responsibility. My review of the effectiveness of the system of internal control has been informed by senior managers within my office, who have responsibility for the development and maintenance of the internal control framework and supported by internal and external audits. The quality of data throughout the Governance structure is robust and regularly fed through appropriate channels, assisting informed decision making and strategic planning. More detail is available in the following pages. I also confirm that governance arrangements are compliant with Department for Education and Cabinet Office requirements placed on NDPBs and are compliant with the UK Corporate Governance Code for Central Government.

Advisory Board

4.3.4 Membership is at the formal invitation of the Children's Commissioner, with members being recruited through open competition. All members of the Advisory Board are required to declare any potential conflicts of interest on appointment and at the beginning of each meeting they attend. The Register of Interests is reviewed on an annual basis.

4.3.5 The Advisory Board met three times during 2019-20; on 4 June 2019, 4 September 2019 and 5 February 2020, chaired by the Children's Commissioner, the attendance list below relates solely to this period. One new member was recruited during the period.

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

| Advisory Board Attendance | | |
|----------------------------------|--|---------------------------------|
| Name | Date of appointment | Board attendance 2019-20 |
| Jacqui Smith | April 2018 | 2/3 |
| Edward Timpson | September 2017 [stepped down October 2019] | 2/2 |
| Josh MacAlister | September 2017 | 2/3 |
| *Alison O'Sullivan | August 2016 | 3/3 |
| *David Halpern | August 2016 | 1/3 |
| Sophie Humphreys OBE | August 2018 | 3/3 |

*Members stepped down in June 2020

Audit and Risk Committee

- 4.3.7 The Audit and Risk Committee (ARC) is responsible for providing scrutiny, challenge, advice, oversight and assurance to myself as Accounting Officer; acting in an advisory capacity to provide independent opinion and feedback on how well objectives are being met, good practice, risk management, governance and control.
- 4.3.8 ARC agrees the content of the annual internal audit programme with senior managers and myself, and also oversees internal and external audit arrangements covering financial and non-financial systems. ARC receives the external auditor's planning report, audit completion report and management letter and also produces an Audit and Risk Committee Chair's Annual Report, summarising how the Committee has discharged its responsibilities for the twelve month period to date. The report also sets out key issues arising.
- 4.3.9 ARC membership is at the formal invitation of the Children's Commissioner; with members being recruited through open competition. All members of ARC are required to declare any potential conflicts of interest on appointment and at the beginning of each meeting they attend. The Register of Interests is reviewed on an annual basis.
- 4.3.10 During the reporting year 2019-20, no members declared any directorships or other significant interests that may have conflicted with their responsibilities. ARC met five times in 2019-20; on 22 May 2019, 26 June 2019, 2 October 2019, 20 November 2019 and 26 February 2020.

4.3.11 The Audit and Risk Committee Terms of Reference and member Register of Interests can be found on the Children’s Commissioner website.

| Audit and Risk Committee Attendance | | | | |
|--|----------------------------|--|----------------------|---------------------------------|
| Name | Date of appointment | Term of appointment | Term end date | Board attendance 2019-20 |
| David Clarke (Chair) | October 2015 | Three years (extend for a further three years) | September 2021 | 5/5 |
| Dr Susan Tranter | October 2015 | Three years (extended for a further two years) | October 2020 | 5/5 |
| Brian Tytherleigh | April 2016 | Three years (extended for a further two years) | June 2021 | 3/5 |
| James Norton | April 2016 | Three years (extended for a further three years) | October 2022 | 4/5 |
| Owen Vallis | April 2016 | Three years (extended for a further 18 months) | November 2020 | 4/5 |

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

Senior Management Team

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

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

4.3.14 This includes business planning and performance measurement, financial management and budgetary control, human resources, risk management, internal audit, external audit, premises management, IT and systems, and information governance.

| Senior Management Team Attendance | | | |
|--|---------------------------------|-----------------------------|--------------------------|
| Name | Position | Date of appointment | Attendance record |
| Anne Longfield | Children's Commissioner | March 2015 | 11/11 |
| Professor Leon Feinstein | Director of Evidence | July 2016 to September 2019 | 5/5 |
| Haroon Chowdry | Director of Evidence | October 2019 | 6/6 |
| Alice Miles | Director of Strategy and Policy | November 2016 | 9/11 |

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

4.3.16 In response to the COVID-19 emergency members of the ESMT join SMT on daily calls to enable the organisation to respond agilely to emerging issues.

Internal Control

4.3.17 The following section of this statement describes the system of internal control in operation for the year. This has continued up to the date of approval of the Annual Report and Accounts, and accords with HM Treasury guidance.

4.3.18 Our internal controls accord with HM Treasury guidance and have been in place for the whole of 2019-20. We assess how the achievement of our policies, aims and objectives might be affected by the risks we face. We design a system of internal controls, which mitigate those risks. The system is not designed to eliminate risk but to strike an appropriate, proportionate balance between control, cost and level of risk tolerance.

4.3.19 The Senior Management Team and Audit and Risk Committee consider a number of sets of management data at each meeting. This includes monthly management accounts, performance and delivery indicators, risk management and communication and awareness data.

4.3.20 These matters are considered a key aspect of reporting to the Children's Commissioner and the Audit and Risk Committee. During 2019-20, the SMT continued to embed internal controls, ensure robust risk management and enhance data and cyber security, and GDPR policies.

Internal Audit

4.3.21 An internal audit function is provided by the Head of Internal Audit who delivers independent and objective assurance to me on the adequacy and effectiveness of my Office's framework of governance, risk management and control, by measuring and evaluating the Office's effectiveness in achieving its published objectives. A full audit plan was produced and delivered for 2019-20 and the following levels of assurance provided during the year, the Office of the Children's Commissioner has:

- Human Resources, Recruitment – Substantial
- Information Governance – Substantial
- Complaints Policy – Substantial
- Media: Online Presence and Reputation – Substantial
- Anti-fraud & Corruption – Substantial
- Governance Including Whistleblowing – Substantial
- Finance Health Check – Substantial

4.3.22 The overall opinion of the Head of Internal Audit is that, for the areas reviewed during the year, the Office of the Children's Commissioner has reasonable and effective risk management, control and governance process in place.

Programme and Project Management

4.3.23 A project management framework is in place which supports and monitors the efficient planning, execution and control of projects. A project board reviews the risks and delivery of all projects and escalates matters of concern to the Senior Management Team. The SMT is responsible for ensuring effective project delivery and progress against milestones and budgets. This is reported at high level to the Audit and Risk Committee.

Financial Management

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

Delivery Arrangements and Achievement against Business Plan

4.3.25 My Office has continued to develop the strategy for business planning and performance measurement. The strategy supports the identification of strategic priorities and the development of the annual business plan in response.

4.3.26 Before publishing my business plan, I consult widely in line with the

requirements set out in the Children Act 2004. Following consultation, I published my business plan, detailing proposed strategic priorities as part of that process. The business plan was provided to the Department for Education for comment before being published on my website in March 2020.

I.T. Management and Data Safeguarding

4.3.27 In 2018-19 my Office appointed a Data Protection Officer service to oversee compliance with GDPR and our responsibilities as outlined in the Data Protection Act 2018. Data is securely handled and safeguarded within my Office, and general information systems are in place to meet internal and external standards and the needs of the business. Mandatory information assurance training is undertaken by all staff annually and adherence to policy is monitored. My Office had one protected personal data related incident which was judged significant enough to be formally reported to the Information Commissioner's Office in 2019-20, no further actions were required.

4.3.28 The Department for Education (DfE) provides my office with all its IT services through a shared services agreement, and the IT network is subject to regular penetration tests and vulnerability scans. All our digital platforms and services adhere to the Government Digital Strategy. My Office has adopted DfE procedures in the name of the Office of the Children's Commissioner which ensures adequate physical security to our premises.

People Management

4.3.29 Performance Management systems are in place. The performance of staff at all levels in my Office is satisfactorily appraised. For details of my Office's full time equivalent staffing level, please refer to the Staff Report within the Remuneration and Staff Report on pages 40-49.

Whistle-Blowing Arrangements

4.3.30 Whistle-blowing arrangements offer a framework of protection against victimisation or dismissal for workers who blow the whistle on criminal behaviour or other wrongdoing. Whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place and have been throughout 2019-20.

4.3.31 The Office of the Children's Commissioner has received whistle-blowing concerns from a variety of people including employees of children's services and residential schools. Many different types of concerns have been raised and these include failures in safeguarding procedures and restraint. Sometimes we are the first people that the whistle-blower has raised the concern with and sometimes they have raised it many times before and felt no one was listening.

4.3.32 The Employment Tribunal may also refer claims to us when they feel we are the relevant prescribed person. We will always discuss anonymity and

confidentiality with whistle-blowers and we will never close a case until we are sure that the necessary safeguarding action has been taken. No notifications against my Office have been received during 2019-20. As a prescribed person I am required to report in writing annually on whistle-blowing disclosures made to me. My report for 2019-20 will be available to view by 31 October 2020.

Risk Management Arrangements

- 4.3.33 My Office has an overarching risk management policy. The Audit and Risk Committee support me and my SMT in reviewing the process for risk identification and mitigation. The Senior Management Team's responsibility is to ensure risk is effectively reviewed and managed by the development of adequate and effective controls.
- 4.3.34 Alongside the principal Strategic Risk Register and quarterly assurance reviews, the project management framework requires project leaders to identify risks. A further level of scrutiny has been added by way of deep dive audits which appraise targeted areas of risk; evaluate existing mitigating controls; assess effectiveness; identify gaps in the control framework and develop and recommend action plans to improve existing controls.
- 4.3.35 Project risks assigned a red rating are escalated to the Senior Management Team for appraisal and action. Strategic risks are monitored monthly by the Senior Management Team and are regularly reviewed by the Audit and Risk Committee. The Audit and Risk Committee challenge Senior Management Team members on their delegated risks and any changes to status or recommended action plans, providing insightful feedback and comment.

Assessment of Risk

- 4.3.36 A review of our risk management procedures informed the implementation of enhanced controls to ensure internal controls are robust in design and that project management, financial controls and purchasing procedures remain fit for purpose.

Key Risks in 2019-20

- 4.3.37 In mid-March and in response to the coronavirus emergency, staff commenced working from home in line with lockdown restrictions. This has worked well and the office has been able to continue to fulfil its operational responsibilities with minimal impact on the efficiency of the organisation.
- 4.3.38 Demands on the organisation have increased as a result of the emergency, and a revised work-plan focusing on the priorities of vulnerable children during COVID-19 and its aftermath was put in place.

The key strategic risks during 2019-20 were:

- i. Failure to achieve positive change for vulnerable children;
- ii. Failure to effectively deliver our business plan; and
- iii. Operational failure

Mitigating Controls

4.3.39 A number of steps were taken to mitigate risks including a regular review of strategic risks to strengthen internal controls; incorporating safeguarding, communications, data protection, data and cyber security, and finance and business operations. We have consulted widely to produce qualitative and quantitative research data that both informs policy and shapes the direction of our work programme. Assurances from audits have been favourable.

4.3.40 The Commissioner implemented her business continuity plan in early March in response to the COVID-19 emergency. Staff were supported to work from home with effect from 12 March 2020. Resources and processes were reviewed and adapted to enable the organisation to respond with agility to emerging issues and challenges.

Overall Assessment

4.3.41 The information outlined above demonstrates that my office has been managed in an effective and efficient manner during 2019-20. Corporate support arrangements provide value for money and improve access to specialist skills.

4.3.42 As Accounting Officer I am satisfied with my Office's internal control, risk management and governance arrangements. My Office continues to deliver successfully across a broad range of areas, and governance arrangements have supported the effective delivery of this work.



Anne Longfield OBE
Children's Commissioner for England

29 June 2020

4.4. Remuneration and Staff Report

Part 1: Unaudited Information

Senior Team Members' Remuneration Policy

4.4.1 The Office of the Children's Commissioner has a Remuneration Committee to provide scrutiny and challenge on pay and reward and ensure good corporate governance as part of the performance management system. The Remuneration Committee is made up of the ARC membership. The Remuneration Committee met on one occasion during 2019-20, on 26 June 2019.

| Remuneration Committee Attendance | | | | |
|-----------------------------------|---------------------|--|----------------|--------------------------|
| Name | Date of appointment | Term of appointment | Term end date | Board attendance 2019-20 |
| James Norton Chair | April 2016 | Three years (extended for a further three years) | October 2022 | 1/1 |
| David Clarke | October 2015 | Three years (extend for a further three years) | September 2021 | 0/1 |
| Dr Susan Tranter | October 2015 | Three years (extended for a further two years) | October 2020 | 1/1 |
| Brian Tytherleigh | April 2016 | Three years (extended for a further two years) | June 2021 | 0/1 |
| Owen Vallis | April 2016 | Three years (extended for a further 18 months) | November 2020 | 1/1 |

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

Service Contracts

4.4.3 The Children's Commissioner staff are not civil servants however recruitment is conducted in line with the Civil Service Commissioners' recruitment principles.

4.4.4 Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

4.4.5 Further information about the work of the Civil Service Commission can be found at: <http://civilservicecommission.independent.gov.uk/>

Staff Composition

4.4.6 At 31 March 2020 our staff headcount figures for permanent staff, including the Children’s Commissioner and one person who was on loan to OCC but on permanent contract with the Office of National Statistics (ONS), was as follows:

| Grade Equivalent | Male | Female | Total |
|--------------------------|-----------|-----------|-----------|
| Director | 1 | 2 | 3 |
| Grade 5 | 0 | 1 | 1 |
| Grade 6 | 1 | 1 | 2 |
| Grade 7 | 3 | 2 | 5 |
| Senior Executive Officer | 2 | 9 | 11 |
| Higher Executive Officer | 2 | 5 | 7 |
| Executive Officer | 0 | 4 | 4 |
| Executive Assistant | 1 | 4 | 1 |
| | 10 | 28 | 38 |

Sickness Absence

4.4.7 The average number of working days lost per FTE was 1.7 days in 2019-20 (7 working days per FTE in 2018-19 including 3.5 working days per FTE lost due to short term sickness). This year no staff were absent due to long term sickness.

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

4.4.8 The Children’s Commissioner is committed to eliminating discrimination, promoting equality and respecting diversity. Her aim is that her workforce will be truly representative of all sections of society and that each employee feels respected and able to give their best.

- 4.4.9 The Children's Commissioner abides by her Equality and Diversity Policy, ensuring that applicants are not unlawfully discriminated against on the basis of a protected characteristic including disability.
- 4.4.10 All applicants who have been shortlisted and are invited for interview will be asked if they require any adjustments to be made to enable them to participate. The Children's Commissioner will make every effort to provide reasonable adjustments.
- 4.4.11 Where an individual with a disability is offered a job, the Children's Commissioner will immediately discuss with the applicant what reasonable adjustments, if any, need to be put in place to enable them to carry out the job. The Children's Commissioner may need to seek professional advice to assist with this.
- 4.4.12 The provision of training and development is consistent with the Children's Commissioner's Equality and Diversity policy.

Off Payroll Engagements

- 4.4.13 There was one off-payroll engagement between 1 April 2019 and 31 March 2020, for more than £245 per day, which lasted for longer than six months duration and assessed as not caught by IR35.

Consultancy Spend

- 4.4.14 Engaging consultants is a cost effective and efficient way of hiring the temporary and skilled workers that the organisation needs. We ensure compliance with HMRC Off-payroll working rules (IR35) by checking the individual's employment status using the HMRC online employment status for tax, checking service.
- 4.4.15 The Commissioner spent £13,000 on consultancy in 2019-20 (£7,000 in 2018-19).

**Part 2: Audited Information
Directors' Remuneration**

| Officials | Salary £000's | | Bonus Payments £000's | | Pension Benefits £000's | | Total Salary and Pension Benefits £000's | |
|---|--------------------|---------|--------------------------|---------|----------------------------|---------|--|---------|
| | 2019-20 | 2018-19 | 2019-20 | 2018-19 | 2019-20 | 2018-19 | 2019-20 | 2018-19 |
| Children's Commissioner Anne Longfield | 130-135 | 125-130 | - | - | 38 | 50 | 165-170 | 175-180 |
| Director of Strategy and Policy Alice Miles From 7 November 2016 | 90-95 | 85-90 | 0-5 | - | 37 | 33 | 130-135 | 115-120 |
| Director of Evidence Haroon Chowdry From 1 October 2019 | 40-45* (80-85) | - | - | - | 17 | - | 55-60 | - |
| Director of Evidence Prof. Leon Feinstein To 30 September 2019 | 35-40** (75-80) | 75-80 | 0-5 | - | 16 | 27 | 55-60 | 105-110 |

Notes:

- No staff received benefits in kind in either 2019-20, or 2018-19.
- Pension benefits are calculated as the real increase in pensions multiplied by 20 plus the real increase in any lump sum less the contributions made by the individual.
- Alice Miles joined the Civil Service Pension Scheme in April 2017 and her contributions were backdated to the beginning of her employment (7 November 2016).
- *Haroon Chowdry was promoted to Director of Evidence on 1 October 2019.
- **Prof. Leon Feinstein who was employed 0.8 full time equivalent (FTE salary 95-100), resigned on 30 September 2019.
- For senior managers who served part of the year, the full year equivalent is presented in italicised brackets below the actual cost.

2019–20 Salaries

Salary

4.4.16 'Salary' includes gross salary; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office allowances and any other allowance to the extent that it is subject to UK taxation. This report is based on accrued payments made by the Children's Commissioner and thus recorded in these accounts. This total remuneration, as well as the allowances to which they are entitled, is paid by the Office of the Children's Commissioner and is therefore shown in full in the figures above.

Benefits in kind

4.4.17 The monetary value of benefits in kind covers any benefits provided by the Children's Commissioner and treated by HM Revenue and Customs as a taxable emolument. No benefits in kind were paid in 2019-20 or 2018-19.

Performance Awards

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

Pension Benefits

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

Pensions

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

4.4.21 These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and alpha are increased annually in line with

Pensions Increase legislation. Existing members of the PCSPS who were within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 will switch into alpha sometime between 1 June 2015 and 1 February 2022. All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes.) Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a 'money purchase 'stakeholder pension with an employer contribution (partnership pension account).

- 4.4.22 Employee contributions are salary-related and range between 4.6% and 8.05% for members of premium, classic, classic plus, nuvos and all other members of alpha. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' initial pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. classic plus is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 worked out as in premium. In nuvos a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation. Benefits in alpha build up in a similar way to nuvos, except that the accrual rate is 2.32%. In all cases members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.
- 4.4.23 The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of providers. The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.5% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).
- 4.4.24 The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted for officials show pension earned in PCSPS or

alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes, but note that part of that pension may be payable from different ages.)

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

Cash Equivalent Transfer Values

4.4.26 A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

| | Accrued pension at pension age as at 31/03/2020 and related lump sum | Real increase in pension and related lump sum at pension age | CETV at 31/03/2020 | CETV at 31/03/2019 | Real increase in CETV |
|--|--|--|--------------------|--------------------|-----------------------|
| | £000's | £000's | £000's | £000's | £000's |
| Anne Longfield Children's Commissioner | 10-15 | 0-2.5 | 227 | 183 | 27 |
| *Alice Miles Director of Strategy and Policy From 7 November 2016 | 25-30 | 0-2.5 | 392 | 350 | 20 |
| **Haroon Chowdry Director of Evidence From 1 October 2019 | 0-5 | 0-2.5 | 40 | 32 | 5 |
| Prof. Leon Feinstein Director of Evidence To 30 September 2019 | 5-10 | 0-2.5 | 117 | 101 | 9 |

* Alice Miles joined the Civil Service Pension Scheme in April 2017 and her contributions were backdated to the beginning of her employment (7 November 2016).

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

4.4.27 The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are calculated in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due.

Real increase in CETV

4.4.28 This reflects the increase in accrued pension. It excludes increases due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Payments to Past Directors

4.4.29 There were no payments made to past directors in either 2019-20, or 2018-19.

Compensation on early retirement or for loss of office

4.4.30 No members of staff received compensation for early retirement or loss of office in 2019-20. In 2018-19, one member of staff received compensation for loss of office.

Fair Pay Disclosure

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

| | 2019-20 | 2018-19 |
|---|---------|---------|
| Band of the highest-paid director's total remuneration (£000's) | 130-135 | 125-130 |
| Median total remuneration (£000's) | 40 | 42 |
| Range (£000's)* | 21-135 | 20-130 |
| Ratio | 3.33 | 3.01 |

* Ranges quoted are full time equivalents. Figure for 2018-19 has been restated to FTE as it previously included pro-rated part time salaries.

4.4.32 The banded remuneration of the highest paid director in 2019-20 was £130,000 to £135,000 (2018-19, £125,000 to £130,000). This was 3.33 (2018-19, 3.01) times the median remuneration of the workforce, which was £39,829 (2018-19, £42,420). The equivalent median remuneration and subsequent change in ratio is attributable to the hire of four temporary hourly-paid project worker increasing the headcount at the bottom of the scale while only

representing around 0.1 FTE each.

4.4.33 In 2019-20 and 2018-19, no employees received remuneration in excess of the highest paid director. FTE remuneration ranged from £21,000 to £131,000 in 2019-20 (2018-19, £20,000 to £130,000).

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

Staff Report

4.4.35 Staff costs comprise:

| | 2019-20 | | | 2018-19 | | |
|--|----------------------------|-----------|--------------|----------------------------|-----------|--------------|
| | Permanently employed staff | Others | Total | Permanently employed staff | Others | Total |
| | £000's | £000's | £000's | £000's | £000's | £000's |
| Salaries | 1,487 | 14 | 1,501 | 1,390 | 22 | 1,412 |
| Social security costs | 163 | - | 163 | 155 | - | 155 |
| Pension costs | 396 | - | 396 | 303 | - | 303 |
| Restructuring costs | | | | 18 | - | 18 |
| | 2,046 | 14 | 2,060 | 1,866 | 22 | 1,888 |
| Less recovery in respect of outwards loans and secondments * | (37) | - | (37) | (3) | - | (3) |
| | 2,009 | 14 | 2,023 | 1,863 | 22 | 1,885 |

*Staff loans and secondments into other departments and public sector organisations totalled two people. The average duration of staff secondments as at 31 March 2020 was 50 days.

Pension Schemes

4.4.36 For 2019-20, employers' contributions of £390,215 were payable to the PCSPS (2018-19, £303,122) at one of four rates in the range 26.6 to 30.3 per cent (2018-19 20.0 to 24.5 per cent) of pensionable pay, based on salary bands. The scheme's Actuary reviews employer contributions every four years following a full scheme valuation. The contribution rates reflect benefits as they are accrued, not when the costs are actually incurred, and reflect past experience of the scheme.

4.4.37 Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employer's contributions of £5,778 in respect of 2019/20 (None for 2018/19) were payable at year end and have been transferred to the appointed stakeholder pension provider, Legal and

General.

4.4.38 No persons retired early on ill-health grounds in 2019-20, or in 2018-19.

Average Number of Persons Employed

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

| | 2019-20 | | | 2018-19 | | |
|---------------|----------------------------|--------|-------|----------------------------|--------|-------|
| | Permanently employed staff | Others | Total | Permanently employed staff | Others | Total |
| Staff numbers | 28.9 | 0.2 | 29.1 | 28 | 1.2 | 29.2 |

Reporting of Civil Service and Other Compensation Schemes – Exit Packages

4.4.40 There were no exit packages paid in 2019-20. Comparative data for 2018-19 is as follows:

| | Number of compulsory redundancies | Number of other departures agreed | Number of compulsory redundancies | Number of other departures agreed |
|--|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| Exit Packages Cost Band | 2019-20 | | 2018-19 | |
| <£10,000 | 0 | 0 | 0 | 0 |
| £10,001 - £25,000 | 0 | 0 | 0 | 1 |
| £25,001 –£50,000 | 0 | 0 | 0 | 0 |
| £50,001 - £100,000 | 0 | 0 | 0 | 0 |
| £100,001 - £150,000 | 0 | 0 | 0 | 0 |
| Total number of exit packages | 0 | 0 | 0 | 1 |
| Total exit package costs £000's | 0 | 0 | 0 | 18 |

4.5. Parliamentary Accountability and Audit Report

Part 1: Unaudited Information

Long-Term Expenditure Trends

4.5.1. The Office of the Children's Commissioner budget was increased by 11% in 2019-20 through award of an additional amount of programme funding for one year only.

Part 2: Audited Information

Regularity of Expenditure

4.5.2. There were no losses in aggregate over £300k in either 2019-20 or 2018-19.

4.5.3. There were no special payments in either 2019-20 or 2018-19.

4.5.4. There were no small losses/fruitless payments in either 2019-20 or 2018-19.

Contingent and Remote Contingent Liabilities

4.5.5. There were no contingent or remote contingent liabilities in either 2019-20 or 2018-19.



Anne Longfield OBE
Children's Commissioner for England

29 June 2020

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

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

Opinion on financial statements

I certify that I have audited the financial statements of the Office of the Children's Commissioner for the year ended 31 March 2020 under the Children Act 2004. The financial statements comprise: the Statement of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes, including the significant accounting policies. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Accountability Report that is described in that report as having been audited.

In my opinion:

- the financial statements give a true and fair view of the state of the Office of the Children's Commissioner's affairs as at 31 March 2020 and of net expenditure for the year then ended; and
- the financial statements have been properly prepared in accordance with the Children Act 2004 and Secretary of State directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis of opinions

I conducted my audit in accordance with International Standards on Auditing (ISAs) (UK) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate. Those standards require me and my staff to comply with the Financial Reporting Council's Revised Ethical Standard 2016. I am independent of the Office of the Children's Commissioner in accordance with the ethical requirements that are relevant to my audit and the financial statements in the UK. My staff and I have fulfilled our other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern

I have nothing to report in respect of the following matters in relation to which the ISAs (UK) require me to report to you where:

- the Office of the Children's Commissioner's use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the Office of the Children's Commissioner have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the Office of the Children's Commissioner's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of the Accounting Officer's and Children's Commissioner's Responsibilities, the Accounting Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

Auditor's responsibilities for the audit of the financial statements

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

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs (UK), I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for

the purpose of expressing an opinion on the effectiveness of the Office of the Children's Commissioner's internal control.

- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude on the appropriateness of the Office of the Children's Commissioner's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Office of the Children's Commissioner's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Office of the Children's Commissioner to cease to continue as a going concern.

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

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

Other Information

The Accounting Officer is responsible for the other information. The other information comprises information included in the annual report, but does not include the parts of the Accountability Report described in that report as having been audited, the financial statements and my auditor's report thereon. My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon. In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

Opinion on other matters

In my opinion:

- the parts of the Accountability Report to be audited have been properly prepared in accordance with Secretary of State directions made under the Children Act 2004;
- in the light of the knowledge and understanding of the Office of the Children's Commissioner and its environment obtained in the course of the audit, I have not identified any material misstatements in the Performance Report or the Accountability Report; and
- the information given in the Performance Report and Accountability Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept or returns adequate for my audit have not been received from branches not visited by my staff; or
- the financial statements and the parts of the Accountability Report to be audited are not in agreement with the accounting records and returns; or
- I have not received all of the information and explanations I require for my audit; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Report

I have no observations to make on these financial statements.

Gareth Davies

Date

Comptroller and Auditor General

National Audit Office

157-197 Buckingham Palace Road

Victoria

London SW1W 9SP

5. Financial Statements

Statement of Comprehensive Net Expenditure

For the year ended 31 March 2020

| | Note | 2019-20 £000's | 2018-19 £000's |
|---|------|-------------------|-------------------|
| Staff costs | 2 | 2,023 | 1,885 |
| Income | 3 | (17) | (31) |
| Expenditure | 4 | 628 | 553 |
| Net operating expenditure | | 2,634 | 2,407 |
| Net expenditure for the year | | 2,634 | 2,407 |
| Other comprehensive expenditure | | - | - |
| Total other comprehensive expenditure | | - | - |
| Comprehensive net expenditure for the year | | 2,634 | 2,407 |

The notes on pages 60 to 70 form part of these accounts.

Statement of Financial Position

| As at 31 March 2020 | | 2020 | 2019 |
|--|-------------|---------------|---------------|
| | Note | £000's | £000's |
| Non-current assets: | | | |
| PPE | 5 | 2 | - |
| Intangibles | 6 | 73 | 87 |
| Total non-current assets | | 75 | 87 |
| Current assets | | | |
| Receivables | 7 | 39 | 22 |
| Cash and cash equivalents | 8 | 106 | 81 |
| Inventory of donated goods | 9 | 7 | 15 |
| Total current assets | | 152 | 118 |
| Total assets | | 227 | 205 |
| Current liabilities | | | |
| Payables | 10 | (274) | (245) |
| Total current liabilities | | (274) | (245) |
| Total assets less current liabilities | | (47) | (40) |
| Assets less liabilities | | (47) | (40) |

Taxpayers' equity:

General fund (47) (40)

Total taxpayers' equity (47) (40)



Anne Longfield OBE
Children's Commissioner for England

29 June 2020

The notes on pages 60 to 70 form part of these accounts.

Statement of Cash Flows

For the year ended 31 March 2020

| | | 2020 | 2019 |
|---|-------|----------------|----------------|
| | Note | £000's | £000's |
| Cash flows from operating activities | | | |
| Net operating cost | SoCNE | (2,634) | (2,407) |
| Adjustments for non-cash transactions | | 48 | 20 |
| (Increase)/decrease in receivables | 7 | (17) | 3 |
| Increase/(decrease) in payables | 10 | 29 | (39) |
| Increase/(decrease) in provisions | 11 | - | (9) |
| | | (2,574) | (2,432) |
| Cash flows from investing activities | | | |
| Purchase of PPE | 5 | (2) | - |
| Purchase of Intangibles | 6 | (26) | - |
| | | (28) | - |
| Cash flows from financing activities | | | |
| Exchequer supply from sponsor department | SoCTE | 2,627 | 2,484 |
| | | 2,627 | 2,484 |
| Net increase (decrease) in cash and cash equivalents | | 25 | 52 |
| Cash and cash equivalents at beginning of the year | | 81 | 29 |
| Cash and cash equivalents at end of the year | | 106 | 81 |

The notes on pages 60 to 70 form part of these accounts.

Statement of Changes in Taxpayer's Equity

For the year ended 31 March 2020

| | General Fund | Revaluation Reserve | Total |
|--|-----------------|------------------------|--------------|
| Note | £000's | £000's | £000's |
| Balance at 1 April 2018 | (117) | - | (117) |
| Grant in Aid from sponsor Department | 2,484 | - | 2,484 |
| - deemed | - | - | - |
| Comprehensive expenditure for the year | (2,407) | - | (2,407) |
| Movement in reserves | | | |
| Transfer between reserves | - | - | - |
| Balance at 31 March 2019 | (40) | - | (40) |
| Grant in Aid from sponsor Department | 2,627 | | 2,627 |
| Comprehensive expenditure for the year | (2,634) | | (2,634) |
| Movement in reserves | | | |
| Transfer between reserves | - | - | - |
| Balance at 31 March 2020 | (47) | | (47) |

Note: taxpayers' equity comprises the general fund

The notes on pages 60 to 70 form part of these accounts.

Notes to the Accounts

1. Statement of accounting policies

These accounts were drawn up in accordance with HM Treasury Guidance, Annual Reports and Accounts Guidance, the Children's Act 2004, and the Accounts Direction and the financial memorandum between the Secretary of State for Children, Schools and Families (now the Secretary of State for Education) and the Commissioner dated 12 September 2005, copies of which can be obtained from the Children's Commissioner. They have been prepared in accordance with the 2019-20 Government Financial Reporting Manual (FReM) issued by HM Treasury and NDPB Green (Simplifying and Streamlining Accounts project). The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be the most appropriate to the particular circumstances of the Children's Commissioner for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Children's Commissioner are described below. They have been applied consistently in dealing with items considered material in relation to the accounts.

1.1 Accounting Convention

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

1.2 Areas of Judgement

In accordance with IAS 8: Accounting Policies, Changes in Accounting Estimates and Errors, the accounting policies and estimation techniques used are those that are judged to be the most appropriate for the purpose of giving a true and fair view. These policies are reviewed regularly to ensure they remain the most appropriate. These accounts have been prepared on a going concern basis.

1.3 Grant in Aid

Grant in Aid received from DfE in respect of revenue expenditure or relating to general capital expenditure is recognised in the general reserve in the year it is received.

1.4 Pensions

Past and present employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS). The defined benefit schemes are unfunded and are non-contributory except in respect of dependants' benefits. The Children's Commissioner recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. The share of liabilities for the defined benefit schemes cannot

be identified and this drives the accounting treatment. Liability for payment for future benefits is a charge on the PCSPS. In respect of the defined contribution schemes, the Children's Commissioner recognises the contributions payable for the year. PCSPS also permits employees to opt for a partnership pension account, a stakeholder pension with an employer contribution. The defined benefit schemes are treated for accounting purposes as a defined contribution scheme as required by IAS 19. The defined benefit scheme prepares its own financial statements.

1.5 Tangible and Intangible Assets

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

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

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

1.6 Leases

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

1.7 Provisions

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

1.8 Future Changes to International Financial Reporting Standards.

IFRS 16 Leases (effective for the periods beginning on or after 1 January 2021). The new standard replaces IAS 17 Leases and introduces a new single accounting approach for lessees for all leases (with limited exceptions). As a result, there is no longer a distinction between operating leases and finance leases, and lessees will recognise a liability to make lease payments and an asset representing the right to use the underlying asset during the lease term. OCC are continuing to assess the impact on the financial statements and are

awaiting updated guidance from HM Treasury on IFRS 16 adoption in relation to FReM bodies.

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

1.9 Accounting system notional charge

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

1.10 Going Concern

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

2. Staff Costs

| | 2019-20 | | | 2018-19 | | |
|--|----------------------------|-----------|--------------|----------------------------|-----------|--------------|
| | Permanently employed staff | Others | Total | Permanently employed staff | Others | Total |
| | £000's | £000's | £000's | £000's | £000's | £000's |
| Salaries | 1487 | 14 | 1501 | 1,390 | 22 | 1,412 |
| Social security costs | 163 | - | 163 | 155 | - | 155 |
| Pension costs | 396 | - | 396 | 303 | - | 303 |
| Restructuring costs | | | | 18 | - | 18 |
| | 2,046 | 14 | 2,060 | 1,866 | 22 | 1,888 |
| Less recovery in respect of outwards loans and secondments | (37) | - | (37) | (3) | - | (3) |
| | 2,009 | 14 | 2,023 | 1,863 | 22 | 1,885 |

Further details on staff costs can be found in the Remuneration and Staff Report (pages 40 to 49).

3. Operating Income

| | 2019-20 | 2018-19 |
|-------------------|-------------|-------------|
| | £000's | £000's |
| Income | (3) | (5) |
| Donations in Kind | (14) | (26) |
| Total | (17) | (31) |

4. Operating expenditure

| | 2019-20 | 2018-19 |
|---------------------------------|------------|------------|
| | £000's | £000's |
| OCC project costs | 265 | 209 |
| Staff related costs | 29 | 23 |
| Consultancy | 13 | 7 |
| Legal and professional fees | 11 | 12 |
| Catering | 0 | 1 |
| Marketing | 8 | 12 |
| IT support | 51 | 42 |
| Data Protection Officer Support | 9 | 7 |
| Telephone costs | 1 | 5 |
| Rentals under operating leases: | | |
| Land and buildings | 82 | 84 |
| Travel and subsistence: general | 8 | 9 |
| Project-related travel | 19 | 14 |
| Bank Charges and interest | 1 | 2 |
| External Audit fees | 34 | 35 |
| Internal Audit fees | 12 | 15 |
| Other expenditure | 23 | 30 |
| Total | 566 | 507 |

Depreciation, Amortisation and other non-cash charges

| | 2019-20 | 2018-19 |
|--|-----------|-----------|
| | £000 | £000 |
| Depreciation | - | - |
| Amortisation (see note 6) | 40 | 35 |
| Distribution of donations in kind (note 9) | 22 | 11 |
| Total | 62 | 46 |

Programme costs consist of a range of projects delivering against the business plan. The most notable ones in 2019-20 were: the continuation of the Children’s Commissioner’s childhood vulnerability framework, a unique measure of the number of vulnerable children in England (£35k); and running a digital hub “IMO” (£35K) where children in care and care leavers can share their experiences and which links children in care councils across the country. New projects included what makes Good Schools (£42k); research into Gaming and Gambling (£23k), Children’s Safety (£18k) and identifying “Children behind closed doors: Who Are They, Where Are They” (£27k). The balance was spent on a variety of smaller projects.

The auditors’ remuneration for 2019-20 is £33,600. There were no non-audit fees paid to NAO.

5. Fixed Assets

| | Office Equipment | 2020 Total | Office Equipment | 2019 Total |
|-----------------------------------|---------------------|---------------|---------------------|---------------|
| | £000 | £000 | £000 | £000 |
| Cost or Valuation | | | | |
| At 1 April | - | - | - | - |
| Additions | 2 | 2 | - | - |
| At 31 March | 2 | 2 | - | - |
| Depreciation | | | | |
| At 1 April | - | - | - | - |
| Charge in Year | - | - | - | - |
| At 31 March | - | - | - | - |
| Carrying value at 31 March | 2 | 2 | - | - |

6. Intangible Assets

| | 2020 | | 2019 | |
|-----------------------------------|-----------------------|-------------|-----------------------|-------------|
| | Software and websites | Total | Software and websites | Total |
| | £000's | £000's | £000's | £000's |
| Cost or valuation | | | | |
| At 1 April | 130 | 130 | 248 | 248 |
| Additions | 26 | 26 | - | - |
| Disposals | - | - | (118) | (118) |
| At 31 March | 156 | 156 | 130 | 130 |
| Amortisation | | | | |
| At 1 April | (43) | (43) | (126) | (126) |
| Charged in year | (40) | (40) | (35) | (35) |
| Disposals | - | - | 118 | 118 |
| At 31 March | (83) | (83) | (43) | (43) |
| Carrying value at 31 March | 73 | 73 | 87 | 87 |
| Asset financing: | | | | |
| Owned | 73 | 73 | 87 | 87 |
| Carrying value at 31 March | 73 | 73 | 87 | 87 |

Note: Asset base is owned. Existing assets include a Customer Relationship Management (CRM) system and the OCC website. Additionally, the IMO website, which was not capitalised when originally created at the end of 2017-18 has now been capitalised at a total of £26k following further enhancement expenditure. Backdated amortisation on the original value has been charged in year in 2019-20 to correct the historic treatment, leaving the net book value of this asset at £19k at the end of 2019-20.

7. Trade and Other Receivables

| | 2020 | 2019 |
|---|-----------|-----------|
| | £000's | £000's |
| Amounts falling due within one year: | | |
| Trade receivables | - | - |
| Other receivables | - | 8 |
| Prepayments and accrued income | 39 | 14 |
| | 39 | 22 |

8. Cash and Cash Equivalents

| | 2020 | 2019 |
|--|------------|-----------|
| | £000 | £000 |
| Balance at 1 April | 81 | 29 |
| Net change in cash and cash equivalent balances | 25 | 52 |
| Balance at 31 March | 106 | 81 |
| The following balances are held at: | | |
| Cash at bank and in hand: | | |
| Government Banking Service | 106 | 81 |
| Balance at 31 March | 106 | 81 |
| Overdrafts: | | |
| Government Banking Service | - | - |
| Balance at 31 March, net of overdrafts | 106 | 81 |

9. Inventories

Stock of donations in kind made through IMO website

| | 2020 | 2019 |
|----------------------------|----------|-----------|
| | £000 | £000 |
| Inventory b/f | 15 | - |
| Donations in kind received | 14 | 26 |
| Donations in kind outbound | (22) | (11) |
| Total Inventory | 7 | 15 |

10. Trade and Other payables

Current payables

| | 2020 | 2019 |
|---|------------|------------|
| | £000's | £000's |
| Trade payables | 1 | 10 |
| Tax and social security payables | - | 39 |
| Other payables | 47 | 36 |
| Accruals and deferred income | 226 | 160 |
| Total payables due within one year | 274 | 245 |

11. Provisions

| | 2020 | | 2019 | |
|--------------------|---------------------|-----------------|---------------------|-----------------|
| | Provision £000's | Total £000's | Provision £000's | Total £000's |
| At 1 April | - | - | (9) | (9) |
| Additions | - | - | - | - |
| Utilisation | - | - | 9 | 9 |
| At 31 March | - | - | - | - |

12. Commitments under Leases

The Children's Commissioner holds a MOTO / operating lease contract for office accommodation with an annual cost of £75k and a three month notice period.

Commitments under Leases

| | 2019-20 | 2018-19 |
|--|-----------|-----------|
| | £000's | £000's |
| Obligations under operating leases for the following periods comprise | | |
| Buildings: | | |
| Not later than one year | 19 | 22 |
| Later than one year and not later than five years | 0 | 0 |
| | 19 | 22 |

13. Related Party Transactions

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

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

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

14. Events after the Reporting Period Date

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

To note that the COVID-19 pandemic and associated lockdown occurred over the year-end; however, all processes and procedures have been maintained and there has been no direct impact on the accounts.

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