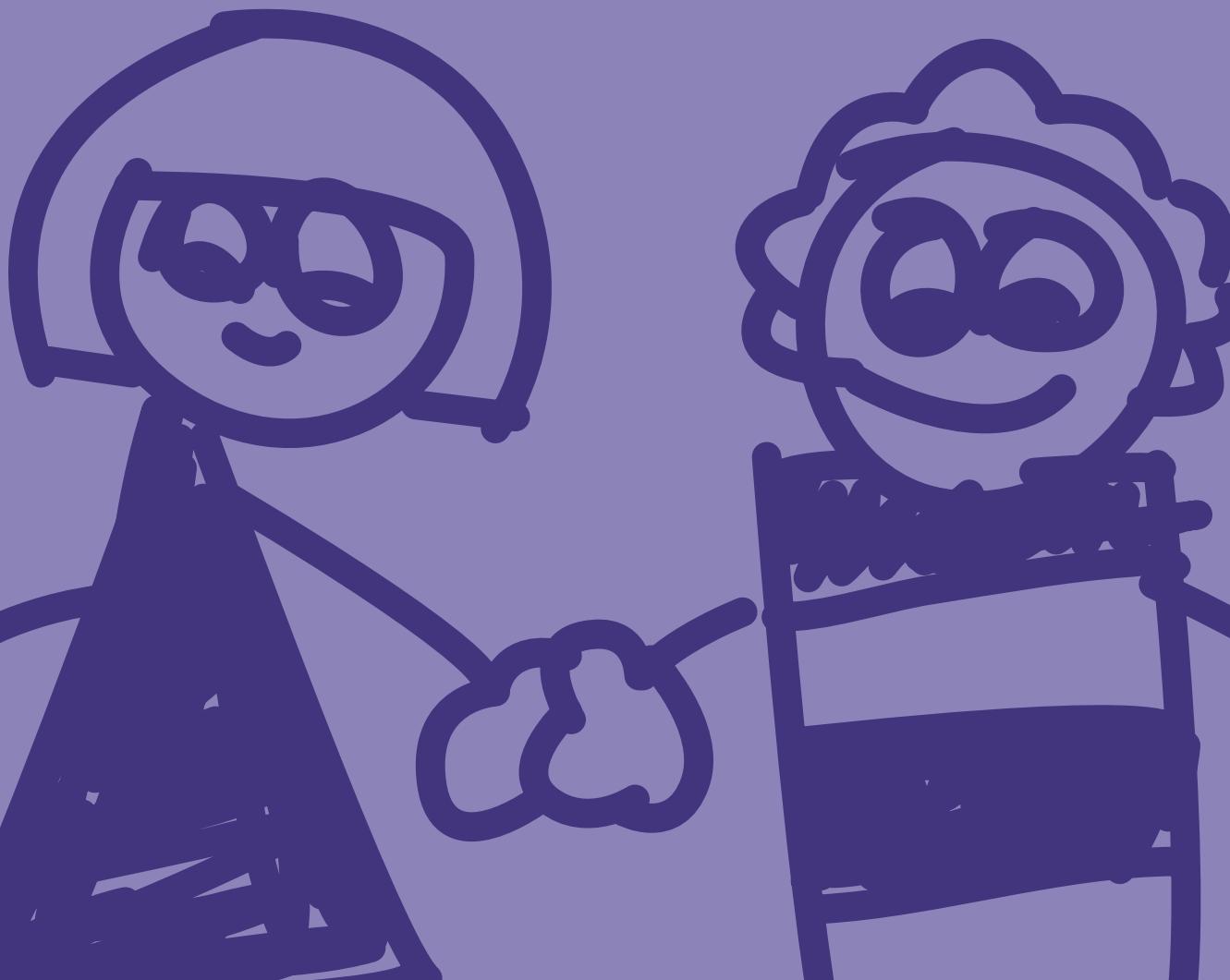
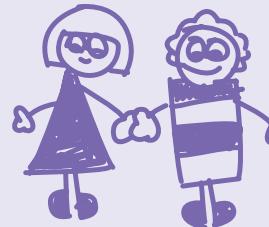
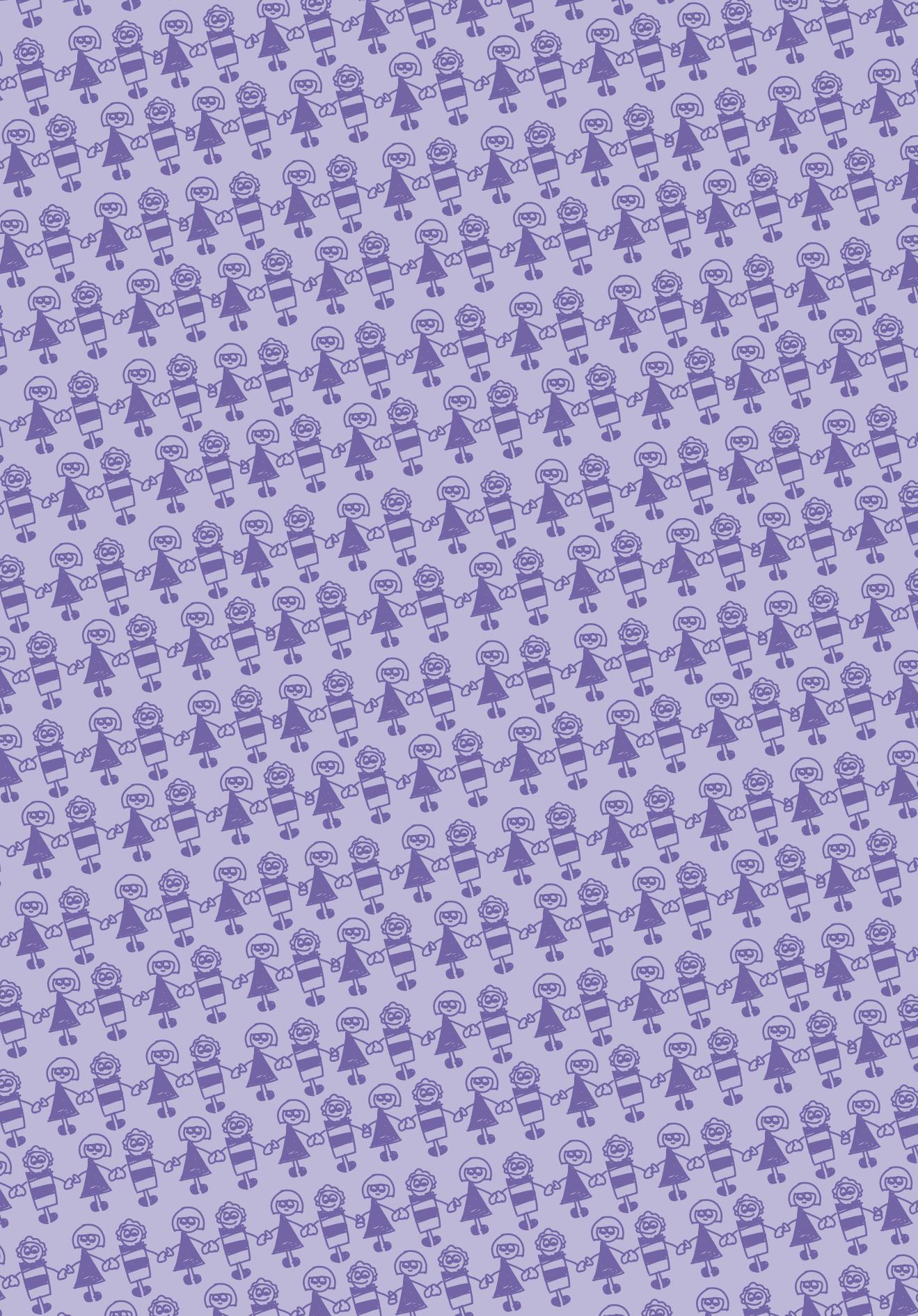




Polisi a Materion Cyhoeddus

Policy and Public Affairs





Dan arweiniad y Pennaeth Gweithrediadau, mae'r tîm hwn yn cynnwys pedwar Swyddog Polisi a Swyddog Materion Cyhoeddus. Mae'r tîm yn ceisio sicrhau bod hawliau plant yn cael eu cyflenwi i holl blant a phobl ifanc Cymru mewn nifer o ffyrdd gan gynnwys ymateb i ddeddfwriaeth arfaethedig yn Senedd y DU a Chynulliad Cenedlaethol Cymru. Ymatebwyd hefyd i ymgynghoriadau ar ganllawiau a rheoliadau newydd neu ddiwygiedig a luniwyd gan Lywodraeth Cymru.

Mae swyddogion yn y tîm hwn hefyd yn gyfrifol am fonitro'r argymhellion a wnaed gan y Comisiynydd yn flaenorol, gan gynnwys 'Bywyd Llawn Gofal' a 'Lleisiau Coll'. Drwy fonitro'r argymhellion mae'r tîm yn ceisio sicrhau bod yr argymhellion yn cael eu rhoi ar waith yn llawn ac yn arwain at newidiadau cadarnhaol i blant a phobl ifanc.

Led by the Head of Operations, this team consists of four Policy Officers and a Public Affairs Officer. The team seeks to ensure that children's rights are delivered to all children and young people in Wales in a number of ways including responding to proposed legislation in both the UK Parliament and the National Assembly for Wales (NAfW). They also respond to consultations on new or revised guidance and regulations produced by the Welsh Government.

Officers within this team are also responsible for monitoring the recommendations previously made by the Commissioner, including 'Full of Care' and 'Missing Voices'. By monitoring the recommendations, the team seeks to ensure that the recommendations are fully implemented and lead to positive changes for children and young people.

Maeaelodau o bob swyddogaeth yn y swyddfa, gan gynnwys y Comisiynydd ei hun, yn eistedd ar weithgorau fel sylwedydd neu aelodau llawn. Eleni bu'r staff yn rhan o 50 gweithgor. Yma mae'r Comisiynydd yn sôn am ei waith gyda Grŵp Cydlynau Strategol Ymgyrch Pallial:

Members of every function within the office, including the Commissioner himself, sit as observer or full members of working groups. This year, staff took part in 50 working groups. Here, the Commissioner talks about his involvement with the Strategic Coordinating Group for Operation Pallial:

Mae Ymgyrch Pallial, sy'n ymchwiliad gan yr Asiantaeth Troseddu Cenedlaethol i honiadau diweddar o gam-drin hanesyddol yn y system gofal yng ngogledd Cymru, wedi parhau â'i waith. Dechreuodd ym mis Tachwedd 2012 ar gais Mark Polin, Prif Gwnstabl Heddlu Gogledd Cymru. Rwyf i wedi cadw fy ymglymiad â'r Grŵp Cydlynau Strategol, neu Gomand Aur Ymgyrch Pallial ac mae fy swyddogion yn parhau i gynnig cyngor a chymorth i aelodau o'r cyhoedd. Rwyf i'n falch fod cynifer o bobl wedi cysylltu ag Ymgyrch Pallial gyda chwynion a bod eu lleisiau'n cael eu clywed.

Yn fy Adroddiad Blynnyddol diwethaf fe amlinellais i fy nymuniad i sicrhau bod y cymorth cywir, gan gynnwys cynghori, yn cael ei sefydlu i helpu'r sawl sydd ei angen. Rwyf i'n falch iawn i weld yr ymateb amlasantiaethol a hoffwn dalu teyrned yn benodol i awdurdodau lleol Gogledd Cymru sydd wedi cydlynau eu gwaith ac wedi galluogi gweithiwr cymdeithasol i weithio ochr yn ochr â swyddogion yr heddlu. Rwyf i'n falch hefyd i weld y ffordd mae'r Asiantaeth Troseddu Cenedlaethol wedi mynd ati i sicrhau bod aelodau o'r cyhoedd yn cael yr wybodaeth ddiweddaraf am y cynnydd sy'n cael ei wneud. Roedd hyn yn cynnwys caniatâu i newyddiadurwr o raglen BBC1 Wales 'The Wales Report' ffilmio a chyweld ag aelodau o'r Grŵp Cydlynau Strategol, uwch swyddogion Ymgyrch Pallial a Keith Bristow, Cyfarwyddwr Cyffredinol yr Asiantaeth Troseddu Cenedlaethol. Rwyf i'n credu bod yr agwedd hon wedi helpu i godi hyder y cyhoedd i deimlo bod yr ymchwiliad yn cael ei drin yn broffesiynol a bod y dystiolaeth sy'n cael ei rhannu'n cael ei chymryd o ddifrif.

Mae gwaith Ymgyrch Pallial yn parhau a byddaf i'n cadw at fy ymrwymiad i helpu'r gwaith fel aelod o'r Grŵp Cydlynau Strategol.

Operation Pallial, a National Crime Agency (NCA) led investigation into recent allegations of historical abuse in the care system in North Wales, has continued its work. It began in November 2012 at the request of Mark Polin, Chief Constable of North Wales Police. I have maintained my involvement in the Strategic Co-ordinating Group, or Gold Command, for Operation Pallial and my officers continue to offer advice and support to members of the public. I am pleased that so many complainants have come forward to Operation Pallial and that their voices are being heard.

In my last Annual Report I outlined a concern to ensure that the right support, including counselling provision, was in place to assist those who required it. I have been very pleased with the multi-agency response and would like to pay particular tribute to local authorities in North Wales who have co-ordinated their work and supported the inclusion of a social worker to work alongside the police officers. It has also been very pleasing to see the way in which the National Crime Agency have sought to keep members of the public updated and informed about the progress being made. This included giving full access to a journalist from BBC1 Wales 'The Wales Report' to film and interview members of the Strategic Co-ordinating Group, senior officers from Operation Pallial and Keith Bristow the Director General of the NCA. This approach has I think helped to increase public confidence that the investigation is being handled in a professional manner and that the evidence being shared is being taken very seriously.

The work of Operation Pallial continues and I will maintain my commitment to support its work as a member of the Strategic Co-ordinating Group.

Enghreifftiau o waith Examples of work

2013
Ebrill
April

Mai
May

Mehefin
June

Gorffennaf
July

Awst
August

Medi
September

<p>— Cyhoeddwyd ein hadroddiad dilynol, Lleisiau Coll Cynnydd Coll, oedd yn drosolwg o gynnydd yn dilyn adolygiad statudol y Comisiynydd o eiriolaeth broffesiynol annibynnol i blant a phobl ifanc sy'n derbyn gofal, y rhai sy'n gadael gofal a phlant mewn angen.</p> <p>— Cyhoeddwyd Cydsyniad ym maes Gofal Iechyd – sy'n darparu cyngor i blant a phobl ifanc dan 18 oed yng Nghymru am eu gofal iechyd a'u hawl i gael eu cynnwys mewn penderfyniadau ynglŷn â'u hiechyd, eu gofal iechyd neu eu triniaeth.</p> <p>— Published our follow up report, Missing Voices, Missing Progress, an overview of progress following the Commissioner's statutory review of the delivery of independent professional advocacy for looked after children and young people, care leavers and children in need.</p> <p>— Issued Consent in Healthcare – providing advice for children and young people under the age of 18 in Wales about their health care and their right to be involved in decisions about their health, health care or treatment.</p>	<p>— Cyflwynwyd ymateb ysgrifenedig i ymgynghoriad Pwyllgor lechyd a Gofal Cymdeithasol y Cynulliad ar Gam 1 y Bil Gwasanaethau Cymdeithasol a Llesiant.</p> <p>— Cyflwynwyd tystiolaeth lafar i'r Pwyllgor lechyd a Gofal Cymdeithasol ar Gam 1 y Bil.</p> <p>— Cyflwynodd y Comisiynydd dystiolaeth i Bwyllgor Plant a Phobl Ifanc y Cynulliad yn ystod y broses o graffu ar Fesur Hawliau Plant a Phobl Ifanc (Cymru) 2011.</p> <p>— Submitted a written response to the NAfW Health and Social Care Committee's consultation at Stage 1 of Social Services and Well-Being Bill.</p> <p>— Provided verbal evidence to the Health and Social Care Committee at Stage 1 of the Bill.</p> <p>— The Commissioner gave evidence to the NAfW Children and Young People Committee during scrutiny on the application of the Rights of Children and Young Person's Measure (Wales) 2011.</p>	<p>— Cyhoeddwyd Ar Goll ar ôl Gofal: Adroddiad Monitro 2013, oedd yn amlinellu cyflwr cyfredol gwasanaethau ôl-16 yng Nghymru i'r rhai sy'n gadael gofal.</p> <p>— Published our Lost After Care: Monitoring Report 2013, which outlined the current state of post 16 services in Wales for those leaving care.</p>	<p>— Aeth y Comisiynydd i Gyfarfod Cyffredinol Blynnyddol a Seremoni Wobrwyd o'r Ddraig Ffynsi – Cynulliad Cenedlaethol Plant a Phobl Ifanc Cymru.</p> <p>— Cyfrannodd ein swyddfa at Grŵp Llywio Ymgysylltu ag leuenctid y Llywydd sy'n cynghorir Cynulliad ar sut y gallai gynnwys pobl ifanc yn ei waith yn fwy effeithiol.</p> <p>— Cynhaliwyd Digwyddiad Cymru gyfan i'r Rhai sy'n Gadael Gofal yng Ngholeg yr Iwerdd, gyda thros 80 o bobl ifanc o bob rhan o Gymru'n bresennol.</p> <p>— The Commissioner attended the AGM and Awards Ceremony of Funky Dragon – the National Assembly for Children and Young People in Wales.</p> <p>— Our office contributed to the Presiding Officer's Youth Engagement Steering Group to advise the National Assembly for Wales on how it can include young people in its work more effectively.</p> <p>— We hosted an All Wales Care Leavers Event at Atlantic College, attended by over 80 young people from across Wales.</p>	<p>— Roedd y Comisiynydd yn bresennol yn achlysur lansio pecyn addysgol arloesol, sy'n hybu hyfforddiant Makaton drwy gyfrwng y Gymraeg.</p> <p>— Bu aelodau o'n swyddfa yn bresennol yn y dathliad Mardi Gras Lesbiaidd, Hoyw, Ddeurywiol a Thrawsrywiol i hybu Cydraddoldeb ac Amrywiaeth yr Stadiwm y Mileniwm.</p> <p>— Cyfarfu'r Comisiynydd â Phenaethiaid Comisiynu, Penaeithiaid Arolygiaethau a Swyddfa Archwilio Cymru.</p> <p>— Bu'r Comisiynydd yn lansio Waliau Anweledig, prosiect arloesol yng Ngharchar a Sefydliad Troseddwyr Ifanc y Parc oedd â'r nod o atal carcharorion cyfredol a rhai sydd wedi'u rhuddhau rhag aildrosedu.</p> <p>— The Commissioner attended the launch of an innovative educational package, which promotes Makaton training through the medium of Welsh.</p> <p>— Our office attended the LGBT Mardi Gras celebration of LGBT Equality and Diversity at the Millennium Stadium.</p> <p>— The Commissioner met with the Heads of Commissioners, Heads of Inspectorates and the Wales Audit Office</p>	<p>— Cyflwynodd y Comisiynydd dystiolaeth i Gomisiwn Silk, sy'n adolygu'r trefniadau ariannol a chyfansoddiadol cyfredol yng Nghymru.</p> <p>— Bu'r Comisiynydd yn bresennol yn Rhwydwaith Ombwdsmyn a Chomisiynwyr Ewrop.</p> <p>— Cyhoeddwyd briffiad i Aelodau Cynulliad ar Gam 2 y Bil Gwasanaethau Cymdeithasol a Llesiant.</p> <p>— The Commissioner gave evidence to the Silk Commission, a review of the present financial and constitutional arrangements in Wales.</p> <p>— The Commissioner attended the European Network of Ombudsmen and Commissioners.</p> <p>— We issued a briefing to Assembly Members at Stage 2 of the Social Services and Well-Being Bill.</p> <p>— The Commissioner attended the launch of Invisible Walls, an innovative project in HMP & YOI Parc aimed at preventing current and released prisoners from reoffending.</p>
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Enghreifftiau o waith Examples of work

Hydref
October

— Lansiwyd ein Hadroddiad Blynnyddol a Chyfrifon ar gyfer 2012/13, oedd yn amlygu sut y cyflawnom ni ein rhaglen waith yn erbyn yr ymrwymiadau yn ein cynllun gwaith blynnyddol.

— Ymwelodd y Comisiynydd â'r Ganolfan Asesu Cychwynnol i Geiswyr Lloches yng Nghaerdydd sydd wedi arwain at godi pryderon yn y Swyddfa Gartref, Llywodraeth Cymru a Clearsprings.

— Cyhoeddwyd ein **Hadroddiad ar Gynnydd y Strategaeth Tlodi Plant 2013**, gan egluro'r gwaith mae ein swyddfa'n ei wneud i gyfrannu at drechu tlodi plant yng Nghymru.

— Lansiwyd Sylw Cyffredinol y CU Rhif 17 ar Erthygl 31 CCUHP (ar orffwys, hamdden, chwarae, bywyd diwylliannol a'r celfyddydau) gan gyfeirio at yr effaith ar blant ag anableddau.

— Cadeirodd y Comisiynydd ei ail ddigwyddiad Bwrdd Crwn ar Eiriolaeth i ddal rhanddeiliaid allweddol yn atebol ar gynnydd yn erbyn yr argymhellion yn **Lleisiau Coll**.

Tachwedd
November

— Launched our Annual Report and Accounts for 2012/13, which highlighted how we delivered our work programme against the commitments made in our annual work plan.

— The Commissioner visited the Initial Assessment Centre for Asylum Seekers in Cardiff which has resulted in concerns being raised with the Home Office, Welsh Government and Clearsprings.

— Issued our **Child Poverty Strategy Progress Report 2013**, setting out the work our office is undertaking to contribute towards tackling child poverty in Wales.

— UN General Comment Number 17 on Article 31 of the UNCRC (on rest, leisure, play, cultural life and the arts) launched with reference to the impact on children with disabilities.

— The Commissioner chaired his second Advocacy Roundtable event to hold key stakeholders to account on progress against the recommendations in **Missing Voices**.

Rhagfyr
December

— Croesawodd ein swyddfa ymweliad gan Gomisiynydd Plant Awstralia.

— Mynychwyd digwyddiadau Kids in Museums, oedd yn derbyn cefnogaeth y Comisiynydd a Llywodraeth Cymru.

— Croesawodd ein swyddfa ymweliad gan Gadeirydd Pwyllgor CCUHP, Kirsten Sandberg.

— Bu'r Comisiynydd a'n Prif Weithredwr mewn gwyl yng Nghanolfan yr Urdd, Bae Caerdydd i ddathlu'r Diwrnod Plant Rhyngwladol. Nod y diwrnod oedd hybu parch at blant ac amlygu hawl plant i warchodaeth gyfarfata dan y gyfraith.

— Our office hosted a visit by the Children's Commissioner for Australia.

— We attended Kids in Museums events, which were supported by the Commissioner and Welsh Government.

— Our office hosted a visit by the Chair of the UNCRC Committee, Kirsten Sandberg.

— The Commissioner and our Chief Executive attended a festival held at the Urdd Centre, Cardiff Bay to celebrate Universal Children's Day. The aim of the day was to promote respect for children and highlight children's right to equal protection under the law.

2014
Ionawr
January

— Cyhoeddwyd **Bechgyn a Merched yn Codi Llais: astudiaeth ansodol o rywedd a diwylliannau rhywiol plant**, ar y cyd â Phrifysgol Caerdydd a'r NSPCC.

— Cyflwynwyd ein Hadroddiad Blynnyddol a Chyfrifon i Grŵp Seneddol Rhyng-bleidiol Plant yng Nghymru yn San Steffan, dan nawdd Jessica Morden AS.

— Cyflwynwyd ein Hadroddiad Monitro Blynnyddol i Gomisiynydd y Gymraeg.

— Published **Boys and Girls Speak Out: a qualitative study of children's gender and sexual cultures**, in conjunction with Cardiff University and the NSPCC.

— Presented our Annual Report and Accounts to the All-Party Parliamentary Group for Children in Wales at Westminster, sponsored by Jessica Morden MP.

— Submitted our Annual Monitoring Report to the Welsh Language Commissioner.

Chweffor / Mawrth
February / March

— Cyflwynodd y Comisiynydd dystiolaeth lafar ddiweddu mis Chweffor i'r Ymchwiliad Seneddol i weithrediad ac effeithiolrwydd y System Llysoedd Ieuenciad dan gadeiryddiaeth yr Arglwydd Alex Carlile.

— Roedd y Comisiynydd yn bresennol yn achlysur lansio sylw dyladwy Dinas a Sir Abertawe i'r ddyletswydd CCUHP.

— Trefnwyd digwyddiad i ranu dystiolaeth a chasglu gwybodaeth am ddarpariaeth seibiannau byr i blant ag anableddau a'u rhieni/gofalwyr.

— The Commissioner gave oral evidence in late February to the Parliamentary Inquiry into the operation and effectiveness of the Youth Court System chaired by Lord Alex Carlile.

— The Commissioner attended the launch of the City and County of Swansea's due regard to the UNCRC duty.

— We hosted an evidence exchange which gathered information about the provision of short breaks for children with disabilities and their parents/carers.

— Parhawyd â'r diwygiadau i Gynllun Hawliau Plant Drafft Llywodraeth Cymru.

— We contributed to the revisions of Welsh Government's Draft Children's Rights Scheme.

Sut mae'r tîm yn ffurffio polisi ac yn dylanwadu arno, gan Keith Towler

Mae fy nhîm yn dylanwadu ar newid systemig i blant a phobl ifanc drwy bolisi ac ymarfer mewn amrywiaeth o ffyrdd gwahanol. Rydym ni'n monitro a yw'r llywodraeth a chyrff eraill sy'n dweud eu bod am wneud gwahaniaeth i fywydau plant a phobl ifanc yn cadw eu haddewidion. Rydym ni'n gwrando ar leisiau plant a phobl ifanc ac yn rhoi llwyfan iddyn nhw ddylanwadu ar bolisi ac ymarfer. Rydym ni'n gweithio gyda gwneuthurwyr polisi, ymarferwyr a'r gymdeithas sifig ehangach i hyrwyddo hawliau a llesiant plant yn barhaus ar draws polisi, deddfwriaeth ac ymarfer.

Mae fy mlaenoriaethau polisi'n adlewyrchu'r hyn mae plant a phobl ifanc yn dweud wrthym ni sy'n bwysig drwy ein gwaith achos, gwaith maes ac ymchwil.

Rwyf i'n falch fod fframwaith Llywodraeth Cymru ar gyfer polisi ac ymarfer yn gysylltiedig â phlant a phobl ifanc yn parhau i fod yn seiliedig ar y CCUHP. Rwyf i'n credu bod ei saith nod craidd yn darparu'r fframwaith iawn ar gyfer gweithgaredd llywodraeth leol a chenedlaethol ac rwyf i'n defnyddio'r un fframwaith ar gyfer fy ngweithgareddau i ddylanwadu ar ddatblygu a gweithredu polisi.

How the team shape and influence policy, by Keith Towler

My team achieves influencing systemic change for children and young people through policy and practice in a range of different ways. We monitor whether government and other organisations who say that they are going to make a difference to children and young people's lives keep their promises. We listen to children and young people's voices and give them a platform to influence policy and practice. We work with policy makers, practitioners and wider civil society to constantly promote children's rights and welfare across policy, legislation and practice.

My policy priorities reflect what children and young people tell us is important to them through our casework, fieldwork and research.

I am pleased that the Welsh Government's framework for children and young people's policy and practice continues to be based on the UNCRC. I think its seven core aims provide the right framework for local and national government activity and I use the same framework in my activities to influence policy development and implementation.

Ymwreiddio egwyddorion CCUHP

Mae Llywodraeth Cymru a'r Cynulliad Cenedlaethol wedi dangos ymrwymiad cryf i ymwreiddio'r CCUHP yn eu gwaith. Mae Mesur Hawliau Plant a Phobl Ifanc (Cymru) 2011 yn arbennig o arwyddocaol wrth ymwreiddio CCUHP yng nghyfraith Cymru. Eleni eglurodd Llywodraeth Cymru beth mae'n ei wneud i gefnogi'r CCRUHP yn ei chyfraniad at bumed adroddiad Parti Gwladol y DU i Bwyllgor y CU ar Hawliau'r Plentyn.

Roedd yn galonogol hefyd gweld rhai awdurdodau lleol yn dangos eu hymrwymiad clir i'r CCRUHP eleni. Roeddwn i'n arbennig o falch i weld Cyngor Abertawe a Chyngor Sir Penfro yn mabwysiadu'r CCRUHP yn ffurfiol. Mae hyn yn golygu bod dyletswydd nawr yn cael ei gosod ar y ddau awdurdod i roi sylw dyledus i blant a phobl ifanc yn eu holl fuses.

Un o fy swyddogaethau allweddol yw monitor i ba raddau mae'r addewidion hyn yn cael eu cadw a herio pan fyddaf i'n credu bod cyrrf cyhoeddus yn ddiffygol.

Monitro Gweithrediad Mesur Hawliau Plant a Phobl Ifanc 2011

Ers 1 Mai 2012, mae dyletswydd wedi bod ar Weinidogion Cymru i roi sylw dyledus i'r CCRUHP wrth ddatblygu deddfwriaeth a/neu bolisiau newydd neu ddiwygig rhai cyfreol. Er mwyn cynorthwyo i sicrhau sylw dyledus, mae Llywodraeth Cymru wedi cyflwyno Asesiadau o Effaith ar Hawliau Plant. Mae hwn yn ddatblygiad cadarnhaol a chafwyd engrheifftiau da o'r manteision a all ddod yn eu sgil yn ystod 2013/14. Fodd bynnag, mae'r broses yn dal i fod yn newydd ac roedd ansawdd yr asesiadau'n amrywio'n sylwedol. Mewn rhai achosion nid oedd yn glir a oedd yr asesiad wedi'i gynnal o gwbl. Roedd yn bryder arbennig nad oedd modd i mi weld yr holl asesiadau, a hefyd nad asesiad o effaith oedd rhai o'r asesiadau a welais, ond yn hytrach rhestr yn unig o erthyglau cymwys yn y Confensiwn. Rwyf i'n deall wrth gwrs ei bod hi'n ddyddiau cynnar ond fy nisgwyliad yw y bydd ansawdd yr asesiadau hyn yn gwella.

Yn ystod y flwyddyn fe gynghorais i Lywodraeth Cymru ar gamau i godi ansawdd yr Asesiadau o Effaith ar Hawliau Plant drwyddi draw. Hefyd bûm i'n bwyo i'r diwygiadau i'r Cynllun Hawliau Plant. Roeddwn i'n awyddus iawn i sicrhau bod yr asesiadau o effaith yn cael eu gwneud yn gyhoeddus o 2014/15.

Rwyf i'n edrych ymlaen at weld y dyletswydd i roi sylw dyledus yn cael ei ehangu i'r holl swyddogaethau Gweinidogol yn 2014/15 a byddaf yn parhau i fonitro'r gweithrediad.

Rwyf i'n galw ar Lywodraeth Cymru i adolygu ansawdd yr Asesiadau o Effaith ar Hawliau Plant y mae eisoes wedi'u cynnal gyda golwg ar gryfhau cysondeb a sicrhau ymarfer gorau.

Y Comisiynydd Plant

Yn 2001, Cymru oedd y wlad gyntaf yn y DU i benodi Comisiynydd Plant. Rwyf i'n credu bod fy swyddogaeth i'n hanfodol i hyrwyddo hawliau a llesiant plant a phobl ifanc.

Mae'r profiadau a'r datblygiadau ers 2001 yn golygu bod angen cryfhau rôl y Comisiynydd Plant erbyn hyn ynghyd â sicrhau bod y trefniadau llywodraethu'n adlewyrchu datblygiadau yn ein setliad cyfansoddiadol. Mae angen symleiddio ac egluro'r clytwraith cymhleth o bwaerau a rheoliadau sy'n diffinio rôl a chylch gorchwyl y comisiynydd ar hyn o bryd, mae angen estyn cylch gorchwyl y Comisiynydd er mwyn osgoi dryswch cyhoeddus am feisydd nad ydyn nhw wedi'u datganoli, ac mae angen diweddu trefniadau penodi, cylido ac adrodd y Comisiynydd. Y llynedd fe bwysleisiais fy ngalwad am adolygiad o rôl Comisiynydd Plant Cymru.

Roeddwn i'n croesawu cyhoeddad Llywodraeth Cymru ym mis Chwefor 2014 y byddai'n comisiynu adolygiad annibynnol llawn o rôl a swyddogaethau Comisiynydd Plant Cymru ac rwyf i'n edrych ymlaen at ymgysylltu â thîm yr adolygiad.

Embedding the UNCRC principles

The Welsh Government and National Assembly have shown a strong commitment to embedding the UNCRC into their work. The Children and Young People's Rights (Wales) Measure 2011 is particularly significant in enshrining the UNCRC in Welsh law. This year the Welsh Government set out its work in support of the UNCRC in its contribution to the 5th UK State Party report to the UN Committee on the Rights of the Child.

It was also encouraging to see some local authorities demonstrating their clear commitment to the UNCRC this year. I was particularly pleased to see Swansea Council and Pembrokeshire Council officially adopt the UNCRC. It means that a duty is now placed on both authorities to have due regard to children and young people in all their business.

One of my key roles is to monitor to what extent these promises are being kept and to challenge where I think public bodies are falling short.

Monitoring implementation of the Children and Young People's Rights Measure 2011

Since 1 May 2012, Welsh Ministers have had a duty to have due regard to the UNCRC when developing new or amending existing legislation and/or policies. To assist implementing due regard, the Welsh Government has introduced Children's Rights Impact Assessments. This is a positive development and there were good examples of the benefits these can bring during 2013/14. However, the process is still in its infancy and the quality of assessments varied considerably. In some cases it was not clear that the assessment had been undertaken at all. I was particularly concerned that I was not able to access all assessments and some of those that I did see were not an assessment of impact merely a list of articles in the Convention that applied. I realise of course that this is early days but my expectation is that the quality of these assessments will improve.

During the year I advised the Welsh Government on actions to raise the quality of Children's Rights Impact assessments across the board. I also fed into the revisions to the Children's Rights Scheme. I was particularly concerned that the impact assessments should be made public from 2014/15.

I look forward to the duty of due regard being extended to all Ministerial functions in 2014/15 and will continue to monitor implementation.

I call upon Welsh Government to review the quality of the CRIA's it has already undertaken with a view to strengthening consistency and ensuring best practice.

The Children's Commissioner

In 2001, Wales became the first country in the UK to appoint a Children's Commissioner. I believe my role is vital in promoting children and young people's rights and welfare.

Experiences and developments since 2001 mean that there is now a need to strengthen the role of the Children's Commissioner and to ensure governance arrangements reflect developments in our constitutional settlement. The complex patchwork of powers and regulations that currently define the role and remit of the commissioner need simplifying and clarifying, the remit of the Commissioner needs extending to avoid public confusion about non devolved areas, and the appointment, funding and reporting arrangements for the Commissioner need updating. Last year I reiterated my call to review the role of the Children's Commissioner for Wales.

I welcomed the Welsh Government's announcement in February 2014 that it would commission a full independent review of the role and functions of the Children's Commissioner for Wales and I look forward to engaging with the review team.

Gweledigaeth Gymreig glir a gweithredu integredig

Yn fy adroddiad blynnyddol yn 2012/13 amlinellais fy mhryder ynglŷn â phenderfyniad Llywodraeth Cymru i symud at bolisiau 'oed-gynhwysol' yn hytrach na chael polisi ac ymarfer penodol ar blant a phobl ifanc, yn adlewyrchu eu hamgylchiadau penodol nhw.

A derbyn y penderfyniad hwn, mae'n bwysig ein bod yn deall yr effaith mae hyn wedi'i gael ar ddarpariaeth i blant a phobl ifanc. Y llynedd dadansoddais i'r Cynnlluniau Integredig Sengl ac rwyf i'n parhau'n bryderus fod cydnabyddiaeth i anghenion penodol plant a phobl ifanc yn llai blaenllaw na phan oedd cynlluniau ar wahân yn bodoli ar gyfer plant a phobl ifanc. Roeddwn i'n siomedig mai tua thraean yn unig sy'n cynnwys cyfeiriad at y CCUHP a / neu Saith Nod Craidd Llywodraeth Cymru.

Yn dilyn penderfyniad y Prif Weinidog i beidio â phenodi Gweinidog Plant, rwyf i'n awyddus iawn y dylai Llywodraeth Cymru gynnal gweledigaeth strategol traws-lywodraethol ar gyfer plant a phobl ifanc ac y dylid integreiddio'r gweithredu gan gydlynu ar draws portffolios ac adrannau. Rwyf i o'r farn bendant bod angen i Lywodraeth Cymru ailddatgan ei gweledigaeth ar gyfer plant, pobl ifanc a theuluoedd. Drwy wneud hyn, hoffwn weld y weledigaeth honno'n mynegi dull gweithredu'n seiliedig ar hawliau sy'n canolbwytio ar ymarfer ac sy'n sicrhau canlyniadau cadarnhaol i holl blant a phobl ifanc Cymru. Byddai gwneud hynny'n arwydd clir iawn bod y ddyletswydd ar Weinidogion i dalu sylw dyledus, fel y'i mynegwyd ym Mesur Hawliau Plant a Phobl Ifanc (Cymru) 2011, yn dangos arweiniad sy'n clymu'r holl swyddogaethau at ddiben cyffredin.

Rwyf i'n galw ar Lywodraeth Cymru i ailddatgan ei gweledigaeth ar gyfer plant, pobl ifanc a theuluoedd gan fynegi dull gweithredu sy'n seiliedig ar hawliau ac sy'n canolbwytio ar ganlyniadau.

A clear Welsh vision and integrated action

In my 2012/13 annual report I set out my concern at the Welsh Government's decision to move to 'age inclusive' policies rather than have distinct policy and practice on children and young people, reflecting their distinct circumstances.

Given this decision, it is important that we understand the impact this has had on provision for children and young people. Last year I analysed the Single Integrated Plans and remain concerned that recognition of the distinct needs of children and young people is less prominent than when there were separate plans for children and young people. I was disappointed that only around a third include a reference to the UNCRC and / or Welsh Government's 7 Core Aims.

Following the First Minister's decision not to appoint a Minister for Children, I am concerned that the Welsh Government should maintain a cross government strategic vision for children and young people and that action should be integrated with coherence across portfolios and departments. I am of the firm view that Welsh Government do need to re-state their vision for children, young people and families. In doing so I would like to see that vision articulate a rights-based approach with a focus on practice that secures positive outcomes for all children and young people in Wales. Doing so would signal very clearly that the due regard duty on Ministers, as outlined in The Rights of Children and Young Persons (Wales) Measure 2011, is a demonstration of leadership binding all functions to a common purpose.

I am calling on Welsh Government to re-state their vision for children, young people and families articulating a rights based outcome focused approach.

Nod 1. Dechrau Teg Mewn Bywyd

Plant i droseddwyr

Mae plant sydd â charcharor yn y teulu'n fwy tebygol o fod yn byw mewn tlodi ac mewn risg uwch o brofi canlyniadau emosiyonal, cymdeithasol ac addysgol gwael. Y llynedd fe ymwlais i â charchardai ac ysgolion i siarad gyda rhieni ac athrawon. Bûm i'n hybu prosiectau trydydd sector sydd â'r nod o gefnogi plant i droseddwyr a datblygodd fy nhîm adnodd ar hawliau plant i droseddwyr.

Rwyf i'n falch, yn dilyn fy adroddiad blynnyddol yn 2012/13, fod Llywodraeth Cymru nawr wedi cytuno i osod mesurau i sicrhau bod eu prif raglenni'n ymgysylltu â theuluoedd sydd wedi'u heffeithio gan garcharu rhiant.

Rwyf i'n galw ar Lywodraeth Cymru i sicrhau bod y rhaglen Dechrau'n Deg yn cefnogi plant i droseddwyr.

Cymorth cyffredinol i rieni

Mae rhieni a gwarcheidwaid cyfreithiol yn chwarae rhan hanfodol ym mywyd pob plentyn.

Mae gan Lywodraeth Cymru nifer o raglenni pwysig sy'n hyrwyddo llesiant plant ac yn darparu cymorth i rieni mewn grwpiau penodol neu mewn lleoliadau penodol. Roeddwn i'n falch i weld bod y rhaglen Gwasanaethau Cymorth Teuluol Integredig wedi'i chyflwyno ar draws pob rhian o Gymru y llynedd. Cafodd Dechrau'n Deg hefyd ei hehangh i gwmpasu rhagor o ardaloedd yng Nghymru.

Fodd bynnag, rwyf i'n parhau'n awyddus i sicrhau y dylai'r holl rieni a gofalwyr allu manteisio ar gymorth ac arweiniad. Mae cymorth cyffredinol i rieni yn unol ag Erthygl 31 y CCUHP, sy'n egluro hawl plentyn i orffwys, chwarae a chymryd rhan mewn amrywiaeth o weithgareddau diwylliannol ac artistig. Mae hefyd yn cyd-fynd â Mesur Plant a Theuluoedd (Cymru) 2010 ac â dyletswyddau newydd ar awdurdodau lleol a byrddau iechyd lleol a gymryd camau i atal a lleihau'r anghenion gofal a chymorth sydd gan bobl yn eu hardal o fewn y Ddeddf Gwasanaethau Cymdeithasol a Llesiant. Dylai Llywodraeth Cymru osod arweiniad a chyfeiriad i gynorthwyo â chyflenwi hyn.

Rwyf i'n galw ar Lywodraeth Cymru gyhoeddi arweiniad ar gymorth cyffredinol i rieni a gwarcheidwaid cyfreithiol.

Nod 2: Amrywiaeth o gyfleoedd addysg, hyfforddiant a dysgu

Rwyf i'n falch fod Llywodraeth Cymru'n symud ymlaen gyda nifer o weithgareddau'n seiliedig ar yr argymhellion yn fy adroddiad blynnyddol yn 2012/13. Cynhalwyd ymgynghoriad ar ganllawiau diogelu mewn addysg a dylai'r rhain gael eu cyhoeddi yn 2014/15.

Rwyf hefyd yn gobeithio y bydd y diwygiadau arfaethedig i'r fframwaith deddfwriaethol ar gyfer anghenion addysgol arbennig yn sicrhau ymateb plentyn-ganolog i anghenion dysgu plant a phobl ifanc unigol. Bydd gan y Cod Ymarfer hefyd statws cyfreithiol digonol i ddal deliail y dyletswydd i gyfrif.

Eleni rwyf i'n falch fod Llywodraeth Cymru bellach wedi asesu 'Teithio i Ddyfodol Gwell' a'i bod yn ymrwymo i gymryd camau pellach i gefnogi anghenion dysgu plant Sipsiwn a Theithwyr erbyn mis Mawrth 2015.

Mae'r rhain yn faterion rwyf i wedi bod yn gweithio arnyn nhw ers blynnyddoedd lawer fel Comisiynydd Plant. Yn wir, rwyf i wedi adeiladu ar waith a ddechreuwyd gan fy rhagflaenydd drwy alw am welliannau i weithdrefnau diogelu mewn ysgolion. Rwyf i'n credu y bydd y newidiadau hyn yn gwneud gwahaniaeth cadarnhaol i fywydau plant a phobl ifanc.

Eleni, rwyf i wedi cael fy hysbysu am bryderon mewn perthynas â diffyg mynediad mewn rhai ysgolion ar gyfer plant a phobl ifanc sy'n defnyddio cadeir olwyn, er ei bod yn ofynnol i bob ysgol fod â chynllun hygyrchedd. Gall hyn olygu bod plant yn gorfol mynychu ysgol wahanol i'w ffrindiau, a all effeithio ar y plentyn ac ar y teulu. Byddaf i'n gwneud darn o waith ar y mater hwn yn ystod y flwyddyn nesaf a byddaf yn cynnig argymhellion ar gyfer gweithredu a gwella yn hyn o beth.

Rwyf i'n galw ar Lywodraeth Cymru i fynd i'r afael â materion sy'n wynebu plant a phobl ifanc sy'n defnyddio cadeiriau olwyn i gael gafael ar addysg.

Aim 1. A Flying Start in Life

Children of offenders

Children with a prisoner in the family are more likely to live in poverty and are of greater risk of poor emotional, social and educational outcomes. Last year I visited prisons and schools to speak with parents and teachers. I promoted third sector projects aimed at supporting children of offenders and my team developed a resource on the rights of children of offenders.

I am pleased that, following my 2012/13 annual report, the Welsh Government has now agreed to put in place measures to ensure their flagship programmes engage with families affected by parental imprisonment.

I am calling on Welsh Government to ensure that the Flying Start programme supports children of offenders.

Universal parental support

Parents and legal guardians play a pivotal role in the life of every child.

The Welsh Government has a number of flagship programmes to promote children's welfare and provide parental support for specific groups or in specific places. I was pleased to see that the Integrated Family Support Services programme was rolled out across all parts of Wales last year. Flying Start was also extended to cover more areas in Wales.

However, I remain concerned that all parents and carers should have access to support and guidance. Universal parental support is in line with Article 31 of the UNCRC, which sets out a child's right to rest, play and take part in a range of cultural and artistic activities. It is also in line with the Children and Families (Wales) Measure 2010 and with new duties for local authorities and local health boards to take steps to prevent and reduce the needs for care and support of people in their area within the Social Services and Wellbeing Act. The Welsh Government should set out guidance and direction to support delivery.

I am calling on Welsh Government to issue guidance on universal parenting support for parents and legal guardians.

Aim 2: Access to education, training and learning opportunities

I am pleased that the Welsh Government is taking forward a number of activities based on the recommendations I set out in my 2012/13 annual report. Guidance on safeguarding in education has been consulted on and should be issued in 2014/15.

I am also hopeful that proposed reforms to the legislative framework for special education needs will secure a child-centred response to the learning needs of individual children and young people. The Code of Practice will also have sufficient legal status to hold duty bearers to account.

I am pleased that the Welsh Government has now assessed 'Travelling Ahead Towards a Better Future' and commits to further actions to support the learning needs of Gypsy and Traveller children by March 2015.

These are issues that I have been working on for many years as Children's Commissioner. Indeed, I have built on work initiated by my predecessor in calling for improvements to the safeguarding procedures within schools. I believe these changes will make a positive difference to children and young people's lives.

This year, I have been made aware of concerns in relation to a lack of access to some schools for children and young people who use a wheelchair, even though all schools are required to have an accessibility plan in place. This can result in children having to attend a different secondary school from their friends, impacting on both the child and their family. I am undertaking a piece of work on this issue during the coming year and will make recommendations for action and improvement in this regard.

I am calling on Welsh Government to address the issues facing wheelchair-using children and young people in accessing education.

Ilesiant dysgwyr

Mae fy Adroddiad ar Gynnydd y Strategaeth Tlodi Plant yn 2013 yn egluro fy ymrwymiad i hyrwyddo ymarfer da ar leihau'r bylchau mewn canlyniadau addysgol rhwng plant a phobl ifanc o gartrefi incwm isel a'u cyfoedion. Ym mis Medi 2013 fe hwylusais i ddigwyddiad cyfnewid tystiolaeth oedd yn gyfle i weithwyr addysg proffesiynol rannu ymarfer gyda chydweithwyr o bob rhan o Gymru. Neges grif a ddaeth o hyn oedd bod polisi cenedlaethol, gyrwyr perfformiad a phrosesau arolygu'n canolbwytio'n fawr ar gyraeiddiad heb roi digon o bwyslais ar faterion Ilesiant.

Ar y cyd, aeth yr NSPCC a fy swyddfa ati i gomisiynu Prifysgol Caerdydd i gynnal ymchwil ar ddiwylliannau rhwng plant. Amcan yr adroddiad, **Bechgyn a Merched yn Codi Llais: astudiaeth ansodol o rywedd a diwylliannau rhywiol plant (10-12 oed)**, oedd hwyluso gwaith Grŵp Trawsbleidiol Cynulliad Cenedlaethol Cymru ar Blant, Rhywioldeb, Rhywioli a Chydraddoldeb. Canfu'r ymchwil fod cydraddoldeb ac amrywiaeth a chymorth cymdeithasol ac emosiol yn hanfodol i ddatblygiad plant a phobl ifanc. Galwodd hefyd am arweiniad cenedlaethol cryf i gynnal Ilesiant plant a phobl ifanc yn yr ysgol a thu hwnt.

Y llynedd cyhoeddwyd nifer o adroddiadau dylanwadol ar y system addysg yng Nghymru. Roedd hyn yn cynnwys Adolygiad Hill ar gyflwyno gwasanaethau addysg yng Nghymru yn y dyfodol a chyhoeddi canlyniadau PISA 2012. Amlinellodd Llywodraeth Cymru ei bwriad i ddatblygu cynllun gwella ysgolion newydd, gan ddatblygu llawer o'r opsiynau a dderbyniwyd yn Adolygiad Hill.

Rwyf i'n cefnogi ffocws y llywodraeth ar gyraeiddiad dysgwyr. Fodd bynnag rwyf i'n awyddus i sicrhau na ddylai hyn ddigwydd ar draul Ilesiant dysgwyr. I'r gwrthwyneb, mae'r dystiolaeth a ddangoswyd i mi yn awgrymu os ydym ni'n methu mynd i'r afael â Ilesiant dysgwyr byddwn ni'n methu â chynorthwyo rhoi o'n plant mwyaf difreintiedig i gael y graddau sydd o fewn eu cyraedd. Mae tystiolaeth a gyflwynwyd gan Estyn yn 2012 hefyd yn cynnig achos cryf o blaid pwysigrwydd cefnogi Ilesiant disgyblion er mwyn sicrhau cyraeiddiad.

Rwyf i'n annog y llywodraeth i ystyried sut y gallai gwell cefnogaeth i lesiant disgyblion ategu mesurau eraill sy'n cael eu datblygu dan y cynllun gwella ysgolion. Hoffwn weld sylw dyledus i lesiant disgyblion fel rhan o'r polisi cenedlaethol a'r gyrwyr perfformiad.

Rwyf i'n galw ar Lywodraeth Cymru i ymgorffori Ilesiant disgyblion yn ei chynllun gwella ysgolion a sicrhau bod hyn yn cael ei adlewyrchu yn y polisi cenedlaethol a'r gyrwyr perfformiad.

Learner wellbeing

My Child Poverty Strategy Progress Report 2013 sets out my commitment to promote good practice on reducing the gaps in educational outcomes between children and young people from low-income households and their peers. In September 2013 I facilitated an evidence exchange providing an opportunity for educational professionals to share practice with colleagues from across Wales. A strong message was that national policy, performance drivers and inspection processes focus heavily on attainment and do not give due weight to wellbeing issues.

The NSPCC and my office jointly commissioned Cardiff University to undertake research on the sexual cultures of children. The report, **Boys and Girls Speak Out: a qualitative study of children's gender and sexual cultures (age 10-12)**, aimed to inform the National Assembly for Wales Cross-Party Group on Children, Sexualities, 'Sexualisation' and Equalities. The research found that equality and diversity and social and emotional support are crucial to children and young people's development. It called for strong national leadership in supporting children and young people's wellbeing within and beyond schools.

Last year saw the publication of several influential reports on the education system in Wales. This included the Hill Review on the future delivery of education services in Wales and publication of the PISA results from 2012. The Welsh Government set out its intentions to develop a new improving schools plan, progressing many of the accepted options in the Hill Review.

I support the government's focus on increasing learner attainment. However, I am concerned that this should not be at the expense of learner wellbeing. On the contrary, the evidence that has been presented to me suggests that by failing to address learner well-being we will fail to support some of our most disadvantaged children to attain the grades they are capable of. Evidence presented by Estyn in 2012 also provides a strong case for the importance of supporting pupil well-being in order to secure attainment.

I urge government to consider how better support for pupil wellbeing can complement other measures being taken forward under these improving schools plan. I would like to see due regard being given to pupil wellbeing within the national policy and performance drivers.

I call on Welsh Government to incorporate pupil wellbeing into its improving schools plan and ensure it is reflected in national policy and performance drivers.

Nod 3: Mwynhau'r iechyd meddwl, cymdeithasol ac emosiynt gorau posibl

Yn fy adroddiad blynnyddol yn 2012/13 galwais ar Lywodraeth Cymru gymryd nifer o gamau mewn perthynas â'r nod hwn. Rwyf i'n falch ei bod wedi ymateb yn gadarnhaol i lawer o'r rhain:

— mae'r Llywodraeth wedi ymrwymo i fonitro argaeedd gwasanaethau cyngori yn yr ysgol;

— bydd gweithdrefnau cwyno newydd y gwasanaethau cymdeithasol nawr yn cynnwys mesurau i sicrhau eu bod yn diwallu anghenion penodol plant a phobl ifanc;

— mae Strategaeth Gofalwyr Cymru sydd wedi'i adnewyddu bellach yn cynnig cyfeiriad cenedlaethol cryfach ar ddiwallu anghenion gofalwyr ifanc; ac

— mae Llywodraeth Cymru hefyd wedi ymrwymo i fonitro darpariaeth cadeiriau olwyn pediatrig.

Dylanwadu ar y Ddeddf Gwasanaethau Cymdeithasol a Llesiant

Yn ystod 2013/14, roedd datblygu fy mlaenorriaethau drwy'r Ddeddf Gwasanaethau Cymdeithasol a Llesiant yn ffocws cryf i fy nhîm. Roedd y Ddeddf yn ymwned â llawer o faterion rwyf i wedi'u blaenorriaethu yn ystod fy nghyfnod yn Gomisiynydd. Yn benodol, diogelu, eiriolaeth annibynnol, y rhai sy'n gadael gofal a llesiant.

Cyflwynais ymateb ysgrifenedig cynhwysfawr i ymgynghoriad y Pwyllgor Iechyd a Gofal Cymdeithasol ar Gam 1 yn ogystal â rhoi tystiolaeth lafar. Hefyd cyhoeddais gyfres o bapurau briffio agored ar adrannau allweddol o'r Ddeddf. Ymatebodd fy nhîm i'r ymgynghoriad ar y Fframwaith Canlyniadau Cenedlaethol arfaethedig ar gyfer y Gwasanaethau Cymdeithasol a chyfranogodd yn y gweithgor.

Rwyf i'n falch fod rhai o'r materion o'r pryder mwyaf a godwyd gan blant a phobl ifanc gyda mi wedi derbyn sylw yn y ddeddfwriaeth. Fodd bynnag, rwyf i'n parhau'n bryderus iawn nad yw'r ddeddfwriaeth yn adlewyrchu anghenion penodol plant a phobl ifanc. Mae'n hanfodol fod hyn nawr yn cael ei gyfleoù drwy ganllawiau, mein prawf cymhwyster a'r cod ymarfer. Ni welais i dystiolaeth ddigonol yn ystod y trafodaethau yn 2013/14 i'm sicrhau y byddai hyn yn digwydd. Bydd monitro'r canllawiau a'r rheoliadau i sicrhau bod hyn yn cael sylw yn un o flaenoriaethau fy nhîm yn ystod 2014/15

Rwyf i wrth fy modd fod sylw dyledus i'r CCUHP wedi'i adlewyrchu yn y Ddeddf derbynol. Mae hyn yn engrai'r ragorol o ymreiddio hawliau plant o fewn ddeddfwriaeth Cymru.

Eiriolaeth Annibynnol

Rwyf i wedi bod yn hyrwyddo darpariaeth eiriolaeth annibynnol gryfach i blant a phobl ifanc drwy gydol fy nghyfnod yn Gomisiynydd. Mae'r ffait fod eiriolaeth wedi'i chynnwys ar wyneb y Ddeddf yn gam enfawr ymlaen sy'n datgan barn Llywodraeth Cymru am bwysigrwydd ac arwyddocâd eiriolaeth yn glir.

Rwyf i'n ymwybodol iawn nad yw'r hawl statudol i eiriolaeth yn gwarantu bod gwasanaethau eiriolaeth annibynnol o ansawdd uchel ar gael. Amlwgwyd hyn yn fy adroddiad "Lleisiau Coll" yn 2012 ac eto yn fy adroddiad "Lleisiau Coll: Cynnydd Coll" yn 2013. Rwyf i wedi parhau i bwysio am roi'r argymhellion a wnes i yn "Lleisiau Coll" ar waith, ac wedi fy siomi bod cynnydd at gyflawni'r rhain wedi bod yn araf. Roedd yr argymhellion yn ceisio darparu llais i rai o'r plant a'r bobl ifanc mwyaf bregus a fyddai'n cael ei glywed yn glir ac yn helpu i ddiogelu a chyfoethogi eu llesiant. Mae plant a phobl ifanc wedi fy hysbysu nad yw hyn yn digwydd o hyd. Mae fy swyddfa wedi cynnal adolygiad pellach o "Lleisiau Coll" sydd wedi amlgyu safbwytiau clir iawn gan blant a phobl ifanc. Mae'n hanfodol fod Llywodraeth Cymru yn sicrhau bod yr ymrwymiad deddfwriaethol i eiriolaeth yn cael ei wireddu a byddwn i'n gobeithio y byddai'r rheoliadau a'r canllawiau a fydd yn dilyn y Ddeddf Gwasanaethau Cymdeithasol a Llesiant yn sbardun digonol i sicrhau bod plant a phobl ifanc fregus yn cael y gwasanaeth y mae ganddyn nhw hawl iddo. Mae gwaith grŵp Arbenigol y Gweinidog ar Eiriolaeth a sefydlwyd gan y Gweinidog yn dilyn cyhoeddi "Lleisiau Coll" yn fy nghalonogi, ond rwyf i'n bryderus fod gormod o bwyslais yn cael ei roi ar y grŵp hwn i symud cyfrifoldebau Llywodraeth Cymru a'r awdurdodau lleol yn eu blaen.

Byddaf yn cyhoeddi fy adroddiad dilynlol ar "Lleisiau Coll" yn ystod haf 2014 a byddwn i'n disgwyl i Llywodraeth Cymru ac awdurdodau lleol weithio gyda'i gilydd i sicrhau bod yr holl blant a phobl ifanc fregus sydd â hawl i wasanaeth eiriolaeth yn gwybod am yr hawl hwn, ac yn gallu manteisio ar yr hawl.

Byddaf yn parhau i chwarae fy rhan i gyflawni'r nod hwn yn 2014/15.

Rwyf i'n galw ar Lywodraeth Cymru i ddarparu'r arweiniad strategol angenrheidiol i sicrhau bod darpariaeth eiriolaeth annibynnol ar gyfer yr holl blant a phobl ifanc berthnasol yn dod yn realiti.

Aim 3: Enjoy the best possible physical, mental, social and emotional health

In my 2012/13 annual report I called for Welsh Government to take a number of actions in relation to this aim. I am pleased that it responded positively to many of these:

— the Government has committed to monitor access to school-based counselling;

— the new social services complaints procedures will now include measures to ensure they meet the specific needs of children and young people;

— the refreshed Carers Strategy for Wales now provides a stronger national direction on meeting the needs of young carers; and

— Welsh Government has also committed to monitor the provision of paediatric wheelchairs.

Influencing the Social Services and Wellbeing Act

During 2013/14, progressing my priorities through the Social Services and Wellbeing Bill was a strong focus for my team. The Act related to many issues that I have prioritised during my time as Commissioner. In particular, safeguarding, independent advocacy, care leavers and wellbeing.

I provided a comprehensive written response to the Health and Social Care Committee's consultation at Stage 1 as well as giving oral evidence. I also issued a series of open briefing papers on key sections of the Act. My team responded to the consultation on the proposed National Outcomes Framework for Social Services and participated in the working group.

I am pleased that some of the most concerning issues that children and young people have raised with me have been addressed through the legislation. However, I remain deeply concerned that the legislation does not reflect the distinct needs of children and young people. It is essential that this is now reflected through guidance, eligibility criteria and the code of practice. I did not see sufficient evidence during the discussions in 2013/14 to reassure me that this would be the case. Monitoring the guidance and regulations to ensure that this is addressed will be one of my team's priorities for 2014/15.

I am delighted that due regard to the UNCRC was reflected in the final Act. This is an excellent example of embedding children's rights within Welsh legislation.

Independent Advocacy

I have been promoting stronger independent advocacy provision for children and young people throughout my time as Commissioner. The fact that advocacy has been included on the face of the Act is a huge step forward clearly stating Welsh Governments view about the importance and significance of advocacy.

I am acutely aware that the statutory entitlement to advocacy does not guarantee access to good quality independent advocacy services. This was highlighted in my "Missing Voices" report in 2012 and again in my "Missing Voices: Missing Progress" report in 2013. I have continued to push for the implementation of the recommendations that I made in "Missing Voices" and have been disappointed at the slow progress towards attaining these. The recommendations sought to provide some of the most vulnerable children and young people with a clearly heard voice that would help to safeguard and enhance their wellbeing. Children and young people have made me aware that this is still not happening. My office have undertaken a further review of "Missing Voices" which has provided some very clear views from children and young people

It is crucial that Welsh Government ensure the legislative commitment to advocacy is realised and I would hope that the regulations and guidance that will follow the Social Services and Wellbeing Act will provide the necessary impetus to ensure vulnerable children and young people receive the service that they are entitled to. I am encouraged by the work of the Ministerial Expert group on Advocacy established by the Minister following the publication of "Missing Voices", but am concerned that too much emphasis is being placed on this group to progress the responsibilities of Welsh Government and local authorities.

I will be publishing my further review of "Missing Voices" during the summer of 2014 and would expect that Welsh Government and local authorities will work together to ensure that all vulnerable children and young people who are entitled to an advocacy service know about this entitlement , and are able to access this entitlement

I will continue to play my part in achieving this goal in 2014/15.

I am calling on Welsh Government to provide the necessary strategic leadership to ensure that independent advocacy provision for all relevant children and young people becomes a reality.

Astudiaeth Achos: Unigolyn yn Gadael Gofal

Cysylltodd Colleen â'n gwasanaeth Cyngor a Chymorth gyda phryderon am orfod gadael ei lleoliad gofal pan oedd yn cyrraedd 18 oed. Roedd ei stori'n nodwediadol o lawer o bobl ifanc yn gadael gofal a gysylltodd â'n gwasanaethau.

Dyna pam rwyf i wedi ymgyrchu am ddeddfwriaeth i godi'r uchafswm oed y mae'n rhaid i berson ifanc adael lleoliad maeth neu breswyl o 18 i 21. Rwyf i wrth fy modd fod hyn wedi'i gynnwys yn neddfwriaeth Cymru yn 2014. Mae hyn yn golygu na fydd pobl ifanc fel Colleen yn wynebu sefyllfa debyg eto.

Roedd Colleen yn fwrth 17 oed oedd mewn addysg. Cysylltodd â'r swyddfa yn mynegi ei rhwystredigaeth d'i phryderon gyda'r gwasanaethau cymdeithasol, oedd wedi dweud wrthi y byddai'n cael ei symud i lety â chymorth pan fyddai'n cyrraedd 18 oed. Roedd yn bryderus gan fod y llety awr o daith i ffwrdd o'i hysgol, ac nid oedd ganddi gar. Doedd hi ddim chwaith yn teimlo'n barod i ymdopi â byw'n annibynnol. Roedd Colleen yn bryderus iawn am yr effaith y byddai'r newidiadau hyn yn ei gael ar ei gallu i ymdopi yn ystod ei hastudiaethau a'i harholiadau Safon Uwch.

Roedd Colleen yn awyddus i aros yn ei lleoliad cyfredol y tu hwnt i'w phen-blwydd yn 18 er mwyn gorffen ei harholiadau, a thra'i bod yn ymgeisio i fynd i'r brifysgol y mis Medi canlynol. Roedd cynllun llwybr gofal Colleen wedi amlinellu ei dynuniad i aros mewn lleoliad blaenorol y tu hwnt i'w phen-blwydd yn 18, ond nid oedd ei chynllun wedi'i adolygu ar ôl i'r lleoliad fethu ac iddi hithau newid lleoliad yn sgil hynny.

Er bod Colleen wedi cael cymorth eiriolwr proffesiynol annibynnol i rannu ei phryderon drwy broses gwynion yr awdurdod lleol, a hefyd wedi derbyn cymorth gan Swyddog Ymchwilio a Chyngor a gyflwynodd sylwadau ar ei rhan, ni chafodd ei lleoliad ei estyn, gyda'r Pennaeth Gwasanaethau Plant yn nodi mai cyfyngiadau cyllidebol oedd y rheswm am benderfyniad yr awdurdod. Nid oedd modd iddi apelio yn erbyn y penderfyniad gan nad oedd dyletswydd statudol ar yr awdurdod lleol i estyn lleoliad Colleen.

Yn anffodus, methodd Colleen ei harholiadau Safon Uwch ac ar hyn o bryd nid yw mewn addysg na chyflogaeth.

Y Rhai sy'n Gadael Gofal

Rwyf i wedi bod yn pwysio am ragor o gymorth i bobl ifanc sy'n pontio rhwng gofal ac annibyniaeth yn ystod fy nghyfnod yn Gomisiynydd. Yn 2011 galwodd fy adroddiad "Ar Goll ar ôl Gofal" am ddiwygiadau i'r ddeddfwriaeth fyddai'n estyn uchafswm yr oed y mae'n rhaid i berson ifanc adael lleoliad maeth neu breswyl o 18 i 21. Er bod "Ar Goll ar ôl Gofal: Adroddiad Monitro 2013" wedi dangos bod gwell cymorth ar gael i'r rhai sy'n gadael gofal mewn rhai ardaloedd, roedd hefyd yn tanlinellu'r pellter sydd ar ôl i fynd.

Parhaodd pobl ifanc i leisio eu pyrderon drwy fy ngwasanaeth cyngor a chymorth. Felly fe gynhaliais adolygiad o'r dystiolaeth ar sail yr hyn rodden nhw'n ei ddweud wrthym ni. Amlinellwyd hyn yn fy mhapur briffio i Aelodau Cynulliad ac ymarferwyr "Bywyd ar ôl Gofal" ym mis Ionawr 2014. Mae'r astudiaethau achos unwaith eto'n amlyu'r angen am fframwaith deddfwriaethol cadarn sy'n gosod hawliau clir i bobl ifanc a dyletswyddau ar rieni corfforaethol i sicrhau darpariaeth gadarn o gymorth cyson i bobl ifanc ar draws Cymru.

Yn ystod y broses o graffu ar y Ddeddf Gwasanaethau Cymdeithasol a Llesiant, roeddwn i wrth fy modd fod grŵp o bobl ifanc oedd yn gadael gofal wedi ffurio'r ymgyrch ysbrydoledig Cyfle i Aros. Gyda chymorth grwpiau plant yn y trydydd sector, rodden nhw'n galw am newid yn y gyfraith fel bod modd i blant yng Nghymru sy'n derbyn gofal aros mewn gofal maeth tan eu bod yn 21.

Rwyf i wrth fy modd y bydd y Ddeddf Gwasanaethau Cymdeithasol a Llesiant nawr yn galluogi pobl ifanc mewn gofal i barhau i dderbyn cymorth tan eu bod yn 21 oed. Bydd fy swyddfa'n parhau i fonitro cynnydd mewn perthynas â diwallu anghenion plant a phobl ifanc sy'n gadael gofal, a bydd yn parhau i ddal Llywodraeth Cymru ac awdurdodau lleol yn atebol.

Rwyf i'n galw ar Lywodraeth Cymru i sicrhau bod y rheoliadau a'r canllawiau sy'n cael eu datblygu ar gyfer Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) yn diwallu anghenion gofal a chymorth parhaus yr holl blant sy'n gadael gofal hyd nes eu bod yn 21.

Case study: Care Leavers

Colleen contacted our Advice and Support service with her concerns about having to leave her care placement when she turned 18. Her story was typical of many care leavers contacting our services.

That's why I have campaigned for legislation to extend the maximum age at which a young person has to leave a foster or residential placement from 18 to 21. Whilst my "Lost After Care: Monitoring Report 2013" demonstrated better support for care leavers in some areas, it also underlined the distance left to travel.

Colleen was a 17 year old engaged in education, who called the office expressing her frustrations and concerns with social services as she had been told that she would be moved into supported lodgings when she turned 18. She was worried as the lodgings were an hour's drive away from her school, and she did not have a car, nor did she feel ready or able to cope with living independently. Colleen was very anxious about the impact these changes would have on her ability to cope during her A Level studies and examinations.

Colleen wanted to stay in her current placement beyond her 18th birthday to finish her exams, and while she applied to go to university the following September. Colleen's pathway plan had outlined her wishes to stay in a previous placement beyond her 18th birthday, however her plan had not been reviewed following the placement breaking down and her subsequent change in placement.

Although Colleen was supported by an independent professional advocate to share her concerns through the local authority's complaints process, and she had also received assistance from an I&A Officer who made representations on her behalf; she did not have her placement extended with the Head of Children's Services citing budgetary constraints as the reason for the authority's decision. There was no means for her to appeal the decision as there was no statutory duty placed upon the local authority to extend Colleen's placement.

Sadly Colleen failed her A Level exams and is currently not in education or employment.

Care leavers

I have been pressing for greater support for young people in the transition between care and independence during my time as Commissioner. In 2011 my "Lost After Care" report called for amendments to legislation to extend the maximum age at which a young person has to leave a foster or residential placement from 18 to 21. Whilst my "Lost After Care: Monitoring Report 2013" demonstrated better support for care leavers in some areas, it also underlined the distance left to travel.

Young people continued to raise their concerns through my advice and support service. I therefore conducted a review of the evidence based on what they were telling us. This was set out in my briefing to Assembly Members and practitioners, "Life After Care", in January 2014. The case studies again highlighted the need for a firm legislative framework that sets out clear entitlements for young people and duties on corporate parents to underpin the delivery of consistent support for young people across Wales.

I was delighted that, during scrutiny of the Social Services and Wellbeing Act, a group of young care leavers formed the inspirational Chance to Stay campaign. Supported by children's groups in the third sector, they asked for a change in the law so that looked after children in Wales could stay in foster care until they're 21.

I am delighted that the Social Services and Wellbeing Act will now enable young people in care to continue to receive support until they are 21. My office will continue to monitor progress in relation to meeting the needs of children and young people who leave care, and will continue to hold Welsh Government and local authorities to account.

I am calling on Welsh Government to ensure that the regulations and guidance being developed for the Social Services and Well-being (Wales) Act meet the continuing care and support needs of all children and young people leaving care until they are 21.

Rheoliadau a Chanllawiau Statudol a ddraffiwyd dan y Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru)

Er bod llawer i'w ganmol yn y Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru), rwyf i'n parhau'n bryderus iawn nad yw'n cydnabod amgylchiadau penodol plant a phobl ifanc, egwyddor sy'n gwbl greiddiol i'r CCUHP.

Dywed CCUHP bod angen "diogelwch a gofal arbennig ar y plentyn, gan gynnwys gwarchodaeth gyfreithiol, oherwydd ei anaeddfedrwydd corfforol a meddygol, cyn ac ar ôl ei eni".

Dywed Erthygl 3, paragraff 1 y Confensiwn, ym mhob gweithred sy'n ymwneud â phlant, gan awdurdodau gweinyddol neu gyrrf deddfwriaethol, rhaid i les pennaf y plentyn fod yn brif ystyriaeth. Mae Pwyllgor y Cenhedloedd Unedig ar Hawliau'r Plentyn wedi dweud yn ddiweddar bod erthygl 3, paragraff 1 yn ceisio sicrhau bod yr hawl i gael asesiad o les pennaf, a bod hynny'n brif ystyriaeth, wedi'i warantu ym mhob penderfyniad a gweithred sy'n ymwneud â phlant. Nid yw'r gair 'gweithred' yn cynnwys penderfyniadau yn unig, ond hefyd gweithredoedd, ymddygiad, cynigion, gwasanaethau, gweithdrefnau a mesurau eraill.

Mae'r Memorandwm Esboniadol a gyhoeddwyd mewn perthynas â Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) yn datgan yn glir mai'r effaith a fwriedir i'r ddeddfwriaeth yw 'cyhyd ag y bo'n bosibl, integreiddio a chydweddu trefniadau fel bod set gyffredin o brosesau, i bobl'.

Nid oes testun ategol i esbonio sut y bydd y newid i Ddeddf sengl i gwmpasu darpariaeth i blant ac i oedolion yn sicrhau lles pennaf y plentyn mewn cydymffurfiaeth ag erthygl 3 y CCUHP paragraff 1. Nid oes esboniad chwaith sut y bydd amnewid neu ailddatgan darnau o ddeddfwriaeth gyfredol yn ymwneud â phlant yn hwyluso lles pennaf y plentyn yn well.

Rwyf i'n galw ar Lywodraeth Cymru i ddatblygu Rheoliadau a Chanllawiau oed-benodol ar wahân dan y darpariaethau a geir yn y Ddeddf gan gynnwys meinu prawf a chod ymarfer oed-benodol.

Bwrdd Diogelu Annibynnol

Rwyf i wedi egluro'r angen am fwrrd diogelu plant cenedlaethol â chadeirydd annibynnol i ddarparu arweiniad a chyfeiriad cenedlaethol ar ddiogelu plant a phobl ifanc yng Nghymru dros nifer o flynyddoedd. Er fy mod yn siomedig nad yw'n benodol ar gyfer plant, rwyf i'n falch y bydd bwrdd diogelu annibynnol yn cael ei sefydlu drwy Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.

Er fy mod yn cydnabod gwaith y panel cyngori ar ddiogelu a sefydlwyd gan y Gweinidog i ddarparu cyngor ac arweiniad ar agweddau penodol o'r cynigion a geir yn y Ddeddf yn ymwneud â diogelu a gwarchod plant ac oedolion, a'r datblygiadau o ran rheoleiddio a chanllawiau, rwyf i'n parhau'n bryderus am yr arafwch wrth roi Bwrdd Diogelu Cenedlaethol ar waith. Nid oedd y Bwrdd Diogelu Annibynnol Cenedlaethol cysgodol wedi'i sefydlu ym mis Ebrill 2014 na llinell amser clir wedi'i osod ar gyfer sefydlu'r Bwrdd llawn yn dilyn cychwyn y Ddeddf ym mis Mai 2014.

Rwyf i'n galw ar Lywodraeth Cymru i sefydlu'r Bwrdd Diogelu Annibynnol Cenedlaethol yn gynnar yn 2014/15.

Gwasanaethau Iechyd Meddwl Plant a'r Glasoed (CAMHS)

Yn dilyn fy ngalwad am weithredu yn fy adroddiad blynnyddol yn 2012/13, rwyf i'n falch fod Llywodraeth Cymru wedi cyflwyno Grŵp Sicrwydd Cyflenwi CAMHS Plant, Pobl Ifanc a Theuluoedd. Mae hwn yn adrodd ar gynnydd a materion sy'n datblygu i'r Bwrdd Partneriaeth Iechyd Meddwl a sefydlwyd yn ddiweddar a dylai helpu i sicrhau bod ffocws parhaus yn cael ei gynnal ar anghenion plant a phobl ifanc sydd â phroblemau iechyd meddwl.

Fodd bynnag mae pyrderon sylweddol gennyl o hyd am allu plant a phobl ifanc i fanteisio ar wasanaethau priodol sy'n canolbwytio ar blant ac sy'n ymateb i'w hanghenion unigol. Rwyf i'n croesawu Ymchwiliad y Pwyllgor Addysg Plant a Phobl Ifanc i'r gwasanaethau hyn ac yn edrych ymlaen at ddarllen ei adroddiad. Bellach ceir angen cyfunol i flaenorriaethu'r mater hwn. Rwyf i'n edrych ymlaen at weithio gyda'r Pwyllgor i hwyluso eu hymgyssylltu a chlywed yn uniongyrchol gan blant a phobl ifanc. Byddaf yn parhau i alw ar Lywodraeth Cymru i fynd i'r afael â'r materion y mae plant a phobl ifanc wedi'u codi gyda mi mewn perthynas â CAMHS.

Regulation and Statutory Guidance drafted under the Social Services and Well-being (Wales) Act

Whilst there was much to commend in the Social Services and Well-being (Wales) Act, I continued to have deep concerns that it does not recognise the distinct circumstances of children and young people, a principle at the core of the UNCRC.

The UNCRC states that, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth".

Article 3, paragraph 1 of the Convention states that in all actions concerning children, by administrative authorities and legislative bodies, the best interests of the child shall be a primary consideration. The United Nations Committee on the Rights of the Child has recently stated that article 3, paragraph 1 seeks to ensure that the right to have best interests assessed and taken as a primary consideration is guaranteed in all decisions and actions concerning children. The word 'actions' does not only include decisions, but also acts, conduct, proposals, services, procedures and other measures.

The Explanatory Memorandum issued in relation to the Social Services and Well-being (Wales) Act clearly states that the intended effect of the legislation is to 'as far as is possible, integrate and align arrangements so that there is a common set of processes, for people'.

There is no supporting text to explain how the change to a single Act to encompass provision for both children and adults will give greater effect to the best interests of the child in compliance with article 3 of the UNCRC paragraph 1. Neither is there an explanation of how the replacement or restatement of parts of existing legislation relating to children will give greater effect to the best interests of the child.

I call on Welsh Government to develop separate age-specific Regulations and Guidance under provisions contained in the Act including an age-specific eligibility criteria and code of practice.

Independent Safeguarding Board

I have set out the need for an independently chaired national safeguarding children board to provide national leadership and direction on the protection of children and young people in Wales over many years. Although I am disappointed that it is not specific to children, I am pleased that an independent safeguarding board, will be established through the Social Services and Wellbeing Act (Wales) 2014.

Whilst acknowledging the work of the safeguarding advisory panel established by the Minister to provide advice and guidance on specific aspects of the proposals contained in the Act relating to safeguarding and the protection of children and adults, and the development of regulation and guidance, I remain concerned at the slow rate of progress in implementing a National Safeguarding Board. The shadow National Independent Safeguarding Board had not been established as of April 2014 and no clear timescale has been set for establishing the full Board following commencement of the Act in May 2014.

I call on Welsh Government to establish the National Independent Safeguarding Board early in 2014/15.

Child and Adolescent Mental Health Services (CAMHS)

Following my call for action in my 2012/13 annual report, I am pleased that the Welsh Government has introduced a CAMHS Children, Young People and Families Delivery Assurance Group. This reports to the recently established Mental Health Partnership Board on progress and emerging issues and should help to ensure that a continuing focus is maintained on the needs of children and young people with mental health issues.

However, I continue to have significant concerns about children and young people's ability to access appropriate child-focussed services that respond to their individual needs. I welcome the Children, Young People and Education Committee's Inquiry into these services and look forward to reading their report. There is now a collective need to prioritise this issue. I look forward to working with the Committee to facilitate their engagement to hear directly from children and young people. I will continue to call on the Welsh Government to address the issues that children and young people have raised with me in relation to CAMHS.

Rwyf i'n galw ar Lywodraeth Cymru i egluro sut y bydd yn gwella cyfleoedd plant a phobl ifanc i gael gwasanaethau CAMHS priodol sy'n canolbwntio ar blant ac sy'n ymateb i'w hanghenion unigol, a darparu adroddiadau rheolaidd ar gynnydd.

Gofalwyr ifanc

Yn fy adroddiad yn 2012/13 galwais ar Lywodraeth Cymru i ddarparu cyfeiriad cenedlaethol cryf a chamau gweithredu clir i ddeiliaid dyletswydd lleol yn y Strategaeth Ofalwyr i Gymru ar ei newydd wedd. Rwyf i'n falch fod y Llywodraeth wedi ymateb yn gadarnhaol gan fynd i'r afael â'r pryderon a godwyd drwy'r broses ymgynghori.

Rwyf yn aros gyda diddordeb i weld cyhoeddi rheoliadau a chanllawiau mewn perthynas â Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014. Rwyf i'n pryeru, yn yr hinsawdd economaidd gyfredol, y gallai'r meinu prawf dwy ran ar gyfer cymorth statudol sydd i'w defnyddio i asesu bod gan ofalwr anghenion cymorth, a bod rhaid profi'r anghenion hynny yn erbyn trothwyon cymhwyster, olygu y bydd adnoddau'n cael eu gwarchod yn fwy caeth a byddwn yn pryeru pe bai hynny'n digwydd.

Byddaf yn monitro'r rheoliadau a'r canllawiau i sicrhau bod ystyriaeth briodol yn cael ei rhoi i anghenion y grŵp bregus hwn o blant a phobl ifanc.

Rwyf i'n galw ar Lywodraeth Cymru i sicrhau bod y rheoliadau a'r canllawiau sy'n cael eu datblygu ar gyfer Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 yn diwallu anghenion plant a phobl ifanc sy'n gweithredu fel gofalwyr.

Mabwysiadu

Yn ystod Wythnos Genedlaethol Mabwysiadu yn 2013 cefais gwrrd â phobl ifanc oedd wedi'u mabwysiadu mewn grŵp TALKadoption. Codwyd llawer o faterion ganddynt, gan ddisgrifio nad yw athrawon bob amser yn deall sut beth yw bod yn blentyn neu'n berson ifanc sydd wedi'i fabwysiadu a'u bod weithiau'n gallu trin pethau'n wael. Sonion nhw pa mor bwysig oedd iddyn nhw gyfarfod â'i gilydd yn y grŵp TALKadoption. Mae'n ffynhonnell o gymorth emosiynl. Dywedodd rhai pobl ifanc oedd wedi cael eu cyfeirio at CAMHS nad oeddenn nhw'n teimlo bod staff CAMHS yn deall problemau mabwysiadu ac nad oedd ymyrраeth CAMHS wedi bod o gymorth iddyn nhw. Siaradodd y grŵp hefyd am yr angen i gael gwybodaeth glir a chyngor i blant a phobl ifanc am fabwysiadu, eu hawliau a ffynonellau o gymorth.

Gofynnais iddyn nhw nodi'r tri mater oedd bwysicaf iddyn nhw ac ymrwymais i godi'r rhain gyda Gweinidogion Cymru. Eu blaenoraiethau oedd:

1. Yr angen i hyfforddi athrawon a chodi ymwybyddiaeth am fabwysiadu a'i effaith ar blant a phobl ifanc, ac y dylid cynnwys mabwysiadu fel pwnc ABCh.
2. Darparu grwpiau cymorth cymheiriad fel y grŵp TALKadoption cyfredol i roi gynorthwyo â llesiant emosiynl pobl ifanc sydd wedi'u mabwysiadu ar draws Cymru. Roedd yn anodd iddyn nhw gael cymorth fel pobl ifanc gan fod llawer o'r gweithgareddau cymorth oedd yn bodoli ar gyfer pobl ifanc neu ar gyfer y cyfnod yn union ar ôl mabwysiadu'n unig.
3. Darparu gwybodaeth glir am hawliau plant a phobl ifanc yn ystod y broses o fabwysiadu a phontio at gyngor a chymorth ar ôl mabwysiadu.

Ysgrifennais at Weinidogion perthnasol yn Llywodraeth Cymru a bwydo'r ymatebion cychwynnol yn ôl i'r bobl ifanc.

Rwyf i'n galw ar Lywodraeth Cymru i ddatblygu gwybodaeth a chyngor ar hawliau i blant a phobl ifanc sy'n mynd drwy'r broses fabwysiadu.

I call on Welsh Government to set out how it will improve children and young people's access to appropriate child-focussed CAMHS that respond to their individual needs, and provide regular reports on progress.

Young carers

In my 2012/13 report I called on Welsh Government to provide strong national direction and clear actions for local duty bearers in the refreshed Carers Strategy for Wales. I am pleased that they have responded positively in addressing the concerns that were raised through the consultation process.

I am awaiting with interest the publication of the regulations and guidance in relation to the Social Services and Well-being (Wales) Act 2014. I have concerns that in the current economic climate the two part eligibility criteria for statutory assistance through which a carer must be assessed as having a support need, and then having those support needs tested against eligibility thresholds, might lead to tighter gatekeeping of resources and would be concerned should this be the case.

I will be monitoring the regulations and guidance to ensure that proper consideration is given to meeting the needs of this vulnerable group of children and young people.

I am calling on Welsh Government to ensure that the regulations and guidance for the Social Services and Well-being (Wales) Act 2014 meet the needs of children and young people who act as carers.

Adoption

During National Adoption Week 2013 I met with adopted young people who attended a TALKadoption group. They raised lots of issues. They described how teachers don't always understand what it's like for children and young people who are adopted and how they can handle things badly. They talked about how important it was for them to meet together in the TALKadoption group as it provides a source of emotional support. Some young people who had had referrals to CAMHS said they didn't feel that CAMHS staff understood adoption issues or that intervention from CAMHS had helped them. The group also talked about the need for clear information and advice for children and young people about adoption, their rights and sources of support.

I asked them to identify their top three issues and committed to raising these with Welsh Ministers. Their priorities were:

1. The need for teacher training and awareness raising on adoption and its impact on children and young people and for adoption to be included as a PSE topic.
2. Provision of peer support groups like the current TALKadoption group to support adopted young people's emotional well-being across Wales. They found it difficult to get support as young people as many of the support activities in place were for young people or for the period directly following adoption only.
3. Provision of clear information about the rights and entitlements of children and young people during the adoption process and in transition to post-adoption advice and support.

I wrote to relevant Welsh Government Ministers and fed back initial responses to the young people.

I am calling on Welsh Government to develop information and advice on rights and entitlements for children and young people who are going through the adoption process.

Fframwaith Gwasanaeth Cenedlaethol ar gyfer Plant, Pobl Ifanc a'r Gwasanaethau Mamolaeth yng Nghymru

Rwyf i wedi mynogi fy mhryderon dros nifer o flynyddoedd bod statws y Fframwaith Gwasanaeth Cenedlaethol yn aneglur a bod dystiolaeth o wendid wrth roi'r safonau ar waith.

Parheais i godi'r pryderon hyn gyda Llywodraeth Cymru yn ystod 2013/14. Roeddwn yn falch fod y Gweinidog wedi ymateb i fy mhryderon. Mae Llywodraeth Cymru wedi'i wneud yn glir fod disgwyl i Fyrrda lechyd Lleol hunanasesu yn erbyn y safonau yn y Fframwaith Gwasanaeth Cenedlaethol, sydd ym marn y Llywodraeth yn parhau i fod yn fframwaith defnyddiol ar gyfer monitro perfformiad. Fodd bynnag nid yw'n ofynnol i Fyrrda lechyd Lleol adrodd yn erbyn y Fframwaith.

Mae Llywodraeth Cymru nawr yn cynhyrchu cynlluniau cyflenwi sy'n canolbwytio ar ganlyniadau penodol mewn perthynas ag iechyd fel rhan o "Rhagori: Y Cyllun Sicrhau Ansawdd ar gyfer y GIG yng Nghymru, 2012-2016". Ar hyn o bryd mae'r cynlluniau cyflenwi'n canolbwytio ar oedolion felly roeddwn i'n falch i weld y Gweinidog lechyd a Gwasanaethau Cymdeithasol yn ymrwymo i ddatblygu cynllun cyflenwi i blant a phobl ifanc.

Rwyf i'n galw ar Lywodraeth Cymru i ymgynghori a chyflwyno cynllun cyflenwi iechyd i blant a phobl ifanc sy'n seiliedig ar hawliau ac sy'n canolbwytio ar ganlyniadau fel mater o frys.

Gofal Parhaus

Roedd pobl ifanc a'u teuluoedd yn parhau i gysylltu â mi yn ystod 2013/14 am anghydfodau cylido ar gyfer gofal parhaus. Mae pecynnau gofal parhaus yn darparu gofal a chymorth hirdymor i bobl ifanc sy'n anabl neu sydd angen cymorth am reswm arall. Gall pecynnau gofal parhaus gynnwys gofal gan weithwyr iechyd proffesiynol a gwasanaethau cymdeithasol. Y Byrddau lechyd Lleol sy'n gyfrifol am gyllido pecynnau gofal iechyd ac mae awdurdodau lleol yn gyfrifol am gyllido pecynnau gofal cymdeithasol. Mae trfferthion yn codi pan geir anghydfod wrth gydbwyso'r costau.

Yn 2013/14 cysylltodd pobl ifanc a'u teuluoedd â fy ngwasanaethau Cyngor a Chymorth gan fod achosion o anghydfod o ran cylido'n golygu nad oedden nhw'n derbyn y gofal yr oedd ganddyn nhw hawl iddo. Roedd rhaid i fy nhîm ymyrryd i helpu i ddatrys nifer o achosion er mwyn i deuluoedd gael y gofal oedd ei angen arnyn nhw.

Ers i mi godi pryderon tebyg yn fy adroddiad blynnyddol diwethaf, rwyf i'n falch fod Fforwm Nyrssio Plant Cymunedol Cymru Gyfan bellach yn datblygu pecyn e-ddysgu i gefnogi gweithrediad y canllawiau gofal parhaus a gyhoeddwyd yn 2012. Rwyf i'n deall bod Byrddau lechyd Lleol yn datblygu eu polisiau a'u gweithdrefnau eu hunain i roi'r canllawiau ar waith.

Serch hynny, roedd yr achosion a gyflwynwyd i fy swyddfa yn ystod 2013/14 yn dangos bod angen brys o hyd i ddatrys gweithdrefnau lle ceir anghydfod. Os ceir anghydfod rhwng awdurdodau ò'i gilydd, ni ddylai'r rhain effeithio ar allu'r plentyn neu'r person ifanc i fanteisio ar y pecyn gofal.

Rwyf i'n galw ar Lywodraeth Cymru gyda'r Byrddau lechyd Lleol a'r Awdurdodau Lleol i gyfuno ar weithdrefnau i ddatrys anghydfodau cylido gofal parhaus yn gyflym, a heb effeithio ar y ddarpariaeth gofal uniongyrchol ar gyfer y plentyn neu'r person ifanc.

National Service Framework for Children, Young People and Maternity Services

I have set out my concerns over many years that the status of the National Service Framework (NSF) is unclear and that there is evidence of poor implementation of standards.

I continued to raise this issue with Welsh Government during 2013/14. I was pleased that the Minister has responded to my concerns. Welsh Government have clarified that Local Health Boards are expected to self-assess against the standards in the NSF which they believe still provides a useful framework for monitoring performance. However there is no requirement for Local Health Boards to report against the NSF.

Welsh Government is now producing specific outcome focussed delivery plans in relation to health as part of its "Achieving Excellence: The quality delivery plan for the NHS in Wales 2012-16". At present the delivery plans are adult focussed so I was pleased that the Minister for Health and Social Services committed to develop a children and young person's delivery plan.

I am calling on Welsh Government to consult upon and deliver a rights based, outcome focused health delivery plan for children and young people as a matter of urgency.

Continuing Care

Young people and their families continued to contact me in 2013/14 about continuing care funding disputes. Continuing care packages provide long-term care and support to young people who are disabled or otherwise in need of support. Continuing care packages can include care provided both by health professionals and social services. Local Health Boards are responsible for funding health care packages and local authorities are responsible for funding social care packages. Difficulties arise when they dispute the balance of costs.

In 2013/14 young people and their families contacted my Advice and Support services as funding disputes meant they were not receiving the care to which they were entitled. My team had to intervene in a number of cases to help resolve these so that families could access much needed care.

I am pleased that since I raised similar concerns in my last annual report the All Wales Community Children's Nursing Forum is now developing an e-learning tool to support implementation of continuing care guidance issued in 2012. I understand that Local Health Boards are developing their own internal policies and procedures to implement the guidance.

However, the cases which presented to my office in 2013/14 demonstrated that there is still an urgent need to resolve disputes procedures. Where there are disputes between authorities, these should not affect the child or young person's access to their care package.

I am calling on the Welsh Government with Local Health Boards and Local Authorities to agree procedures to resolve continuing care funding disputes swiftly, and without impacting on the immediate provision of care for the child or young person.

Nod 4: Mynediad i weithgareddau chwarae, hamdden, chwaraeon a diwylliannol

Yn fy nhrafodaethau gyda phlant mae'n amlwg i mi mai'r hyn maen nhw'n dymuno ei gael yw gofod, amser, caniatâd a rhyddid i chwarae. Mae'n glir fod Cymru'n cydnabod bod chwarae'n hanfodol ar gyfer plentyndod cadarnhaol ac iachus a bod ei hymrwymiad wedi sicrhau enw da rhwngwladol iddi fel gwlad sy'n rhoi pwyslais ar chwarae. Yn 2012, Cymru oedd y genedl gyntaf yn y byd i ddeddfu dros chwarae, gan gefnogi Erthygl 31 y CCUHP yn uniongyrchol. Rhaid i'r holl Awdurdodau Lleol ymgymryd ag Asesiad o Ddigonolrwydd Cyfleoedd Chwarae a dechreuodd y Ddyletswydd Cyfleoedd Chwarae Digionol ym mis Chwefror 2014, sy'n golygu bod yr adrannau yn y Mesur Plant a Theuluoedd (Cymru) 2010 sy'n ymneud â chwarae bellach wedi'u cychwyn yn llawn.

Rwyf i'n falch fod Llywodraeth Cymru wedi ymateb yn gadarnhaol i fy ngalwad yn adroddiad blynnyddol 2012/13 i asesu ansawdd y cynlluniau gweithredu a ddatblygwyd drwy'r Asesiadau o Ddigonolrwydd Cyfleoedd Chwarae a monitro gweithrediad y cynlluniau.

Hefyd y llynedd fe adolygais weithrediad yr Asesiadau o Ddigonolrwydd. Rwyf i'n arbennig o bryderus nad oes digon o gyfleoedd gan blant sy'n byw mewn tlodi a phlant anabl i chwarae. Dangosodd fy adroddiad engrheifftiau o ymarfer da ar draws Cymru. Nawr fe hoffwn weld defnydd gwell o ysgolion a lleoliadau addysgol eraill fel llefydd lle gall plant gael gwybodaeth am weithgareddau nad ydyn nhw'n costio dim a gweithgareddau cost isel. Hefyd hoffwn weld trefniadau i alluogi awdurdodau lleol i rannu syniadau ymarferol am ddarparu cyfleoedd chwarae i blant anabl. Y llynedd daeth staff a phobl ifanc o Hawl i Gael Hwyl, prosiect Mencap, i sôn wrthi f i am y pethau roedden nhw'n credu oedd angen eu newid i wella cyfleoedd chwarae, hamdden a chwaraeon i blant a phobl ifanc anabl. Amlinellwyd wyt h o negeseuon allweddol yr wyf i wedi'u nodi yn fy Adroddiad ar Gynnydd y Strategaeth Tlodi Plant 2013 a'u rhannu gyda swyddogion. Roedd y rhain yn cynnwys argymhelliaid y dylai pob disgylb elwa ar raglen 5x60 Llywodraeth Cymru a chael mwy o gyfleoedd chwarae, rhan mewn gweithgareddau anghystadleuol.

Roedd hon yn flwyddyn arwyddocaol i hawliau Erthygl 31 y CCUHP ar draws y byd. Gofynnodd Pwyllgor y CU ar Hawliau'r Plentyn i'r Gymdeithas Chwarae Ryngwladol arwain y gwaith o drefnu a datblygu Sylw Cyffredinol (rhif 17) ar Erthygl 31 o'r CCUHP. Datganiad swyddogol yw Sylw Cyffredinol sy'n ehangu ar ystyr agwedd benodol

o Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn sydd angen ei dehongli neu ei phwysleisio ymhellach. Nod y Sylw Cyffredinol yw cynyddu pwysigrwydd yr Erthygl a chynyddu atebolrwydd ymhliith gwledydd sydd wedi ymrwymo i'r Confensiwn. Roeddwn i wrth fy modd felly i gael gwahoddiaid i ymuno â gweithgor rhwngwladol i gynorthwyo gyda'r draffio. Mabwysiadwyd Sylw Cyffredinol rhif 17 ar Erthygl 31 y CCUHP gan Bwyllgor y CU ar 1 Chwefror 2013.

Mae Cymru wedi gwneud cynydd sylweddol ar chwarae plant ond mae'n bwysig fod Llywodraeth Cymru, awdurdodau lleol a darparwyr eraill yn adfyrio ar y Sylw Cyffredinol ac yn cynnal eu hymrwymiad i helpu pob plentyn unigol, beth bynnag ei amgylchiadau, i gyrraedd ei botensial ei hun a mwynhau plentyndod llawn hwyl, gobaith, rhyfeddod a chyffro. Mae chwarae yn gyfle i blant ddysgu a datblygu, a byddwn i'n gobeithio, wrth i awdurdodau lleol roi eu dyletswydd digonolrwydd chwarae ar waith, y byddwn ni'n gweld y rhwystrau sy'n atal plant rhag chwarae'n cael eu hamnewid am fwy o gyfleoedd i chwarae.

Rwyf i'n galw ar Lywodraeth Cymru, awdurdodau lleol a darparwyr eraill sicrhau bod pwysigrwydd cyfleoedd chwarae i blant a phobl ifanc sy'n byw mewn tlodi a phlant a phobl ifanc ag anableddau yn cael ei gydnabod a'i gefnogi yn ystod yr hinsawdd economaidd heriol gyfredol.

Gwasanaethau ieuenciad

Mae gwasanaethau ieuenciad yn chwarae rhan hynod o bwysig yn cefnogi llesiant pobl ifanc. Maen nhw'n wasanaethau atoliol, sy'n darparu llefydd ar gyfer datblygiad cymdeithasol.

Rwyf i'n bryderus fod y seilwaith diwylliannol y mae gwasanaethau ieuenciad yn dibynnu arno – llyfrgelloedd, cyfleusterau hamdden a lleoliadau celfyddydol – yn cael ei danseilio o ganlyniad i flaenorïaethau cylido'r awdurdodau lleol.

Mae Erthygl 31 yn cynnwys hawl plant a phobl ifanc i gyfranogi'n rhydd mewn bywyd diwylliannol a'r celfyddydau. Rhaid i ni beidio ag anghofio'r rôl bwysig sydd gan y gweithgareddau hyn i hyrwyddo llesiant cyffredinol plant a phobl ifanc.

Aim 4: Have access to play, leisure, sporting and cultural opportunities

In my discussions with children I am very clear that what they want is space, time, permission and freedom to play. It is clear that Wales recognises that play is pivotal to a positive and healthy childhood and that commitment has given Wales an international reputation as a play friendly country. In 2012, Wales became the first nation in the world to legislate for play, directly in support of Article 31 of the UNCRC. All Local Authorities must undertake a Play Sufficiency Assessment (PSA) and the Play Sufficiency Duty commenced in February 2014, meaning that the sections of the Children and Families (Wales) Measure 2010 relating to play are now fully commenced.

I am pleased that the Welsh Government responded positively to my call in the 2012/13 annual report to assess the quality of the action plans developed through PSAs and to monitor the implementation of the plans.

I also reviewed implementation of PSAs last year. I am particularly concerned that children living in poverty and disabled children lack sufficient opportunities for play. My report showed examples of good practice across Wales. I would now like to see better use of schools and other educational settings as places where children can get information about no cost and low cost activities. I would also like to see mechanisms for local authorities to share practice ideas on providing play opportunities for disabled children. Last year staff and young people from Play Our Way, a Mencap project, came to tell me about the things they believed need to change to improve play, leisure and sport opportunities for disabled children and young people. They outlined 8 key messages, which I have set out in my Child Poverty Strategy Progress Report 2013 and shared with officials. These included that all pupils should benefit from the Welsh Government's 5x60 programme and have more opportunities to take part in non-competitive activities.

This was a significant year for UNCRC Article 31 rights across the world. The International Play Association (IPA) were asked by the UN Committee on the Rights of the Child to take a lead role in the organisation and development of a General Comment (number 17) on Article 31 of the UNCRC. A General Comment is an official statement that elaborates on the meaning of an aspect of the United Nations Convention on the Rights of the Child that seems to require further interpretation or emphasis. The aim of the General Comment is to raise the importance of an Article and increase accountability among countries that have signed up to the Convention.

I was delighted therefore to be invited to join an international working group to assist on the drafting. General Comment number 17 on Article 31 of the UNCRC was adopted by the UN Committee on 1st February 2013. Wales has made significant progress on children's play but it is important that Welsh Government, local authorities and other providers reflect on the General Comment and maintain their commitment to help each and every child, whatever their circumstance, to reach their individual potential and enjoy a childhood full of fun, hope, wonder and excitement. Play is a learning and development opportunity for children, and I would hope that as local authorities implement their play sufficiency duty we will see the barriers that prevent children from playing being replaced with more opportunities for play.

I am calling for Welsh Government, local authorities and other providers to ensure that the importance of play opportunities for children and young people living in poverty and for children and young people with disabilities is both recognised and supported during the current challenging economic climate.

Youth Services

Youth services play a hugely important role in supporting young people's wellbeing. They are preventative services, providing spaces for social development.

I am concerned that the cultural infrastructure on which youth services rely - libraries, leisure facilities and arts venues - is being undermined as a result of local authority budgeting priorities.

Article 31 includes the right of children and young people to participate freely in cultural life and the arts. We must not forget the important role that these activities play in children and young people's overall well-being.

In October 2013, the Deputy Minister for Skills and Technology launched the Youth Engagement and Progression implementation plan. It focuses specifically on reducing the number of young people aged 11-25 who are not in education, employment or training. It gives local authorities a key strategic leadership role in their local area, working closely with partners in the area, including wider Youth Services.

Ym mis Hydref 2013, lansiodd y Dirprwy Weinidog Sgiliau a Thechnoleg y cynllun gweithredu ar gyfer Ymgysylltu a Datblygu leuenctid. Mae'n canolbwntio'n benodol ar leihau'r nifer o bobl ifanc 11-25 oed nad yd yn nhw mewn addysg, cyflogaeth na hyfforddiant. Mae'n rhoi rôl arweinyddiaeth strategol allweddol i awdurdodau lleol yn eu hardal leol, gan weithio'n agos gyda phartneriaid yn yr ardal, gan gynnwys y Gwasanaethau leuenctid ehangach.

Rwyf i'n bryderus y caiff y gwaith o gyflawni uchelgais y Llywodraeth yn ymarferol ei gyfyngu'n ddifrifol gan y cwtogi yn y gwasanaethau prif ffrwd sy'n chwarae rhan mor bwysig yn y gwaith o ymgysylltu a datblygu plant a phobl ifanc.

Y llynedd ysgrifennais i at bob un o Brif Weithredwyr yr Awdurdodau Lleol yn gofyn am wybodaeth yngylch yr ystyriaeth oedd wedi'i rhoi i hawliau a llesiant plant a phobl ifanc wrth wneud penderfyniadau cylidebol. Rwyf i'n dal i aros i nifer o awdurdodau lleol ymateb i'r cais hwn cyn i mi allu deall yn iawn yr heriau maen nhw'n eu hwynebu a'r effaith bosibl y gallai hyn ei gael ar wasanaethau i blant a phobl ifanc.

Rwyf i'n deall yn iawn fod rhaid i bob corff cyhoeddus, gan gynnwys awdurdodau lleol, wneud penderfyniadau anodd iawn wrth gwtpogu cylidebau. Fodd bynnag rwyf i'n bryderus fod o leiaf un awdurdod lleol o'r farn nad oes angen iddo gynnwl asesiad o'r effaith ar hawliau plant mewn perthynas ag unrhyw doriadau i wasanaethau. Er bod hyn yn dechnegol wir, gan nad oes rhaid i awdurdodau lleol dalu sylw dyledus i'r CCUHP yn yr un ffordd ag y mae'n rhaid i Lywodraeth Cymru wneud, mae'n ymddangos i mi y dylai asesiad o effaith toriadau posibl i gyllidebau ar blant fod yn elfen sylfaenol o broses benderfynu'r awdurdodau lleol. Rwyf i'n credu ei fod yn arbennig o bwysig fod awdurdodau lleol yn rhoi ystyriaeth briodol i'r effaith y bydd eu penderfyniadau yn ei gael ar lesiant plant a phobl ifanc.

Rwyf i'n galw ar Lywodraeth Cymru a Chymdeithas Llywodraeth Leol Cymru i annog awdurdodau lleol roi sylw i hawliau plant wrth gynnwl eu hasesiadau o'r effaith ar gydraddoldeb er mwyn deall sut y bydd y newidiadau arfaethedig i wasanaethau'n effeithio ar lesiant plant a phobl ifanc.

Seibiannau i ofalwyr plant ag anableddau

Daeth y Rheoliadau Seibiannau i Ofalwyr Plant Anabl (Cymru) i rym ym mis Mehefin 2012. Cyhoeddwyd Datganiadau Gwasanaethau Seibiannau Byr gan awdurdodau lleol ym mis Medi 2012, fel y pennwyd yn y rheoliadau. Cyflwynodd Llywodraeth Cymru ganllawiau ymarfer gorau i gynorthwyo â hyn, er nad oedd yn cyfeirio at y CCUHP.

Yn ystod 2013/14 mae fy nhîm wedi ymgymryd â gwaith manwl ar roi'r rheoliadau newydd ar waith. Rwyf i wedi datblygu darlun cynhwysfawr o'r effaith mae darpariaeth seibiannau byr yn ei gael ar fywydau plant a phobl ifanc anabl, yn ogystal â'u rhieni a gofalwyr eraill. Cynhalwyd cyfres o ddigwyddiadau i rannu tystiolaeth drwy Gymru gyfan a chynhalwyd arolwg ar-lein. Rwyf i'n falch ein bod wedi sicrhau lefel uchel o gyfranogaeth, yn enwedig ymhliad plant a phobl ifanc. Caiff yr adroddiad ei gyhoeddi ym mis Gorffennaf 2014 ac rwyf i'n gobeithio y bydd Llywodraeth Cymru ac eraill yn symud ymlaen gyda'r argymhellion a geir ynnyddo.

Rwyf i'n galw ar Lywodraeth Cymru i ddarparu ymateb amserol i'r argymhellion yn fy adroddiad 'Bywydau Cyflawn' ar Wasanaethau Seibiannau Byr.

I am concerned that delivery of the government's ambition in practice will be severely constrained by the reduction in mainstream services that play such an important role in the engagement and progression of children and young people.

Last year I wrote to all Local Authority Chief Executives asking for information on what consideration had been given to children and young people's rights and wellbeing in making budget decisions. I am still waiting for a number of local authorities to respond to this request before I can properly understand the challenges that they face and the potential impact this may have upon services for children and young people.

I fully understand that all public bodies, including local authorities, now have to make very difficult decisions about budgets reductions. However I am concerned that at least one local authority has taken the view that it is not required to undertake a child's rights impact assessment in relation to any cuts to services. Whilst this is technically true, local authorities not being required to pay due regard to the UNCRC in the same way that Welsh Government are, it would seem to me that a child focused impact assessment of potential cuts to budgets should be fundamental to local authorities decision making. I believe it is particularly important that local authorities give proper consideration to the impact that their decisions will have on the wellbeing of children and young people.

I call on Welsh Government and the Welsh Local Government Association to encourage local authorities to address children's rights in carrying out their equality impact assessments to understand how proposed changes to services will affect children and young people's wellbeing.

Breaks for carers of disabled children

The Breaks for Carers of Disabled Children (Wales) Regulations came into force in June 2012. Short Breaks Services Statements were published by local authorities in September 2012, as required by the regulations. Welsh Government introduced best practice guidance to support this, although it did not reference the UNCRC.

During 2013/14 my team has undertaken a detailed piece of work on implementation of the new regulations. I have developed a comprehensive picture of the impact that short break provision is having on the lives of disabled children and young people, as well as their parents and other carers. A series of evidence exchanges were held throughout Wales and an online survey conducted. I am pleased that we secured a high level of participation, especially amongst children and young people. The report will be published in July 2014 and I hope the Welsh Government and others will take forward its recommendations.

I call on Welsh Government to provide a timely response to the recommendations of my 'Full Lives' report on short breaks services.

Nod 5: Cael eu trin â pharch, a bod eu hil a'u hunaniaeth ddiwylliannol yn cael eu cydnabod

Cyfranogi

Yn fy adroddiad blynnyddol yn 2012/13 galwais ar Lywodraeth Cymru i fonitro'r modd mae awdurdodau lleol yn diwallu eu dyletswyddau cyfranogi dan Fesur Plant a Theuluoedd 2010 drwy'r Cynlluniau Integredig Sengl. Gofynnais hefyd i'r Llywodraeth fonitro'r effaith ar strwythurau cyfranogi lleol i blant a phobl ifanc yng Nghymru. Rwyf i'n falch fod hyn bellach yn cael ei wneud gan Lywodraeth Cymru. Mae cyfranogiad plant a phobl ifanc yn ganolog i'r CCUHP ac rwyf i am weld Llywodraeth Cymru'n parhau i fonitro gweithrediad y ddyletswydd hon ar lefel genedlaethol ac awdurdodau lleol.

Rwyf i'n galw ar Lywodraeth Cymru i gynnal rôl monitro clos ar gynnydd yn erbyn y dyletswyddau yn y mesur sy'n ymwnaed â chyfranogiad plant a phobl ifanc.

Plant yn ceisio lloches

Yn ystod 2013/14 cynyddodd fy mhryder wrth weld gosyngiad yn y lefelau o gymorth oedd ar gael i blant yn ceisio lloches. Yn ystod y flwyddyn hon fe'm hysbyswyd am yr amgylchiadau anfoddhaol yr oedd plant oedd yn ceisio lloches a'u teuluoedd yn gorfol eu dioddef yng nghanolfan llety cychwynnol y Swyddfa Gartref yng Nghaerdydd. Doedd plant a phobl ifanc ddim yn gallu manteisio ar chwarae, addysg na gofal iechyd. Codais y mater gyda'r Swyddfa Gartref a'r gweinidog perthnasol yn Llywodraeth Cymru ac rwyf i'n falch i gyhoeddi bod ymateb cadarnhaol wedi arwain at nifer o newidiadau i'r cyfleuster yng Nghaerdydd. Roedd y digwyddiad hwn yn fod i fy atgoffa bod rhaid i ni fod yn wyliadwrus mewn perthynas â'r grŵp penodol hwn o blant a phobl ifanc a pharchu'r hawliau y dylem ni fod yn eu sicrhau iddyn nhw.

Rwyf i'n arbennig o bryderus am y goblygiadau i blant sydd wedi'u gwahanu oddi wrth eu rhieni neu sy'n ceisio lloches. Heb gymorth ac eiriolaeth arbenigol, nid wyf i'n credu y bydd modd i'r plant hyn fanteisio ar eu hawliau cyflawn yng Nghymru, gan gynnwys hawliau o ran addysg ac iechyd. Er mai'r plant a phobl ifanc hyn yw'r mwyaf bregus, rwyf i'n ei hystyried yn bwysig fod yr holl blant a phobl ifanc sy'n ceisio lloches yn cael cymorth i'w galluogi i fanteisio ar eu hawliau.

Rwyf i'n galw ar Lywodraeth Cymru i weithio gydag Awdurdodau Lleol, y Swyddfa Gartref ac asiantaethau arbenigol i sicrhau bod plant a phobl ifanc sy'n ceisio lloches yng Nghymru'n gallu manteisio ar eiriolaeth a chymorth sy'n caniatáu iddyn nhw ymarfer eu hawliau cyflawn dan y CCUHP.

Aim 5: Treated with respect and have their race and cultural identity recognised

Participation

In my 2012/13 annual report I called on Welsh Government to monitor the discharge of participation duties by local authorities under the Children and Families Measure 2010 through the Single Integrated Plans. I asked that they also monitor the impact on local participation structures for children and young people in Wales. I am pleased that this is now being progressed by the Welsh Government. Participation by children and young people is central to the UNCRC and I want to see Welsh Government continue to monitor implementation of this duty at a national and local authority level.

I call on Welsh Government to maintain a close monitoring role of progress against the duties for children and young people's participation in the measure.

Children seeking asylum

During 2013/14 I became increasingly concerned at the reducing levels of support available for asylum seeking children. During the course of this year I was made aware of the unsatisfactory conditions that asylum seeking children and their families were being forced to endure at the Home Office initial accommodation centre in Cardiff. Children and young people were being denied access to play, education, and healthcare. I raised the issue with the Home Office and relevant Welsh Government minister and am pleased that a positive response has led to a number of changes to the facility in Cardiff. This incident acted as a reminder to me that we must be constantly vigilant in relation to this particular group of children and young people and the rights that we should be ensuring they have respected.

I am particularly concerned about the implications for children who have become separated from their parents or who are seeking asylum. Without access to support and specialist advocacy, I do not believe that these children will be able to access their full rights in Wales, including in relation to education and health. Whilst these children and young people are the most vulnerable, I am concerned that all asylum seeking children and young people should be supported to enable them to access their rights.

I call on the Welsh Government to work with Local Authorities, the Home Office and specialist agencies to ensure children and young people seeking asylum in Wales have access to advocacy and support that enables them to access their full rights under the UNCRC.

Nod 6. Cael cartref diogel a chymuned

Cyflawnder ieuencnid

Yn fy adroddiad blynnyddol diwethaf, galwais ar Lywodraeth Cymru i osod y cynigion yn y Papur Gwydd ar Gyflawnder leuenctid ar sail statudol. Roeddwn i'n cefnogi'r cynigion yn y Papur Gwydd y dylai plentyn neu berson ifanc sy'n cael ei ddeddfrydu i gael ei gadw yn y ddalfa gael ei drin fel unigolyn 'yn derbyn gofal' gan yr awdurdod penodedig. Roedd y dystiolaeth a gasglwyd fel rhan o'r gwaith o ddatblygu'r Papur Gwydd yn amlygu bod y bobl ifanc hynny sy'n mynd i'r ddalfa'n fwy tebygol o fod ag anghenion ychwanegol cymhleth sy'n teilyngu cymhwysos statws derbyn gofal i ddiogelu eu llesiant.

Roeddwn i'n siomedig na chafodd y cynnig hwn ei ddatblygu yn y Papur Gwyn. Rwyf i'n nodi y caiff agwedd Lywodraeth Cymru ei hystyried yn ystod y cyfnod ymgynghori i sicrhau ei bod yn cyd-fynd â'r rhaglen ddeddfwriaethol ehangach. Rwyf i'n ailddatgan fy ngalwad blaenorol i estyn yr hawliau a roddir i blant a phobl ifanc sy'n derbyn gofal i blant a phobl ifanc yn y ddalfa, yn ystod ac yn dilyn eu dedfryd. Byddai hyn yn gosod dyletswydd statudol i sicrhau mynediad at gynghorwr personol i'r bobl ifanc hynny, ynghyd ag ymwelydd annibynnol ac eiriolwr annibynnol pe bai angen. Byddai hyn yn cynnig cyfleoedd gwerthfawr iddyn nhw ddatblygu cysylltiadau cefnogol ac felly hyrwyddo ymgysylltu cadarnhaol.

Rwyf i'n galw ar Lywodraeth Cymru i gefnogi estyn yr hawliau a roddir i blant a phobl ifanc sy'n derbyn gofal i blant a phobl ifanc sydd yn y ddalfa, yn ystod ac yn dilyn eu dedfryd.

Llwybrau diogel i'r ysgol

Y llynedd defnyddiais Dasg Arbennig ein Llysgerhadon Gwych i annog plant a phobl ifanc i gyfrannu eu barn i ymgynghoriad Llywodraeth Cymru ar llwybrau diogel i'r ysgol. Roeddwn i wrth fy modd fod 540 o ymatebion unigol wedi'u derbyn fel rhan o'r Dasg.

Roedden nhw am weld llwybrau cerdded a seiclo i'r ysgol yn cael eu gwneud yn fwy diogel. Roedden nhw'n poeni am drafsg a diogelwch ffyrdd, ond hefyd am beryglon cymdeithasol ehangach. Roedd yr ymatebion yn dangos y cyfraniad gwerthfawr sydd gan blant a phobl ifanc i'w wneud mewn perthynas â materion sy'n effeithio ar eu bywydau.

Rwyf i'n falch fod Llywodraeth Cymru wedi ymateb yn gadarnhaol i'r pryderon a godwyd gan y plant o'r bobl ifanc gyda Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth yn cyhoeddi datganiad ym mis Mawrth 2014 yn cydnabod pwysigrwydd diogelwch plant a'u bod yn teimlo'n ddiogel ac yn amlinellu ei hymrwymiad i wneud rhywbeth am hyn. Rwyf i'n edrych ymlaen at weld cyhoeddi'r Canllawiau Gweithrediol diwygiedig yngylch y Mesur Teithio gan Ddysgwyr yn ddiweddarach yn 2014.

Rwyf i'n galw ar Lywodraeth Cymru i adolygu'r cod ymddygiad teithio a chynnwys plant a phobl ifanc yn y gwaith o ddatblygu gwybodaeth am y cod.

Trais Domestig

Yn ystod 2013/14 mae fy mhryder wedi cynyddu am effaith trais domestig ar blant a phobl ifanc. Roedd yr effaith mae byw gyda thrais domestig yn ei gael ar blant yn amlwg yn yr adroddiad 'Bechgyn a Merched yn Codi Llais' a gyhoeddwyd yn 2013.

Rwyf i wedi egluro fy mhryderon mewn ymateb i'r ymgynghoriad ar ddeddfwriaeth arfaethedig i roi terfyn ar Drais yn erbyn Menywod, Trais Domestig a Thrais Rhyw, yn ogystal â'u codi'n uniongyrchol gyda Gweinidogion. Rwyf i wedi galw ar y Bil i ymateb yn fwy uniongyrchol i anghenion plant a phobl ifanc, yn enwedig o fewn addysg.

Byddaf yn parhau i weithio'n agos gyda phartneriaid, gan gynnwys yr heddlu, Cymorth i Fenywod Cymru a'r NSPCC yn ystod 2014/15 i godi'r materion hyn o fewn y Llywodraeth a'r Cynulliad Cenedlaethol a gydag ysgolion a rhieni.

Rwyf i'n galw ar Lywodraeth Cymru i adlewyrchu anghenion plant a phobl ifanc yn ei Bil Trais Domestig arfaethedig.

Aim 6. Have a safe home and community

Youth Justice

In my last annual report, I called on the Welsh Government to give the proposals set out in the Youth Justice Green Paper a statutory basis. I supported the proposals within the Green Paper that a child or young person sentenced to custody be treated as 'looked after' by the designated authority. The evidence gathered as part of the development of the Green Paper highlighted that those young people who enter custody are more likely to have complex additional needs that warrant the application of looked after status as a safeguard of their welfare.

I was disappointed that this proposal was not taken forward in the White Paper. I note that Welsh Government's approach will be considered during the consultation period to ensure coherence with the wider legislative programme. I reaffirm my previous call to extend the entitlements given to 'looked after' children and young people to children and young people in custody, both during and following their sentence. This would provide those young people with a statutory duty of access to a personal adviser, independent visitor and an independent advocate if required. This would provide them with much needed opportunities to develop supportive relationships and so promote effective engagement.

I am calling on Welsh Government to extend the entitlements given to looked-after children and young people to children and young people in custody, both during and following their sentence.

Safe routes to school

Last year I used our Super Ambassadors Special Mission to encourage children and young people to contribute their views to the Welsh Government's consultation on safe routes to schools. I was delighted that 540 individual responses were received as part of the Mission.

They wanted walking and cycling routes to schools to be made safer. They were concerned about traffic and road safety, but also about broader social dangers. The responses demonstrated the valuable contribution that children and young people have to give in relation to issues that impact on their lives.

I am pleased that Welsh Government responded positively to the concerns that children and young people raised with the Minister for Economy, Science and Transport issuing a statement in March 2014 recognising the importance of children being safe and also feeling safe and outlining their commitment to do something about this. I look forward to the revised Learner Travel Operational Guidance being published later in 2014.

I call on Welsh Government to review the travel behaviour code and involve children and young people in developing information about the code.

Domestic Violence

Over the course of 2013/14 I have become increasingly concerned about the impact of domestic violence on children and young people. The impact that living with domestic violence has on children was evident in the 'Boys and Girls Speak Out' report published in 2013.

I have set out my concerns in response to the consultation on proposed legislation to end Violence against Women, Domestic Abuse and Sexual Violence, as well as raising them directly with Ministers. I have called for the Bill to respond more directly to the needs of children and young people, particularly within education.

I will continue to work closely with partners, including the police, Welsh Women's Aid and NSPCC during 2014/15 to raise these issues within the government and National Assembly and with schools and parents.

I call on the Welsh Government to reflect the needs of children and young people in its forthcoming Domestic Violence Bill.

Nod 7: Osgoi cael eu rhoi dan anfantaïs oherwydd tlodi

Llysgenhadon Cymunedol a Strategaeth Tlodi'r Comisiynydd Plant

Cyhoeddais fy Strategaeth Tlodi Plant ym mis Hydref 2012 a symbolodd hyn yr angen i ddatblygu dull o drechu tlodi yng Nghymru sy'n seiliedig ar hawliau. Ymrwymais i gyhoeddi adroddiadau ar gynnydd bob 12 mis. Cyhoeddwyd fy adroddiad cyntaf ar gynnydd ym mis Hydref 2013. Yn anffodus, er gwaethaf ymrwymiadau polisi sylwedol, roedd un ym mhob tri phlentyн yng Nghymru yn byw mewn cartrefi tlawd yn 2013, o'i gymharu ag un ym mhob pedwar pan ddechreuaif fy ngwaith fel Comisiynydd yn 2008. Mae angen gwirioneddol i ni fynd ati gyda'n gilydd i flaenorïaethu gweithredu fydd yn sicrhau hawliau plant a phobl ifanc sy'n cael eu magu mewn tlodi.

Mae'r grwpiau peilot a sefydlwyd dan fy nghynllun Llysgenhadon Cymunedol yn gallu darparu tystiolaeth amhrisiadwy ar eu profiad o fyw mewn tlodi yng Nghymru. Rhannwyd hyn mewn digwyddiad ym mis Gorffennaf 2013, ac roedd modd i mi anfon eu tystiolaeth yn syth at swyddogion Llywodraeth Cymru.

Cynllun Gweithredu ar gyfer Trechu Tlodi Llywodraeth Cymru

Ym mis Gorffennaf 2013 cyhoeddodd Llywodraeth Cymru Creu Cymunedau Cryf: Symud Ymlaen â'r Cynllun Gweithredu ar gyfer Trechu Tlodi. Roeddwn i'n falch fod i hwn bwyslais cryfach ar blant a phobl ifanc na Chynllun Gweithredu 2012. Rwyf i hefyd yn croesawu'r sylw a roddwyd i Cymunedau yn Gyntaf, y blynnyddoedd cynnar, gofal plant ac addysg a chyd-gysylltu'r gweithredu ar draws y Llywodraeth.

Rwyf i'n parhau i fod yn bryderus nad yw cynnwys tlodi plant mewn cynllun gweithredu tlodi ar gyfer pob oed yn benthyg ei hun i weithredu mewn fframwaith o hawliau plant yn unol â'r CCUHP. Nid oes cyfeiriad uniongyrchol at y CCUHP yn Creu Cymunedau Cryf o hyd. Rwyf i'n siomedig nad yw'r Llywodraeth wedi ymateb i fy ngalwad i drechu tlodi plant drwy ddefnyddio dull yn seiliedig ar hawliau, yn unol â dyletswydd y Gweinidog i dalu sylw priodol i'r CCUHP. Rwyf i'n credu'n gryf y byddai hyn yn gwella canlyniadau.

Rwyf i'n dal yn awyddus i weld integreiddio rhagleni'r llywodraeth sydd wedi'u hanelu at sicrhau nad yw plant yn cael eu hanfanteisio yn well er mwyn gwneud y gorau o'r manteision.

Gwahoddodd Llywodraeth Cymru fi hefyd i gyfrannu fy mlaenoriaethau o ran gweithredu i drechu tlodi plant. Ymatebais i gyda thair blaenorïaeth:

— Addysg, yn enwedig llesiant y disgybl o fewn addysg

— Tlodi Bwyd

— Mynediad at gyfleoedd chwarae a hamdden

Rwyf i'n disgwyl gweld tystiolaeth ddiriaethol y bydd Llywodraeth Cymru wedi ystyried y blaenorïaethau hyn yn ystod y flwyddyn nesaf ynghyd â sefydlu strategaethau i fynd i'r afael â nhw.

Rwyf i'n galw ar Lywodraeth Cymru i ddiwygio ei strategaeth tlodi plant er mwyn sicrhau ei fod yn ddull sy'n seiliedig ar hawliau plant.

Aim 7: Not disadvantaged by poverty

Community Ambassadors and the Children's Commissioner's Child Poverty Strategy

I published my Child Poverty Strategy in October 2012 which promoted the need for a rights based approach to tackling child poverty in Wales. I committed to publishing progress reports every 12 months. My first progress report was published in October 2013. Sadly, despite significant policy commitments, one in three children in Wales were living in poor households in 2013, compared to one in four when I became Commissioner in 2008. There is real need for us collectively to prioritise action to secure the rights of children and young people growing up in poverty.

The pilot groups established under my Community Ambassadors scheme were able to provide invaluable evidence on their experience of living in poverty in Wales. This was shared in an event in July 2013, and I was able to forward their evidence directly to Welsh Government officials.

Welsh Government Tackling Poverty Action Plan

In July 2013 the Welsh Government published Building Resilient Communities: taking forward the Tackling Poverty Action Plan. I was pleased that it has a stronger emphasis on children and young people than the 2012 Action Plan. I also welcome the attention given to Communities First, early years, childcare and education and joining up activity across government.

I remain concerned that the inclusion of child poverty within an all-age poverty action plan does not lend itself to actions firmly placed within a framework of children's rights in line with the UNCRC. Direct reference to the UNCRC is still absent from Building Resilient Communities. I am disappointed the government has not responded to my call to tackle child poverty through a rights-based approach, in line with the Minister's duty of due regard to the UNCRC. I firmly believe that this would improve outcomes.

I remain concerned that better integration of government programmes aimed at ensuring children are not disadvantaged is needed to maximize benefits.

The Welsh Government also invited me to feed in my priorities for action to tackle child poverty. I responded with three priorities:

— Education, particularly pupil wellbeing within education

— Food Poverty

— Access to play and leisure opportunities

I expect to see tangible evidence that these priorities will have been considered by Welsh Government during the course of the coming year and strategies put in place to address them.

I am calling on Welsh Government to ensure that its child poverty strategy is revised to ensure it takes a rights based approach to tackling child poverty in Wales.

