

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET REPORT 24th May 2016

REPORT AUTHOR: County Councillor Graham Brown
Portfolio Holder for Commissioning and Procurement

SUBJECT: Review of the Play Sufficiency Assessment (Wales)
Regulations 2012 (“the regulations”) – Powys CC Action
Plan

REPORT FOR: Decision

1.0 Background

- 1.1 Following the Welsh Government’s implementation of the Play Sufficiency Assessment (Wales) Regulations 2012 and Statutory Guidance in 2012 we are required to undertake a regular three year review of the local authority’s position in terms of play sufficiency and develop an accompanying action plan.
- 1.2 The Play Sufficiency Assessment must demonstrate that the Local Authority has taken into account and assessed the matters set out in The Play Sufficiency Assessment (Wales) Regulations 2012 and Statutory Guidance (Appendix 1 & supporting information).

2.0 Conducting the Play Sufficiency Assessment

- 2.1 As well as establishing a baseline of provision, the Play Sufficiency Assessment will enable the following:
 - Identification of gaps in information, provision, service delivery and policy implementation
 - Support the establishment of evidence to give an indication of distance travelled in relation to play sufficiency
 - Highlight potential ways of addressing issues relating to partnership working
 - The input and involvement of all partners in increasing levels of knowledge and understanding
 - A monitoring system which will involve and improve communication between professionals
 - The identification of good practice examples
 - Increased levels of partnerships in assessing sufficient play opportunities
 - The identification of actions for the Securing Play Sufficiency Action Plan which accompanies the Play Sufficiency Assessment

3.0 Powys Play Strategy

- 3.1 The Powys Play Strategy is based upon Welsh Government Guidance produced in July 2014 and following the format of the matters identified and reported against for the Play Sufficiency Assessment. The Play Strategy feeds into the Children & Families Programme Board, being a thematic programme board of the Single Integrated Plan, One Powys.

- 3.2 The Play Strategy supports and contributes towards the outcomes Children & Young People's Partnerships plans, specifically the themes of:
- Emotional Health & Wellbeing
 - Family & Behaviour Support
- 3.3 With the focus on the policy of early intervention and prevention Play is very much embedded in the parenting programmes used i.e. 'Incredible Years' to support parents/carers and schools/settings to invest time and space to play.
- 3.4 The Aim and Vision within the Play Strategy clearly states: 'All children and young people in Powys will be satisfied with';
- The amount of time they have for playing
 - The amount and quality of space they have available for playing
 - That they are supported by the adults, communities and services around them which fosters a positive attitude towards children and young people's play opportunities.

4.0 Powys One Plan

- 4.1 The Play Sufficiency Assessment will form part of the Powys One Plan and will support and meet the following objectives –
- *Integrated health & adult social care*
 - *Children & Young People*
 - *Transforming learning & skills*
 - *Stronger, safer and economically viable communities*
 - *Financially balanced and fit for purpose public services*
- 4.2 The Play Sufficiency Assessment is also named within the guidance for the Future Generations Act as a document which must be considered as part of the Wellbeing Assessment.

5.0 The Process

- 5.1 Welsh Government provided guidance to all local authorities in 2012 detailing how to conduct the first Play Sufficiency Assessment. The local authority followed this guidance and published the first Play Sufficiency Assessment for Powys and accompanying documents in March 2013 – the below summarises the documents published as per the guidance:-
1. The Play Sufficiency Assessment – a full assessment of the play opportunities in the Local Authority area.
 2. Results of the Play Sufficiency Assessments – to include a summary of the outcomes from the Play Sufficiency Assessment and highlights the actions that the Local Authority propose to take to achieve sufficiency. The summary to be published to the Local Authority web site.
 3. Action Plan – with associated costs, setting out targets, priorities and milestones for achieving play sufficiency over the three year period. The plan to include indicative budget requirements for achieving sufficient play opportunities in the Local Authority area, and indicative budget requirements for developing the full action plan once the second part of the duty is commenced. The action plans are expected to indicate where existing funding streams may be utilised for the purposes of the Action Plan.
- 5.2 Following publication, Welsh Government allocated grant funding to Secure Sufficient Play Opportunities to all local authorities in 2013/14. In Powys, the Strategic Play Management

Group utilised this funding to support the actions from the first Play Sufficiency Action Plan. This funding also supported the preparations for the next play sufficiency assessment.

5.3 The Play Sufficiency Assessment has been undertaken by Powys Association of Voluntary Organisations (PAVO) in its role as facilitator and coordinator of the development and delivery of playing opportunities across Powys. A Play Sufficiency Working Group was established to meet periodically to monitor the completion of the Play Sufficiency Assessment and comprised of:

- The lead for Play within the Council/Project Sponsor (Leisure & Recreation)
- Project Manager (PAVO)
- Policy Officer (Leisure & Recreation)
- Youth & Family Information Manager (Youth Service)
- CYPP Strategic Commissioning & Project Manager

5.4 PAVO is part of a multi-agency Strategic Management Group which regularly comes together to plan for play. The membership of the Strategic Management Group consists of representation from:

- Powys County Council:
- Policy Officer - Leisure & Recreation Department
- Outdoor Recreation Officer
- Powys Youth Services
- Powys Family Information Service
- CYPP Officers: Early Years Lead, Strategic Commissioning & Project Manager
- Play Networks: Play Montgomeryshire, Play Radnor, Brecknock Play Network
- Dyfodol Powys Futures
- PAVO

5.5 A wider range of stakeholders receives updates and information from the Strategic Management Group via PAVO's and Children & Families Board's communication channels.

5.6 The planned methodology for undertaking the Play Sufficiency Audit included:

- Facilitated Group Work in Schools
- Feedback from children/young people at play events.
- Online Survey to children, young people, parents, play work, youth work, leisure/recreation & childcare settings, professionals, town & community councils.
- Focus Groups of parents/carers, professionals and marginalised groups
- Semi-Structured Interviews with lead professionals associated with policy areas identified in play sufficiency guidance
- Mapping and Data Collection. Data gathered from existing sources including: Children & Families Board, JSNA, Education, Planning, Family Information Service, Leisure and Recreation departments.

6.0 Challenges

6.1 Play, as a behaviour and developmental process for children/young people, has wide ranging and cross cutting implications for a vast range of community services and developments. This isn't always recognised by those planning and delivering services in communities, especially if they cannot see a direct link between their service and the needs of children/young people. For example, housing departments and traffic/transport departments have to weigh up the evidence of need of all groups i.e.: older people, people with disabilities, adults as well as children/young people. Much of their work is guided by directives from Welsh Government which in some cases, also demonstrate scant regard for children's right to access play.

- 6.2 Whilst resource has been allocated to undertake the PSA this has naturally been limited. The scope and depth of data collected and analysed reflects this. Nonetheless, the PSA aims to provide a realistic picture of the good practice that has been achieved, balanced with identifying areas where attention is still needed in order to provide sufficient play opportunities for all children in Powys.
- 6.3 Some responses from stakeholders/partners have been slow to gather. Staffing levels within the local authority have declined over the past 12 months leaving significantly fewer staff to deal with a much broader remit. Very often, play is not seen as within their sphere of responsibility, so can become lost in the noise of information dissemination and requests for evidence.

7.0 Mechanism to take forward Action Plan

- 7.1 The Play Strategic Management Group has become an effective mechanism for planning and coordinating best practice for play across the county. The continuation will depend on a minimum level of resource to make this happen. In addition, the positive response as a result of undertaking the PSA, has helped to identify a wider range of partners who are interested in becoming more involved with the process. Links through the Children & Families Board Thematic Groups e.g. Childcare Strategy Group, Family Behaviour Support and Emotional Health & Wellbeing enables those working closely with children and young people to have a mechanism whereby they can recognise and support positive play attitudes.

8.0 Partnership Working

- 8.1 In Powys, the Play Strategic Management Group (which was initially created as a result of BIG Lottery funding) brings together key partners to help plan and coordinate play across the county. The plans of the Strategic Management Group then feed into other key strategic partnership thematic groups which are accountable to the Children & Families Programme Board. This in turn, forms part of the Local Service Board structure, delivering the Single Integrated Plan, One Powys.
- 8.2 Whilst this has continued to be a small group, the act of undertaking the Play Sufficiency Assessment has raised awareness of the considerations that partners can make towards children accessing play.
- 8.3 Town & Community Councils: the voices and views of Town & Community Councils have been canvassed and some valuable feedback provided. The Town & Community Councils have all received the Powys Play Pledge: A Charter for Play. This has increased some awareness and a few town/community councils have made contact.
- 8.4 Third Sector Organisations, particularly regional play associations & Other Community Groups: In Powys there have been long established 3 independent Play Networks/Associations which cover the whole of Powys. They have delivered open access play sessions and undertaken some of the research whilst doing so to help inform the play needs of children/young people in Powys.
- 8.5 Play Associations/Networks develop links within the community: a family day at Oriel Gallery, Newtown with Play Montgomeryshire, Wyeside Arts Centre with Play Radnor. Community Groups are able to keep up to date with the developments around play via the PAVO Children & Families information blog which regularly disseminates information on play. Other social media platforms help to spread the word.

- 8.6 The private sector: has not directly taken part. Strategic Partners are aware of private provision currently on offer. The Stronger Communities Programme under the One Powys Plan has been focused on economic development. Unfortunately, partners have not made the link or recognised how play could contribute towards economic development eg: as a tourist attraction/feature, as a business e.g. soft play/adventure centres and employment opportunities as play workers.
- 8.7 Communities First Partnerships: There are no Communities First areas currently in Powys. However, we make use of the Flying Start areas to identify areas of deprivation based on the numbers of Free School Meals. We also have to acknowledge in Powys, due to its deep rurality and sparse population that many children, young people and families are deprived in relation to accessing services.

9.0 Completion of the Assessments

- 9.1 The Local Authority has the duty to assess for, and with regard to the assessment, develop an action plan which must include indicative costs for securing sufficient play opportunities.
- 9.2 Where an assessment identifies an insufficiency in play opportunities for children in the Local Authority area, the action plan must set out what steps need to be taken to improve the opportunities for children to play within that Local Authority area.
- 9.3 Where an assessment identifies that opportunities for children to play in the Local Authority area are sufficient, the action plan must set out what steps need to be taken to maintain opportunities for children to play within that Local Authority area.
- 9.4 Local Authorities and key partner agencies are required in law to cooperate to improve the wellbeing of children and young people in the local area. The Children Act 2004 placed a duty on every Local Authority in Wales to appoint a lead director and lead member for children and young people's services. It is expected that these lead directors and members will be responsible for the completion of the Play Sufficiency Assessment.
- 9.5 The One Powys Plan is the mechanism through which action on local priorities is planned and delivered, and outcomes monitored and evaluated, based on an assessment of local needs. Action to develop, monitor and scrutinise the Single Integrated plan is coordinated by the Public Service Board, bringing together leaders of local government, the NHS, the police, third sector and the Welsh Government itself.
- 9.6 Local Authority representatives on the Local Service Board should ensure that the Play Sufficiency Assessments form part of the local needs assessment. Progress made to improve the opportunities for children to play, as set out in the Single Integrated Plan should follow the planning cycle in the Guidance on Shared Purpose – Shared Delivery: Integrating Partnerships and Plans. The assessment and the proposals for securing sufficient play opportunities should be integrated into the planning, implementation and review of the Single Integrated Plan at every stage of the planning cycle.
- 9.7 Action plans are the essential building blocks of the Single Integrated Plan. They set out in detail what actions each of the Local Service Board partners will undertake over 3–5 years to achieve outcomes which contribute towards identified long-term goals.
- 9.8 Legal duties on local partners in respect of play remain. Participation of children in planning for play and the monitoring of play provision should become part of developing citizen engagement and scrutiny procedures.
- 9.9 Play covers a wide range of provision, facilities, services and community organisation, therefore it is essential that budgets that cover all these areas contribute towards the purpose of achieving sufficient play opportunities.

- 9.10 It is anticipated that with a slight shift in emphasis in how a budget is utilised a significant improvement in the availability of play opportunities can be achieved.
- 9.11 Local partners should identify and consider use of these budgets in developing the Action Plans for improving play opportunities, including reprioritisation if necessary. Review of budgets of relevant policy areas that affect children's play opportunities and maximise their benefit for play should contribute to the Single Integrated Plans
- 9.12 The PSA Summary Report outlines current funding and resources coming into the county from various sources, how they are used to support children's playing opportunities.

10.0 Consultation & Participation

- 10.1 For play opportunities to meet the requirements of children it is essential that they are consulted on what they want from play and recreational activities. The PSA Summary Report sets out the methodology of the consultation and engagement activities that were undertaken to complete the Assessment.
- 10.2 The Local Authority should consult with children as to what play opportunities, play provision, activities and events they want in their area. The participation and consultation methods should comply with the Welsh Government's Children and Young People's Participation Standards and Section 12 of the Children and Families (Wales) Measure 2010 on Participation. The Authority should also consult with parents, the local community and any other interested stakeholders on the development of play opportunities and developing child and play friendly communities. The National Principles for Public Engagement in Wales can be used to support this process.
- 10.3 This duty commenced on 2 November 2012. Local Authorities were required to complete and submit a draft copy of their Play Sufficiency Assessments, the Results of the Play Sufficiency Assessments and the Action Plan (with associated costs) to the Welsh Government. Approval of Cabinet was granted on 12th March 2013.
- 10.4 The documents required to be submitted to Welsh Ministers on 31 March 2016 are:
1. The Play Sufficiency Assessment – which must be a full assessment of the play opportunities in the Local Authority area.
 2. Results of the Play Sufficiency Assessments – which must include a summary of the outcomes from the Play Sufficiency Assessment and highlight the actions that the Local Authority propose to take to achieve sufficiency. This summary must be published to the Local Authority web site.
 3. Action Plan – with associated costs, which sets out the targets, priorities and milestones for achieving play sufficiency over the three year period. The plan must include indicative budget requirements for achieving sufficient play opportunities in the Local Authority area, and indicative budget requirements for developing the full action plan. The action plans are also expected to indicate where existing funding streams may be utilised for the purposes of the Action Plan.
- 10.6 The Local Authority must complete a Play Sufficiency Assessment every three years following the first assessment.
- 10.7 The Definition of Play is set out in Appendix 1

11.0 Assessment Development in Powys

- 11.1 The second Play Sufficiency Assessment in Powys has been carried out by a multiagency team with input from a wide range of services, organisations and partners as identified on the Play Sufficiency Assessment Guidance. In order to ensure that the final Assessment was as objective as possible, collation of the information was led by an officer from PAVO.

11.2 As part of the first Play Sufficiency Assessment, play provision in Powys was mapped in conjunction with colleagues in the Planning Department to feed into the Open Space Assessment. This information was then published alongside data about childcare provision in Powys on the Family Information Service website. Following the developments to the Council's website, this information is now being analysed by the Corporate GIS team so that the play provision locations are available on a map, making them more accessible to the public.

11.3 Amount of consultations carried out and / or planned with children and their families:

The PSA summary provides more details on the methodology of consultation and engagement. A variety of methods were used including:

- Online surveys aimed at children, young people and parents/carers
- Focus groups of parents/carers and children/young people with disabilities
- Youth Forum focus group
- Feedback from children/young people during open access play sessions during summer 2015.

11.4 The requirement to complete the assessment through the toolkit has involved numerous Council services and partner organisations who understand the importance of contribution to this process. (*Appendix 2*)

12.0 Sustainability and Environmental Issues/Equalities/Crime and Disorder / Welsh Language/Other Policies etc.

12.1 Following completion and submission of the Assessment and Action Plan, Powys will need to determine the sustainability of sufficient play opportunities within the county. Equalities Impact Assessments will provide a supportive tool to identify potential gaps in provision which may require a more targeted focus towards certain groups.

12.2 We will work with services, organisations and partner agencies to address diversionary activities through play which has shown to contribute to a reduction in crime and anti-social behaviour.

12.3 It is yet to be determined whether the toolkit and / or the action plan will be fully translated due to technicality, however play opportunities where appropriate will be delivered bilingually or through the medium of Welsh.

13.0 Children and Young People's Impact Statement - Safeguarding and Wellbeing

13.1 Practitioners involved within the play sector and profession, and those delivering play opportunities to children and young people will be appropriately qualified in their respective areas of expertise and conform to Disclosure and Barring regulations. The safeguarding and wellbeing of children and young people will be at the forefront of play delivery opportunities.

14.0 Local Member(s)

14.1 This new legislation will be relevant to all local members and will require co-operation throughout all wards in Powys.

15.0 Other Front Line Services

- 15.1 All front line services have an obligation to consider children's access to the UNCRC article 31 (see appendix). The Powys Play Pledge: A Charter for Play, enables individuals, services and organisations to demonstrate their support for play. Developing a positive attitude and supporting children's access to play does not always mean additional expense.

16.0 Support Services (Legal, Finance, HR, ICT, BPU)

16.1 Legal

There are no legal implications with the recommendations.

16.2 HR

There are no staff implications at this time, however, should any issues arise in the future, they will be dealt with in line with the Management of Change policy.

The PSA highlights the need for investment in Continuous Provision Development across a wide range of partners/stakeholders to advocate for children's right to play.

16.3 Finance

We are not aware that there will be a further allocation of additional funding from Welsh Government to undertake the actions arising from the Play Sufficiency Assessment.

- 16.4 The action plan determines the sustainability of sufficient play opportunities within the county and identifies the potential gaps in provision together with the associated costs that may be required for a more targeted focus towards certain groups. The Council may not be able to meet these costs if there is no 'new burdens' funding to support this duty due to continual financial pressure and reduction of all budgets.

- 16.5 It is also hoped that partner organisations and agencies would make a contribution to this duty to maximise play opportunities in Powys.

- 16.6 The PSA Summary identifies a range of financial sources which could support children/young people's access to playing opportunities. It requires a whole community approach to support and fund this essential element of childhood.

16.7 Business Support

The Business Support Unit is pleased to lend its support and we understand that the draw on our resources for the collection of play data is likely to be minimal. We would appreciate further involvement in this as the scope of the requirement becomes clear.

17.0 Local Service Board/Partnerships/Stakeholders etc

- 17.1 The Single Integrated Plan is the mechanism through which action on local priorities are planned and delivered, and outcomes monitored and evaluated, based on an assessment of local needs. Action to develop, monitor and scrutinise the Single Integrated plan is coordinated by the Local Service Board, bringing together leaders of local government, the NHS, the police, third sector and the Welsh Government itself.

- 17.2 Local Authority representatives on the Local Service Board should ensure that the Play Sufficiency Assessments form part of the local needs assessment. Progress made to improve the opportunities for children to play, as set out in the Single Integrated Plan should follow the planning cycle in the Guidance on Shared Purpose – Shared Delivery: Integrating Partnerships and Plans. The assessment and the proposals for securing sufficient play opportunities should be integrated into the planning, implementation and review of the Single Integrated Plan at every stage of the planning cycle.

- 17.3 Action plans are the essential building blocks of the Single Integrated Plan. They set out in detail what actions each of the Local Service Board partners will undertake over 3–5 years to achieve outcomes which contribute towards identified long-term goals.
- 17.4 Legal duties on local partners in respect of play remain. Participation of children in planning for play and the monitoring of play provision should become part of developing citizen engagement and scrutiny procedures.

18.0 Priority Areas for future consideration

- 18.1 From the feedback of the surveys, focus groups and analysis of the criteria, the following four main objectives will help to enhance playing opportunities in the future –
- Supporting communities to make best use of their public open spaces to encourage and enable children and young people to play/hang out in their local communities.
 - Debating issues around health & safety and behaviour in relation to the level of adult intervention needed to achieve child led play experiences.
 - Investing in continuous professional development within the children/young people's workforce and wider stakeholders.
 - Identify Play Champions who will advocate for our children's right to play.
 - Tackling the transport difficulties that children & young people have to access their right to play.

Partnership Structures:

- 18.2 The Play Strategic Management Group can continue to meet together under the leadership of the local authority. In order to keep progressing at a local delivery level the infrastructure of the Play Networks/Association will be essential in the co-production of play provision. Without these Networks, making links at grassroots level, providing advice and developing play projects with other community focused groups there will be little support to achieve the actions.
- 18.3 Links through the Children & Families Board Thematic Groups eg: Childcare Strategy Group, Family Behaviour Support and Emotional Health & Wellbeing enables those working closely with children and young people to have a mechanism whereby they can recognise and support positive play attitudes.

19.0 Communications

- 19.1 The Play Sufficiency Assessment Toolkit has already been shared with a wide range of services, organisations and partner agencies. The resulting Action Plan will need to be communicated in the same way, and appropriate mechanisms will be used to best effect.

20.0 Statutory Officers

- 20.1 The Strategic Director: Law & Governance and Monitoring Officer has no comment on the proposed Strategy and Action Plan
- 20.2 The Strategic Director Resources (S151 Officer) notes the comments made by finance. Should any additional expenditure be required as a result of any action plan this will need to be considered against other commitments before Cabinet make a decision.

21.0 Members' Interests

21.1 The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for Recommendation:
To approve the Play Sufficiency Assessment and Action Plan for Powys for submission to Welsh Government	To comply with Welsh Government Duty & legislation
Where reasonably possible – “Implement the actions which have secured funding and await confirmation of additional funding to implement the remaining actions within the action plan.”	To support and enable appropriate play opportunities for children & young people in Powys

Relevant Policy (ies):	LSB One Powys Plan Future Generations Bill		
Within Policy:	Y	Within Budget:	Dependant on budget

Relevant Local Member(s):	Cllr Graham Brown
----------------------------------	--------------------------

Person(s) To Implement Decision:	PCC Cabinet
Date By When Decision To Be Implemented:	May 2016

Contact Officer Name:	Tel:	Fax:	Email:
Jenny Ashton	01597 827590		jenny.ashton@powys.gov.uk
John Morgan	01597 826352		john.morgan2@powys.gov.uk

Background Papers used to prepare Report:

Appendix 1	Play Sufficiency Statutory Guidance
Appendix 2	PSA Summary Report
Appendix 3	Play Sufficiency Assessment Document
Appendix 4	Data Analysis Report

Appendix 1

- 1.1 The Regulations which are made under section 11(1) of the Children and Families (Wales) Measure 2010 (local authority duties in respect of play opportunities for children) set out the required content of a local authority's assessment of the sufficiency of play opportunities in its area (regulation 3). The Regulations set out the individuals and groups that a local authority must consult (regulation 4). There is also a requirement for an action plan to be prepared as part of the assessment by each local authority (regulation 5). The Regulations provide for the frequency of the assessments (regulation 6), and the manner in which the results of the assessments must be published (regulations 7 and 8).
- 1.2 Wales is the first Government in the world to legislate for children's play and they are committed to driving this agenda forward through commencing this duty, They intend to continue to support and improve opportunities for all children and young people to play in safety and, in particular, to support improved access to play for children with disabilities.
- 1.3 The Welsh Government strongly believe in the importance of play in children's lives and the benefits it gives to their health, happiness and well-being. It is also important in laying the foundation for each child in reaching their full potential during their adult life.
- 1.4 Through this legislation the intention is to make Wales a country where every child has a wide range of challenging and interesting opportunities to play and to enjoy their leisure time. This is a task that will involve working with various and numerous partners to consider the many aspects of community life that affect play opportunities. These include use of the environment, traffic and transport, play and leisure provision, and parental and community involvement with play.

Play Policy development in Wales

- 1.5 To achieve the outcomes for children that play provides, the Welsh Government worked with stakeholder organisations to create the **Play Policy** in 2002 and the **Play Policy Implementation Plan** in 2006 (see Appendix A, Associated Policy documents). These documents set out the Welsh Government's vision for Play for children in Wales and the actions that it intended to take to realise this vision. The Welsh Government recognises that to achieve the aim of creating a play friendly Wales and to provide excellent play opportunities for our children, it is necessary for Local Authorities, their partners and other stakeholders to also work towards this purpose. Therefore a section on "Play Opportunities" was included in the **Children and Families (Wales) Measure**, which received royal assent in 2010.

2.0 The Children & Families (Wales) Measure 2010

- 2.1 The Welsh Government places great value on play and its importance in the lives of children in our society. They believe that children have a fundamental right to be able to play, and that play is central to their enjoyment of life and contributes to their well-being. They also believe that play is essential for the growth in children's cognitive; physical; social and emotional development. There is much evidence to support this belief and an increasing understanding of play's contribution not only to children's lives, but also to the well-being of their families and the wider community¹.
- 2.2 Children's right to play is enshrined in Article 31 of the United Nations Convention on the Rights of the Child (UNCRC). The Welsh Government formally adopted the United Nations Convention on the Rights of the Child in 2004, and are committed to making the principles of the UNCRC a reality for all children and young people. There are three articles which particularly relate to this duty:

- 2.3 • **Article 31 (Leisure, play and culture):** Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.²
- 2.4 • **Article 15 (Freedom of association):** Children have the right to meet together and to join groups and organisations.
- 2.5 • **Article 12 (Respect for the views of the child):** When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.
- 2.6 In Wales play is established as one of children’s rights under Core Aim 4 – Play, Sport, Leisure and Culture, of the Welsh Government’s 7 Core Aims for Children, set out in *Children & Young People: Rights to Action, 2004*.³
- 2.7 The Welsh Government also believes that high quality play opportunities for all children may contribute to mitigating the negative effects of poverty on children’s lives and help to build their resilience. Play can also be a means of reducing inequalities between children living in families that can afford costly recreational provision and those that cannot so reducing poverty of experience for all children.
- 2.8 The Welsh Government wishes to create an environment in Wales where children have excellent opportunities to play and enjoy their recreation time. Our Play Policy states that: 2
- 2.9 “ Play is so critically important to all children in the development of their physical, social, mental, emotional and creative skills that society should seek every opportunity to support it and create an environment that fosters it. Decision making at all levels of government should include a consideration of the impact of those decisions, on children’s opportunities to play.”
- 2.10 To achieve this purpose the Welsh Government is now commencing the first part of the duty under section 11 of the Children and Families (Wales) Measure 2010, Play Opportunities for Children. The duty requires Local Authorities to assess the sufficiency of play opportunities for children in their areas.
- 2.11 Wales is the first country in the world to establish such a duty within its legislative framework, so there are no precedents for this work. The Welsh Government wish to work with all stakeholders to make this legislation fit for the purpose of creating a play friendly Wales with all the benefits that this will offer to our children. We welcome your endorsement of this Statutory Guidance and ongoing involvement with the play agenda.

Play Opportunities

- 2.12 Section 11: Local authority duties in respect of play opportunities for children
- 2.13 (1) A local authority must assess the sufficiency of play opportunities in its area for children in accordance with regulations.
- 2.14 (2) Regulations may include provision about: a) The matters to be taken into account in assessing sufficiency. b) The date by which a first assessment is to be carried out. c) Frequency of assessments. d) Review of assessments e) Publication of assessments.
- 2.15 *Not yet in force*(3) *A local authority must secure sufficient play opportunities in its area for children, so far as reasonably practicable, having regard to its assessment under subsection (1).*
- 2.16 *Not yet in force* (4) *A local authority must: a) Publish information about play opportunities in the authority’s area for children, and b) Keep the information published up to date.*
- 2.17 (5) In performing its duties under this section, a local authority must have regard (among other things): a) To the needs of children who are disabled persons (within the meaning of

section 1 of the Disability Discrimination Act 1995 (c. 50) b) To the needs of children of different ages.

- 2.18 (6) In this section: “play” includes any recreational activity; “sufficient”, in relation to play opportunities, means sufficient having regard to quantity and quality.
- 2.19 Welsh Ministers have decided to commence the duty in two parts. The first part will cover the duty on Local Authorities to assess for sufficient play opportunities, sections 11(1); 11(2); 11(5); 11(6) and commenced in 2012.
- 2.20 In the future the second part of the duty will be placed on Local Authorities to secure sufficient play opportunities in their areas for children, so far as reasonably practicable, having regard to the assessments 11(3); and the duty to publish information about play opportunities for children in their areas and keep the information up to date 11(4) will be commenced after full consideration has been given to the Play Sufficiency Assessments and the Local Authorities’ Action Plans for improving play opportunities.
- 2.21 This Statutory Guidance with regards to the new measure is intended to support Local Authorities in completing their Play Sufficiency Assessments and sets out the purpose of the duty and the matters to be taken into account in assessing sufficiency, as set out under section 10. A toolkit has also been made available to support the production of the assessments.⁶
- 2.22 Under Section 71 of the measure, “child” (“plentyn”) means a person who has not attained the age of 18.
- 2.23 The guidance provided is issued in accordance with Section 17(3) of the Children and Families (Wales) Measure, which states that:
- 2.24 *In exercising its functions under **sections 11** (Local authority duties in respect of play opportunities for children) **and 12** (Participation of children in local authority decision making), a local authority **must** have regard to any guidance given from time to time by the Welsh Ministers.*