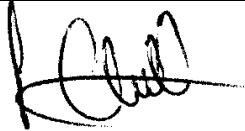




Children's Rights Impact Assessment (CRIA) Template

Title / Piece of work:	Control of Pollution (Oil Storage) Regulations (Wales) 2015
Related SF / LF number (if applicable)	LF/CS/1386/15
Name of Official:	Phil Chatfield/Dominic Hemming-Brown
Department:	Natural Resources – Environment – Energy, Water and Flood
Date:	7 May 2015
Signature:	

Please complete the CRIA and retain it for your records on iShare. You may be asked to provide this document at a later stage to evidence that you have complied with the duty to have due regard to children's rights e.g. Freedom of Information access requests, monitoring purposes or to inform reporting to the NafW.

Upon completion you should also forward a copy of the CRIA to the Measure Implementation Team for monitoring purposes using the dedicated mailbox CRIA@wales.gsi.gov.uk

If officials are not sure about whether to complete a CRIA, they should err on the side of caution and seek advice from the Measure Implementation Team by forwarding any questions to our mailbox CRIA@wales.gsi.gov.uk

You may wish to cross-reference with other Impact Assessments undertaken.

NB. All CRIAs undertaken on legislation must be published. All non-legislative CRIAs will be listed on the WG website and must be made available upon request. Ministers are however, encouraged to publish all completed CRIAs.

Six Steps to Due Regard



Step 1. What's the piece of work and its objective(s)?

The Water Framework Directive (WFD) requires that for diffuse sources liable to cause pollution, measures are put in place to prevent or control the input of pollutants. It also requires that all surface waters and groundwaters attain 'good status'.

The WFD is implemented in Wales through River Basin Management Plans which were published on 21 December 2009. Programmes of measures have been developed to ensure that the objectives of the WFD are met and included in these is a commitment to make these Regulations.

The proposed Regulations for above ground oil storage facilities will contribute to the implementation of the WFD by complimenting and enhancing existing water pollution controls in Wales. They should ensure that, in the future, contamination of both surface waters and groundwater by oil is prevented or minimised.

The majority of oil-related pollution incidents arise as a result of poor storage facilities – for example unbunded tanks, leaking tanks and pipes, overfilling, faulty valves - together with vandalism and poor management and construction practices. A key requirement of the Regulations will therefore be for the storage container to have a secondary containment system (a bund, which is an outer wall or enclosure designed to contain the contents of an inner tank, or, a drip tray) to ensure that any leaking or spilt oil is contained and does not enter the aquatic environment.

We aim to consult for 3 months from May 2015, with a view to implementation from January 2016.

These regulations are intended to protect the water environment and ultimately those who make use of it for business, recreational and agricultural purposes (for example abstraction and use for drinking water).

Benefits for children are the same as those for the population in general, but do deliver to the requirements eg UNHCR Article 24 – the right to a clean environment.

These regulations will not affect any particular group of children differently to the population in general.

Step 2. Analysing the impact

The requirements of the Regulations in terms of improved standards for the storage will not impact specifically on children, young people and their families. The standards will apply for all new and replacement oil storage at domestic properties, irrespective of occupancy. As such, no specific engagement is required through the consultation and implementation of these proposals.

The effectiveness of the Regulations will be assessed through reported water pollution incidents, as recorded by Natural Resources Wales and information collected by oil delivery companies.

Step 3. How does your piece of work support and promote children's rights?

These proposed regulations do not impact on specific Rights. However, the aim of the Regulations is to reduce water pollution and to protect the environment, supporting Article 24, the right to a clean environment.

Step 4. Advising the Minister and Ministerial decision

The advice to the Minister will identify that the proposed Regulations do not have any specific impact on Children's Rights and the UNCRC. However, we will highlight that the proposals support delivery of Article 24, the right to a clean environment.

The full Regulatory Impact Assessment identifies both the costs of implementation and the benefits.

Step 5. Recording and communicating the outcome

Final version to be retained on i-share

Evidence should be retained that supports:

- How the duty has been complied with **(Steps 1-3 above)**
- The analysis that was carried out **(Steps 1-3 above)**
- The options that were developed and explored **(Steps 1- 3 above)**
- How have the findings / outcomes been communicated? **(Step 4 above)**
- 'Tells the story' of how the assessment has been undertaken and the results **(Step 4 above)**

Step 6. Revisiting the piece of work as and when needed

In revisiting the piece of work, consider any monitoring, evaluation or data collection that has been undertaken:

- Has your piece of work has had the intended impact as set out in Step 2.
- Have you engaged with stakeholders to discuss how the policy or practice is working.
- If not, are changes required.
- Identify where improvements can be made to reduce any negative impact.
- Identify any opportunities to promote children's rights, bearing in mind any additional availability of resources at this time.

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Budgets

As a result of completing the CRIA, has there been any impact on budgets? It is important that where any changes are made to spending plans, including where additional allocations have been made, that this has been assessed and evidenced as part of the CRIA process.	No
Please give any details:	

Monitoring & Review

Do we need to monitor / review the proposal?	No
If applicable: set the review date	Month / Year



THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

www.uncrcletsgetitright.co.uk

The United Nations Convention on the Rights of the Child is an international agreement that protects the human rights of the children under the age of 18. On 16 December 1991, the United Kingdom of Great Britain and Northern Ireland formally agreed to make sure that every child in the UK has all the rights as listed in the convention. The Welsh Government has shown its commitment to the convention by adopting it as the basis for policy making for children in Wales.

Altogether there are 54 articles in the convention. Articles 43-54 are about how adults and governments should work together to make sure all children are entitled to their rights. The information contained here is about articles 1-42 which set out how children should be treated.



Llywodraeth Cymru
Welsh Government

www.cymru.gov.uk

Article 1

Everyone under 18 years of age has all the rights in this Convention.

Article 2

The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.

Article 3

All organisations concerned with children should work towards what is best for each child.

Article 4

Governments should make these rights available to children.

Article 5

Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.

Article 6

All children have the right of life. Governments should ensure that children survive and develop healthily.

Article 7

All children have the right to a legally registered name, the right to a nationality and the right to know and, as far as possible, to be cared for by their parents.

Article 8

Governments should respect children's right to a name, a nationality and family ties.

Article 9

Children should not be separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.

Article 10

Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact or get back together as a family.

Article 11

Governments should take steps to stop children being taken out of their own country illegally.

Article 12

Children have the right to say what they think should happen, when adults are making

decisions that affect them, and to have their opinions taken into account.

Article 13

Children have the right to get and to share information as long as the information is not damaging to them or to others.

Article 14

Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should guide their children on these matters.

Article 15

Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

Article 16

Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Article 17

Children have the right to reliable information from the mass media. Television, radio and newspapers should provide information that children can understand, and should not promote materials that could harm children.

Article 18

Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.

Article 19

Governments should ensure that children are properly cared for, and protect them from violence, abuse and neglect by their parents or anyone else who looks after them.

Article 20

Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.

Article 21

When children are adopted the first concern must be what is best for them. The same rules should apply whether the children are adopted in the country where they were born or taken to live in another country.

Article 22

Children who come into a country as refugees should have the same rights as children born in that country.

Article 23

Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

Article 24

Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.

Article 25

Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

Article 26

The Government should provide extra money for the children of families in need.

Article 27

Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.

Article 28

Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.

Article 29

Education should develop each child's personality and talents to the full. It should encourage children to respect their parents, and their own and other cultures.

Article 30

Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.

Article 31

All children have a right to relax and play, and to join in a wide range of activities.

Article 32

The Government should protect children from work that is dangerous or might harm their health or their education.

Article 33

The Government should provide ways of protecting children from dangerous drugs.

Article 34

The Government should protect children from sexual abuse.

Article 35

The Government should make sure that children are not abducted or sold.

Article 36

Children should be protected from any activities that could harm their development.

Article 37

Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.

Article 38

Governments should not allow children under 15 to join the army. Children in war zones should receive special protection.

Article 39

Children who have been neglected or abused should receive special help to restore their self respect.

Article 40

Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences.

Article 41

If the laws of a particular country protect children better than the articles of the Convention, then those laws should stay.

Article 42

The Government should make the Convention known to all parents and children.

For further information on the United Nations Convention on the Rights of the Child please visit: The Welsh Government's UNCRC Website: www.uncrcletsgetitright.co.uk/

Cic - The National Information and Advice Service for Young People www.ciconline.co.uk/news/

