

Tuesday, 21st September 2004

AGENDA

The meeting will commence at 2.00pm

Item 1

**Motion to elect local authority members to the Local Government Partnership Council
- WITHDRAWN**

NDM2084 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales, in accordance with paragraphs 1(1) and 3 of Schedule 11 to the Government of Wales Act 1998 appoints the following local authority members to the Local Government Partnership Council for Wales.

County and County Borough Councils (10 representatives)

Cllr A. Aldridge
Cllr J. Hopkins
Cllr M. Gravell
Cllr M. Jones
Cllr R. Berman
Cllr R. Bright
Cllr B. Wellington
Cllr D. Lloyd Evans
Cllr J. James
Cllr D. Bowen

Community Councils (2 representatives)

Cllr M Stephens
Cllr A Guinn

Fire Authorities (1 representative)

Cllr D Rees

National Park Authorities (1 representative)

Cllr S. Watkins

Police Authorities (1 representative)

Mr J. Antoniazzi.

Item 2

First Minister's Question Time

Click [here](#) for the questions

Item 3

Urgent Question

Dai Lloyd (South Wales West); Will the Minister for Health and Social Services make a statement on the future provision of paediatric neurosurgical services in Wales.

Item 4

Business Statement

Click [here](#) for the Draft Business Statement

Item 5

Statement by the Minister for Economic Development and Transport: Defence Aviation Repair Agency (DARA), St Athan

Item 6

Motion to Suspend Standing Orders

NNDM2090 Karen Sinclair (Clwyd South)

That the National Assembly for Wales, acting under Standing Order 37.5, agrees to suspend that part of Standing Order 6.3 (iv) requiring Ministers to answer oral questions at least once in every four weeks that the Assembly meets in plenary to allow the Minister for Health and Social Services to answer oral questions on 6 October 2004 and the Minister for Finance, Local Government and Public Services to answer Local Government and Public Services questions on 13 October 2004 and the timing of their questions to be revised thereafter.

Item 7

Motion to approve under Standing Order 24.25 - *No motion tabled*

The Water Act 2003 (Commencement No2)(Wales) Order 2004

Proposal to debate the following two items together but with separate votes

Item 8

The School Budget Shares (Wales) Regulations 2004

NDM2085 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Considers the principle of The Schools Budget Shares (Wales) Regulations 2004, a copy of which was laid in Table Office on 29 June 2004.

The following amendment was tabled:

1. Jocelyn Davies (South Wales East)

Add new point at the end of the motion:

Calls on the Minister to establish an All Party Group to examine the disparity of funding per pupil that exists between local authorities and explore the development of a common base-level funding.

NDM2086 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office on 13 July 2004 in relation to the draft regulations The Schools Budget Shares (Wales) Regulations 2004; and

2. Approves that The Schools Budget Shares (Wales) Regulations 2004 is made in accordance with:

a) the draft Regulations laid in the Table Office on 29 June 2004; and

b) the Regulatory Appraisal laid in the Table Office on 22 July 2004.

The following amendment was tabled:

1. Mike German (South Wales East); Peter Black (South Wales West); Kirsty Williams (Brecon and Radnorshire)

To propose that the Assembly resolve to adopt the following amendment to the draft 'The Schools Budget Shares (Wales) Regulations 2004', a copy of which was laid in the Table Office on 29 June 2004:

Regulation 5 (2)

delete the words from "redeterminations" onwards and replace with:

i) redeterminations,

ii) the correction of errors, or

iii) an additional payment to schools whose number of registered pupils has risen in the year in which shares are allocated for by more than a percentage or number designated by the local education authority but such amount must be used for that purpose or distributed to schools before the end of that financial year

Regulation 8 (1)

Delete all the words and replace with

In determining budget shares for primary and secondary schools and nursery schools, a local education authority must base their formula on either

i) the mean number of registered pupils at or projected to be at those schools over the three year period of the year for which the budget shares are being calculated, the preceding and succeeding years; or

ii) the mean number of registered pupils at or projected to be those schools for the year for which the budget shares are being allocated, weighted if the authority consider it

appropriate in accordance with paragraph (8).

Regulation 8 (3)

Delete.

Regulation 8 (4) Delete.

Regulation 8 (5)

Delete.

Regulation 8 (7)

Delete all the words and replace with:

An authority shall consult with the headteachers of schools prior to, for the purposes of paragraph (8)(1), estimating the number of registered pupils at a school over the year for which the budget shares are made and the succeeding years.

Regulation 16 (1)

Delete

Regulation 16 (2)

Delete

Regulation 16 (3)

Delete all the words after ‘partly’ and insert:

any reduction or increase in the school’s budget share for the preceding financial year arising from the permanent exclusion of a pupil from the school or the admission to the school of a pupil permanently excluded from another maintained school

Regulation 16 (4)

Delete

Regulation 18 (1)

Delete

Regulation 18 (2)

Delete

Statement made in accordance with Standing Order 24.16 (ii)

Purpose

The amendment moves the basis for the pupil element of school funding from a one year basis to a rolling average of 3 years. This will still involve the same sum of money funding the same number of schools, but will provide greater consistency of funding for all schools in Wales, though particularly the smaller schools which can be hard hit by relatively small numbers of pupils departing having a proportionately big impact on that schools funding.

Cost

There is no additional cost, though the greater security and consistency of funding may lead to fewer staff being made redundant or being employed on short term contracts and thus save money for schools and LEAs from redundancy pay and/or re-appointment costs.

Click [here](#) for The Schools Budget Shares (Wales) Regulations 2004

Click [here](#) for the report of the Legislation Committee

Click [here](#) for the Regulatory Appraisal

Item 9

The Education (LEA Financial Schemes) (Wales) Regulations 2004

NDM2087 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Considers the principle of The Education (LEA Financial Schemes) (Wales) Regulations 2004 a copy of which was laid in Table Office on 7 July 2004.

NDM2088 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office on 13 July 2004 in relation to the draft regulations The Education (LEA Financial Schemes) (Wales) Regulations 2004; and

2. Approves that The Education (LEA Financial Schemes) (Wales) Regulations 2004 is made in accordance with:

- a) the draft Regulations laid in the Table Office on 7 July 2004; and
- b) the Regulatory Appraisal laid in the Table Office on 7 July 2004.

Click [here](#) for The Education (LEA Financial Schemes) (Wales) Regulations 2004

Click [here](#) for the report of the Legislation Committee

Click [here](#) for the Regulatory Appraisal

Item 10

Debate on CLYWCH Inquiry

NDM2089 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

1. Welcomes the Clywch Inquiry Report;
2. Recognises the effort devoted by Peter Clarke and his team in conducting the Clywch Inquiry; and
3. Endorses the Welsh Assembly Government's response to the Clywch recommendations to ensure that lessons are learned in safeguarding and promoting the welfare of children and young people.

The following amendments have been tabled:

In accordance with the revised guidance on the Grouping, Selection and Refusal of Amendments, the Presiding Officer has determined the order in which they will be taken for the purposes of debate.

Votes will be taken separately:

(1)

(2)+(3)+(4)+(5)

(6)+(7)+(8)+(9)+(10)

1. Jonathan Morgan (South Wales Central)

Add at the end of point 1:

'and calls for a full investigation into anyone implicated of negligence in their duties who is still working in the education sector'.

2. Kirsty Williams (Brecon and Radnorshire)

In point 2 delete 'Recognises' and replace with 'Applauds'

3. Kirsty Williams (Brecon and Radnorshire)

In point 2 after 'Inquiry;' insert 'but regrets that the Children Bill, by not reflecting the wishes of all parties in this Assembly for the commissioner's remit to be extended to cover non-devolved services, will limit his flexibility in future inquiries'

4. Kirsty Williams (Brecon and Radnorshire)

In point 3 delete 'Endorses' and replace with 'Notes'.

5. Kirsty Williams (Brecon and Radnorshire)

Add new point at the end of the motion

'Believes that the Assembly Government should carry out and publish an annual audit of the implementation of the recommendations from child protection reports issued in Wales in recent years.'

6. Jocelyn Davies (South Wales East)

Add new point at the end of the motion:

Calls on the Government to report back to Plenary at six monthly intervals on all the recommendations in the report.

7. Jocelyn Davies (South Wales East)

Add new point at the end of the motion:

Consider a speedy and independent investigating regime in the cases of allegations of child abuse against teaching and non-teaching staff.

8. Jocelyn Davies (South Wales East)

Add new point at the end of the motion:

Calls on the Government to ensure that counselling services are available to all victims of sexual abuse.

9. Jocelyn Davies (South Wales East)

Add new point at the end of the motion:

Calls on the Government to explore with the General Teaching Council (GTC) the possibility of extending the powers of the GTC to include child protection issues in relation to the Register of Qualified Teachers.

10. Jocelyn Davies (South Wales East)

Add new point at the end of the motion:

Notes that as a private company the WJEC is unaccountable to the people of Wales.

Bilingual copies of the Clywch Inquiry Report may be accessed via the following hyperlink
<http://www.childcom.org.uk/clywch/index.html>

Click [here](#) for the Welsh Assembly Government's response to the Clywch recommendations which was e-mailed to Assembly Members on 14 September 2004.

It is expected that the meeting will conclude by 5.30pm

**The Assembly will sit again in Plenary at
2.00pm on Wednesday, 22nd September 2004**

E P Silk

Clerk to the Assembly