

Petitions Committee

Meeting Venue:
Committee Room 1 – Senedd

Meeting date:
20 November 2012

Meeting time:
09:30

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Naomi Stocks
Committee Clerk
029 2089 8421
Petition@wales.gov.uk

Agenda

1. Introduction, apologies and substitutions 09:30

2. New petitions 09:30 – 09:40

- 2.1 P-04-437 Opposing compulsory registration for home educating children (Pages 1 – 6)
- 2.2 P-04-438 Shopping Access (Page 7)

3. Updates to previous petitions 09:40 – 10:00

- 3.1 P-04-425: Team Wales (Pages 8 – 9)

Equality

- 3.2 P-03-294 Wales Women's National Coalition (Page 10)

Local Government & Communities

- 3.3 P-04-345 Rail and Bus Links between Aberystwyth and Carmarthen (Page 11)
- 3.4 P-04-409 Welsh names for new trunk roads in Wales (Pages 12 – 13)

Environment & Sustainable Development

- 3.5 P-04-390 Designate Penrhos Holyhead Nature reserve (coastal park) a National reserve (Pages 14 – 21)

Education & Skills

- 3.6 P-04-349 Welsh-medium Provision – Caerphilly (Page 22)

Health & Social Services

- 3.7 P-03-236 The Charter for Grandchildren (Pages 23 – 28)
- 3.8 P-04-366 Closure of Aberystwyth Day Centre (Pages 29 – 35)
- 3.9 P-04-375 Stop Opt-Out Organ Donation (Page 36)

4. P-03-150 National Cancer Standards – Oral Evidence Session 10.30 – 11.00 (Pages 37 – 41)

Minister for Health and Social Services, Lesley Griffiths AM

P-04-437 : Opposing compulsory registration for home educating children

Petition wording:

We call upon the Welsh Assembly for Wales to abandon plans for a compulsory register for home educated children as part of the draft Education (Wales) Bill. The law states that parents, not the state, are responsible for the education of their children, which makes such a register both inappropriate and unnecessary.

Petition raised by: Wendy Charles-Warner

Date petition first considered by Committee: 20 November 2012

Number of signatures: 1614

P-04-437 Opposing compulsory registration for home educating children

Briefing Document

On

Proposals by the
Welsh Assembly Government

To

Introduce Compulsory
Registration and Monitoring for
Electively Home Educated
Children

Version 4

10th October 2012

Introduction

This document looks at the main points to consider with respect to these proposals. We examine the fact that it is not a proposal to register our children but a **licensing scheme** and demonstrate that it is **wrong** for Local Authorities to be given the **right to enter our homes and interview our children**:

- What does the law say?
- On what are these proposals based?
 - research
 - public views of 'safeguarding' issues
- How do electively home educated children perform?
- How do the prospective monitors perform (Education Departments)?
- What are the risks of taking these proposals forward?
- What are the alternatives?

It will be demonstrated that not only do the proposals breach basic legal principles but that they are based on research that did not study electively home educated children. Further, ideas that children who are electively home educated are 'at risk' are misguided in the extreme.

Outcomes for children will be shown to be considerably better when electively home educated than educated at school and Local Authority performance in education is demonstrated to be lacking.

You are challenged to read the facts and still support this proposal.

Wendy Charles-Warner

Executive Summary

The Legal Position

- Primary responsibility for education resides with the parent – not the state
- Assumption of compliance with law is a basic legal tenet – the change would do irrevocable harm to the parent's relationship with the state
- Conflicting legislation will leave the way open for judicial review
- Giving the state primary responsibility leaves the state open to litigation for education negligence where currently they are not liable
- Powers are currently sufficient to intervene in cases of educational negligence
- Home education is a private issue, not a public one

The Basis for the Welsh Assembly Government Proposals

NBAR

- The review was conducted on EOTAS (Education other than at school) services provided by the local authority – not home education – with particular emphasis on school attendance
- No home educating parent or home educated child was studied or spoken to during this review
- The report makes statements about home education without studying it in any way whatsoever
- The report makes recommendations about legislation surrounding home education and its assessment without studying it in any way whatsoever

The Basis for the Welsh Assembly Government Proposals

Bridgend Research

- WAG has published this report with several alterations to the original as published by the researcher, several of which are specifically geared to give wholly wrong impressions of the views of EHE families
- WAG is in breach of contract in using the research to further their interests as interviewees agreed to the interviews for specific purposes
- Recommendations at no time support the introduction of compulsory monitoring and registration, only informal registration having been researched not compulsory registration.
- Registration and monitoring is not the way forward

Safeguarding including Crime

- Safeguarding is used disingenuously to excuse intrusions which are based on rumour and fear rather than on evidence
- Case studies show that where serious harm or death occurs in home educated children, those children are without exception already known to be or suspected to be at risk and therefore already in the system
- Evidence suggests that on average home educated children, although more likely to be scrutinised by social services than their schooled peers, are less likely to be at risk (between 0.061% and 0.123%) than all children in Wales (0.461%) ie at between 1/7th and 1/3rd the risk
- 4.9% of all children aged 10-17 living in Wales committed a crime resulting in a disposal during the last year for which this data is available (Youth Justice Board), compared to 0.93% of all children aged 10 -17 years who are EHE and known to their LA. (Adding in the unknowns who of course have not committed a crime, else they would be known, reduces this percentage by at least half)

Outcomes for Electively Home Educated Children

- Wales underperforms educationally compared to the rest of the UK
- Studies from across the world consistently show outcomes from home education to be better than the average for the population
- States where there is registration do not outperform those without and there is some evidence to suggest registration may have a negative effect.
- Welsh home educators are shown in a recent survey to be outperforming their schooled peers

Local Authority Performance in Wales

- The proposals give powers of entry to LA officers that even the police do not have
- The proposals punish the child rather than the parent for non-compliance
- Welsh Local Authorities (LAs) are not good at complying with current legislation regarding home education, thus not instilling confidence that they would be able to comply with additional duties
- LAs are already facing considerable criticism by Estyn for multiple failures. Two are already in special measures
- LAs are already under financial pressure – more duties would merely add to that pressure thus depriving more needy areas of duty to become neglected

Risk

- Proposals are based on research that was seriously flawed and therefore WAG could look inept or even very foolish
- Similar proposals have already been debated at length in the UK Parliament and defeated. Repeating the exercise could be interpreted as WAG being unable to act independently or be innovative
- The proposals make WAG appear old fashioned and oppressive
- Many EHE parents are entrepreneurs who will leave Wales therefore ceasing to contribute to the economy.
- Changing the duty to ensure a suitable education from the parents to the state will leave LAs open to litigation from children who feel that they have been failed. Judicial review is a very real possibility
- WAG would look uncaring and inept serving School Attendance Orders on vulnerable previously bullied or autistic children because they did not follow the demand for meeting face to face with the Authority. There is a very real risk in the increase of suicide
- A recession is not a good time to be spending copious amounts of money on a new scheme which is shown to be not needed. Costs of monitoring, training, extra school places and court procedures would add up quickly.
- Similar schemes abroad are proven to be ineffectual. WAG would be seen to be diverting attention away from the real problems with state education in Wales to a quietly, and already, succeeding minority
- The proposals will be counter-productive as families will 'go underground' as was the case when monitoring was introduced in Canada.
- The risk of public demand to extend the provision. Under 5s are the children at greatest risk of abuse and neglect in our society, if lobby groups pressed to extend the provision to those children, or even to school children during holidays, the resource implications would be enormous

Alternative Actions

There are a great many cheaper, more effective alternatives that will also encourage engagement with LAs which include:

- Payment of exam fees or provision of places at exam centres for EHE children
- Access to school libraries, after school clubs or sports facilities
- Opportunity to flexi-school for those who may want it
- Termly grants to help pay for learning materials

P-04-438 : Shopping Access

Petition wording:

We the undersigned call on the National Assembly for Wales to urge the Welsh Government to:

Investigate the provision of off-street disabled parking in line with Department for Transport Guidance

Create a law stating the minimum number, and dimensions of disabled parking spaces Investigate the current minimum size for disabled spaces to find out if they take into account vans used to transport wheelchair users

Set a standard, higher fine for misusing disabled space across all car parks that is enforced on first offence

Make taxi companies carry the correct clamps and inertia reels for use with motorized wheelchairs

Investigate whether current disabled toilet provision is of adequate size for users of motorised wheelchairs and attendant carers

Create a scheme where shops with fixed, or portable ramps display a badge in their windows

Petition raised by: Mencap Cymru & Ysgol Erw'r Delyn

Date petition first considered by Committee: 20 November 2012

Number of signatures: 55

Agenda Item 3.1

P-04-425 : Team Wales

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to seek an agreement with the International Olympic Committee to amend the Olympic Charter to recognise the devolved administrations of Great Britain in their own right, in order that the Welsh Government could form a National Olympic Committee and our athletes can compete as Team Wales / Cymru in the future.

We have a rich abundance of talent in Wales considering our size, wouldn't it be great to see OUR Athletes on the podium with their Gold Medal with the Welsh National Anthem being blasted out to the World with the National Flag of Wales (RED DRAGON) being flown in the background. As it stands now they have to listen to an Anthem that's more associated with England and a Flag that does not incorporate our own Flag only the flags of England, Scotland and Northern Ireland. So let's get ourselves a team in place ready to compete at the next Olympics in RIO in 2016.

Petition raised by: Russell Gwilym Morris

Date petition first considered by Committee: 2 October 2012

Number of signatures: 208

Y Gwir Anrh/Rt Hon Carwyn Jones AC/AM
Prif Weinidog Cymru/First Minister of Wales



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: P-04-425
Ein cyf/Our ref: FM /06199/12

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
William.powell@wales.gov.uk

29 October 2012

Dear William,

Thank you for your letter of 10 October about the petition you have received on amending the Olympic Charter to recognise the devolved nations of Great Britain in their own right.

This issue involves sovereignty, International Olympic Committee (IOC) rules and affiliation to international federations. The rules and guidelines for the organisation of the Olympic Games and for governing the Olympic Movement are set out in the Olympic Charter which is adopted by the IOC. The IOC has sole responsibility and discretion for deciding which Olympic Committees it will recognise. Rule 31 in the Olympic Charter states that the expression "country" means an independent state recognised by the international community. The United Nations recognises the United Kingdom as a nation state and therefore the IOC recognises the British Olympic Association as the Olympic Committee for the UK. For the IOC to consider a separate Welsh team at an Olympic or Paralympic Games, Wales' constitutional status in relation to the rest of the UK would need to change.

Sporting events undoubtedly make a significant contribution to the life of the nation. We are all excited and enthused when Welsh athletes compete on the international stage as in London 2012 or at the Commonwealth Games which provides a platform for Wales to compete as a nation at a multi sports event. The Welsh Government will continue to support Wales' sporting interests at all times and ensure that we continue to develop athletes who can compete at the highest level.

Yours sincerely

CARWYN JONES

cc: Naomi Stocks, Committee Clerk – Naomi.stocks@wales.gov.uk

Agenda Item 3.2

P-03-294 Wales Women's National Coalition

Petition wording

We the undersigned call upon the National Assembly for Wales to urge the Welsh Government to publish firm plans which state how, in the absence of Wales Women's National Coalition, the voice, needs and views, of women in Wales will be reflected into policy and decision-making in Wales, the UK, Europe and the UN.

Link to the petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-294.htm>

Petition raised by: Wales Women's National Coalition

Number of signatures: 51

Update: An update will be considered to this petition.

P-04-345 Rail and Bus Links between Aberystwyth and Carmarthen

Petition wording:

We call upon the National Assembly of Wales to urge the Welsh Government to restore and/or improve rail and bus links between Carmarthen in the county of Carmarthenshire and Aberystwyth in the county of Ceredigion.

Supporting information:

They may be in adjoining counties, but the train ride from Carmarthen to Aberystwyth is a marathon that takes more than six hours. The Manchester and Milford Railway line, which linked Carmarthen and Aberystwyth, came to Tregaron in 1866 from a southerly direction. It served as a 'regular' route between the towns of Carmarthen and Aberystwyth and linked South Wales to North Wales, a link which sadly no longer exists in such a straightforward route, since Lord Beeching's report on reshaping British Railways resulted in many line closures in the 1960s. Today, with the growth of Aberystwyth and Lampeter as some of Britain's most prestigious universities, along with the beauty of many seaside towns, such as Aberaeron, Welsh residents are calling for this train route to be re-established. It would make travel for commuters easier, quicker and safer as a railway connecting main western towns could reduce traffic and accidents on rural roads, statistically the most dangerous.

Petition raised by: Craig Owen Lewis

Date petition first considered by Committee: 29 November 2011

Number of signatures: 555

Please follow the link to access full consultation response

<http://www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?lId=2429>

Agenda Item 3.4

P-04-409 : Welsh names for new trunk roads in Wales

Petition wording:

We call upon the Welsh Government to ensure that all new trunk roads in Wales have names in Welsh. Not only does this help preserve the identity of our cities, towns and villages. It also helps non Welsh speakers learn basic Welsh pronunciation and spelling.

Petition raised by: WelshnotBritish.com

Date petition first considered by Committee: 2 October 2012

Number of signatures: 47

Carl Sargeant AC / AM
Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-409
Ein cyf/Our ref CS/07285/12

William Powell AM
Chair Petition's committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

November 2012

Thank you for your letter of 10 October enclosing a petition for all new trunk roads in Wales to have Welsh names.

It is not appropriate to provide Welsh names for new Motorways or Trunk Roads. Motorways and trunk roads in Wales are numbered rather than named in accordance with a strict convention in order to ensure the continuity of routes across the UK providing clarity to the road user following them. Trunk roads unlike streets can be hundreds of miles in length and as such it would be extremely difficult and costly to plan and implement a signage scheme to rename them coherently and the hundreds of additional signs required to implement the initiative would have implications for the environment and potentially the safety of road users.

Carl Sargeant AC / AM
Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities

Agenda Item 3.5

P-04-390 Designate Penrhos Holyhead Nature reserve (coastal park) a National reserve

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to designate Penrhos Holyhead Nature reserve (coastal park) a National Nature Reserve.

Supporting information:

Penrhos Nature Reserve (coastal park) Holyhead has been used by the community for 40 years. It is a socially valued landscape. A natural heirloom. We believe the lasting legacy of this cherished nature reserve should be acquired and managed for the community and be designated a National Nature Reserve by CCW (countryside council of Wales) with a long term vision that includes a comprehensive initiative which involves the whole community in its 'Natural capital': Run by the people for the people.

Penrhos nature reserve is enveloped in a historic coastline that has been designated an AONB area near an SSSI, which make up its iconic landscape. Gorsedd y Penrhyn which dominates the coasts path line has been designated a regionally important geological, geomorphological site by (UK RIGS) by the geoconservation association. Also the freshwater habitats comprise of reed beds priority habitats under the uk habitats action plan (uk hap). By designating it a national park we would maximise the economic benefits of the islands 'natural capital'. Tourism is based on the unspoilt beauty of this island. It is a Inspirational gem at the heart of the community and has a rich tapestry of life and is cherished by the whole community. It is by all accounts a 'theological Paradise'. It is part of Holy islands altar piece, indeed the 100,000 visitors every year recognise this. 'We are a people bred on legends .clinging stubbornly to the proud trees of blood and birth.' R S Thomas

Petition raised by: Jenny Amelia Jones

Date petition first considered by Committee: 15 May 2012

Number of signatures: 826 (an associated petition collected 1,100 signatures)

Jenny Amelia Jones
08 November 2012

Petitions Committee,
National Assembly for Wales,
Cardiff Bay,
Cardiff.
CF99 1NA

Dear William Powell,

Evidence and request for petition to remain active: evidence from Ynys Mon Local Plan mirrors the principle of my petition- to protect by designation.

The Ynys Mon Local Plan is integral to the Isle of Anglesey County Council (IOACC) legitimacy: democracy and Local Government must not co-exist as separate entities, they should act as a single author of legitimacy espoused by the will and consent of the people; unlike the rest of Britain IOACC have failed to gain the consent of their constituents this year. This means the citizens of Holyhead can only have their voices heard by 21st C advocacy i.e. The Welsh Assembly Petition Committee. Public engagement in decision making regarding large scale changes to the historical landscape of Holy Island is essential to the wellbeing of its citizens: the Welsh landscape is our natural constitution and its citizens feel that planning decisions are unsafe in the hands of their unelected councillors:

‘A number of allegations of corruption and impropriety, relating to issues of land and property, contracts, grants and gifts and hospitality, led to two public interest reports being issued by the District Auditor in 1998.’ (Report of the Auditor General for Wales Ref: 162A2011. The Isle of Anglesey County Council has had a long history of not being properly run. Page7)

The IOACC is currently under special measures and we the people have no faith in their decision making. It might be appropriate to approach the Director of communities, Gwen Carrington to comment.

In respect of the letter dated 20 October 2012 by Robert Thomas Countryside Council of Wales I would like to bring your attention to:

‘It remains an important local wildlife and recreational asset’

I would also like to bring to your attention the letter dated 26 June 2012 written by Richard Parry Jones:

‘The development lies within the boundary of the Area of Outstanding Natural Beauty’

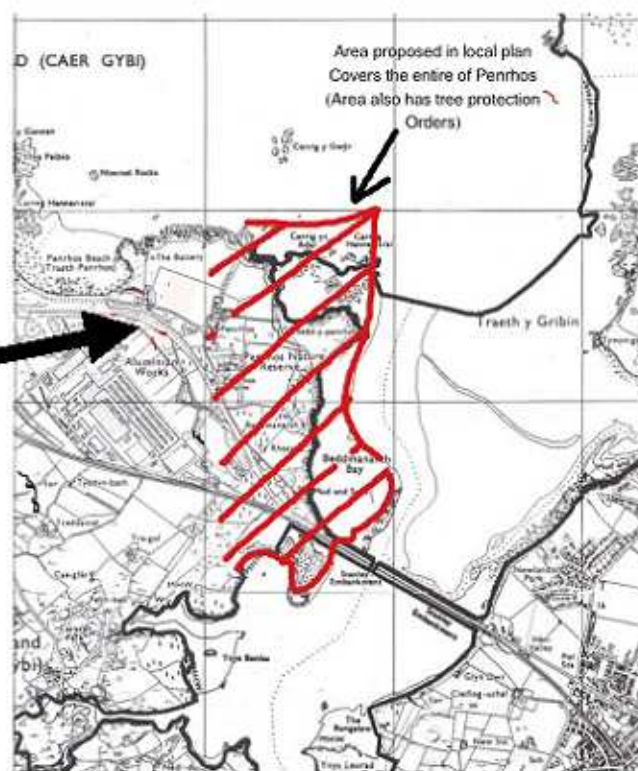
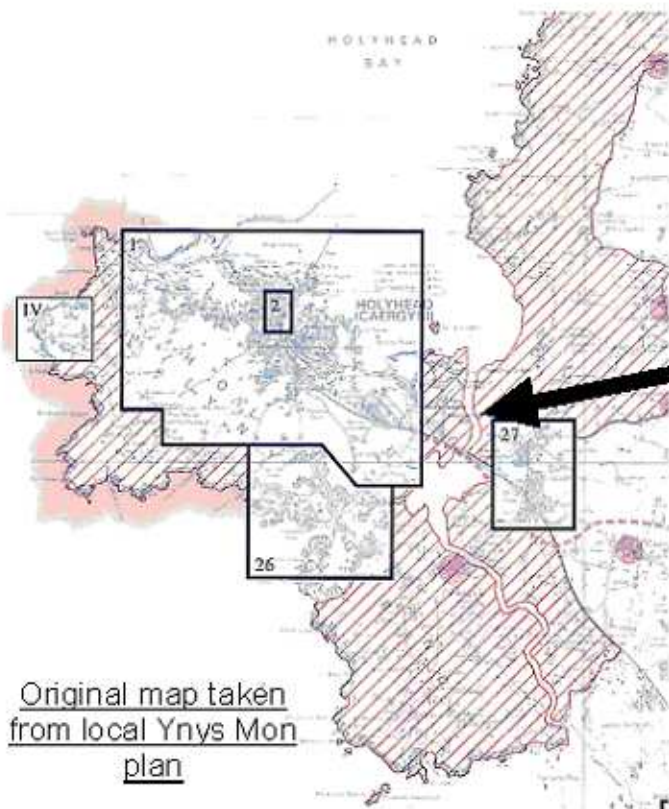
Penrhos Nature reserve is without question an important local and recreational asset and this is reflected in the Cynllun Lleol Ynys Mon Local Plan Volume1:’

‘3.19 The Council has commissioned a commercial development study of the area around Anglesey Aluminium. The study produced a number of proposals which include the development of the land proposed in this Policy and also active and passive leisure schemes. The Council wishes to see the boundary of the Area of Outstanding Natural Beauty affecting this site amended in order to exclude the land proposed for commercial development along with Anglesey Aluminium's existing works. The land is the only large green field site suitable for major commercial development adjacent to Holyhead, and its development will need to be considered in that context.’(Ynys Mon Local Plan chapter 3.19. Page 16+17)

The above makes it clear that the Ynys Mon Local Plan states that the Penrhos area should have its AONB extended in order to protect Penrhos Reserve/park **please see Proposals map below-** Penrhos area (diagonal red lines) policy 30

Landscape.

Policy 30. Within the Area of Outstanding Natural Beauty (which includes defined Heritage Coast) shown on the Proposals Map, the Council will give priority to the protection and enhancement of the landscape when considering planning applications. (Ynys Mon Local plan. chapter4 policy 30. Page 29)











Original source map of Penrhos from <http://angleseynature.co.uk/webmaps/beddm-anarch.html> detailed representation of area with demarcation of the area (red lines see key) illustrated by Jenny Jones.

http://www.anglesey.gov.uk/Journals/public/attachments/42/Local_Plan_Proposals_Map.pdf

<http://www.anglesey.gov.uk/planning-and-waste/planning-policy/development-plan/ynys-mn-local-plan/>

This map is a representation of the extension of the AONB demarcation proposed by Ynys Mon Local Plan: aerial view map from Microsoft corp. with added demarcation illustrated by Jenny Jones



CYNLLUN LLEOL YNYS MÔN YNYS MÔN LOCAL PLAN		
Mewnosodiad yn dangos Tref/Pentref a ddiffinir (Polisi 49)		Inset showing defined settlement (Policy 49)
Pentref a Restrir (Polisi 50)		Listed settlements (Policy 50)
Mewnosodiad ar gyfer cynigion eraill		Inset for other proposals
Arfordir Treftadaeth (Polisi 30)		Heritage Coast (Policy 30)
Llwybr a ddiogelir ir A55 - Gorchymyn llinell wedi ei gadarnhau (Polisi 25 a Chynnig FF1)		A55 Safeguarded route-Confirmed line order (Policy 25 and Proposal FF1)
Llwybr a ddiogelir ir A55 - Gorchymyn llinell ddrafft yn disgwyl canlyniad yr ymchwiliad cyhoeddus (Polisi 25 a Chynnig FF1)		A55 Safeguarded route-Draft line order subject to outcome of public inquiry (Policy 25 and Proposal FF1)
Ardal o Harddwch Naturiol Eithriadol (Polisi 30)		Area of Outstanding Natural Beauty (Policy 30)
Rheilffordd Amlwch (Polisi 24 a Chynnig FF3)		Amlwch branch railway line (Policy 24 and Proposal FF3)

Key to Local Ynys Mon Plan

Being that planning applications are decided in line with Ynys Mon Local plan I suggest that my wish to have it designated an NNR is in principle in line with the Ynys Mon Local Plan to extend the AONB area to include Penrhos: Policy 30 clearly shows Penrhos Reserve/Park area as an AONB. I therefore request that in line with the Welsh Assembly PDF *what happens next* The petition committee seek,

'further information from the Assembly's Research Service or Legal Service;'

and also request information on why the Council has failed to act upon Ynys Mon Local Plan-3.19 _Policy 30 and have consequently taken measures to contravene what is set out in the Ynys Mon local Plan.

It should be noted that my petition has also acted to reclassify the area-Penrhos hence acknowledging the principles set out in Policy 30.

(It must also be born in mind that Penrhos was for 3 decades known as a Local Nature Reserve (LNR) by agreement between Anglesey Aluminium (AA) and Anglesey County Council.)

I also request that in light of the letter written by Richard Parry Jones an insistence that Environment Health be informed and notified about the contaminated land (Cae Glas) Mr Richard Parry Jones refers to in his letter: in compliance with Policy SG1. The area was a former landfill site and would be unsuitable as a nature reserve, they must also be informed about proposed development in Penrhos and possible contaminants in Soils and conduct a collation of toxicological data and intake values for humans in both areas: at this point I would like to remind you of my original evidence (Penrhos Reserve Environmental buffer). The potential effect of the *old industry* AA on the Penrhos environment: toxicity of the landscape and how continued preservation of Penrhos must be maintained to prevent the destruction of a stable environment; the ecology, soil and erosion are of grave importance when you consider the biodiversity of Penrhos and its surrounding area , Beddmanarch bay; designation i.e. AONB local plan could prevent soil degradation and toxicity leeching to surrounding environment: development on this site could have disastrous consequences. Environmental health have a duty to protect public health and must be informed of a potential eradication of an environmental buffer that has provided an array of priceless benefits to the community, including community health benefits via environmental health.

I would also request a copy of the original document referred to in the Local plan in order to establish a statement of intent by IOACC in the Local Ynys Mon Plan to be included as evidence. (Ynys Mon Local Plan. 3.19 **The Council has commissioned a commercial development study** of the area around Anglesey Aluminium.page 16)

Community justice in anticipation of the localism bill can currently only be practiced in good faith through The Welsh Assembly Petitions Committee. I therefore respectfully request the petition remain open, given the issues raised by Mr R Parry Jones and my original petition does in principle reflect the same design and ethos to protect Penrhos as stated in the Ynys Mon Local Plan. I look forward to further correspondence.

Yours Sincerely,
Jenny Amelia Jones
(Petitioner)



friends of the earth môn a gwynedd
cyfeillion y ddaear môn a gwynedd

Statement on the Decision of CCW Not To Support National Nature Reserve Status for Penrhos Coastal Park Holyhead

8 November 2012

We are very disappointed to learn that the Countryside Council for Wales (CCW) has concluded that Penrhos Coastal Park does not meet the criteria for designation as a National Nature Reserve (NNR).

We would point out that the Park has long been managed as a nature reserve following the agreement reached between Ken Williams (deceased) and the Board of Anglesey Aluminum. We support the call for Anglesey Aluminum/Rio Tinto Zinc to bequeath the Park, along with associated areas ('the estate'), to the people of Wales in perpetuity, with a modest trust fund to assist in maintaining it. Under those circumstances the Park would qualify for NNR status under Section 35(1) of the Wildlife Countryside Act 1981 if it were managed by an approved conservation body.

Regardless of current eligibility for NNR status, we strongly support the continued management of the Park as a wildlife reserve and asset for local people. It is of unique value in the area in this respect, and, in conjunction with the adjacent Beddmanarch-Cymyran SSSI and the coastal path, forms a greatly appreciated facility with unlimited and free public access.

We are very concerned about loss of public spaces in the Holyhead area due to developments that appear attractive by virtue of claimed job opportunities. Once a public space is lost, it will be lost indefinitely. This is true of both Penrhos Coastal Park and Newry Beach. We believe that local politicians and planners need to see beyond the short-term benefits, whether real or imagined, and consider the long-term consequences of developments such as that proposed at Penrhos Coastal Park.

We therefore hope that Penrhos Coastal Park will continue to be managed as a nature reserve, freely accessible for local residents, schoolchildren and others.

R. Mills
Secretary
Môn a Gwynedd FoE



Cyngor Cefn Gwlad Cymru Countryside Council for Wales

CADEIRYDD/CHAIRMAN: MORGAN PARRY • PRIF WEITHREDWR/CHIEF EXECUTIVE: ROGER THOMAS

Anfonwch eich ateb at/Please reply to: Roger Thomas, Prif Weithredwr/Chief Executive
Cyfeiriad Isod/Address Below
Llinell Union/Direct Dial: (01248) 387141; Ffacs/Fax: (01248) 385506
Ebos/Email: n.sanpher@ccw.gov.uk

Mr William Powell AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

22 October 2012

Dear Mr Powell

PENRHOS COASTAL PARK, HOLYHEAD

CCW has considered the request to declare Penrhos Coastal Park as a National Nature Reserve (NNR).

CCW is empowered (under Section 19 of the National Parks and Access to the Countryside Act 1949) to declare a NNR on land owned or leased by CCW or managed as a nature reserve by agreement (with the owner) under S16 of that Act. CCW can also declare NNR on land managed as a nature reserve by an approved body under Section 35(1) of the Wildlife and Countryside Act 1981.

The land in question does not fall within either of these categories. CCW does not hold and has not sought an interest (by purchase, lease or agreement) in that land and given the current development proposals we see no reason why the owner would wish to convey such an interest. In the circumstances, CCW has no power to declare a National Nature Reserve.

It should be noted that NNR status does not, by itself, convey any additional legal protection to an area; it is a statement of intent (by the managers) and a recognition of quality, and may be a material consideration in planning law, but it does not impose any other obligation on the landowner.

As regards the significance of the Penrhos Coastal Park, evaluation of nature conservation importance is undertaken according to a detailed set of criteria for both biological <http://jncc.defra.gov.uk/page-2303> and earth science <http://jncc.defra.gov.uk/page-2317> features. Following these criteria, parts of the foreshore at Penrhos are notified as

Noddir gan
Lywodraeth Cynulliad Cymru
Sponsored by
Welsh Assembly Government



Gofalu am natur Cymru – ar y tir ac yn y môr • Caring for our natural heritage – on land and in the sea

Prif Swyddfa/H-2000 quarters

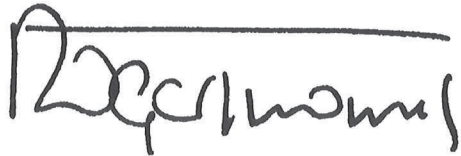
MAES-Y-FFYNNON, PENRHOSGARNEDD, BANGOR, GWYNEDD LL57 2DW FFÔN/TEL: 01248 385500 FFACS/FAX: 01248 355782

<http://www.ccw.gov.uk>

Beddmanarch-Cymyran Site of Special Scientific Interest (SSSI) for its waterbirds and marine biological interests. The main terrestrial area does not meet the criteria for such notification. It remains, however, an important local wildlife and recreational asset.

I trust that this clarifies the matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roger Thomas', written over a horizontal line.

Roger Thomas
Chief Executive

Agenda Item 3.6

P-04-349 Welsh-medium Provision – Caerphilly

Petition wording:

We call upon the National Assembly for Wales to urge the Minister for Education and Skills at the Welsh Assembly Government to afford urgent priority to the bid submitted by Caerphilly County Borough Council for monies to finance the badly needed additional Welsh medium secondary provision by 2013. **Petition raised by:** Ben Jones

Date petition first considered by Committee: 29 November 2011

Number of signatures: Approximately 1,200

Supporting information:

Caerffili County Borough is faced with an urgent issue, according to population trends, it is estimated that the borough will an increase of approximately 700 children wanting Primary School Welsh medium places by 2016 and nearly 1000 extra children wanting Comprehensive Placements by 2020. This means that the borough needs to build at least one more primary and one more secondary school.

Caerffili County Borough Council had submitted plans under the Twenty First Century Schools Programme and like other authorities was deeply disappointed when the Minister for Education announced a delay in the programme until 2014 and a change in criteria.

Caerphilly County Borough has submitted an updated bid which gives value for money as it utilises the empty buildings at the site of the previous Saint Ilan school in Caerffili.

We need an urgent answer from the Government as the current Comprehensive School does not have sufficient space and some children will have to be turned away as soon as September 2013.

P-03-236 The Charter for Grandchildren

Petition wording

We call upon the National Assembly of Wales to urge the Welsh Government to adopt The Charter for Grandchildren and to make the Charter mandatory for professional workers who are employed in the welfare of children.

Petition raised by: Grandparents Apart Wales

Number of signatures: 19

First considered by Committee: October 2009

Correspondence from Petitioner

Please find my reply to your email attached, regarding the next meeting of the Petitions Committee to be held on the 20th November 2012.

I do earnestly thank the committee for their deliberations regarding a Charter for Grandchildren and the rights of children, with more and more charities coming to the fore defending children and all the different circumstances they find themselves in.

It is essential that the National Assembly of Wales scrutinise the plight of some children and decide what the best way forward is especially using the experiences of what has happened to children in the past which is now again being brought to the public's notice daily.

I regret I cannot open the debate up to include

- ☐ abuse of children by celebrities or people in power,
- ☐ the care of children in care, and what steps are taken to protect them,
- ☐ Children living on the street and the circumstances that brought them to decide to live there.
- ☐ Fostering and adoption

It is apparent to us that new Family Laws and procedures are not working and one of the reasons they are not performing to what they were designed to achieve could be, the fact that the Department for Social Services who have the responsibility for the protection of many of the children are over stretched.

It is hoped that a Charter for Grandchildren which objectively is designed to give the children the right of access to both parents, denying some parents, who wish to use children as a weapon of control against the other, causing the children unnecessary emotional abuse, is favoured by the committee and that the Petition is brought forward for discussion by the National Assembly of Wales.

My thanks again for the hard work done by the National Petitions Committee of The National Assembly of Wales and to the Petitions Team for the support they give the committee.

Kind regards

Frank Bradfield
Grandparents Apart Wales

William Powell AM,
Committee Chair,
Petitions Committee,
National Assembly for Wales,
Cardiff.
CF 99 1NA

Dear Mr. Powell

Charter for Grandchildren Petition P-03-236

We are a support group helping grandparents who have been denied contact with their grandchildren, and in July 2009 we petitioned the National Assembly of Wales to urge the Welsh Government to create a **Charter for Grandchildren** and to make this charter mandatory for professional workers who are employed in the welfare of children.

The Charter for Grandchildren was the subject of a Short Debate in the Senedd, on the 23rd November 2011 lead by Janet Finch-Saunders AM and although the debate was supported by the Conservative Group it failed to inspire any enthusiasm from the other political parties with the one exception, that of the Deputy Minister for Social Services Gwenda Thomas AM who replied in response against the charter in the debate.

Nevertheless the Petition is still there and the need for the recognition and creation of such a charter is as great today as it was in 2009.

If one looks at the figures of children in care from the Welsh Government's own web site we learn that in Wales, we had 4705 children in care in 2009 rising every year to 5725 this year 2012, an increase of 6% over last year. Clearly whatever programmes and strategies are being used it is just not working, and naturally it is the children and society in the long run that suffer.

Our argument is that families are not used fully before the decision is taken to place the children in care.

We welcome the improvements in Family Law, and the establishment of a new Family Justice Network designed to bring about the best possible outcomes for children and families in Wales.

We acknowledge Families First which is designed to support families, particularly those living in poverty, with a programme of 5 key elements including a team around the family; a Joint Assessment Family Framework; the strategic commissioning of services; a commitment to shared learning and a disability focus, and we appreciate all that but wonder what the financial cost of setting all this up will be.

The **Charter for Grandchildren** is solely focussed on the needs of children and was suggested by us because of its simplicity and it consisted of:-

Protecting Children and Young People by them wanting to:-

Get to know us, Speak with us, Listen to us. Take us seriously, Involve us, Respect our privacy, Be responsible to us, Think about our lives as a whole, Think carefully about how you use the information about us, Put us in touch with the right people, Use your power to help, Make things happen when they should, Help us be safe,

We have had the Family Justice Review final report which on page 45 highlights The Child's Voice but the Petitions Committee had the petition for the Charter for Grandchildren years before the Family Justice Review Panel was set up.

We understand the Rights of Children and Young Persons Measure (Wales) 2011 came into force on May 2012 and that UNCRC has become part of domestic Welsh legislation and that it will help shape all future policy and that it will be necessary for all those who exercise the functions of Welsh ministers – including Cafcass Cymru officers – to show how they have given due regard to the Convention in making decisions affecting children.

It could be argued that from past experience we have little confidence in that type of initiative however we support the Rights of Children and Young Persons Measure (Wales) 2011, the UNCRC and hope to monitor its success.

Our thinking behind the charter was that, because of it being so simplistic putting children first that perhaps families and society would accept that in the event of parents separating the children's welfare would through time be automatically taken into consideration as normal responsible behaviour lessening the amount of custody court cases by making the child clearly the priority safeguarding the emotional abuse and trauma that children suffer at these heartbreaking times..

The Charter for Grandchildren would give grandparents a vital role in helping children maintain stability in their lives which to our thinking is absolutely essential for the wellbeing of children.

I would therefore be grateful if you could give these matters your consideration and confirm the Petition Committee's course of action.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Frank Bradfield', with a stylized flourish at the end.

Frank Bradfield

Grandparents Apart Wales.

Gwenda Thomas AC / AM
Y Dirprwy Weinidog Plant a Gwasanaethau Cymdeithasol
Deputy Minister for Children and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref GT/05257/12
Eich cyf/Your ref: P-03-236

William Powell AM
Committee Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

4 April 2012

Dear William,

Thank you for your letter dated 22 March relating to petition P-03-236, calling for a Charter for Grandchildren.

Since my last correspondence with the Petitions Committee on this issue in 2009, Social Services has faced a series of challenges changing public expectation, increasing demand for services, demographic change and reduced Welsh Government budgets mean that change in how we deliver these services is inevitable.

In February 2011 through Sustainable Social Services: A Framework for Action, we set out how the Welsh Government will take forward social services and social care to develop the high quality, responsive, citizen-centred social services that are essential to a successful Wales. At the heart of this is the need to ensure that citizens have a stronger voice and real control over services. Our forthcoming Social Services (Wales) Bill once enacted will give people a strong voice and real control. It will cover social care services for both children and adults, and will, as far as it is possible and appropriate, integrate the arrangement for both of these groups so that social care services are provided on the basis of need and not of age.

Supporting carers is a key element of the Welsh Government's health and social care agenda. Work to refresh the Carers Strategy for Wales and to implement fully the Carers Strategies (Wales) Measure 2010 is included within the Programme for Government as a priority for action.

The Family Justice Review, which was jointly commissioned by Welsh and UK Governments to fundamentally review the family justice system in England and Wales, has also published its final report (2011).

The UK Government response to the Review sets out major reforms to tackle delays and reform the system to strengthen parenting, as well as reinforcing the vital importance to children of relationships with their grandparents by fully reflecting this in supporting arrangements for separating parents in coming to an agreement about the future care of their children.

To support the work of the Family Justice Board for England and Wales in delivering these major reforms, I am establishing a new Family Justice Network in Wales to bring together the key players within the family justice system at an all-Wales level, to drive and deliver specific actions from the Review to achieve significant improvements in the system to deliver best possible outcomes for children and families in Wales.

Older people make significant social and economic contributions in their roles as grandparents and also as carers for their partners, family members or friends. In April 2011 the Welsh Government introduced a National Minimum Maintenance Allowance for foster carers. The policy approach was to promote family and friends carers (where this is consistent with childrens' best interests), and to ensure that such carers are supported by the local authority. The minimum allowance applies to all foster carers to meet the costs of bringing up a fostered child and ensure clarity in what constitutes the minimum allowance and to ensure that family and friends carers are not disadvantaged.

Since 1 April 2012, our Families First programme will be operating in every local authority. It is designed to support the development of effective multi-agency systems of support for families, particularly those living in poverty, with a clear emphasis on prevention and early intervention. The programme has 5 key elements including the requirement for a Team around the Family; a Joint Assessment Family Framework; the strategic commissioning of services; a commitment to shared learning and a disability focus. However, beyond that it is a non prescriptive programme and the local Action Plans have been developed in partnership. We have been clear that all types of family should be able to access support, and this extends to those not always included within the immediate family unit, such as grandparents and carers.

*Yours sincerely,
Gwenda.*

Gwenda Thomas AC / AM

Y Dirprwy Weinidog Plant a Gwasanaethau Cymdeithasol
Deputy Minister for Children and Social Services

P-04-366 Closure of Aberystwyth Day Centre

Petition wording:

We the undersigned call on the Welsh Government to consider if proposals for day care for the vulnerable elderly, to be moved from a purpose built, thirty year old Day Centre, to an unsuitable basement in an old building, previously used as the Town Hall Aberystwyth, are compliant with statutory requirements, and any relevant guidance. The County Council are planning to demolish the Centre as part of a development to build a car park, a supermarket and a retail outlet.

Petition raised by: Pamela Ellis

Date petition first considered by Committee: 28 February 2012

Number of signatures: 10 (An associated petition collected approximately 6,000 signatures)

Supporting information: The present Day Centre is a purpose built facility, about thirty years old. It is in a convenient situation in the town centre, with easy access, a large drop off point and is near a road safety crossing. It is light and sunny, and can accommodate about 90 clients of mixed dependency, in several spacious rooms. The envisaged centre is not quite half the size and will only be able to cater for 32 clients in one main room. At present those carers of disabled clients or those caring for victims of a stroke, can have access to respite care on 2 or 3 days of the week. We feel the move will discriminate against this group as already fewer people are being assessed and referred by Social Services for this respite care. The council have admitted there will be rationing. Because of difficulties of access to the basement area, an outdoor, steep ramp with a 180 angle turning point half way down has been built. We feel strongly that carers or mobile chair users will have huge problems, particularly in stormy or icy weather. The ceilings in the basement are low; there is a large pillar in the centre of the room making it difficult to move wheelchairs or trolleys, natural light levels are low as it is partially below ground and several doors have to be navigated to access toilets. The old centre has a superb new kitchen providing good meals, the weekly luncheon club, a valuable socially inclusive option, has been closed already. In future, meals will be prepared elsewhere and brought in. There will only be one area available for meals and all other activities; thus space will be extremely limited. The local WVS presently provides drinks and snacks; that will no longer exist. The present centre has a large bathroom with a hoist, also laundry facilities, which were invaluable. The new centre will have a shower built into a toilet for assisted bathing, which opens directly onto a communal area. As this is the only disabled

toilet, it will be difficult for a disabled client to access a toilet if another client is having a shower. If the only new facility will only be able to cater for 32 clients, these will almost certainly have to be those needing respite cares, so those older citizens who value the opportunity to enjoy time at the centre to socialise, take part in activities, have a bath and enjoy a good meal will not be able to do so. The present centre has a very pleasant garden with seats, ample parking, a bay for dropping off people and is completely accessible to all. The present centre is made available in the evenings to groups of elderly, for example the Arthritis Care group fear that they will not be able to cope with the rain, in the dark, for their evening meetings. The new centre is on a dangerous main road turning, with heavy traffic use. Former users of the basement when it was the Town Hall have complained that it is too hot in the summer and cold and damp in the winter. The heating system has been improved, but the present sash windows are not being replaced and there will be no air-conditioning installed. Whilst the County Council have made efforts to meet our concerns, we strongly believe that the proposed new centre is absolutely unsuitable and is vastly inferior in the present centre. We would add that the Council have admitted that they did not carry out a proper consultation. Hence the formation of this pressure group.

FOR THE ATTENTION OF: Mr. William Powell

Dear Mr. Powell,

The following comments I consider relevant: Lack of Pedestrian crossing: Townspeople are assisting Service Users to cross the road to get to the Day Centre.

Canopy for ramp: "overall effect of Town Hall" - more important than elderly and disabled sitting in wet clothes!.

"proximity within the building used by the Day Centre" - opposite end of building to Day Centre,

and on different floor which would necessitate the service users going down to the Basement

by Lift (Some in wheelchairs and walking frames) ? Fire Hazard.

Passenger Transport: Buses pass this road in September (students) - hourly, which is not the same as being

near the Bus Depot, as before, and getting on the correct bus.

North Road is up a steep hill and out of the question for "Critical" and "Substantial" - the new

criteria now for service users to be able to attend the Day Centre.

"New purpose-adapted modern resource". The Day Centre in Park Avenue (accommodating 90 people) was purpose built.

"Whilst showering facilities are available at the new Centre, bathing services are generally provided at home" -

SPADC (I am on the Committee) received from Ceredigion County Council, a few days after their correspondence to you, the

following: (This is a reply we had been waiting for since last April) it is in response to a Report of an Occupation Therapist

the SPADC had asked for her comments on the Basement Day Centre. Ceredigion CC had requested a copy from us.

Her comments run (1-11)

5. If the shower/WC in the basement is in use, this prohibits access to the WC for a wheelchair user and requires them to negotiate

long corridors and the lift to access the Library where there is another disabled WC. For Clients with frequent or urgency of

micturation, this is a long way and could cause great distress. Changing the basement staff kitchen to a disabled WC would assist greatly.

CCC reply. " The numbers of service users who will receive a shower is limited and as stated during the Town Hall visit staff at the Day Centre

will be mindful of everyone's needs and communicate proposed usage of the shower facility to service users who may require the disabled toilet.

Over time this room will predominantly be a disabled toilet as there will not be any new service users having bathing services. The staff kitchen

will serve all three services in the building and cannot be considered for the other floors as food and drink is not allowed on the Library and

Archives floors".

EQUALITY IMPACT ASSESSMENT September 2011 - Sue Darnbrook Social Services.

Bathing in and assisted bathroom (Current provision at Park Avenue Day Centre)

Future provision at the Town Hall - "Assisted bathing is not planned for the new centre but there is a shower in the disabled toilet facility. The peoplebathing be assessed for having a bath by alternative means....

Cyngor Sir CEREDIGION

ADRAN GWASANAETHAU CYMDEITHASOL

...yn gofalu i wneud gwahaniaeth

Minaeron, Godre Rhiw Goch, Aberaeron, SA46 0DY



CEREDIGION County Council

SOCIAL SERVICES DEPARTMENT

...taking care to make a difference

Minaeron, Vicarage Hill, Aberaeron, SA46 0DY

A. Parry Davies

Cyfarwyddwr

Director

☎ 01545 572616

Ffacs/Fax 01545 574917

Mr William Powell, AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

Dyddiad
Date

7 November 2012

Gofynnwch am
Please ask for

Mrs Sue Darnbrook

Llinell Uniongyrchol
Direct line

01545 572694

FY nghyf
My ref

SD/JVJ

Eich cyf
Your ref

Dear Mr Powell,

Re: Aberystwyth Centre, Town Hall

Thank you for your letter dated 10 October 2012.

I am able to confirm that arrangements for an externally validated review of the Aberystwyth Day Centre have now been made and the review will be completed by April 2013. Since the opening of the Day Centre, a process of ongoing review and evaluation of the service has been undertaken, with service users and staff and I am very pleased to report that feedback from both has been consistently positive.

With regards to the lack of a pedestrian crossing, we have spoken to the Department of Highways, Property and Works and can confirm the following comments were received from them:-

- *"consultation would be required with the police, public notice and written notification to the Welsh Government.*
- *a formal assessment would need to be undertaken beforehand, to ascertain which type of crossing option may be appropriate.*
- *cost depends on what kind of crossing (e.g. zebra, pelican, toucan etc.) is deemed appropriate by the assessment. I guess it may range from about ten to fifty thousand pounds.*
- *timescale would be around 6 months or so, possibly longer, again this is quite dependent on the type of crossing, and what works on the footways and approaches may be necessary.*

I would say from knowledge of the location, unless the new facilities are likely to generate a quite significant increase in pedestrian and traffic movements, it would seem unlikely that this County Road location would meet any of the criteria (e.g. even for a zebra crossing)"

A design for a covered entrance to the building has been prepared by the architect but there are concerns regarding the effectiveness of the design, in providing adequate shelter. An alternative option of providing a canopy to the side entrance has also been considered but this would have drawbacks in its proximity to the area within the building used by the Day Centre. The matter is being considered further on 1st November. I can reassure you that the length of the ramp is compliant with all DDA requirements and

service users are competently managing to use the ramp.

Our corporate passenger transport unit have been in consultation with bus service contractors regarding the possibility of re-routing services via the Day Centre. I can confirm that since the beginning of September, the following bus routes go via the Day Centre - 306 (hourly) and 501a (twice per day) and the bus routes that now go via North Road - 302 (hourly), 03 (every 20 minutes).

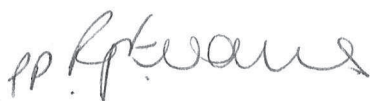
The new Day Centre is and will remain a service for referred service users only. As a Council we will continue to work with the local communities to develop social engagement opportunities for older people, building on the already existing social engagement opportunities available, such as, the Aberystwyth Football Club Luncheon club, Tregaron Luncheon Club, etc.

We are committed to providing services which ensure the dignity of care of the service user and we would therefore want in the first instance to enable bathing to take place within the privacy of the service users' own home. If this is impossible then this service would be provided within one of our own in-house homes and only as a last resort and usually only on a temporary basis, would people be bathed in a day centre. I can confirm that all current service users have now been provided with appropriate alternative bathing services.

I am of course very pleased, at a time of financial restraint (particularly in relation to non-statutory services), that the Council has been able to invest in this new purpose-adapted modern resource, linked to the new library and archives facilities on-site which has significantly enhanced the service user experience of the Day Centre.

I trust that you find this information helpful. I would be grateful if you could share with Ceredigion County Council the findings and recommendations of your Petitions Committee in relation to the Aberystwyth Day Centre at your earliest convenience.

Yours sincerely



Mrs Sue Darnbrook
Assistant Director Adult and Mental Health Services

Dear Naomi,

Thank you for your email and update from the Council.

As arrangements for an externally validated review of the Aberystwyth Day Centre have now been made, in the interest of transparency, could these be shared?

...ongoing review and evaluation.... also, in the interest of transparency, can a report on feedback from the Council be obtained.

Service users consistently getting wet, and worse weather to come. PADC was so convenient, as they were driven up to the door.

Service users know they have to put up with it or else stay at home. Staff are looking after their job, (they can't like going out in all weathers assisting the service users into vehicles)

Only half of the designated parking is now allocated to the Day Centre.

CCC vehicles park on the pavement daily.

Aided bathing in PADC has taken place since 1983, now it is deemed by CCC as undignified. The in-house homes are 1/2 miles and 4 miles respectively, (Bodlondeb and Catre Tregerddan)

The provided bathing service in the in-house homes for service users, will this service be provided by CCC in the home?

In the case of Fire: 9 meters is the maximum acceptable distance from a room exit door to a place of safety. The second allocated room, (Loveden Road side) has no exit door to outside, no horizontal escape. The fire exit door from dining room faces a high blank wall, service users would have to go up steep steps leading to the garden (rough patch) - assuming a fire was at front of building.

Also a 4inch drop at alleyway at side, assuming fire was at back of building. Vertical escape (only by stairs) lifts are not to be used in the event of a fire.

Placing people who are "critical" and "substantial" in a basement, where they cannot get to a place of safety of their own volition is placing them at grave risk.

Thank you for your valued time,

Best wishes,

Agenda Item 3.9

P-04-375 Stop Opt-Out Organ Donation

Petition wording:

We call on the Welsh Government to stop proposals for its opt-out organ donation system. I think it is completely unethical for the Welsh Government to be pushing through an opt out system for organ donation. This system should not be implemented, particularly if it does not consider the views of relatives. Whilst appreciating the need to donate organs in order to prevent unnecessary deaths, I still strongly believe it should be a decision that each individual takes and not something that is forced on them by the state. Archbishop of Wales Dr Morgan said: organ donation surely ought to be a matter of gift and not of duty and I agree with his statement. This is violating individual rights and is an unfair system. Please sign this petition should you feel the same and want to stop this legislation being passed.

Petition raised by: Bablin Molik

Date petition first considered by Committee: 13 March 2012

Number of signatures: 98

P-03-150 National Cancer Standards

Petition wording

We call upon the National Assembly for Wales to investigate whether Local Health Boards have the necessary strategies and action plans in place to deliver the target to comply with the National Cancer Standards by March 2009 in RCT and throughout Wales, as a matter of urgency.

Link to petition:

<http://senedd.assemblywales.org/mglIssueHistoryHome.aspx?Ild=869>

Petition raised by: Rhondda Breast Friends

Number of signatures: The e-petition collected 43 signatures. In addition Rhondda Breast Friends have developed a charter regarding improvements required to cancer care services, supported by 1,475 signatories.

Previously considered by the Committee on: 9 July 2008, 6 November 2008, 13 January 2009, 10 February 2009, 31 March 2009, 24 November 2009, 19 January, 23 March and 27 April 2010, 15 June, 30 November 2010, 25 January, 15 March and 29 March, 12 July 2011.

Update: Correspondence has been received from the Minister for Health and Social Services.

Petitions Committee

Date: 20 November 2012

Venue: Senedd, National Assembly for Wales

Title: National Cancer Standards Compliance

Purpose

1. This paper provides evidence for the Minister for Health and Social Services' attendance at the Petitions Committee to discuss National Cancer Standards. This subject has been considered by the Committee on a number of occasions between 2008 and 2012.
2. The evidence paper:
 - explains the movement away from centrally monitored cancer standards towards monitoring by Local Health Boards (LHBs);
 - looks at delivery of the *Together for Health- A Cancer Delivery Plan*;
 - considers monitoring of the *Together for Health- A Cancer Delivery Plan*

Summary

3. Whilst standards are valuable to LHBs to support the delivery of consistent services, monitoring standards does not provide an assessment of the quality of a service, nor understand a patient's experience of those services. The focus of *Together for Health- A Cancer Delivery Plan* concentrates on driving quality and patient centred outcomes, not on the mechanics of service delivery.
4. *Designed to Tackle Cancer in Wales*, published in 2006 and the Strategic Framework published in 2008, set the policy direction for improving cancer services in Wales. This document focussed on the implementation of Cancer Standards as this was appropriate for the time. Cancer standards underpin the building blocks of cancer services, focussing on the elements of diagnostic and treatment process a patient should expect to receive.
5. There is no longer a requirement for LHBs to routinely report compliance with the National Cancer Standards to the Welsh Government. Assessment and monitoring of the Standards is a matter for LHBs. The Welsh Government does however insist they monitor themselves against the Standards and report to their Boards.

Compliance

6. LHBs are responsible for assessment and monitoring of National Cancer Standards. Services must also comply with more

recently published specific cancer standards (those for sarcomas; children, teenagers and young people; rehabilitation of adults with cancer; palliative care).

7. To support Health Boards in monitoring standards, the Quality Delivery Plan tasks Healthcare Inspectorate Wales (HIW) to introduce a process of peer review against standards, beginning with cancer and end of life care in 2012. This has strong clinical support.
8. Clinical audit and outcome review is critical to continuous service improvement. All NHS organisations providing cancer care must participate in all relevant National Clinical outcome reviews, set out in the Welsh Government's National Annual Audit Programme and then act on the findings.

The Cancer Delivery Plan

9. The Cancer Delivery Plan aims to plan secure and deliver safe, sustainable, high quality cancer care for local populations. It provides a framework for action by Local Health Boards and NHS Trusts. It sets out the Welsh Government's expectations of the NHS in Wales to tackle cancer in people of all ages, wherever they live in Wales and whatever their circumstances. The Plan is designed to enable the NHS to deliver on their responsibility to meet the needs of people at risk of cancer or affected by cancer. It sets out:
 - The population outcomes the Welsh Government expects.
 - The outcomes from NHS treatment the Welsh Government expects.
 - How successes will be measured and the level of performance the Welsh Government expects.
 - Themes for action by the NHS, together with its partners.
10. The Welsh Government and Macmillan Cancer support are working together to identify the non-clinical aspects of cancer care that patients and their families need to help inform service planning and delivery and will undertake a national cancer patient experience survey. The results will allow organisations to identify areas where improvements are needed. It will also allow better understanding of whether certain cancer types, ethnicity, communities, age groups or genders experience poorer care and allow this to be addressed.
11. The Cancer Delivery Plan now sets actions up to 2016 for NHS Wales working with its partners. The Delivery Plan says for our population the Welsh Government wants:
 - People of all ages to have a minimised risk of developing cancer and, where it does occur, an excellent chance of surviving, wherever they live in Wales.

- Wales to have cancer incidence, mortality and survival rates comparable with the best of Europe.
12. The Welsh Government will use the following indicators to measure success:
- Cancer incidence rates (European Age Standardised Rates)
 - Cancer mortality rates (European Age Standardised Rates)
 - 1 and 5 year cancer survival rates
13. The Plan also identifies a small set of NHS Performance Measures and sets a level of performance for each one for delivery by 2016. A series of performance indicators and output measures have been developed for cancer. The data for each of these indicators and performance measures was provided to each LHB in September 2012. They then used this data to produce their annual reports and, in the interests of transparency, are in the process of making these available to the public through their websites. An all Wales annual report on cancer is being produced based upon each individual LHB annual report and this will be published before the end of 2012.

Monitoring

The All Wales Cancer Implementation Group

14. The role of the Cancer Implementation Group is to provide leadership and support for the delivery of effective person centred cancer care in Wales. Its aim is to act as a forum to drive forward, support and oversee LHBs' efforts to deliver the Welsh Government's vision for beating cancer in Wales by taking forward the actions set out in the National Cancer Delivery Plan for 2011-12 to 2015-16 and delivering measurable progress towards delivering incidence, mortality and survival rates for cancer in Wales comparable with the best in Europe by 2015.
15. The Group is to:
- Provide a co-ordinated all Wales approach to supporting NHS Wales
 - Facilitate the sharing and promulgation of best practice across Wales
 - Identify constraints and solutions to specific clinical and operational issues
 - Provide Welsh Government with intelligence on local issues and progress with implementation
 - Agree how best to measure success
16. The Group has already met three times this year. It has set up clear work streams with a subgroup on Clinical Effectiveness focussing on better follow up care and early diagnosis work. A Person Centred Care Group has also been established and is leading work on, Key Workers, Care Plans and developing a national cancer patient survey working with Macmillan.

Measuring success

17. The Quality Delivery Plan sets out how the Welsh Government will monitor performance and progress in improving health and health care in Wales.
18. The Quality Delivery Plan places requirements on NHS organisation to monitor a set of quality metrics and report them to the public, and hence to Welsh Government, and their Boards at regular intervals. The Cancer Delivery plan measures form part of the quality delivery plan.
19. Within the Programme for Government and Tier 1, two targets for cancer waiting times have been set.

Accountability

20. The Welsh Government holds the NHS to account on how well it delivers the outcomes we want. The lines of accountability are through the LHB and Trust Chief Executives to the Chief Executive NHS Wales and via the Chairs of the Local Health Boards and Trusts to me as Minister for Health and Social Services.
21. Progress will be overseen through monitoring the specified levels of performance by 2016 for each of the NHS performance measures.