

# Agenda – Children, Young People and Education Committee

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Meeting Venue:	For further information contact:
Hybrid – Committee room 4 Tŷ Hywel and video conference via Zoom	Naomi Stocks Committee Clerk
Meeting date: 18 May 2023	0300 200 6565
Meeting time: 09.15	<a href="mailto:SeneddChildren@senedd.wales">SeneddChildren@senedd.wales</a>

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## Private pre-meeting

(09.00 – 09.15)

### 1 Introductions, apologies, substitutions and declarations of interest

(09.15)

### 2 Do disabled children and young people have equal access to education and childcare? – evidence session 1

(09.15 – 10.15)

(Pages 1 – 25)

Rocio Cifuentes, Children’s Commissioner for Wales

Sara Jermin, Head of Communications and Performance

Attached Documents:

Research Brief

Children's Commissioner for Wales – CYPE(6)–15–23 – Paper 1

## Break

(10.15 – 10.30)

### 3 Do disabled children and young people have equal access to education and childcare? – evidence session 2

(10.30 – 11.30)

(Pages 26 – 34)

Ruth Coombs, Head of the Equality and Human Rights Commission in Wales



Attached Documents:

Equality and Human Rights Commission in Wales –CYPE(6)–15–23 – Paper 2

#### **4 Papers to note**

(11.30)

##### **4.1 Pre- appointment hearing of the Chief Executive for the Commission for Tertiary Education and Research**

(Pages 35 – 36)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Minister for Education and Welsh Language – CYPE(6)–15–23 – Paper to note 1

##### **4.2 Information from Stakeholders**

(Pages 37 – 39)

Attached Documents:

Letter from the Northern Ireland Commissioner for Survivors of Institutional Childhood Abuse – CYPE(6)–15–23 – Paper to note 2

#### **5 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of this meeting**

(11.30)

#### **6 Do disabled children and young people have equal access to education and childcare? – consideration of the evidence**

(11.30 – 11.45)

#### **7 Legislative Consent Memorandum on the Illegal Migration Bill – consideration of the approach**

(11.45 – 12.15)

(Pages 40 – 58)

Attached Documents:

Research Brief – LCM Illegal Migration Bill – CYPE(6)–15–23 – Private paper

Legal Advice Note – Illegal Migration Bill – CYPE(6)–15–23 – Private paper

## **8 Update on Committee activities**

(12.15 – 12.30)

Document is Restricted

## CYPE(6)-15-23 - Paper 1

### Senedd Children, Young People and Education Committee Inquiry – Education access for disabled children and young people

#### A briefing from the Children’s Commissioner for Wales, Rocio Cifuentes MBE

##### Children’s human rights under the UNCRC

18% of secondary school aged children report having a long-term health problem or disability that limits their day-to-day activities<sup>1</sup>. All children have the same right to education (article 28, UNCRC), which develop the child’s personality, talents and mental and physical abilities to their fullest potential (article 29, UNCRC). This includes disabled children. The UN Committee on the Rights of the Child’s General Comment on the rights of children with disabilities<sup>2</sup> is clear that ‘effective access of children with disabilities to education has to be ensured’ to achieve the aims of articles 28 and 29. I welcome the Committee’s focus on the issue of disabled children’s access to education.

##### What do children, young people and families tell us?

The findings from my *Ambitions for Wales* survey of over 10,000 children, young people, parents / carers and professionals, undertaken in October and November 2022, showed that:

- 7-11 year old disabled children were statistically significantly more likely to be worried about going to school.
- Young people aged 12 -18 who identified as disabled are significantly more concerned than others about bullying and abuse, exams and tests and going to school, college or university
- Of young people aged 12-18 who have experienced bullying, 90.9% of those with disabilities were bullied in school
- Among children aged 7-11, children with disabilities are statistically significantly more likely to have ever been bullied or suffered abuse (along with girls and those reporting the lowest level of family affluence) than children who do not identify as disabled (and boys and those in more affluent household)
- 59.1% of young people aged 12 – 18 and identified as disabled report having experienced bullying
- Professionals surveyed most frequently identified disabled young people as most at risk from bullying (43.4%)

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<sup>1</sup> Page N., Angel, L., Ogada, E., Young H., Murphy S., 2023. Student Health and Wellbeing in Wales: Report of the 2021/22 Health Behaviour in School-aged Children Survey and School Health Research Network Student Health and Wellbeing Survey. Cardiff University. <https://www.shrn.org.uk/wp-content/uploads/2023/04/SHRN-2021-22-National-Indicators-Report-FINAL-en.pdf>  
<sup>2</sup>[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FGC%2F9&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FGC%2F9&Lang=en)

- Children with profound and multiple disabilities (PMLD) told us most frequently that going to school was something they do to feel happy (43.7%), but going to school was also highlighted as a worry most frequently by this group of children (18.8%).
- Young people aged 12 – 18 who identified as disabled are statistically significantly more likely than others to have been treated differently at school, college or university, in the street or in their town or village, in clubs and online
- 14.8% of young people aged 12-18 and identified as disabled said they never feel safe on the bus, school bus or train
- 17.4% of young people aged 12-18 and identified as disabled said they never feel safe at school, college or university
- Participants were asked to reflect on what would make children’s lives better; 31.3% of children and young people with PMLD agreed that it is important that ‘all children are treated the same and have the help they need’. Parents and caregivers called for, ‘a more imaginative revamp of education in Wales’. They recommended for children to be taught about disability from a young age, both to increase awareness and reduce stigma of difference and disabilities, and to accommodate and celebrate diverse needs and capacities of young learners. Inclusivity was recommended both in schools and in public spaces and groups to ensure that young people with disabilities are able to join in and feel safe and welcome. Parents and caregivers also recommended flexible and blended learning and adjustments to timetables to support ‘learners who struggle in full time education to do blended learning on more difficult days’. Overall, parents and carers do not support the, ‘one size fits all’, approach and recommend that education system should be more flexible to support and nourish all children.

### Case work examples

My Investigations and Advice service regularly hears from families where a disabled child is struggling to access the education to which they are entitled.

- **Schools are still not always accessible environments** – our casework is suggesting the picture is varied between local authorities in how well they are implementing their accessibility duties. A case which came to our office concerned the increasing number of pupils attending a special school and the lack of space available for them especially those using wheelchairs and walking aids. They were also concerned that the environment would adversely impact on their educational opportunities compared to their mainstream peers.
- **Consultation with learners** – schools should consult with pupils on their accessibility action plans under 2018 statutory guidance, but we hear of occasions where this does not happen.
- **ALN Act implementation and neurodiversity** - the delays in the implementation of the additional learning needs code, the variation in progress across Wales, and the confusion for families of the migration to the new system are further exacerbating the barriers to accessing a suitable education and necessary support services for disabled children. Too often, neurodivergent children do not receive support if they do not meet the requirements for ALN

support. This was an experience recounted by children and families in our recent report - *A No Wrong Door Approach<sup>3</sup> to neurodiversity: a book of experiences*.

- **Accessing specialist education** – both the following examples are from April 2023. We heard from the family of siblings who are autistic and non-verbal. One of the siblings also has global developmental delay and possible ADHD. The siblings are both on a waiting list for specialist educational provision. We were told that the parents was asked by the local authority whether, if a place became available, which child would she wish to attend. We have been told the local authority is actively working hard to find a place but in the meantime these siblings are not accessing a suitable education. We have also heard from a family where a child is not fully accessing their education placement a Learning Resource Base attached to a mainstream school, and is struggling in the setting. School agree that the child would benefit from more specialist provision. However, the local authority have stated that there were no places available and that a place for September 2023 was not guaranteed. Both the parent and the school had significant concerns about the impact the placement was having on the child's mental health. Following our office's contact we were told a place had been organised for September and 1:1 support arranged in the meantime.
- **Accessing education through the medium of Welsh** – children with additional learning needs who wish to study through the medium of Welsh face additional barriers. A child at a Welsh medium school was told that their school could not meet their needs and their only alternative was English Medium.
- **School transport** – disabled children aren't always provided with safe accessible transport to education. An example shared with us is of minibus provision being unsuitable for an individual's particular needs, resulting in them not using the bus, and the school refusing to provide a taxi. Other children have had no wheelchair accessible option for school transport. This is an issue we have raised repeatedly with Welsh Government. We are pleased that there is an ongoing review of the Learner Travel Measure, but we have been disappointed with the slow progress which has been the case for many years.

Some of my office's work in this space:

- The committee will be aware of my predecessors' work on the issue of accessibility of school buildings. As Commissioner, Keith Towler, published 'Full Lives: Equal Access' in 2014 and in 2018, Professor Sally Holland, as Commissioner published a follow-up report. This most recent report highlighted the lack of real progress by some local authorities to implement their duties under the Equality Act and frustrations around lack of pace by Welsh Government to issue new statutory guidance. When we contacted local authorities for the follow up report, the data we received back was not complete as we would hope for. For example local authorities described many schools as 'partially accessible' without an explanation as to what that means in practice. Welsh Government did eventually publish refreshed statutory guidance in March 2018<sup>4</sup> which was improved but we believe could be strengthened further by making closer

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<sup>3</sup> <https://www.childcomwales.org.uk/wp-content/uploads/2023/03/A-No-Wrong-Door-Approach-to-Neurodiversity-.pdf>

<sup>4</sup> <https://www.gov.wales/increasing-access-disabled-pupils-planning-guidance>

links to taking a children’s rights approach and involving learners and the school community more in decisions made about school facilities, for example. In September 2018, we shared our views with Welsh Government on how the guidance could be further strengthened by linking to a children’s rights approach. However, these views were not embedded into guidance as we had hoped.

- In March this year we published our report – *A No Wrong Door Approach<sup>5</sup> to neurodiversity: a book of experiences*. This set out the challenges faced by children and families who are seeking help and support with often undiagnosed neurodiversity. Often those experiences are shaped by interactions with school, both positive and negative. We heard about schools refusing to refer children to the neurodevelopmental team; and children unable to access specialist educational placements.

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<sup>5</sup> <https://www.childcomwales.org.uk/wp-content/uploads/2023/03/A-No-Wrong-Door-Approach-to-Neurodiversity-.pdf>



# Agenda Item 3

**CYPE(6)-15-23 - Paper 2**



## **Children, Young People and Education Committee inquiry on education access for disabled children and young people**

### **Equality and Human Rights Commission**

The Equality and Human Rights Commission is Britain's national equality body and a UN-accredited A-status National Human Rights Institution (NHRI).

Our job is to promote and uphold equality and human rights standards across Britain so that everyone gets a fair chance in life.

We do this by using the full range of our statutory powers to challenge discrimination, promote equality of opportunity, protect and promote human rights, and by safeguarding and enforcing the laws that protect people's rights to fairness, dignity and respect.

### **UN Convention on the Rights of Persons with Disabilities (CRPD)**

The CRPD includes Article 24 – a right to inclusive education. This guarantees all disabled learners a right to participate in all forms of mainstream education with appropriate support.

When the UK Government ratified the CRPD it placed restrictions on its obligations and two of these relate to Article 24. The first changes the UK's definition of a 'general education system' to include segregated education. The second reserves the UK's right to send disabled children to special schools outside their local area. The UK is one of only two signatories to retain a reservation and an interpretive declaration to Article 24.

In 2017 the UK's progress against the CRPD was reviewed by the UN Committee. Issues raised included the UK's reservation on Article 24, meaning that the UK does not fully accept the requirements of inclusive education. According to the UN

Committee inclusive education means that all parts and levels of the education system should meet the requirements of all students, so that disabled learners can learn alongside their non-disabled peers within mainstream school classrooms. This means that resources for improving education for disabled children should be focused on improving provision in mainstream schools, rather than on maintaining separate special schools. All parts of the education system – including teacher training, the curriculum and the physical school environment- should be reformed to be inclusive of all learners.

Therefore, the UN Committee recommended the UK should:

- Remove its reservations to this Article, so that it fully accepts that all disabled children should receive an inclusive education within their own communities.
- Develop laws and policies to support inclusive education, set a timeframe for improving the way schools include disabled children, and make sure that all teachers and all other professionals who work with children understand the importance of inclusive education.
- Do more to check whether schools are enrolling disabled children, and tackle disability-related discrimination or harassment.
- Put in place a fully-funded strategy with concrete timelines and measurable goals, to make education more inclusive. This strategy should cover implementation of laws and policies, teacher training, awareness-raising among parents of disabled children, and data collection about where disabled children go to school.

### **UN Convention of the Rights of the Child (CRC)**

In January 2023 the Commission submitted its report to the UNCRC. It covers a range of topics including the right to education. Within our report we highlighted the issue with Article 24 of the UNCRPD and how trends point to a system that may be becoming less inclusive.

The report highlights that the number of children in Wales with ALN has been decreasing since 2017/18. In February 2022 74,661 pupil with ALN were reported to

be in maintained school in Wales. This was down from 92,668 pupils in April 2021<sup>1</sup>. Welsh Government have explained this is likely due to the new ALN system and changes in the way that ALN are identified.<sup>2</sup>

Evidence within the report also shows that there has been a consistent increase in the percentage of children with ALN, being educated outside mainstream schools. In Wales, the percentage of children with ALN attending special schools has increased every year since 2013/14, rising from 4.1% of pupils to 7.3% of pupils in 2021/22.

Challenges remain in ensuring appropriate provision of education for children with ALN in mainstream schools in Wales, including where there have been reports of funding pressures and insufficient staff training.<sup>3</sup>

In September 2021, the Welsh Government began a three-year phased implementation of a new statutory framework to support children with ALN<sup>4</sup> in which every learner with ALN will be given a statutory Individual Development Plan. Before this, only those with the most complex needs, about 15%, had a statutory plan.<sup>5</sup> However, funding uncertainty remains<sup>6</sup> and, following significant delays, there are concerns about implementation. Since we published our report the Minister has announced extending the implementation of the ALN Act from three years to four years.

Recommendations for Welsh Government (and UK Government) in our UNCRC report included:

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<sup>1</sup> StatsWales, [Pupils with additional learning or special educational needs by sector and year](#) [accessed: 1 December 2022].

<sup>2</sup> Welsh Parliament, Senedd Research (2022), [Identifying additional learning needs: has the bar been raised or was it previously too low?](#) [accessed: 1 December 2022].

<sup>3</sup> [Special educational needs and disabilities](#); Welsh Parliament Children, Young People and Education Committee (2019), [Education committee response to Welsh Government Consultation: Draft Additional Learning Needs Code](#), for example see pp. 56–60.

<sup>4</sup> [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#).

<sup>5</sup> Welsh Parliament, Senedd Research (2022) [The new Additional Learning Needs system: the tough task of implementation](#) [accessed: 6 April 2022].

<sup>6</sup> Welsh Parliament Children, Young People and Education Committee (2022). [The 2022-23 Welsh Government Draft Budget](#) [accessed: 6 April 2022], pp. 48–49.

- Remove the reservation and interpretive declaration on Article 24 of the UN Convention on the Rights of Persons with Disabilities, and take concrete steps to facilitate genuine family choice and realise the right of disabled children to inclusive education. (While the Welsh Government may not be able to do this this principal could be adopted).
- Ensure the long-term sustainability of ALN provision, including by ensuring that teachers and other school staff are equipped to support the needs of children with ALN.
- Monitor implementation of the Additional Learning Needs and Education Tribunal (Wales) Act for any disproportionate impacts on particular groups.

## **Equality Act 2010**

### Accessibility strategies and plans

Schedule 10 of the Equality Act 2010 states that:

- A local authority must, in relation to a school for which it is a responsible authority, prepare, implement, review and update written accessibility strategies
- The responsible body for a school must prepare, implement, review and update written accessibility plans

An accessibility strategy must be in writing and local authorities must keep accessibility strategies under review and if necessary revise it. A local authority in Wales must, if asked by the Welsh Ministers, give them a copy of its accessibility strategy.

An accessibility plan is a plan for, over a prescribed period;

- a) Increasing the extent to which disabled pupils can participate in the school's curriculum
- b) Improving the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the school, and

- c) Improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.

An accessibility plan must be in writing and the responsible body must implement its accessibility plan. A relevant inspection may extend to the performance by the responsible body of its functions in relation to the preparation, publication, review, revision and implementation of its accessibility plan.

In March 2018 the Children's Commissioner for Wales published '[Full Lives: Equal Access. A follow up report on wheelchair accessibility in schools in Wales](#)'. This was follow up research carried out in 2014. It reported that while there were some improvements in the overall level of accessibility strategies and plans in place, the Commissioner was not confident that all local authorities and schools were complying with their duties under the Equality Act 2010. It was also concerned to find that local authorities are not routinely consulting with children and their families when drawing together their strategies despite a statutory duty to do so.

In March 2018 Welsh Government updated its guidance [Planning to increase access to schools for disabled pupils](#). The guidance focuses on the preparation of accessibility strategies and plans and ensure local authorities and responsible bodies meet their statutory duties under Schedule 10 of the Equality Act 2010.

### Public Sector Equality Duty

The Public Sector Equality Duty (PSED) is also part of the Equality Act 2010. It includes a 'general duty' and 'specific duties.' The general duty sets out what local authorities, schools and other public bodies in Wales need to consider when making decisions and developing policies that affect learners with different protected characteristics, such as disability. They are required to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who don't, and
- foster good relations between people who share a relevant protected characteristic and those who don't.

The aim of the specific duties is to support a public body in meeting the general duty. They include preparing and publishing equality objectives and having a strategic equality plan to improve outcomes and document the steps that will be taken.

Last year we commissioned [desk based research](#) to review the Strategic Equality Plans published by secondary schools, special schools and Pupil Referral Units (PRUs) in Wales. We found the overall proportion of schools with a strategic equality plan accessible on their website currently stands at about a quarter. Just over half of this number were out of date, having expired and not being reviewed from the autumn term 2021 onwards. Therefore, in total 33 schools, 12.4% of the total appear to have a current Strategic Plan accessible on their website.

Evidence collected by the Children's Commissioner for Wales in the report Full Lives: Equal Access, found that some local authorities have included their Accessibility Strategies within their wider Strategic Equality Plans. However, it was not clear whether these links were routinely being made by every authority.

Public bodies including Welsh Government, local authorities and schools must review and revise all its equality objectives at least once every four years. We are expecting updated objectives and strategic equality plans to be published by April 2024. In our role as regulator we will be working with organisations in Wales to help inform the equality objectives they set. As part of this we have recently published [PSED guidance for schools in Wales](#)

### **Impact of the pandemic**

The pandemic presented particular challenges for disabled pupils, including access to remote learning, therapies and equipment.<sup>7</sup> While schools closed to all except vulnerable children and the children of critical workers, attendance levels for vulnerable children remained low. We also know the shift to remote learning

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<sup>7</sup> Welsh Parliament Equality, Local Government and Communities Committee (2020), [Into sharp relief: inequality and the pandemic](#) [accessed: 16 September 2020], pp.30–32.

exacerbated some existing educational inequalities.<sup>8</sup> Many children lacked adequate access to computers and the internet at the start of the pandemic.

Welsh Government's 'Renew and reform: supporting learners' wellbeing and progression education recovery plan' was published in 2021. It recognised the particular impact of the pandemic on 'disadvantaged and vulnerable learners', including those with additional learning needs.<sup>9</sup> However, it is unclear how the Welsh Government's evaluation of the recovery plan's success will reflect children's rights and protected characteristics.

In 2022 Welsh Government announced additional funding to provide tailored support for children with ALN who have been affected by the pandemic.<sup>10</sup> At the moment it is not clear whether this will be sufficient to reduce the effects of the pandemic on disabled children.

A recommendation for Welsh Government from our CRC report included to:

- ensure that the education recovery programme takes into account the particular challenges faced by different groups of children during, and as a result of, the pandemic, including disabled children and additional learning needs.

## **Access to education**

Persistent absence<sup>11</sup> from school was rising before the pandemic and continues to do so. In Wales, the data shows a continued increase in the number of children who

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<sup>8</sup> Pensiero, N., et al. (2021), [Learning inequalities during the Covid-19 pandemic: A longitudinal analysis using the UK Understanding Society 2020 and 2021 data](#), School of Education, University of Southampton [accessed: 5 December 2022], for example see pp. 5–7.

<sup>9</sup> Welsh Government (2021), [Review and Reform: supporting learners' wellbeing and progression](#) [accessed: 22 February 2022], pp. 11-13.

<sup>10</sup> Welsh Government (2022), [Written statement: additional funding for additional learning needs provision](#) [accessed: 29 September 2022].

<sup>11</sup> A pupil enrolment is identified as a persistent absentee if they miss 10% or more of their possible sessions.

are absent for significant periods, with a particularly high rate among children with additional learning needs.<sup>12</sup>

Evidence suggests that the number of children who are in elective home education (EHE) has increased significantly in recent years.<sup>13</sup> National data is not yet collected, but evidence suggests that certain groups, including those with ALN, may be over represented among those in EHE. While EHE is a positive choice for many families, other reasons for EHE can include health anxieties related to COVID-19, insufficient ALN support in the school system, and the prevalence of bullying which may be related to a child's protected characteristics.<sup>14</sup> There are concerns that not all children in EHE will be receiving appropriate education and that, for some, there may be 'exposure to greater safeguarding risks'.

The Welsh Government delayed the introduction of statutory guidance and regulations governing the collection of data on EHE in 2020,<sup>15</sup> meaning that many local authorities continue to have limited responsibilities for and powers over children educated at home.<sup>16</sup>

Recommendations for Welsh Government from our CRC report included:

- Prioritise the introduction of statutory guidance on elective home education and the collection of data on those educated at home, including data on protected characteristics.

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<sup>12</sup> Welsh Government (2022), [Attendance review – implications of the COVID-19 pandemic for school attendance](#) [accessed: 6 October 2022], pp. 5–9.

<sup>13</sup> Welsh Government (2022), [Pupils educated other than at school: September 2021 to August 2022](#) [accessed: 6 October 2022], p.4.

<sup>15</sup> Welsh Government (2020), [Written statement: home education statutory guidance and draft database regulations](#) [accessed: 6 October 2022].

<sup>16</sup> Children's Commissioner for Wales (2021), [A review of the Welsh Government's exercise of its functions, by the Children's Commissioner for Wales](#) [accessed: 6 October 2022], p.24–25.



- Ensure that policies to improve school attendance rates include tackling barriers to education faced by children with particular protected characteristics, and ensure compliance with the Public Sector Equality Duty in the development and delivery of such policies.
- Use evidence on access to, and outcomes from, education recovery programmes for protected characteristic groups to ensure that support is tailored to meet their needs. This evidence should also inform wider programmes, such as those aimed at improving regional inequalities in educational performance.

## **CYPE(6)-15-24- Paper to note 1**

### **Y Pwyllgor Plant, Pobl Ifanc ac Addysg**

### **Children, Young People and Education Committee**

#### **Senedd Cymru**

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Jeremy Miles MS

Minister for Education and Welsh Language

Dyddiad | Date: 10 May 2023

Pwnc | Subject: Appointment of Chief Executive, Commission for Tertiary Education and Research

Dear Jeremy,

At our Committee meeting on 3 May, we considered and agreed our approach to our forthcoming pre-appointment hearing for the preferred candidate for the Chief Executive of the Commission for Tertiary Education and Research ("the Commission"). Following information provided by the Welsh Government on the appointment process, we discussed this further on 10 May, and agreed to seek some more information ahead of the hearing.

We have noted that on this occasion the process culminated in a direct appointment. This will warrant further consideration and scrutiny as part a transparent and rigorous pre-appointment process.

1. Prior to the panel making its formal recommendations to you, did they receive any feedback – either formally or informally, or any steers or indication from either you or someone acting on your behalf on the acceptability or otherwise of any of the candidates?
2. What involvement did you have in the process prior to your meeting in March, after the recruitment process had concluded, to discuss next steps?
3. Can you provide more information on why you decided to move to direct appointment and not re-advertise?
4. To what extent was the original recruitment panel involved in the decision to move to direct appointment, and the identification of potential candidates? The paper provided seems to suggest that one member of the panel was involved in these discussions, were other members involved? If the whole panel was not involved in these discussions and decisions can you outline why they were not, and who decided which members of the panel would be involved?

5. When you decided to move to direct appointment, how were potential candidates identified, and who led on this work?
6. Where any external bodies, such as recruitment agencies, involved in the process of identifying candidates?
7. How many possible candidates were approached as part of the direct recruitment process?
8. Were there any identified or potential perceived conflicts of interest between those people involved in the direct recruitment and the people identified as possible candidates through direct recruitment?
9. Has the preferred candidate declared any political activity or affiliation?

To inform our consideration of the appointment and the process, we would ask that this information is available ahead of the pre-appointment hearing, and no later than 19 May.

As a Committee and based on our experiences across three different public appointments, we continue to have some concerns about the limited role Senedd Committees have in these public appointment processes. We outlined in more detail these concerns in our [recent letter](#) to the Public Accounts and Public Administration Committee. We note that this is a ministerial appointment, as opposed to a public appointment, but these concerns remain the same for this appointment.

The Public Accounts and Public Administration Committee is currently looking at the public appointments process. We are copying this letter to them in light of our broader views and recognition of the significance of the decision to move to a direct appointment following an unsuccessful recruitment process for such an important public role.

Yours sincerely,



Jayne Bryant MS

Chair

Cc: Mark Isherwood MS, Chair, Public Accounts and Public Administration Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

**CYPE(6)-15-23 - Paper to note 2**



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Our ref: FR/BD/0107

4 May 2023

Jayne Byrant MS  
Chair of Welsh Children, Young People  
and Education Committee

Dear Ms Byrant

**RE: Northern Ireland Commissioner for Survivors of Institutional Childhood Abuse to launch international awareness raising initiative for Northern Ireland victims and survivors of historical institutional childhood abuse**

My name is Fiona Ryan and I am Northern Ireland Commissioner for Survivors of Institutional Childhood Abuse. I am getting in touch because my Office is running an awareness initiative in several countries aimed at reaching Northern Ireland victims and survivors of historical institutional childhood abuse who may be resident elsewhere including Wales. I am contacting you as I am aware the Committee may have a particular interest in this area.

I have been concerned for some time that Northern Ireland victims and survivors of historical institutional child abuse may not be aware of available supports, including dedicated services provided by the Victims and Survivors Service, or know that they may be able to apply for financial redress compensation through the Historical Institutional Abuse Redress Board. I am mindful that victims and survivors who left Northern Ireland may be at additional risk of not being aware of their entitlements.

In March, my office began an awareness raising initiative in Great Britain, the Republic of Ireland, Canada and Australia to inform survivors of historical institutional childhood abuse who have left Northern Ireland of their entitlements to support, services and financial redress compensation. The initiative is delivered through advertising, press and publicity and engagement with organisations, particularly those at community level who may be in contact with victims and survivors.

The application process for financial redress compensation and access to support services are available to any victim or survivor who suffered or witnessed abuse while they were a child (under 18 years) and were living in a residential institution (such as, a state or religious care home, training school or borstal) in Northern Ireland between 1922 and 1995 or were sent to Australia from Northern Ireland as part of the Child Migrant Scheme. Applications for financial redress compensation can be made by victims, or if they are deceased, by a surviving spouse, partner or child.

If you would like any further detail in relation to these matters, please do not hesitate to contact me. Victims and survivors, family members and professionals can contact my Office directly for information and general advice.

It is my sincerest wish that victims and survivors and their families who are not aware of their entitlements will find the necessary information and support they need to make informed choices regarding accessing supports, services and financial redress compensation. For those who are already aware of this but have not yet sought to access services or redress, I hope that they may be encouraged to consider further their entitlements.

I would appreciate if this correspondence could be be circulated to Members of the Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fiona Ryan', enclosed within a circular scribble.

**Fiona Ryan**  
**COMMISSIONER**



Commissioner  
for **Survivors**  
of Institutional  
Childhood Abuse

# If you experienced or witnessed abuse as a child under 18 while living in a residential institution in Northern Ireland between 1922 and 1995

For example, a children's home, training school or borstal

**You may be eligible for support services  
and financial redress compensation.**

*For more information and advice contact the*  
**Northern Ireland Commissioner for Survivors of  
Institutional Childhood Abuse**

✉ [info@cosica-ni.org](mailto:info@cosica-ni.org)

🌐 [www.cosica-ni.org](http://www.cosica-ni.org)

5th Floor South, Queen's Court,  
56-66 Upper Queen Street, Belfast,  
Northern Ireland BT1 6FD  
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# Agenda Item 7

By virtue of paragraph(s) vi of Standing Order 17.42

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