

# Agenda – Children, Young People and Education Committee

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Meeting Venue:

Hybrid – Committee room 4 Tŷ Hywel  
and video conference via Zoom

Meeting date: 25 October 2023

Meeting time: 09.30

For further information contact:

Naomi Stocks

Committee Clerk

0300 200 6565

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## Private pre-meeting

(09.15 – 09.30)

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

(09.30)

### 2 Do disabled children and young people have equal access to education and childcare? – evidence session 8

(09.30 – 10.30)

(Pages 1 – 17)

Sharon Davies, Head of Education, Welsh Local Government Association

Catherine Davies, ALN Policy Officer, Welsh Local Government Association

Gaynor Davies, Director of Education for Rhondda Cynon Taf County Borough

Council and representative for the Association of Directors of Education in Wales

Liz Jones, Inclusion Lead for the Vale of Glamorgan Council and

representative for the Association of Directors of Education in Wales

Attached Documents:

Research Brief

## Break

(10.30 – 10.40)

### 3 Do disabled children and young people have equal access to education and childcare? – evidence session 9

(10.40 – 11.20)



Catherine Falcus, Policy and Leadership Specialist, Association of School and College Leaders (ASCL) Cymru

#### **4 Do disabled children and young people have equal access to education and childcare? – evidence session 10**

(11.20 – 12.20)

(Pages 18 – 30)

Mary van den Heuvel, Senior Policy Officer Wales, National Education Union (NEU)

Mike O'Neill, National Education Union (NEU) Organising Forum member and NEU representative for Merthyr

Ioan Rhys Jones, General Secretary, Undeb Cenedlaethol Athrawon Cymru (UCAC)

Urtha Felda, Policy and Casework Official, NASUWT

Attached Documents:

Paper – Joint Trade Unions

Paper – Undeb Cenedlaethol Athrawon Cymru (UCAC)

Paper – National Education Union (NEU)

#### **5 Papers to note**

(12.20)

##### **5.1 Information from Stakeholders**

(Pages 31 – 45)

Attached Documents:

Letter from the Head of Wales, Equality and Human Rights Commission

##### **5.2 Information from Stakeholders**

(Page 46)

Attached Documents:

Information from Parents Voices in Wales CIC

##### **5.3 P-06-1341 Accessible guidance for parents and schools to help develop plans to support children with additional learning needs**

(Page 47)

Attached Documents:

Letter from the Chair of the Petitions Committee

#### **5.4 Welsh Government Draft Budget 2023–24**

(Pages 48 – 50)

Attached Documents:

Letter from the Minister for Education and Welsh Language

#### **5.5 Welsh Government Draft Budget 2024–25**

(Pages 51 – 56)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Minister for Health and Social Care, Deputy Minister for Social Services and Deputy Minister for Mental Health and Wellbeing

#### **5.6 Welsh Government Draft Budget 2024–25**

(Pages 57 – 68)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Minister for Education and Welsh Language

#### **5.7 Welsh Government Draft Budget 2024–25**

(Pages 69 – 71)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Minister for Economy

#### **5.8 Welsh Government Draft Budget 2024–25**

(Pages 72 – 74)

Attached Documents:

Letter from Disability Wales

#### **5.9 Welsh Government Draft Budget 2024–25**

(Pages 75 – 110)

Attached Documents:

Letter from the Auditor General for Wales to the Chair of the Public Accounts and Public Administration Committee

#### **5.10 Services for care experienced children: exploring radical reform**

(Pages 111 – 115)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Deputy Minister for Social Services

#### **5.11 Services for care experienced children: exploring radical reform**

(Pages 116 – 119)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Chief Executive of Social Care Wales

**5.12 Services for care experienced children: exploring radical reform**

(Pages 120 – 121)

Attached Documents:

Letter from the Deputy Minister for Social Services

**5.13 Do disabled children and young people have equal access to education and childcare?**

(Pages 122 – 135)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Chair of the Equality and Social Justice Committee

**5.14 Forward work programme**

(Pages 136 – 152)

Attached Documents:

Letter from the Education Spokesperson for the Welsh Local Government Association

**5.15 Mental Health support in Higher Education**

(Pages 153 – 155)

Attached Documents:

Letter from the Minister for Education and Welsh Language

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

(12.20)

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

(12.20 – 12.30)

Document is Restricted

## Agenda Item 4

This response was submitted to the [Children, Young People and Education Committee](#) for the inquiry: [Do disabled children and young people have equal access to education and childcare?](#)

AEC 69

Ymateb gan: Cyd-undebau llafur  
Response from: Joint trade unions

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### **Additional Learning Needs and Tribunals (Wales) Act**

#### **Joint union positions – May 2023**

##### **Background**

Following the introduction of the Additional Learning Needs and Tribunals (Wales) Act, education professionals have been faced with significant challenges in terms of implementation.

The reforms to Additional Learning Needs (ALN) legislation have been wide ranging, and had a huge impact on the education system in Wales, at a time when there are other significant systemic changes, including the introduction of the Curriculum for Wales.

The joint trade unions agree with the principles behind the legislation, and would value a system with early intervention and support for children who have, or may have, additional learning needs. However, “early, timely and effective interventions”<sup>1</sup> are only possible if there are education professionals there to support them – not spending precious time completing paperwork, when they could be supporting children and young people.

The 2022 School Census Data<sup>2</sup> shows us that around 18,000 fewer children are identified as having additional learning needs than under the previous system, and that:

“Schools were [...] asked to stop using the ‘General learning difficulties’ category and to reassess an appropriate category of need for such pupils.”

Yet these children and young people will still need support.

Below we have set out a series of area which urgently need addressing in order to improve provision for children and young people, and free up the workforce to focus on “effective interventions”.

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<sup>1</sup> EM 3.3 <https://www.gov.wales/sites/default/files/publications/2018-04/additional-learning-needs-and-education-tribunal-wales-act-2018-explanatory-memorandum.pdf>

<sup>2</sup> <https://www.gov.wales/schools-census-results-february-2022-html>

## **Funding**

Our members tell us that there are variable funding arrangements in place across Wales, in order to access support for children with ALN. A small number of members tell us that schools are being well supported with requests for support for children with additional learning needs, whilst others tell us there is pressure to save money.

Funding should be clear, and universal access to specialist support services is critical to help identify a child's needs and the right provision for them should be available to all schools.

Further more, if a teacher decides (and it is their duty to 'decide' within the Act) that a child with ALN needs certain ALP, then it should be for the local authority to fund. We can not have a situation where schools are disincentivised from identifying a child's additional learning needs.

## **Workload**

We welcome that the Welsh Government has recognised the impact the implementation of the Act is having on workload for staff across the education sector, and as part of the pay deal, has agreed to set up a Task and Finish Group to this end. We have presented extensive evidence to the ALN Implementation team in WG about the challenges around workload which the Act creates.

Members are consistently telling us the workload is unmanageable, and they want to be focusing on delivering the early interventions to children, which is meant to be a core aim of the Act, rather than filling in paper work, without sufficient time, training, or resource.

The Task and Finish Group needs to be established with haste, and all trade unions must be represented on it. Our members voices need to be heard on this critical issue. They want to support children and young people, and tackling the workload crisis in ALN reform is critical to this.

## **ALNCo role**

We are particularly concerned regarding the current inconsistencies in non-contact allocation, remuneration and duties of the new ALNCo role.

If the Act is to fulfil its aims and improve provision for children with additional learning needs, then significant challenges must be acknowledged and addressed by the Welsh Government.

Whilst we welcome the Government's commitment to review these matters, it is critical that schools are enabled (including funded) to pay

ALNCOs appropriately for the important and substantial role they undertake. ALNCOs need to see swift action on this, and as trade unions, we anticipate full involvement in the swift response to the work of the Task and Finish Group.

### **Involvement of health**

There is currently an imbalance of duties within the legislation, which means that health bodies are essentially in a voluntary arrangement, and do not have to support schools or local authorities in identifying ALN and securing Additional Learning Provision (ALP), even when children need input from health in order to access their learning because they have a specific condition.

Members tell us that a duty to make a decision without the input of health and LA services isn't working, and health should be compelled to provide information to inform deciding on an ALN and providing ALP in a consistent and timely manner.

For some young people, their learning needs are hugely impacted by their medical needs, and schools alone cannot support children without input from health – including the vital support of CAMHS, which needs to ensure it is able to deliver timely support to our children and young people, in order to help them access their education.

It seems puzzling to our members that England has Education and Health Care Plans (EHCPs)<sup>3</sup>, but there are no significant duties on health in Wales, despite the NHS having significant resources, when compared to schools and colleges.

### **Statutory assessments**

Our members would welcome statutory assessments, carried out by the local authority at the request of schools or parents. The current duty to decide if a child has ALN does not cover the complexity of some children's needs. Those with more complex needs should have their IDP decided and looked after by a local authority, but there is no clear threshold for this.

Children with significant additional learning needs should have a statutory assessment, undertaken by people with appropriate expertise. The duty to decide for schools/ALNCOs is an asymmetric duty, which

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<sup>3</sup> "Section 42 of the Children and Families Act 2014 creates a legal duty on the CCG to ensure that health care provision specified in the EHC plan is made available to the child or young person."

<https://councilfordisabledchildren.org.uk/sites/default/files/uploads/files/Health%20duties.pdf>



places too much responsibility on schools and individual teachers. Our members believe independent assessments would help produce clarity within the system, and should include clear guidance for when a local authority is responsible for a plan.

### **Duties on local authorities**

The duty to decide ALN and ALP for schools/ALNCoS is an asymmetric duty, which places too much responsibility on schools and individual teachers.

Our members believe local authorities should have clear duties, and should not be able to pass decisions back to schools and instruct them on what ALN to provide, without clear support, including financial assistance. This places too much power in the hands of local authorities.

LAs need to be part of proactive solutions for children with ALN, and help provide the ALP which schools alone cannot, rather than simply determining that a solution must be found by schools. Working more collegially to find a solution would help fulfil the aims of ALN reform.

### **Individual Development Plan**

Currently the lengthy IDP process is inhibitive, and is causing significant workload challenges for our members. Whilst the aim to avoid an adversarial relationship between parents and schools and local authorities is important, the current system is not working.

Many members tell us it is taking 7 hours to complete one plan, with teachers struggling to coordinate all the essential experts who need to feed in, before having to exercise their duty to decide.

We know that there are many children who have not been given an IDP who were previously on a 'School Action' or 'School Action Plus' plan. Practitioners have been encouraged to make provision for these children outside of the IDP system<sup>4</sup>.

We believe a shorter non-statutory plan for those children who do not have an ALN, but may need some extra support in school, including for behavioural issues, would be a benefit children and their parents to know what support they are having, whilst freeing up teachers from writing lengthy IDPs.

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<sup>4</sup> <https://www.gov.wales/schools-census-results-february-2022-html>

## **Training**

Better training is needed on the new ALN system for everyone across education – including teachers and support staff. Whilst there are some pockets of good practice, members tell us that everyone has not had access to the training they need to embed the system within schools.

Members tell us they need more training on completing IDPs, and are very conscious they are a legal document, which they believe should be completed by someone with legal training.

Members especially tell us that they need more training on inclusive teaching, so they can ensure that the “holistic provision” they provide caters for a range of learning needs across their classes, which is an aim of the Curriculum for Wales.<sup>5</sup>

Headteachers in particular need training on the requirements under the ALN system, and their role in facilitating whole school engagement in the implementation of the new system. For example, heads need to be aware of the need to release classroom teachers to participate in multi-disciplinary team meetings and for completion of the IDP.

## **Longer implementation period**

Members have welcomed the longer implementation period for children moving to the new system, announced by the Minister in March<sup>6</sup>. This means there is more time available for practitioners to move children and young people to the new system in a meaningful way.

However, it is worth reflecting that our members told us they needed a much slower phasing in period for – in fact they asked for a year for every year group in school. If we are going to do this well, then we need to ensure that the education workforce has the space and time to implement the Act – including the lengthy IDP process.

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<sup>5</sup> <https://www.gov.wales/schools-census-results-february-2022-html>

<sup>6</sup> <https://www.gov.wales/written-statement-additional-learning-needs-and-education-tribunal-wales-act-2018-implementation>

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar gyfer yr ymchwiliad: [A oes gan blant a phobl ifanc anabl fynediad cyfartal at addysg a gofal plant?](#)

This response was submitted to the [Children, Young People and Education Committee](#) for the inquiry: [Do disabled children and young people have equal access to education and childcare?](#)

AEC 67

Ymateb gan: Undeb Cenedlaethol Athrawon Cymru

Response from: Undeb Cenedlaethol Athrawon Cymru

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1. *The extent to which children and learners are currently able to access all parts of childcare and education provision, including the way in which the curriculum is taught and extra-curricular activities.*

In general, we can say that the Additional Learning Needs and Education Tribunal (Wales) Act has improved the situation in terms of ensuring equal opportunities and equal access for disabled children and learners. The fact that attention is given to children's problems earlier, as the Act covers people between the ages of 0 and 25, has facilitated things.

The Curriculum for Wales places emphasis on 'child-centred' planning, so that's beneficial when planning for disabled pupils.

We are aware, however, that it can be challenging for disabled children to access after-school clubs in some areas, particularly in rural areas. Disabled pupils are dependent on specific transport and it is not possible to change taxi times, etc, unless everyone in the taxi wishes to attend the club.

Parents would otherwise have to collect pupils, which would mean traveling many miles in some cases. In addition, any provision offered outside school hours can lead to financial implications for schools, as it is the school and not the local authority that must fund any 'reasonable adjustments' made for activities that take place outside school hours.

2. *The extent to which children and young people have been excluded from aspects of education or childcare due to their disability or neurodivergence.*

Schools are doing everything they can to include pupils in mainstream activities. Some schools have been very creative in the way they have included disabled pupils in those mainstream activities. In some situations, the disability has even been used as a chance to offer opportunities and deepen understanding of disabilities, e.g. a pupil signing (BSL) in a school concert. Concern must be noted, however, that some disabled children and young people have been deprived of Welsh-medium

education due to a lack of resources or a failure to offer specific provision through the medium of Welsh.

3. *The extent to which families and children feel that they have been affected by direct, indirect or discrimination arising from disability.*

The challenge of looking after children with a disability makes it difficult for parents to look for opportunities available to them. This is even more difficult if the disability is severe. It must be noted that the words 'reasonable adjustments' have made a difference and ensured that things have improved for children and young people with a disability, yet the wording 'reasonable adjustments' is very subjective and open to being defined in different ways. Another element that has contributed to improving the situation is the fact that parents and children now feel that they are part of the process of drawing up the Individual Development Plan and ensuring that appropriate provision is available for them.

4. *The impact of any lack of or limited access on a child or young person's mental health and well-being and educational outcomes.*

There is evidence that a lack of opportunities can affect the mental health of some disabled individuals, especially young people of secondary school age. They feel frustrated that they cannot socialise like their peers, as they are unable to go to places independently, and socialising with peers is so important for young people of this age. These problems can lead to problems on social media. 'Socialising' and engaging on social media can cause problems for disabled young people, as some of them find it very difficult to differentiate between fact and fantasy.

5. *The barriers for schools and childcare providers in offering accessible provision*

There is a range of barriers for schools and childcare providers in respect of offering accessible provision. These include:

- Being more inclusive takes time – time is needed to complete risk assessments and to ensure suitable staffing and support.
- Lack of funding.
- Sometimes, it is difficult to find suitable candidates, the people with the necessary expertise. Recruitment and retention can be a problem. The wages are often low.

- Offering early support is important – this is easier in all-age schools and especially when there is a nursery school in the same building.
- Financial support does not follow the pupil from nursery to school e.g. information received from an ALN Co-ordinator in one local authority:

*Children can start at Cylch Meithrin the day they celebrate their second birthday. If they live in the Flying Start area this scheme can pay for 'extra hands' for children with needs.*

*The children start with us in the nursery class in the term after they celebrate their third birthday, but the 'extra hands' provision does not transfer to the school.*

*In the Cylch a child receives an Individual Development Plan which states that 'extra hands' are needed (i.e. 1:1 support). However, that support is not transferred to the school, which places us as a school in a vulnerable position as we are unable to meet the outcomes within the IDP, which breaks the legal agreement.*

- The nature of some school buildings can be challenging.
- When the catchment area is wide for extracurricular activities, sometimes the numbers are too low (due to transport problems) which means that the activities are not held.
- Schools note that they have to share information about activities on behalf of others and this can be time consuming.
- Lack of sufficient training for staff – disabilities are so varied.
- Paperwork increases the workload of teachers - their time is swallowed up by the bureaucratic demands and prevents them from focusing on providing early interventions for children.

6. *How well disabled and neurodivergent children and their families are consulted or informed of the choices in education or childcare available to them.*

On the whole, disabled and neurodivergent children and their families are consulted on the choices in education or childcare available to them. I wonder, however, whether their right to Welsh-medium provision is made clear enough to the children and their families? Is everyone aware of the right to have provision through the medium of Welsh?

7. *Whether parents of disabled and neurodivergent children and the children themselves receive effective information and support from local authorities and schools.*

There seems to be a fair amount of diversity in terms of provision in different local authorities and we are keen to see more consistency in this respect. Some teachers also noted that they do not feel that they receive sufficient specialist training. The range of disability is very wide and some individuals require very 'specialised' training.

8. *Whether disabled and neurodivergent children and parents of disabled and neurodivergent children have the same level of choice as other children and parents and what issues affect choice or school or childcare.*

When looking at the Welsh in Education Strategic Plans (WESPs), it becomes quite clear that disabled and neurodivergent children, and the parents of those children who wish to receive their education through the medium of Welsh, do not face the same level of choice as other children and parents. Among the very real problems facing disabled children, and parents of disabled children who wish to be educated through the medium of Welsh, is the fact that the Welsh-medium workforce is sparse, and there is a lack of resources, lack of assessments through the medium of Welsh and a lack of consistency in regional collaboration arrangements. In principle, 'all reasonable steps' should be taken to offer provision through the medium of Welsh. The principle behind 'all reasonable steps' is open to interpretation and is a very subjective matter. In order to ensure the same level of choice through the medium of Welsh and English, shouldn't there be an 'absolute duty' to offer a bilingual provision, with Welsh and English treated on an equal basis? Article 30 of the United Nations Convention on the Rights of the Child, which states that children have the right to choose their language, should be taken into account.

***In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.***

A number of the local authorities indicate in the WESP that they do not have enough Welsh-medium staff who can provide ALN. We also read about pupils with ALN leaving Welsh-medium education because there are no suitable Welsh-medium resources to support a variety of needs – in

one local authority, five pupils during the last three years left Welsh-medium education to gain access to the provision of specialised learning support classes. Such issues need to be tackled in order to ensure fairness and equal opportunity for all individuals.

9. *The extent to which there is adequate provision for children with different types of disabilities.*

There are specific references in the WESP to failing to recruit staff for areas such as sensory impairment and speech and language. It is also noted that there are no specialist resource centres attached to Welsh language schools in some local authorities.

It is sad to read that there is currently no equality and that there are no specialist professionals who are fluent in Welsh available for every situation. We understand the challenge that exists in terms of recruitment, yet feel strongly that the basic right of our disabled children and young people is to have the same level of provision as their counterparts who choose education through the medium of English. A number of local authorities indicate that the demand for ALN provision through the medium of Welsh is low, but the reason for this in many cases is that parents/carers of children with complex ALN are more likely to send their children to a English-medium primary school due to the lack of specialist Welsh-medium provision within the local authority. We feel strongly that the fundamental injustice that exists within the current ALN system should be abolished. A situation should not exist where Welsh-medium pupils receive support through the medium of English as there is no Welsh-medium support available, or a situation where pupils do not receive the support they need entirely, through the medium of Welsh. It is important that we ensure that the children and young people, and their parents, get the support in Welsh without having to fight for it.

**October 2023**

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar gyfer yr ymchwiliad: [A oes gan blant a phobl ifanc anabl fynediad cyfartal at addysg a gofal plant?](#)

This response was submitted to the [Children, Young People and Education Committee](#) for the inquiry: [Do disabled children and young people have equal access to education and childcare?](#)

AEC 71

Ymateb gan: Undeb Addysg Cenedlaethol Cymru

Response from: National Education Union Cymru

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## **Background**

The National Education Union Cymru represents members of the education workforce in Wales, many of whom are involved in supporting disabled children in the classroom, as class teachers, ALNCoS, and support staff. NEU Cymru welcomes the opportunity to respond to this consultation. Our members work hard to support disabled children and those with additional learning needs (ALN), but there are challenges in the system which create barriers to support.

Whilst our members welcome the principles behind both the new Curriculum for Wales (being taught to all children from Year 8 down) and the Additional Learning Needs and Education Tribunal (ALNET) (Wales) Act, there are significant concerns about implementation, which could impact on disabled children.

Whilst this Inquiry is specifically about disabled children and young people, we believe it is impossible to express the situation for disabled children without looking at the ALNET Act, and its implementation. Whilst not all disabled children will have ALN, most will have the need for some support in school. And whilst not all children with ALN will have an identified long-term condition, it is likely they will have significant needs, which for the purposes of this response, we are considering alongside those identified as disabled children.

## **Additional Learning Needs and Education Tribunals Act**

Whilst the approach that children with additional learning needs are offered early interventions is welcome, this does not necessary mean they will receive support via an Individual Development Plan (IDP). Members tell us they do not always provide an IDP for children, if they can be supported through minimal interventions, in line with the accessible approach of Curriculum for Wales.



Please note, that whilst we mention the implementation of the ALNET Act, we do not anticipate the challenges for our members – or disabled children and their families – altering, once the Act is fully implemented. The very nature of the Act means that responsibility to ‘decide’ if a child has ALN, and what ALP should be provided, has been passed to schools (and consequently ALNCoS) by the Act. This has created significant resource and workload implications for educators in schools – especially ALN Coordinators (ALNCoS).

### **Decrease in children identified**

The census results show us there was a significant decrease (of around 18,000)<sup>1</sup> in the number of children identified under the new system. Members tell us the future funding for these children is unclear. Whilst many of them will be able to be taught through universal provision, more training is needed to make this a reality. Whether or not these children as being supported sufficiently is unclear. But what is clear is that they will be lost to the system in terms of reporting and recording.

At the moment we know that children with ALN make up a disproportionately high proportion of those who are absent from school.<sup>2</sup> Once every child has transitioned to the new system, it is likely these figures will become incomparable – the children will be, in effect, invisible to the system. We won't be able to measure their attainment, their attendance, their destination data, and so it is possible to question whether we need to record these children in some way – to ensure the system can see them.

### **Curriculum for Wales**

The aim of the Curriculum for Wales is that it is accessible to all<sup>3</sup> learners. Whilst this is a laudable aim, members remain concerned that they have not had enough training on this – on what good universal provision looks like.

Below we have set out some specific barriers for disabled children in accessing the school estate and the curriculum, most of which relate particularly to the challenges involved in the ALNET Act.

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<sup>1</sup> <https://www.gov.wales/schools-census-results-february-2022-html>

<sup>2</sup> <https://www.gov.wales/sites/default/files/publications/2022-04/attendance-review-implications-of-the-covid-19-pandemic-for-school-attendance.pdf>

<sup>3</sup> “This guidance has been developed to be inclusive of all learners, including those with additional learning needs (ALN)”. <https://hwb.gov.wales/curriculum-for-wales/designing-your-curriculum/developing-a-vision-for-curriculum-design#a-curriculum-accessible-to-all>

## **Funding**

The funding for the ALNET Act is critical in terms of questions around support. We believe there should be a more consistent funding mechanisms to ensure that schools can access this funding, and in turn ensure that children can access the support they need to meet their needs.

## **Access to specialist services**

Schools cannot support children alone. However, the nature of the ALNET Code means that schools (ALNCos) have a duty to decide if a child has ALN, and what their Additional learning provision (ALP) should be, regardless of whether they have sufficient information from health and other support services. This is placing an unreasonable expectation on ALNCos. Schools should have access to health information and specialist services, such as speech and language therapy, CAMHS and educational psychologists in order to support children.

## **Training**

Training, including legal training in order to complete IDPs, is needed across the education workforce, in order that they can best support children and help meet any long-term conditions or ALN. Training is needed in order that everyone can provide universal provision, an expectation of both the Curriculum for Wales and the ALNET Act.

## **Joint union paper**

We have set out more details and more issues within the joint union paper – which we have already share with the WG, and presented to the ALN implementation Steering Group.

## **Contact:**

Mary van den Heuvel

Senior Policy Officer

[Mary.vandenheuvel@neu.org.uk](mailto:Mary.vandenheuvel@neu.org.uk)



Jayne Bryant MS

Jayne.Bryant@senedd.wales

Thursday 05 October 2023

Dear Chair,

**Subject: Follow up from meeting with the EHRC Wales**

I am writing to share with you a briefing prepared for the Children, Young People and Education Committee on the [Concluding Observations of the UN Committee on the Rights of the Child](#). The Committee's full report was published in June 2023 and contains a number of recommendations to improve the rights of children in the UK.

As you will know, the Concluding Observations were adopted following a detailed review of the UK's performance under the Convention of the Rights of the Child, which included the submission of [our report](#) to the Committee. This is the first set of recommendations from the Committee since the UK's last review in 2016.

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Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

**Ff/T:** 029 2044 7710

**E:** [correspondence@equalityhumanrights.com](mailto:correspondence@equalityhumanrights.com)

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[equalityhumanrights.com](http://equalityhumanrights.com)



The full report includes over 200 recommendations. In the annex of this letter, I have included a briefing, which summarises some of the key recommendations and identifies areas that align with the priorities of the Children, Young People and Education Committee.

We would recommend that the Committee refer to these recommendations and use them in any relevant scrutiny of the Welsh Government to ensure they are fully implemented.

Yours sincerely,

Rev Ruth Coombs  
Head of Wales  
Wales | Cymru

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Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

**Ff/T:** 029 2044 7710

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## **ANNEX – Briefing on the Concluding Observations of the United Nations Convention on the Rights of the Child**

In June 2023 the United Nations Convention on the Rights of the Child (CRC) Committee published its [Concluding Observations](#), which includes an assessment of children’s rights in the UK and recommendations for improvement.

The Concluding Observations were adopted following a detailed review of the UKs performance under the Convention on the Rights of the Child, which included the submission of [our report](#) to the Committee.

The report includes more than 200 individual recommendations and is the first set of recommendations from the Committee since the UKs last review in 2016. This briefing summarises some of the recommendations and identifies areas that align with the priorities of the Children, Young People and Education Committee.

**We would recommend that the Committee use the recommendations of the CRC Committee in any relevant scrutiny of the Welsh Government to help ensure the recommendations are implemented.**

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Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a’r Saesneg.

The Commission welcomes correspondence in Welsh or English.

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## Top Priorities

The CRC Committee welcomed the various measures taken to implement the Convention, including the prohibition of marriage under 18 years of age in England and Wales; the lowering of the voting age to 16 years in Wales and the abolition of the defence of reasonable punishment in Wales.

However, the report also highlighted certain areas, where urgent measures are needed. Some of the areas the Committee identified as top priorities were:

1. Non-discrimination (paragraph 20)
2. Abuse, neglect and sexual exploitation and abuse (paragraph 33)
3. Children deprived of a family environment (paragraph 38)
4. Mental health (paragraph 43)
5. Asylum-seeking, refugee and migrant children (paragraph 50)

## Non-discrimination

The report highlights that the Committee remains deeply concerned about persistent discrimination, such as through expressions of racism and bullying, against children in disadvantaged situations, including children belonging to minority groups and lesbian, gay, bisexual, trans

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and intersex children; insufficient progress in ensuring the protection of all children under 18 years of age against discrimination on the grounds of their age; and the overrepresentation of children of Asian and African descent and Muslim, Roma, gypsy and traveller children in the criminal justice system and the large proportion of these groups of children who are living in poverty.

Recommendations on this priority include:

- **20(a):** Implement targeted policies and programmes to combat racist and xenophobic activities and to eliminate discrimination against children in disadvantaged situations, including children belonging to ethnic minority groups, asylum-seeking, refugee and migrant children, Roma, Gypsy and Traveller children, children with disabilities, children in alternative care, children of incarcerated parents, children of unmarried parents, lesbian, gay, bisexual, transgender and intersex children, socioeconomically disadvantaged children, and children in the justice system.
- **20(b):** Establish clear avenues for children to seek justice in cases of discrimination, and, where appropriate, ensure the access of children in

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disadvantaged situations to health services, education and a decent standard of living.

- **20(e)**: Ensure that children who experience discrimination, bullying or harassment in relation to their sexual orientation or gender identity receive protection and support, including through targeted anti-bullying measures.

### **Abuse, neglect and sexual exploitation and abuse**

The Committee welcomed the various legislative and policy measures to combat violence against children. Nevertheless, they remain seriously concerned about the high prevalence of domestic abuse, sexual exploitation, gender-based violence and other forms of violence against children, including in alternative care, and insufficient measures to investigate such cases and bring perpetrators to justice, insufficient measures to identify and support children at risk of violence at home and inadequate resources allocated to related services for child victims.

Recommendations on this priority include:

- **33(a)**: Ensure that child protection systems take a child rights-based approach in preventing and addressing cases of abuse and neglect,

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including psychological violence; that social services and other mechanisms for identifying and supporting children at risk of violence as well as child victims of violence are adequately resourced; and that child victims are fully recognized as victims and have access to community-based, trauma care and child-sensitive support services.

- **33 (e):** Develop measures aimed at preventing violence against children in alternative care, children with disabilities, asylum-seeking, refugee and migrant children and children belonging to minority groups.
- **33(i):** Strengthen efforts to train professionals working with and for children, including social workers, law enforcement authorities and the judiciary, to identify and effectively respond to cases of violence, including sexual exploitation.

### **Children deprived of a family environment**

The report highlights the Committee's appreciation for measures taken to support children deprived of a family environment. Nonetheless, the Committee is deeply concerned about the large number of children in alternative care, including in unregulated accommodations, such as hotels, and unnecessary or frequent transfers in alternative care or

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changes in social workers assigned to children. Other concerns were around the placement of children in secure care and residential care homes and insufficient support services for children living in and leaving alternative care.

Recommendations on this priority include:

- **38(a):** Invest in measures to prevent and reduce the number of children placed in alternative care, including by allocating sufficient resources for early intervention and preventive services, including for infants and toddlers, increasing and strengthening the number of trained social workers, and improving multiagency coordination.
- **38(c):** Prevent frequent or unnecessary transfers of children in alternative care settings, ensure that children are consistently supported through individualized care plans and by a social worker throughout their time in care, and conduct regular and substantive reviews of placements in care.
- **38(g):** Ensure that children are heard in decisions affecting them in alternative care placement throughout their stay, and that relevant authorities and professionals have the technical capacities required to guarantee respect for children's views in alternative care.

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## Mental health

The report highlights that the Committee is deeply concerned about the long waiting lists for children seeking mental health services and the large number of children with mental health issues, learning disabilities and autism placed in detention and adult psychiatric wards under the Mental Health Act 1983.

Recommendations on this priority include:

- **43(c):** Develop or strengthen strategies, with sufficient resources, for ensuring the availability of community-based therapeutic mental health services and programmes for children of all ages, and for providing comprehensive mental health promotion, screening for mental health issues and early intervention services in schools.
- **43(e):** Develop adequately funded mental health services that are tailored to the specific needs of lesbian, gay, bisexual, transgender and intersex children, migrant children, children with disabilities and “young carers”, including through sufficient investments in specialist services.

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- **43(f)**: Address the overrepresentation of children belonging to minority groups, children with autism and children with learning disabilities in inpatient mental health care.

### **Asylum-seeking, refugee and migrant children**

The report highlights the Committee's concern over the persistent use of unreliable methods for determining a child's age, the large number of children whose age has been disputed and the lack of data on the number of asylum-seekers claiming to be children who have been assessed and sometimes detained as adults by immigration officials.

Recommendations on this priority include:

- **50(d)**: Strengthen measures to ensure that all asylum-seeking, refugee and migrant children have equal and prompt access to education, health services, housing, psychosocial support, and social protection including benefit entitlements.
- **50(e)**: Put an end to the use of unreliable and invasive procedures for determining a child's age; develop an age determination procedure that is child- and gender-sensitive, includes multidisciplinary assessments conducted by relevant professionals of the child's maturity and level of

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development, and respects the legal principle of the benefit of the doubt; and ensure that children have access to legal advice throughout the process and, if necessary, can challenge the outcome of such assessments.

- **50(g):** Develop a consistent, statutory system of independent guardianship for all unaccompanied children, and ensure that all unaccompanied children throughout all jurisdictions of the State party are promptly identified and appointed a professionally trained guardian.

### Other areas of interest

As well as these five priorities areas there are other themes within the report that align with the focus of the Children, Young People and Education Committee. These are set out below.

### Education

The report notes with concern inequalities in educational attainment and outcomes for children in disadvantaged situations.

The recommendations include:

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- **47(a):** Strengthen measures to address inequalities in educational attainment and improve educational outcomes for children in disadvantaged situations, including children in socioeconomically disadvantaged situations, children belonging to ethnic minority groups, asylum-seeking, refugee and migrant children, children with disabilities and “young carers”, including by: (i) providing financial and other support for such children to finish school; (ii) developing guidelines for responding to cases of school absenteeism; and (iii) collecting and analysing data disaggregated by ethnic origin, educational outcomes and other relevant indicators on completion rates, educational outcomes and exclusions to inform policies and programmes.
- **47(b):** Ensure inclusive education in mainstream schools for all children with disabilities, including by adapting curricula and training and assigning specialized teachers and professionals in integrated classes, so that children with disabilities and learning difficulties receive individual support and due attention.
- **47(d):** Monitor the use of exclusions and ensure that they are prohibited in primary schools and used in secondary schools only as a measure of last

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resort; prohibit the use of informal exclusions and so-called “off-rolling” and provide for appropriate alternatives; and develop measures to address their overuse in general as well as their disproportionate use on children belonging to ethnic minority groups and children with disabilities.

- **47(f):** Increase efforts to eliminate discrimination and bullying, including cyberbullying, on the grounds of race, sexual orientation, gender identity or sex characteristics, disability, migration or other status in the school context, and ensure that such measures: (i) are adequately resourced and developed in consultation with children; (ii) address the root causes of bullying; and (iii) encompass prevention, early detection mechanisms, awareness-raising on its harmful effects, the empowerment of children, mandatory training for teachers, intervention protocols and consistent and robust recording and monitoring of bullying behaviour.

## Restraint

The report highlights the Committee remains deeply concerned by the large number of children who continue to experience such treatment.

The recommendations include:

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- **12(c)**: Regularly collect, analyse and publish disaggregated data on the use of stop-and-search checks, harmful devices, seclusion, restraint, solitary confinement and isolation on children.
- **30(b)**: Develop statutory guidance on the use of restraint on children to ensure it is used only as a measure of last resort and exclusively to prevent harm to the child or others, and monitor its implementation.
- **47(j)**: Explicitly prohibit the use of restraint and seclusion in educational settings and adopt a child rights-based approach to addressing violence or other disturbances in schools, including by prohibiting the presence of police in schools and providing regular training for teachers on relevant guidance for addressing such disturbances in a child-sensitive manner.

In June 2022 we published our [inquiry report](#) into how schools are monitoring the use of restraint. This also included a number of recommendations for the Welsh Government.

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Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

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## Human Rights Tracker

Our [Human Rights Tracker](#) is an online tool that can be used to track how well Welsh Government is putting their human rights duties into practice. It covers a range of topics including education, health and living standards. The status for the Welsh Government on these areas ranges from limited progress, no progress as well as regression.

**We would also recommend that the Children, Young People and Education Committee use this tool when scrutinising the Welsh Government.**

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Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

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# Agenda Item 5.2

Dear Sir/Madam

We hope that members of the Committee are well.

On behalf of parents and carers in Wales, we wish to inquire whether there will be another evaluation of the whole school approach that also consults with families in Wales by the Committee please?

You may recall we contributed to an evaluation in 2021 by the Senedd Committed in terms of our families' lived experience and outcomes for learners and families on emotional wellbeing.

There has been of course some great developments since 2021 but we still have concerns relating to the lack of pupil/family voice in the process of accessing the whole system, that schools can be a barrier as much as a gateway regards the inreach teams/whole system along with the disparity between communities.

I have concerns about some schools being expected to be the gateway for Neurodevelopmental assessments where the staff do not have the time nor the skills to make such clinical decisions and in my opinion are working outside of both their professional competency and guidelines of the Autism Code of Practice. The learner unduly left to journey down the mental health spectrum and the impact on the whole family.

Where there is discrepancy in opinion between families and schools about accessing in reach teams, families are told to go to the GP to bypass the school. This is sending families again hunting down services and conflicts with the No Wrong Door Approach.

There are many concerns raised by families that their children are reaching crisis, are absent from school and can no longer access emotional based support because they are not in school to access educational based interventions.

As we know, post COVID demand is outstripping capacity for CAMHS, Neurodevelopmental Services and Social Care but I fear that demand is far greater than the data reports and that we should now be including absent learners as part of this crisis in demand. Third sector has been a tremendous ally to statutory services in this regard but of course this may not be sustainable.

As I say there are some great developments and practices across schools in Wales and we are also working hard within communities and across services to improve awareness of relational practices, neurodivergence, inclusion and elevating the pupil/family voice in the whole system but I feel another robust evaluation by the Senedd Committee would be helpful.

As always I would be delighted to support the Committee and act as conduit for families if this would be of help.

Kind regards Informatio

Ceri Reed

Parents Voices in Wales CIC

## Y Pwyllgor Deisebau

### Petitions Committee

Jayne Bryant MS

Chair

Children, Young People and Education Committee

Tŷ Hywel

Cardiff Bay

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### Senedd Cymru

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### Welsh Parliament

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0300 200 6565

6 October 2023

Dear Jayne

Petition P-06-1341 Accessible guidance for parents and schools to help develop plans to support children with additional learning needs

The Petitions Committee considered the above petition at our meeting on 25 September, alongside correspondence from the Minister for Education and Welsh Language and the Petitioner.

At the meeting members agreed to write to your Committee in order to bring your attention to the petition and ask if you would consider taking evidence from the petitioner as part of your inquiry on equal access to education and childcare.

Further information about the petition, including related correspondence, is available on our website at: <https://business.senedd.wales/ielssueDetails.aspx?Ild=41406&Opt=3>.

If you have any queries, please contact the Committee clerking team at the e-mail address below, or on 0300 200 6454. I would be grateful if you could send your response by e-mail to the clerking team at [petitions@senedd.wales](mailto:petitions@senedd.wales).

Yours sincerely



Jack Sargeant MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

# Agenda Item 5.4

**Jeremy Miles AS/MS**  
Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language



Llywodraeth Cymru  
Welsh Government

10 October 2023

Dear Chair,

## **Welsh Government response to CYPE Committee 2022-23 Draft Budget report:**

**Recommendation 24: The Welsh Government must provide the Committee with 6 monthly updates on the progress of the implementation of the ILE programme, including information on how the Welsh Government is promoting the programme to learners in Further Education.**

Over the past six months, Taith has seen further progress in relation to the implementation of the programme. Since I last wrote to you, a further 7.2m has been allocated to this year's successful Pathway 1 projects, hundreds more learners have taken part in exchanges, and we have come to the end of the first full year of project activity.

Since launching the programme in February 2022, Taith has run a total of four funding calls: Pathway 1 2022 and a second call for the FE/VET sector, Pathway 2 2022, and Pathway 1 2023. The 2023 Pathway 2 call opened on 5 October and will close on 30 November.

Over the four funding calls to date, £18.7m has been allocated to 142 projects, involving 163 different organisations – including all Further Education colleges in Wales. This is expected to create international learning exchange opportunities for over 11,000 people. The most recent data available indicates that by 30 June, 1120 participants had completed their mobilities, with much more activity having taken place over the summer.

Feedback from those that have taken part in Taith-funded exchanges has been overwhelmingly positive, with many saying it has been the best experience of their life, and something they wouldn't have had the opportunity to do otherwise. I would encourage members to visit the [Taith website](#) to read about the inspiring stories from young people who have taken part – for example Ferndale Community School's trip to Singapore to learn about engineering and aquaculture, or students from the University of Wales Trinity Saint David rekindling their partnership with the Madog Center for Welsh Studies in Ohio.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

## Pathway Funding Call Outcomes

Pathway 1, which focuses on the mobility of individuals and groups, and accounts for the majority of Taith's activity, was open for applications between January and March, with £7.2m available. Details of the 2023 Pathway 1 funding call outcomes, and funding allocated from all calls to date are shown in tables 1 and 2.

**Table 1: Pathway 1 2023 outcomes by sector.**

Sector	No. of applications	No. of projects funded	Total funding allocated (£)
Youth	19	14	1,012,467
Schools	36	28	1,758,987
Adult Education	6	4	231,441
FE/VET	11	9	1,190,191
HE Education	8	8	2,498,031
HE Research	6	6	499,054
<b>Total</b>	<b>86</b>	<b>69</b>	<b>7,190,171</b>

**Table 2: Outcomes from all funding calls to date by sector.**

Sector	Number of projects funded				Total funding allocated to date (£)
	Pathway 1 2022	Pathway 2 2022 <sup>(a)</sup>	Pathway 1 2023	Total	
Youth	12	4	14	30	2,222,933
Schools	15	7	28	50	4,329,443
Adult Education	6	3	4	13	610,236
FE/VET	7	5	9	21	3,024,831
HE Education	8	.	8	16	6,632,884
HE Research	6	.	6	12	1,915,215
<b>Total</b>	<b>54</b>	<b>19</b>	<b>69</b>	<b>142</b>	<b>18,735,542</b>

(a) Higher Education is not eligible for Pathway 2 due to the sector's desire for funding to be concentrated on Pathway 1.

As shown in table 2, there has been an increase in applications from the 2022 to 2023 Pathway 1 calls. This has included more direct applications from schools and Further Education colleges: 30 from schools as opposed to 18 in 2022, and 8 from colleges as opposed to 4 in 2022. This is encouraging to see, particularly when considering these sectors' engagement with Erasmus+ and the Turing Scheme, which was and continues to be primarily through third-party organisations.

## Governance

Taith is in the process of implementing a number of changes to strengthen the governance of the programme and ensure that there is sufficient diversity of expertise and range of views represented at all levels of the governance structure:

- In June, Piet Van Hove and Ben Coates were appointed to the ILEP Board as independent non-executive directors.
- New, open stakeholder groups, including one for the Further Education sector, have been established, to ensure that any individual or organisation with an interest in Taith has the opportunity to input into the programme's development.

- The Advisory Board is being refreshed, and Taith is now inviting applications for new members; details are available on the [Taith website](#). I would welcome committee members' support in highlighting these opportunities to their networks.

### Strategy

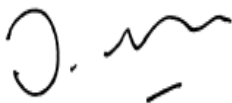
Now that Taith is a year and a half into delivery, it is clear that what was initially established as a replacement for Erasmus+ has transformed into a distinct, uniquely Welsh programme. It has been developed in partnership with the education sector and with learners and young people in Wales at its heart. With that in mind, I announced on 3 October that Taith is publishing a refreshed strategy to better reflect the programme's core aim of creating life-changing opportunities through international learning exchanges, and refocus on its three main objectives, which are to:

1. Ensure exchanges provide the greatest impact.
2. Fund high-quality learning exchange projects.
3. Support educational innovation in Wales.

A renewed focus on creating life-changing opportunities will ensure that support is targeted towards organisations working with learners from underrepresented groups, who often have the most to gain from taking part in international learning opportunities. Taith supports these organisations in several ways, including through the recently appointed Taith Champions – Diverse Cymru and Welsh Centre for International Affairs – who will be encouraging and supporting organisations working with learners from underrepresented groups to consider how Taith funding could benefit them.

Taith has come a long way since the announcement of the ILE programme in March 2021, and I am confident that the next six months will see even more success, and lives being changed as a result of this programme.

Yours sincerely,



**Jeremy Miles AS/MS**

Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language

# Agenda Item 5.5

## Y Pwyllgor Plant, Pobl Ifanc ac Addysg

### Children, Young People and Education Committee

Minister for Health and Social Care  
Eluned Morgan MS

Deputy Minister for Social Services  
Julie Morgan MS

Deputy Minister for Mental Health and Wellbeing  
Lynne Neagle MS

9 October 2023

### Welsh Government Draft Budget 2024-25

Dear Eluned, Julie and Lynne,

As last year, we would like written information to support our scrutiny of the Welsh Government's Draft Budget 2024-25. The annex to this letter sets out in detail the information that we would like to receive.

I would be grateful to receive the written information no later than 19 December 2023. I note that the Welsh Government intends to publish the Draft Budget on 19 December 2023. While we usually ask for the written information a few days after the publication of the draft budget, due to the planned publication date of the draft budget, we are asking for this information on the same day. To help alleviate some of the issues in preparing the written evidence and provide you with the maximum time possible to prepare the submission we are issuing our request earlier in the autumn term. Please contact my clerks if you are concerned about meeting our proposed deadline in light of the budget timetable.

Given the shared interest across committees in some of the areas listed in the annex to this letter, I have copied in the chairs of the Health and Social Care Committee and the Equality and Social Justice Committee.

### Senedd Cymru

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### Welsh Parliament

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Yours sincerely,

Jayne Bryant

Jayne Bryant MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.





# Annex A: Request to the Minister for Health and Social Services regarding CYPE Draft Budget scrutiny 2024-25

## 1. Allocations for children and young people

Allocations in the Health MEG by Action, and Budget Expenditure Line (as directly relevant to children and young people):

- Draft Budget 2024-25
- Final Budget 2023-24 allocations
- 2023-24 First Supplementary Budget
- Forecast 2023-24 out-turns
- 2025-26 indicative budget (if set)

A description of any changes to baselines used in the Draft Budget 2024-25 from the First Supplementary budget June 2023.

## 2. Impact assessments

- **Combined CRIA across all portfolios:** The overall Child's Rights Impact Assessment (CRIA) undertaken by to inform allocations in the draft Budget 2024-25.
- **CRIA for Health and Social Services MEG:** The CRIA for the Health and Social Services MEG for 2024-25.
- **Other impacts:** Details and/or examples of any changes made to allocations within the Health and Social Services MEG following considerations of equalities, sustainability, the Welsh language, and the Wellbeing of Future Generations.

## 3. Programme for Government

Allocations in the Draft Budget 2024-25 and the latest position on funding for:

PFG Commitment	Requested allocations and narrative detail
Advocacy services for parents whose children are at risk of coming into care.	Allocations for the roll out of support for parents whose children are on the edge of care, which is to be delivered in accordance with a national framework.

Fund regional residential services for children with complex needs.	<p>Allocations for 2024-25 for the Regional Partnership Boards for the 8 projects which are now operational (and how many additional placements this funds).</p> <p>Allocations for delivery of any new projects (and how many additional new placements this funds).</p>
Eliminating private profit from the care of children looked after.	<p>An annual breakdown of how the commitment to spend £68m is broken down by total over the three years 2022-23, 2023-24, 2024-25.</p> <p><b>Final outturns for 2022-23</b> / breakdown of who that was allocated to and for what purpose (by local authority and third sector)</p> <p><b>Forecast outturns for 2023-24</b> / breakdown of who that was allocated to and for what purpose (by local authority and third sector)</p> <p><b>Detailed planned allocations for 2024-25</b> (or the process by which that will be decided)</p>
Specialist support for children with complex needs who may be on the edge of care.	<p>Details of the 32 projects so far identified by Regional Partnership Boards cover the whole of Wales and how these are funded by the Health and Social Care Regional Integration Fund as detailed in the most recent <a href="#">PfG Annual Report</a>.</p>
Fund childcare for more families where parents are in education and training or on the edge of work.	<p>Overall allocations for the Childcare Offer in 2024-25.</p> <p>The cost in 2023-24 of the additional 438 families and the total costs allocated in 2024-25 for the estimated 3,000 more eligible families as referred to in the most recent <a href="#">PfG Annual Report</a>.</p>
Phased expansion of early years provision to include all 2 year olds, with a particular emphasis on strengthening Welsh medium provision.	<p>Allocations and what they are intended to deliver in 2024-25</p> <p>Information on whether it will be a full 30 hour offer for all two year olds, and by when this will be delivered</p>
Flying Start.	Revenue and capital

#### 4. Sustainable Social Services Grant Scheme

The total amount for the Scheme and a breakdown of all grants relevant to children and young people.

## 5. Care Experienced Children Change Fund

The total amount for the Fund and a breakdown of all allocations.

## 6. Children's Social Care workforce

Any allocations associated with supporting local authorities to address the instability of the workforce in children's social care, such as vacancy rates and the use of agency staff, identified both in our Report on [Radical Reform for Care Experienced Children](#) and the recent [Care Inspectorate Wales rapid review of child protection arrangements](#) September 2023.

## 7. Children's Health

- Allocations in the Draft Budget 2024-25 and the latest position on funding for:
  - Public health as it relates to children and young people, including vaccination
  - Obesity strategy
  - Mental health services, including child and adolescent mental health services, and services to support perinatal mental health and parent-infant relationships
  - Eating disorder services
  - Suicide prevention as it relates to children and young people
  - Substance misuse, including vaping among children and young people
  - Neurodevelopmental services

## 8. Cost of living

- **Health Boards:** The delivery of services to children and young people by the Health Boards in Wales and the impact of the rising costs of energy on this provision.
- **Social Services:** Policy and oversight of the provision of all social service activities of Local Authorities in Wales and any associated discussions with the Minister for Finance and Local Government.
- **Child poverty:** Details of what discussions have taken place with other relevant Ministers in respect of allocations which have a significant impact on children's health and social care, for example the Minister for Social Justice in terms of the budget of the Children's Commissioner for Wales and broader policy issues such as child poverty.

## 9. Costs of legislation

- Financial implications or anticipated in 2022-23 and 2023-34 of any subordinate legislation relevant to children and young people within the Minister's portfolio.
- Information on the financial impact of any relevant UK Parliament legislation.

# Agenda Item 5.6

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

**Children, Young People  
and Education Committee**

Jeremy Miles MS  
Minister for Education and Welsh Language

9 October 2023

## **Welsh Government Draft Budget 2024-25**

Dear Jeremy,

As last year, we would like written information to support our scrutiny of the Welsh Government's Draft Budget 2024-25. The annex to this letter sets out in detail the information that we would like to receive.

I would be grateful to receive the written information no later than 19 December 2023. I note that the Welsh Government intends to publish the Draft Budget on 19 December 2023. While we usually ask for the written information a few days after the publication of the draft budget, due to the planned publication date of the draft budget, we are asking for this information on the same day. To help alleviate some of the issues in preparing the written evidence and provide you with the maximum time possible to prepare the submission we are issuing our request earlier in the autumn term. Please contact my clerks if you are concerned about meeting our proposed deadline in light of the budget timetable.

Given the shared interest across committees in some of the areas listed in the annex to this letter, I have copied in the chairs of the Economy, Trade and Rural Affairs Committee and the Culture, Communications, Welsh Language, Sport, and International Relations Committee.

Yours sincerely,



Jayne Bryant MS

Chair

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# Annex A: Request to the Minister for Education and Welsh Language regarding the CYPE Committee's Draft Budget scrutiny 2024-25

## Cross-cutting areas

### Transparency of budget presentation

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As in previous years, we request a clear, transparent explanation of changes to the overall Education and Welsh Language MEG in 2024-25, from 2023-24, including both a comparison with the actual budget in addition to any revised baseline which is used. We would also appreciate a summary of the key changes between 2023-24 and 2024-25.

If a revised baseline is used, we request a breakdown of amounts which have been removed from or added to the 2023-24 budget and an explanation in each case of why it is deemed appropriate to use the revised baseline rather than the actual budget set in 2023-24 for comparisons.

For significant changes to budget lines, we request an explanation of whether money is being taken from/returned to central reserves or allocated from/to other budget lines either within or outside the MEG.

### Commentary on Actions and detail of Budget Expenditure Line (BEL) allocations

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We request commentary on each of the Actions within the 2024-25 Education and Welsh Language MEG, including an analysis and explanation of significant changes since the 2023-24 First Supplementary Budget (June 2023). In the past, this has been provided in an annex – last year it was Annex B.

We also request a breakdown of the 2024-25 Education and Welsh Language MEG by Action, and Budget Expenditure Line (BEL), with Final Budget 2023-24 allocations, First Supplementary Budget 2023-24 allocations, forecast 2023-24 outturns, and 2022-23 final outturns all included. If indicative budgets are being set beyond 2024-25, we request details of those as well.

If the Welsh Government uses a revised baseline budget for comparative purposes, we request that the actual 2023-24 First Supplementary Budget allocations are also presented alongside 2024-25 draft budget allocations as well as an explanation of the reasons for the re-calculation of the baseline (as mentioned earlier).

### Education priorities and other strategic priorities

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Information on how the Education and Welsh Language MEG aligns with, and is prioritised according to, the Welsh Government's relevant priorities and key objectives, including:

- An updated assessment from the Minister on the extent to which he believes the Education and Welsh Language MEG contains the resources necessary to deliver Welsh Government priorities and key objectives,
- Information on any ongoing negotiations with the Minister for Finance and Local Government to maximise the level of resources available for education, including funding for schools' core budgets through the Local Government Settlement.
- Details of how allocations to and within the Education and Welsh Language MEG align with the Programme for Government and the Co-operation Agreement.
- Whether, and if so how, the Minister intends to target resources at addressing any cross-cutting themes or priorities across the MEG as a whole, for example any remaining activity to recover from the pandemic, the cost of living, tackling the negative impact of disadvantage on learners' outcomes, the Welsh language, giving effect to children's rights and supporting learners with their physical, emotional and mental health.

#### Children's rights and other cross-cutting considerations

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In line with assessing whether 'due regard' has been given to article 4 of the UNCRC and the Welsh Government's duties under the Rights of the Child and Young Persons (Wales) Measure the Committee, we request:

- The overall Children's Rights Impact Assessment for this draft Education and Welsh Language MEG for 2024-25, which sets out how children's rights are put into effect in these budget allocations, with reference to specific articles in the United Nations Convention on the Rights of the Child as relevant.
- If a specific CRIA has not been undertaken, the reasons for this.
- A copy of any alternative integrated impact assessment as well as assurances that this assessment demonstrates that the duty of "due regard" to the United Nations Convention on the Rights of the Child has been exercised.
- Details and/or examples of any changes made to initial allocations within the Education and Welsh Language MEG following considerations of children's rights, equalities, sustainability, the Welsh language, or the Wellbeing of Future Generations (Wales) Act 2015 as a result of impact assessments, or where these assessments have had a direct influence on the setting of budgets.

## Costs of legislation

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- Details of allocations within the 2024-25 budget intended for the implementation of the Curriculum and Assessment (Wales) Act 2021 and associated qualifications reform.
- Details of allocations for implementing the Additional Learning Needs and Education Tribunal (Wales) Act 2018 and the wider ALN Transformation Programme.
- Details of allocations within the 2024-25 budget intended for the implementation of the Tertiary Education and Research (Wales) Act 2022.
- Information on the financial impact of any relevant UK Parliament legislation.
- Financial implications in 2024-25 of any relevant subordinate legislation.

## Impact of the COVID-19 pandemic

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- Information on any remaining impact of the pandemic on the Education and Welsh Language MEG in 2023-24 and any ongoing implications in 2024-25, including an update on budget arrangements for meeting these, for example whether the “Recruit, Recover, Raise Standards (RRRS)” programme is continuing in 2024-25..
- Details and breakdown of the funding allocated for the education sector’s response to the pandemic, in 2022-23, plus any allocation in 2024-25 (essentially an update to paragraphs 1.6.5-1.6.6 of last year’s paper).

## Impact of Brexit

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- An update on whether there are any specific financial implications for the 2024-25 Education and Welsh Language MEG from the UK’s withdrawal from the EU, and any allocations made to mitigate these.

## Impact of cost of living pressures on delivery of education services

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- An update on the implications of cost of living pressures and high energy prices on the operational delivery of education institutions – across early years, schools, colleges, universities and training providers.

## Budget monitoring and the current financial context

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- Information on the processes in place for monitoring budgets throughout the year, identifying potential deficits and surpluses, and taking remedial action or allocating additional funds to cover any shortfalls, particularly in light of the pandemic.



- The implications for the Education and Welsh Language MEG of the issues referred to in the First Minister’s statement of 9 August 2023 and reports of savings needing to be made in this financial year.
- Details of any changes to the 2023-24 Education and Welsh Language MEG that are already anticipated in the Second Supplementary Budget.
- The implications for the Education and Welsh Language MEG of the UK Government’s Autumn Statement 2023.

## Specific areas

### Funding for school budgets

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- An explanation of how the Welsh Government has prioritised funding for schools in the 2024-25 Draft Budget (in both the Finance and Local Government MEG and the Education and Welsh Language MEG) and taken account of the Sibieta review of school spending in its approach to setting this budget.
- An update on any work the Welsh Government is carrying out to consider amendments to the School Funding (Wales) Regulations 2010.
- The Minister’s perspective on the level of school budget reserves, in the context of the 31 March 2023 data due to be published in late October 2023.

### Funding for school improvement

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- An explanation of how the Draft Budget 2024-25 supports school improvement and raising standards of education.
- Details of the Regional Consortia School Improvement Grant (RCSIG) allocations in 2023-24, broken down by objective and/or funding description (or whichever headings are appropriate) – essentially an update to Annex D of last year’s paper.
- Details of how much RCSIG was paid to each consortium and/or local authority in 2023-24.
- Information on the Education Improvement Grant element of the RCSIG and the review that was underway when the budget was discussed last year.

### The cost of living and reducing the impact of deprivation on educational outcomes

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- Information on how resources within the Education and Welsh Language MEG are being used to meet the Welsh Government’s long-term commitment to reduce the impact of deprivation on educational outcomes.
- A breakdown of the “Tackling barriers to attainment” BEL for the Pupil Development Grant (PDG) and the School Essentials Grant and an update of how eligibility for these is assessed, given the main qualifying criteria (eligibility for free school meals) is moving to universal provision in primary schools.
- Information on how resources within the Education and Welsh Language MEG are being used to support learners in post-16 education with the impact of cost of living pressures, and to address the impact of deprivation on outcomes (including, for example, through additional hardship funding for providers, or through existing student support funding such as the Education Maintenance Allowance).
- The costs of the expansion of free school meals in 2023-24, 2024-25 and future years, and an update on the schedule for extending FSM throughout all primary school age groups.
- A further breakdown of the funding provided to local authorities in 2023-24 for the universal provision of free school meals (UPFSM) and for 2024-25 if known.
- Any other funding within the Education and Welsh Language MEG for initiatives to tackle the cost of living and the deprivation/attainment negative correlation, for example school holiday enrichment/summer of fun/food and fun projects, including an explanation of how these projects and funding streams relate to each other

## Education workforce

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- Details of budget allocations to finance Initial Teacher Education (ITE) and professional learning for current teachers, including in light of the ongoing implementation of education reforms.
- Information on funding provided by the Welsh Government to the Education Workforce Council.
- Details of any budget provision for meeting the costs of the teachers’ pay award for academic year 2023/24 including a breakdown between the 2023-24 and 2024-25 financial years and the respective mechanisms used (whether direct grant or incorporated into the local government settlement).
- Information on any funding to support policy regarding the supply teaching workforce.

## Curriculum reform

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- Information on funding to support the implementation of the Curriculum for Wales, including professional learning for the workforce.

## Emotional and mental health of children and young people

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- Budget provision from the Education and Welsh Language MEG in 2024-25 for the whole-school/system approach to emotional and mental health.
- Details of funding from the Health and Social Services MEG to complement work in schools on this area.
- Information on any budget provision to support the emotional and mental health of young people in post-16 education.
- Budget provision for the action plan and wider response to tackle peer on peer sexual harassment among learners.

## Pupil absence

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- Information on any specific budget provision to address rates of pupil absence or an identification of which budget lines support such work more generally.

## Sport and physical activity

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- Information on how the Education and Welsh Language MEG supports the provision of sport and physical activity for children and young people, whether inside or outside school, and how this relates to any funding in the Health and Social Services MEG such as for Healthy Weight, Healthy Wales.

## Support for Minority Ethnic and Gypsy, Roma and Traveller learners

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- Details of funding to support the education of Minority Ethnic and Gypsy, Roma and Traveller learners in 2024-25 and how this is being distributed (whether this is still part of the Education Improvement Grant).

## Additional Learning Needs

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- An updated assessment of the pressures facing local authorities, schools, and colleges in delivering current SEN/ALN provision, the impact of additional funding in previous years and whether further additional funding will be provided in 2024-25.

- Information on funding provision for the implementation of the 2018 Act, including an updated assessment of whether the ALN reforms are proving to be cost-neutral.
- The latest position on funding for the training of educational psychologists in Wales and the grant funding arrangement with Cardiff University.

## Estyn

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- Details of Estyn's core budget allocation for 2024-25 from the Finance and Local Government MEG and details of any additional funding from the Education and Welsh Language MEG for Estyn's role in education reforms.

## Qualifications

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- Details of funding allocated to Qualifications Wales in 2024-25 and details of any additional funding for its work on qualifications reform in the context of the new Curriculum for Wales.

## Welsh-medium education

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- Details of budget provision to support the Welsh Government's policies for Welsh-medium education, including proposed legislative reform and the education sector's role in meeting the Cymraeg 2050 target of one million Welsh speakers.
- Information on funding allocated for enhancing the Welsh in education workforce..

## Early years education and childcare

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- Whether the funding arrangements in place in previous years to support the harmonisation of funding rates in early years education and childcare continued in 2023-24 and are continuing in 2024-25.
- Details of any other funding from the Education and Welsh Language MEG to support the non-maintained sector's delivery of early years education and the Curriculum for Wales (recognising that childcare is not in this Minister's portfolio).

## Youth work

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- Details of how the 2024-25 Education and Welsh Language MEG supports statutory and voluntary youth services and budget provision for meeting the Programme for Government commitments in respect of strengthening youth services.
- Details of how the 2024-25 Education and Welsh Language MEG supports the Youth Work Strategy for Wales and the work of the Implementation Board.

## Offender learning

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- Information on budget provision in 2024-25 and any changes to how this will be spent compared to previous years.

## Further education, sixth forms and adult community learning

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- Details of the complete 2023-24 allocations to further education colleges, to include the amounts of all components of the allocation (i.e. full-time, part-time, part-time allowance, deprivation, sparsity and Welsh-medium allowances, maintenance allowance and the Adult Learning Wales adjustment).
- Details of any hypothecated funding to further education institutions or Sixth Forms beyond their usual core grants.
- Details of any funding provided in the 2024-25 budget for achieving pay parity and/or to meet any pay award to further education institutions and Sixth Forms, including an explanation as to the sufficiency of the funding to meet in full any agreed pay award / pay equivalency over the period of this budget.
- The allocation for Adult Community Learning .
- The complete 2022-23 and 2023-24 programme values used in the calculation of FE and Sixth Form funding.

## Higher education, and post-16 student financial support

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- Details of the Commission for Tertiary Education and Research (CTER) allocation, including details of any hypothecated funding, or funding which is intended for specific activities including mental health and student well-being.
- Details of any 2024-25 allocation intended for the delivery of degree apprenticeships and if it is intended to be used to recruit new apprentices or to teach out existing apprentices.
- Details of any capital funding to be made available to CTER, including any conditions to be placed on it by the Welsh Government.
- Details of any contingencies / reserves / non-allocated funds within any of the 2024-25 tertiary education related BELs, including the BELs within the post-16 Learner Support Action; details of how the funds are / can be deployed; and details of any deployment of them during 2023-24.
- **Grants:** A table showing the 2022-23 outturn, and forecast expenditure over the following four years (broken down by students studying in Wales and elsewhere in the UK) for:

- Full-time undergraduate (FTUG) Tuition Fee Grant
  - FTUG Maintenance Grant
  - Part-time undergraduate (PTUG) Tuition Fee Grant
  - PTUG Maintenance Grant
  - Masters Finance grant element
  - Education Maintenance Allowance (EMA)
  - Welsh Government Learning Grant (Further Education) (WGLG(FE))
- **Loans provision:** A table showing the 2022-23 outturn, and forecast loan outlay over the following four years (broken down by students studying in Wales and elsewhere in the UK) for:
    - FTUG tuition fee and maintenance loan outlay and Resource Accounting and Budgeting (RAB) charge
    - PTUG tuition fee and maintenance loan outlay and RAB charge
    - Masters Finance loan element outlay and RAB charge
    - Doctoral loan outlay and RAB charge.

#### Other post-16 education provision

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- Details of Personal Learning Account funding
- Details of the Welsh in Education budget including any allocation for the Coleg Cenedlaethol.
- Details of funding for the International Learning Exchange Programme (Taith).

#### Young Person's Guarantee

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- Details of budget provision from the Education and Welsh Language MEG which contributes to the Young Person's Guarantee and how this relates to funding from the Economy MEG.

#### Capital funding for school and college infrastructure

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- Information on budget provision for the Sustainable Communities for Learning programme and progress of the programme to date, including expenditure and numbers of projects completed/approved to date, broken down by Band A and Band B.
- An updated assessment of the implications of the increases to energy prices and the cost of living for the Sustainable Communities for Learning programme, including any impact on the progress and costs of projects.
- The financial implications from the Welsh Government's carbon net zero policies and how this affects the 2024-25 draft budget.

#### Capital funding for childcare

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- Information on capital funding from the Education and Welsh Language MEG for the Childcare Offer and Flying Start programme, including the impact of revised eligibility and entitlement.

#### Capital funding for the Community Focused Schools initiative

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- Information on budget provision for the Community Hubs and Community Learning Centres grant and an update on progress in increasing the community focused nature of education estates and adapting premises for community use.

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

**Children, Young People  
and Education Committee**

Vaughan Gething MS  
Minister for Economy

9 October 2023

## **Welsh Government Draft Budget 2024-25**

Dear Vaughan,

We would like written information to support our scrutiny of the Welsh Government's Draft Budget 2024-25. The annex to this letter sets out in detail the information that we would like to receive.

I would be grateful to receive the written information no later than 19 December 2023. I note that the Welsh Government intends to publish the Draft Budget on 19 December 2023. While we usually ask for the written information a few days after the publication of the draft budget, due to the planned publication date of the draft budget, we are asking for this information on the same day. To help alleviate some of the issues in preparing the written evidence and provide you with the maximum time possible to prepare the submission we are issuing our request earlier in the autumn term. Please contact my clerks if you are concerned about meeting our proposed deadline in light of the budget timetable.

Given the shared interest across committees in some of the areas listed in the annex to this letter, I have copied in the chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely,



Jayne Bryant MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

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# Annex A: Request to the Minister for Economy regarding the CYPE Committee's Draft Budget scrutiny 2024-25

## **Post-16 education provision**

- Details of funding from the Economy MEG which contributes towards the provision of careers advice, including to Careers Wales.
- Details of Personal Learning Account funding.
- Details of funding for the apprenticeship programme including the development of new apprenticeship frameworks and reviews of existing apprenticeship frameworks.

## **Youth work and employability**

- Details of how the Economy MEG supports statutory and voluntary youth services and budget provision for meeting the Programme for Government commitments in respect of strengthening youth services.
- Details of how the Economy MEG supports the Youth Work Strategy for Wales and the work of the Implementation Board.

## **Young Person's Guarantee**

- Details of budget provision from the Economy MEG which contributes to the Young Person's Guarantee.

## **Other**

- Any other details that you regard as relevant to this Committee's scrutiny of the Draft Budget.

# Agenda Item 5.8



Dear Children, Young People and Education Committee,

We are writing to you to express the importance of including specific financial support for disabled people in the upcoming 2024-2025 budget.

We have all felt the effects of the cost-of-living crisis, but we have not all experienced it equally. We have found that there are disabled people across Wales, forced to live in awful circumstances due to the twin problems of poverty and the cost-of-living crisis. A fifth of the population of Wales is disabled<sup>1</sup> and households containing at least one disabled person is more likely to be living in poverty,<sup>2</sup> disabled people are more likely to be economically inactive or if in work, that work is more likely to be insecure and low wage.<sup>3</sup> Poverty has long been a problem for disabled people living in Wales, but the rising cost-of-living is forcing people into worse and worse circumstances.

The 2023-2024 budget did not provide specific support for disabled people during the crisis and our findings from our report “Barely Surviving the impact of the cost-of-living crisis on disabled people” displays some of the consequences. We found that the financial support available was short-sighted, the cost-of-living payments supporting people to pay one month of bills, but nothing beyond. Disabled people often have more essential costs than non-disabled people, this extra cost of disability has not been accounted for, beyond the support already available.

The consequences are severe. Disabled people reported only being able to eat one meal a day, having to let go of support workers or stop going to vital therapies because of cost, being unable to run access equipment due to costs, in some cases losing their lives.

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<sup>1</sup> Office of National Statistics, Census 2021, “Disability, England and Wales: Census 2021”, 19<sup>th</sup> January 2023, <<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthandwellbeing/bulletins/disabilityenglandandwales/census2021#how-disability-varied-across-england-and-wales>>

<sup>2</sup> Joseph Roundtree Foundation, “UK Poverty 2023 – The essential guide to understanding poverty in the UK”, 20<sup>th</sup> January (2023), p65, <[https://www.jrf.org.uk/sites/default/files/jrf/uk\\_poverty\\_2023\\_-\\_the\\_essential\\_guide\\_to\\_understanding\\_poverty\\_in\\_the\\_uk\\_0\\_0.pdf](https://www.jrf.org.uk/sites/default/files/jrf/uk_poverty_2023_-_the_essential_guide_to_understanding_poverty_in_the_uk_0_0.pdf)>

<sup>3</sup> Department for Work and Pensions, “Employment of disabled people 2022”, UK Government, 26<sup>th</sup> January (2023), <https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2022/employment-of-disabled-people2022#labour-market-status>

These have been difficult years to be a disabled person in Wales. We have been living through a mass-disabling coronavirus pandemic, in which disabled people have been disproportionately harmed. Disabled people have disproportionately been impacted by over a decade of austerity policies and with severe changes to their benefit entitlement from the UK Government, this period of financial uncertainty and continued poverty does not look likely to change.

We are calling for the Budget to include a series of recommendations and for certain questions to be asked of what we need and what is missing.

- The Welsh Government, health services and local authorities in Wales should provide specific support for the running and maintenance of disability related equipment, to ensure that all disabled people are not financially impacted by their need to use certain equipment.
- Welsh Government to urgently review its policy on social care charges, including whether the disregards for disability related expenditure are adequately protecting disabled people on low incomes with high costs.
- Urgent action to recognise and tackle mental health issues amongst disabled people, including pathways to accessing appropriate mental health support whether from social care, other areas of the health service and/or through peer support, such as from disabled people's organisations.
- Food subsidies should be considered to reduce the cost of food in shops. To supplement this, the Welsh Government and Local Authorities should provide support to and nurture the creation of community food schemes. These schemes should include accommodation for dietary requirements and include options for access requirements.
- Public transport, such as buses and trains, should be taken under public ownership to be delivered as a public service, including measures such as reduced ticket prices with the eventual goal to make public transport in Wales free.
- Provision of resources and capacity building measures to ensure the establishment and sustainability of at least one Disabled People's Organisation in every local authority, to support



coproduction of policies and services with public bodies, including peer support schemes for disabled people

- Commitment from the Welsh Government to prioritise tackling the extra cost of disability

For more information, please contact

[megan.thomas@disabilitywales.org](mailto:megan.thomas@disabilitywales.org). You can find our full report here:

<https://www.disabilitywales.org/wp-content/uploads/2023/07/Barely-Surviving-cost-of-living-report.pdf>

Kind regards,

Megan Thomas

Policy and Research Officer

Disability Wales

Mr Mark Isherwood MS  
Committee Chair  
Public Accounts and Public Administration

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**Reference:** AC388/caf  
**Date issued:** 19 October 2023

Dear Mark

## Covering teachers' absence: follow-up 2023

I am writing to share findings from my follow-up work on covering teachers' absence. I published my previous report in November 2020, which was itself a follow-up to a 2013 report by my predecessor.

In 2020, I concluded that: 'The Welsh Government has taken action to support supply staff, tackle the root causes of teacher absence from the classroom, improve the management of absence and address some key concerns about agency contracts. However, gaps in data mean that it is still difficult to say whether some of these actions are having the intended effects.'

The previous Public Accounts Committee did not undertake detailed inquiry work on this topic. In May 2021, the Welsh Government provided a response to my two recommendations and accepted both in part.

- The first recommendation was on 'ensuring the quality and sufficiency of supply teachers for schools'. This included reinforcing the importance of effective management of staff absence, having long-term measures of success, and collaboration with other agencies on training and resources. It also included understanding whether schools were able to arrange enough cover in the context of emerging demands at the time and, for Welsh-medium schools and certain subjects, existing supply shortages.
- The second recommendation addressed the national procurement framework for agency staff in education. The framework in place at the time addressed many concerns that had been expressed about previous contracting

arrangements. However, its minimum rate of pay for supply teachers was likely to put pressure on school budgets. The recommendation related to the promotion and take-up of the framework and monitoring arrangements to ensure work is done within role descriptions.

I consider that now is a good time to assess progress because:

- In March 2021, the Petitions Committee published a report from its inquiry into a 'Fair Deal for Supply Teachers' petition. It made four recommendations, some of which echoed my own. Favouring a public sector solution, the Committee recommended the Welsh Government should further consider alternative arrangements for supporting schools to find and employ supply teachers. The alternatives suggested included direct employment and the introduction of centralised or regional supply arrangements.
- In its Programme for Government for 2021-2026, the Welsh Government committed to developing a sustainable employment model for supply teachers with fair work at its heart. A contract has been let to support the new National Supply Pool for Wales which will be rolled out from Autumn 2023.
- The Welsh Government has asked the Independent Welsh Pay Review Body (IWPRB) to review the terms and conditions of supply teachers. Previously, the IWPRB said that there would be significant implications from including individual contractors and agencies within the remit of the School Teachers' Pay and Conditions (Wales) Document. The IWPRB's report, expected in December 2023, will look at supply teachers directly employed by schools and local authorities. It will not include the majority of supply teachers who are mainly employed by agencies.
- During our work, the Welsh Government had been procuring a new national framework contract for supply teachers and other temporary staff in readiness for the 2023/24 academic year.

Our audit approach has involved interviews with officials from the Welsh Government, the Education Workforce Council, and representatives of supply teachers. We reviewed a range of Welsh Government policy documents along with its response to the Auditor General's recommendations and those of the Petitions Committee. We analysed relevant expenditure data and considered the scope of the new national framework contract, although we have not examined the detail of the procurement arrangements. We also issued a short survey inviting views from local authority directors of education, receiving seven responses.

While this letter sets out key findings from our high-level follow up work, we have not intended it to be an exhaustive account of overall developments in this area since my previous report.

Based on the work undertaken, I have concluded that the Welsh Government has taken a range of relevant actions in response to my 2020 recommendations which it mostly accepted. However, reflecting similar issues to those raised in my previous report, gaps in data, for example on take-up of professional learning opportunities, a lack of evaluation to date and the absence of a clear picture of what constitutes good quality and sufficient supply across the education system, mean it is not clear if all actions have been effective. The bullet points below summarise my findings.

- On ensuring the quality and sufficiency of supply teachers for schools:
  - The Welsh Government has publicised its guidance on managing attendance of the school workforce and improved the methodology for collecting data on teachers' sickness absence but there remains no data on the extent of absence for other reasons.
  - Schools are ultimately responsible for ensuring cover is available in the classroom and the quality of teaching, but the Welsh Government has not set out how it will know if its own supporting actions are effective.
  - The Welsh Government has taken steps to provide access to professional learning opportunities for supply teachers and cover staff but there is no data on their take-up or its impact.
  - There continue to be reports of shortages of suitable cover in some areas, subjects, and Welsh-medium, while the overall number of registered supply teachers has fallen.

- On the national framework contract for agency staff in education and relevant wider developments:
  - While it has not put in place any systematic monitoring since October 2020, the Welsh Government has not been informed of any instances of supply teachers or other cover staff being asked to work outside their advertised role and has reinforced its expectations.
  - Use of the national framework contract has increased slightly from an already high rate, so more supply cover arrangements are benefiting from its safeguarding and employment requirements.
  - Schools and local authorities spent £101 million on agency staff in education through the framework contract in 2022-23. This was just over 10% more in real terms than in 2021-22 and over three times more than in 2018-19 under the previous contract.
  - Pay for agency supply teachers has increased, with the minimum daily rate for supply teachers employed through the contract rising to £152 in May 2023.
  - The Welsh Government has established a new national framework contract, building on the 2019/20 – 2022/23 arrangements but with further enhancements in the professional learning offer and employment safeguards.
  - Supply teachers' representatives are cautiously optimistic about the Welsh Government's new option for schools and local authorities to directly employ supply teachers through the National Supply Pool for Wales which offers access to the teachers' pension fund, but likely uptake is unknown, and costs will be higher than currently.

**Annexes 1 and 2** provide more detail and **Annex 3** contains some supporting financial analysis. I am not making further specific recommendations to the Welsh Government. I would however expect that the Welsh Government will continue to monitor the use and effectiveness of its framework contract as well as evaluating the new option to employ supply teachers directly to ensure it is effective for schools and supply teachers. Likewise, I would expect the Welsh Government to review the effectiveness of its professional learning offer and the National Professional Learning Entitlement in respect of supply teachers and other cover staff. Also, I continue to believe that there is merit in the Welsh Government setting out what high quality cover and capacity would look like in the education system.



I am copying this letter to the Chair of the Children, Young People and Education Committee.

Yours sincerely



**ADRIAN CROMPTON**  
**Auditor General for Wales**

cc. Jayne Bryant MS, Chair – Children, Young People and Education Committee

## Annex 1: Ensuring the quality and sufficiency of supply teachers for schools

- 1 This annex provides our assessment of progress against the first of the recommendations in the Auditor General's 2020<sup>1</sup> report.

In 2020, we recommended that the Welsh Government:

- reinforces in its policy development and implementation that effective management of staff absence is fundamental to ensure positive learner outcomes.
- sets out some clear longer-term measures of success against which progress in improving the quality and sufficiency of supply teachers can be judged.
- works with the Education Workforce Council, regional education consortia and agencies to promote the availability of training and resources to supply teachers and learning support workers, particularly as part of its work to prepare the teaching profession for the curriculum reform roll-out from September 2022.
- clarifies if schools can arrange enough cover to release staff to prepare for the roll-out of the new curriculum from September 2022 as well as responding to demands resulting from the coronavirus pandemic. This is particularly important for Welsh-medium schools and subjects where supply shortages already exist.

- 2 The Welsh Government accepted points one, three and four of our recommendations. It did not fully accept point 2. It stated that overall achievement of this recommendation would be delivered through ongoing and future policy development on professional learning and Initial Teacher Education (ITE), the School Workforce Annual Census (SWAC), and Education Workforce Council (EWC) workforce survey. It also noted the provision of additional school funding to recruit additional staff to manage the COVID-19 response.

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<sup>1</sup> Auditor General for Wales, [Covering Teachers' Absence: Follow-up](#), November 2020

**The Welsh Government has publicised its guidance on managing attendance of the school workforce and improved the methodology for collecting data on teachers' sickness absence but there remains no data on the extent of absence for other reasons**

- 3 The Welsh Government told us it intended to reinforce in its policy development and implementation that effective management of staff absence is fundamental to ensure positive learner outcomes. To this end, it has publicised its non-statutory guidance on the effective management of school workforce attendance<sup>2</sup> in 'Dysg', its newsletter for the education community. The Welsh Government had updated the guidance in February 2020 partly to reflect changes stemming from the national framework contract for agency staff in education introduced in September 2019. It will need to consider if the guidance needs to be updated to reflect the new framework contract from September 2023 and other changes (see **paragraphs 38-47**). Information for supply teachers on its digital platform for schools and education professionals (Hwb) was updated in July 2023 to include information on the new National Supply Pool for Wales and the 2023/24 – 2025/26 framework.
- 4 The Welsh Government has encouraged local authorities and schools to use the framework contract for agency staff, highlighting its safeguarding and quality requirements and employment benefits, including minimum pay for supply teachers (see **paragraph 34**). All local authorities make use of it to some extent although two areas – Isle of Anglesey and Gwynedd – make very little use of it (see **Annex 3, Exhibit 2**). Schools in these two areas have continued to employ cover directly from a pool of staff administered by the local authority.
- 5 Our previous reports have highlighted the lack of information on the extent of teachers' absence from the classroom other than for reasons of sickness. This continues to be the case.

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<sup>2</sup> Welsh Government, [Effective management of school workforce attendance](#), Guidance document no: 258/2020, February 2020

6 From 2020/21, the Welsh Government improved the methodology for collecting data on sickness absence, providing for greater coverage<sup>3</sup>. Reporting is also now on an academic year rather than calendar year basis. These changes mean that we cannot directly compare teachers' sickness absence data from 2020/21 onwards with earlier years. Data for 2021/22<sup>4</sup> shows that sickness absence was higher in 2021/22 than 2020/21 on several indicators. For example:

- In 2021/22, 39,000 periods of sickness absence were either opened or closed. This is more than twice as many as in 2020/21 (17,475).
- In 2021/22, 65.2% of teachers took at least one period of sickness absence. Again, this is higher than 2020/21 (40%).
- In 2021/22, 8.3% of teachers lost more than 20 working days to sickness absence, up from 5.5% in 2020/21.
- In 2021/22, an average of 12.8 working days were lost per teacher who took absence, up from 11.9 in 2020/21.

7 However, care has to be taken interpreting any trend as the 2020/21 academic year was atypical due to the impact of the COVID-19 pandemic. For example, the Welsh Government has noted that before the pandemic, and under the previous data collection arrangements, the figure for the proportion of teachers taking at least one period of sickness absence per year ranged between 61.1% and 62.1% in the three calendar years 2017-2019.

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<sup>3</sup> Previously figures were based on an aggregated data collection from local authorities. More recent figures are from the School Workforce Annual Census. They draw on data maintained throughout the year in HR/payroll systems. They also now include data from schools that have opted-out of payroll and/or HR service level agreements with their local authority. See Welsh Government, [School Workforce Annual Census data: background, quality and methodology information](#), July 2023.

<sup>4</sup> See Welsh Government, [School Workforce Census results: as at November 2022](#), July 2023, and StatsWales, [Teacher sickness absence \(SWAC\)](#), last updated July 2023.

**Schools are ultimately responsible for ensuring cover is available in the classroom and the quality of teaching, but the Welsh Government has not set out how it will know if its own supporting actions are effective**

- 8 The Welsh Government did not fully accept our recommendation about setting out some clear longer-term measures of success against which progress in improving the quality and sufficiency of supply teachers can be judged. Its reasoning was that measuring the quality or capability of school staff (both permanent and temporary) is a matter for individual school leaders<sup>5</sup>. However, the Welsh Government's response described how it planned to address shortages, build capacity, and promote quality. It has supported schools and local authorities, for example by issuing guidance, managing, and developing the framework contract, and providing access to professional learning for cover staff.
- 9 We understand the differing responsibilities for delivering cover and ensuring quality, but still believe there is merit in the Welsh Government setting out what good quality and capacity would look like across the education system. This would enable scrutiny and evaluation of the effectiveness of its actions in achieving its desired outcomes.

**The Welsh Government has taken steps to provide access to professional learning opportunities for supply teachers and cover staff but there is no data on their take-up or its impact**

- 10 Our 2013<sup>6</sup> and 2020 reports highlighted the need for professional learning for supply teachers and other cover staff and described barriers that they face. Our 2022 report on the new Curriculum for Wales<sup>7</sup> found that supply teachers

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<sup>5</sup> The Welsh Government distinguishes education responsibilities across three tiers. Welsh Government, [Education in Wales: Our national mission, Action Plan 2017-21](#), September 2017.

<sup>6</sup> Auditor General for Wales, [Covering Teachers' Absence](#), September 2013

<sup>7</sup> Auditor General for Wales, [The new Curriculum for Wales](#), May 2022

and teaching assistants face more difficulties than other teachers in accessing resources.

- 11 Since our 2020 report, the Welsh Government has continued to make professional learning materials available to supply teachers and others on Hwb which supply teachers can access. In addition, it provided funding totalling £915,000 in 2019-20 and 2020-21 to the Education Workforce Council to develop the Educators Wales website, which signposts registered users to professional learning materials on Hwb and elsewhere. However, uptake of these materials by supply teachers is unknown and their effectiveness has not been evaluated.
- 12 The Welsh Government has continued to promote the Education Workforce Council's professional learning passport as a tool for supply teachers to record and reflect on their professional learning. Any newly qualified teacher working towards registration is required to use the passport to provide evidence of learning. However, it is not known how many other supply teachers or teaching assistants use it.
- 13 The national framework contract states that agencies should provide 'regular and relevant professional learning opportunities and support, free of charge... recognising the changing education landscape in Wales'. It specifies a minimum level of compulsory training (safeguarding level one, manual handling, first aid and behavioural management). Information returned to the Welsh Government covering 2021/22 suggests agencies on the framework offered a wide range of learning and development. The nature of activities offered varied and, for all, exceeded the minimum requirement. However, the data does not make clear how many agency supply staff engage with the activities on offer, nor if the agencies evaluated their impact.
- 14 In February 2022, the Welsh Government proposed a new National Professional Learning Entitlement (the Entitlement)<sup>8</sup>. It is a national approach to career-long professional learning for the school workforce, including supply teachers and learning support workers. Details of the Entitlement, published in September 2022, show it includes both access to professional learning and an

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<sup>8</sup> Welsh Government, [National Professional Learning Entitlement](#), September 2022

expectation that teachers and others will actively engage with and pursue professional development.

- 15 Supply agencies were included in the Welsh Government's meetings to co-construct the Entitlement between April and June 2022. The new national framework contract from September 2023 includes a requirement for agencies to include access to the Entitlement in their terms of employment. As the framework is not yet operational, it is unclear how access to the Entitlement will be realised in practice.

**There continue to be reports of shortages of suitable cover in some areas, subjects, and Welsh-medium, while the overall number of registered supply teachers has fallen**

- 16 During the COVID-19 pandemic, the Welsh Government became aware that some schools were struggling to find adequate cover. It has told us that, while most agencies had supply teachers available, staff were reluctant to move between schools. The Welsh Government issued guidance to councils and schools to consider how they employed supply cover during the pandemic. It encouraged schools to issue long-term contracts if there was a continuing need for cover. The Welsh Government told us that agencies also tried to increase the workforce, for example by contacting people who previously did cover work. Some offered incentives where sourcing cover was particularly difficult.
- 17 All seven directors of education responding to our survey mentioned current difficulties identifying suitable cover. In particular, and consistent with issues identified in our previous report, they highlighted examples affecting rural areas, secondary schools, Welsh medium, and some subjects. These gaps also mirror areas where there have been shortfalls in recruiting to initial teacher education, for example for secondary education and Welsh<sup>9</sup>.

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<sup>9</sup> The Education Workforce Council sets allocations for initial teacher education (ITE) each year. The number starting secondary ITE was only 66% of allocation in 2021/22. The number training in Welsh fell slightly in 2021/22 compared to the previous year but otherwise was the highest since 2010/11. The number of trainees

- 18 The Welsh Government has been providing incentives to train in shortage areas for several years. In April 2023, it announced additional incentives for Welsh-medium teachers, including a £5,000 retention payment for secondary teachers who have completed three years of teaching after achieving qualified teacher status. Supply teachers who can demonstrate that they have undertaken the equivalent of three years secondary teaching and remain working in Welsh-medium secondary schools will be able to apply for the bursary.
- 19 The number of registered supply teachers has reduced from 4,635 in 2020 to 3,867 in 2023, a fall of 16.6%<sup>10</sup>. Some supply teachers took work in other sectors during the COVID-19 pandemic in 2019/20 and 2020/21<sup>11</sup>. From July 2020, some supply teachers and learning support workers were recruited to new roles created by schools using funding from the Welsh Government's 'Recruit, Recover, Raise Standards' programme to support pupils most affected by the pandemic<sup>12</sup>. By March 2023, £165.5 million had been distributed through the programme to schools and early years settings, creating an estimated 2,452 roles, mainly in learning support. This investment is continuing but at a reduced level for 2023-24 (£37.5 million) and 2024-25 (£28.5 million).

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for primary education has been above allocation in 2020/21 and 2021/22 following several years when it was less than required. Statistics for Wales, Initial Teacher Education Wales, 2021/22, SB 19/23, May 2023.

<sup>10</sup> Education Workforce Council, Annual Education Workforce Statistics for Wales, 2023

<sup>11</sup> Work for supply teachers and other staff was limited by school closures and by a reluctance on the part of schools and/or teachers to move between schools or classes. Supply staff working for agencies may have qualified for some financial support under the UK Government's furlough scheme. Self-employed supply staff did not qualify for furlough support and those on fixed-term contracts in schools were paid until the contract ended.

<sup>12</sup> Andrews, G., Bajjada, T., Howells, J., KilBride, K., Morgan, N., Richardson, M., Wise, C., Bebb, H., Bryer, N. and Roberts, M., Evaluation of Recruit, Recover, and Raise Standards & Early Years Programmes, Welsh Government, GSR report number 50/2023, May 2023



- 20 Our 2020 report said that supply cover would be needed to allow teachers to prepare for the roll-out of the new curriculum. The Welsh Government estimated the cost of this cover at £10.8 million in 2020/21 (estimates ranged from £5.4 million to £16.1 million). We were unclear if there were sufficient supply teachers available. To allow more time for necessary preparations, the Welsh Government legislated for an additional in-service training day in 2019/20, 2020/21 and 2021/22. This has been continued for a further three academic years from 2022/23. The lack of information on reasons for cover (see **paragraph 5**) means that we do not know how many of these expected days were covered in 2020/21 and 2021/22.

## Annex 2: The national framework contract for agency staff in education and relevant wider developments

- 21 This annex provides our assessment of progress against the second of the recommendations in the Auditor General's 2020 report. It also includes some updated analysis on spending on cover through the national framework contract and commentary on other wider developments relevant to the framework.
- 22 Initially covering the period from September 2019 to July 2022, the Welsh Government took up the opportunity to extend that framework by a year while it went through a procurement process for new arrangements from September 2023<sup>13</sup>.
- 23 When considering trends in expenditure under the framework, it is important to recognise the potential effects of the COVID-19 pandemic and their impact on like-for-like comparison. This includes school closures during 2019/20 and 20/21. An evaluation<sup>14</sup> found that schools did not typically spend money available through the Recruit, Recover, Raise Standards programme on supply cover. Nevertheless, there may have been some additional expenditure associated with recovery efforts.

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<sup>13</sup> The Welsh Government's National Procurement Service (NPS) established the framework. Since 2019, the Welsh Government has made changes to the way in which it manages procurement, including national contracts that cover other bodies. The NPS no longer exists as an entity. The arrangements for the national framework contract for agency staff are now managed as part of the wider programme of the Welsh Government's Commercial and Procurement Directorate. It is developed and let in partnership with local government.

<sup>14</sup> See **footnote 12**.

In 2020, we recommended that the Welsh Government:

- puts in place monitoring arrangements for the contract's operation to ensure that supply teachers, cover supervisors and learning support workers are working within their role description;
- encourages schools to use its national contract for agency staff to benefit from its quality standards and safeguarding arrangements; and
- monitors the rate of take-up of its national contract for agency staff to check if schools are switching to using agencies outside of the contract's requirements.

- 24 The Welsh Government accepted points two and three of this recommendation. It indicated that it did not accept point 1, although it has taken certain action (see below).

**While it has not put in place any systematic monitoring, since October 2020 the Welsh Government has not been informed of any instances of supply teachers or other cover staff being asked to work outside their advertised role and has reinforced its expectations**

- 25 The Welsh Government's response to our recommendation stressed the responsibilities of schools and their governing bodies for determining the types of cover roles required and ensuring staff members are working in the role appointed to. The Welsh Government indicated that it did not intend to put in place any systematic monitoring itself. However, it noted that it already collated data on spend against different roles to help monitor trends and fluctuations. The Welsh Government also noted that it had issued advice to agencies to request that adverts for cover clearly stated the role, requirements, and pay.
- 26 The 2019/20 – 2022/23 framework contract requires adverts to state the category of cover required. The Welsh Government has encouraged schools, individuals and agencies to report instances where cover staff have been asked to work outside of their specified role. The Welsh Government's Commercial Directorate told us that it has not had any such report since October 2020.

**Use of the national framework contract has increased slightly from an already high rate, so more supply cover arrangements are benefiting from its safeguarding and employment requirements**

- 27 Schools are responsible for staffing decisions, including how they will cover absence. They are not required to use the national framework contract to secure agency staff. However, the Welsh Government has promoted it to schools and local authorities so that they benefit from its requirements to support safeguarding, higher quality, and better employment conditions for cover staff. The improved conditions include a minimum rate of pay for supply teachers (see **paragraph 34**).
- 28 In our 2020 report, we highlighted a risk that schools could look to cut costs by switching to agencies outside the framework that are not required to pay a minimum rate to supply teachers. The National Procurement Service estimated that the education recruitment agencies initially on the 2019/20 to 2022/23 framework<sup>15</sup> had previously accounted for around 90% of overall agency expenditure. The Welsh Government estimates that the proportion of overall expenditure with agencies through the framework has increased from 89.6% in 2019-20 to 92% in 2021-22. This suggests that this risk has not materialised. **Annex 3** provides further analysis of expenditure.
- 29 Our previous report also highlighted a risk that schools could use more unqualified staff for cover, rather than teachers, as the cost differential grew. Our analysis of expenditure through the framework found that supply teachers accounted for a slightly lesser proportion of cover days booked through the contract in 2021-22 (37%) compared to 2019-20 (40%). Without doing more detailed work, we cannot know the extent to which schools have been using unqualified staff to reduce costs or other reasons.

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<sup>15</sup> Two of the 27 agencies initially on the 2019/20 – 2022/23 framework had left it at the time of our 2020 report. The previous two frameworks for 2012/13 – 2014/15 and 2015/16 – 2018/19 involved only one company, New Directions Education Ltd, which still attracts around one third of framework expenditure.

**Schools and local authorities spent £101 million on agency staff in education through the framework contract in 2022-23. This was just over 10% more in real terms than in 2021-22 and over three times more than in 2018-19 under the previous contract**

- 30 Without obtaining information from individual schools and councils, we cannot calculate total spending on cover, which would include spending through agencies outside of the national framework contract and direct employment by schools. The Welsh Government monitors spending through the framework contract.
- 31 In 2022-23, schools and local authorities spent £101 million on cover through the framework. This was 10.7% more in real terms (allowing for inflation) than the previous year (see **Annex 3, Exhibit 1**). It was over three times more than in 2018-19, the last full financial year of the previous contract when spend was £28.8 million in real terms. These figures include spending on non-classroom staff such as caretakers, administrative and catering staff (see **paragraph 50**).
- 32 Several factors will have contributed to the increase in spending through the framework, including:
- an increased number of days of cover – in 2022-23, schools and local authorities purchased 647,125 days of cover through the contract, 9% more than in 2021-22 (593,368);
  - an increase in daily charge to schools for supply teachers and teaching assistants (see **Annex 3, Exhibit 3**), reflecting an increase in the minimum pay for supply teachers above the rate of inflation (see **paragraph 34**); and
  - an increase in the proportion of total agency expenditure through the framework (see **paragraph 28**).
- 33 The framework contract requires agencies to state a maximum agency fee and provide invoices for schools that break down charges clearly. We have not checked whether those requirements are being met. Our 2020 report stated that, according to the Welsh Government, maximum fees ranged between £15 and £50 a day under the 2015/16 – 2018/19 framework contract. The Welsh Government told us that maximum fees ranged between £20 and £50 in the 2019/20 – 2022/23 contract. The Welsh Government estimates that the average agency fee for supply teachers was £20.49 in 2021-22, 11% of the total daily

charge (see **Annex 3, Exhibit 4**). The Welsh Government told us that in 2023/24, maximum fees range between £20 and £70.

### **Pay for agency supply teachers has increased, with the minimum daily rate for supply teachers employed through the contract rising to £152 in May 2023**

- 34 The 2019/20 – 2022/23 framework contract sets minimum pay for supply teachers equivalent to the bottom point of the main scale for teachers in Wales. This was £128 a day in 2019/20 (see **Annex 3, Exhibit 5**). It rose to £150 a day from 1 September 2022 – 11 May 2023 and £152 from 12 May 2023<sup>16</sup>, partly because supply teachers employed through the framework have benefitted from the Welsh Government’s decision to at least match pay in England. In September 2019, the UK Government committed to raise starting pay for newly qualified teachers to £30,000 by 2022/23. This was later delayed to 2025 but, as a result, the lowest point of the pay scale has risen at a higher rate than average teachers’ pay. The daily rate is also affected by the number of working days in the year so additional public holidays in 2021/22 (one) and 2022/23 (two) have slightly increased the daily rate in those years. It is not known how often schools pay supply teachers above the minimum.
- 35 The Welsh Government did not include a minimum pay rate for other cover staff in its 2019/20 – 2022/23 framework contract and does not include this in its new contract from September 2023. There is no national pay scale for school staff other than teachers. Some local authorities have committed to being national living wage employers which has led to increased pay for teaching assistants, and which may have benefitted supply staff too<sup>17</sup>.

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<sup>16</sup> The Welsh Government agreed a revised pay award for 2022/23 in April 2023. The School Teachers’ Pay and Conditions (Wales) Order 2022 came into force on 12 May 2023. The revised award raised the minimum point of the teachers’ pay scale from £28,866 to £29,278 and was backdated to 1 September 2022. As a result, the daily pay of supply teachers employed through the framework contract increased to £152. The increase in daily pay through the framework was implemented from 12 May 2023 and did not apply retrospectively.

<sup>17</sup> From April 2023, the national minimum living wage for people aged 23 and over is £10.42 per hour. Some employers voluntarily pay a minimum ‘real living wage’

**The Welsh Government has established a new national framework contract, building on the 2019/20 – 2022/23 arrangements but with further enhancements in the professional learning offer and employment safeguards**

- 36 During our follow up work, the Welsh Government has been through the procurement process for a replacement framework contract for 2023/24 – 2025/26. Working with local government, it awarded the contract in July 2023. Agencies will continue to pay a 0.5% fee for each day purchased through the national framework to the Welsh Government to cover the cost of managing the framework. The Welsh Government has not confirmed how much it received under this arrangement.
- 37 The 2023/24 – 2025/26 framework includes 41 agencies overall, with between 14 and 34 agencies in each local authority area. Its terms are broadly similar to the 2019/20 – 2022/23 contract but with some additional elements:
- Agencies will incorporate the National Professional Learning Entitlement (see **paragraph 14**) into their employment terms.
  - The Employment Agency Standards Inspectorate will consider some elements of the framework’s requirements in its inspection of agencies in Wales and share its reports with the Welsh Government. Agencies will also be required to partner with Jobs Aware, an organisation providing free advice to non-permanent workers. They must display the Jobs Aware logo on payslips.

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calculated on a different basis to the statutory minimum wage. In July 2023, this is £10.90 for people aged 18 and over outside of London.

**Supply teachers' representatives are cautiously optimistic about the Welsh Government's new option for schools and local authorities to directly employ supply teachers through the National Supply Pool for Wales which provides access to the teachers' pension fund, but likely uptake is unknown, and costs will be higher than currently**

- 38 In March 2021, the Petitions Committee published a report of its inquiry 'Fair Pay for Supply Teachers' about supply teachers' pay and conditions<sup>18</sup>. It made four recommendations, some of which covered issues similar to those addressed by our 2020 recommendations. The Committee recommended that the Welsh Government should consider alternative arrangements for supply teachers, stating that it considered that a public sector solution would have significant advantages compared to recruitment agencies.
- 39 In its response to the Committee's recommendations, the Welsh Government highlighted that a Ministerial Supply Model Taskforce had considered the future delivery options for supply teaching in 2017 but did not find a single delivery model that it considered workable in Wales<sup>19</sup>. However, the Welsh Government said it would consider another independent review into the employment of supply teachers to inform any proposals for possible alternative models.
- 40 Meanwhile, the Welsh Government asked the Independent Wales Pay Review Body (IWPRB) to consider if the IWPRB's remit should include the pay and conditions of supply teachers. In May 2021, the IWPRB reported that there would be significant implications from including individual contractors and agencies within the School Teachers Pay and Conditions (Wales) Document (STPC(W)D)<sup>20</sup>. The Welsh Government subsequently asked the IWPRB to consider the terms and conditions of supply teachers alongside a more general

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<sup>18</sup> Welsh Parliament Petitions Committee, [Petition P-05-805 Fair Deal for Supply Teachers](#), March 2021

<sup>19</sup> Ministerial Supply Model Taskforce, [Report to the Cabinet Secretary for Education](#), February 2017

<sup>20</sup> Independent Welsh Pay Review Body, [Independent Welsh Pay Review Body: third report 2021](#), May 2021



review of teachers' pay and conditions<sup>21</sup>. The wider review has been delayed and a report on terms and conditions for supply teachers directly employed by schools is expected in December 2023. It will not consider the terms and conditions of agency supply staff<sup>22</sup>.

- 41 In June 2021, in its Programme for Government 2021-26, the Welsh Government included a commitment to 'develop a sustainable model for supply teaching that has fair work at its heart'<sup>23</sup>. In December 2022, the Welsh Government announced that it intended to deliver the commitment by procuring an e-booking platform to support an employment model in which local authorities and schools directly employ supply teachers and teaching assistants<sup>24</sup>. This procurement was conducted alongside the new framework contract and the Welsh Government intends that the platform is rolled out from September 2023.
- 42 The National Supply Pool for Wales will allow local authorities and schools to access a talent pool or database of individuals to approach when they need temporary staff. Supply teachers will register with the supply pool rather than with each local authority. They will have access to the teachers' pension scheme. The Welsh Government has said that terms and conditions will reflect any changes to supply teachers' terms and conditions it makes in response to the IWPRB report (see **paragraph 40**). The National Supply Pool for Wales will start in one local authority and be rolled out gradually. Supply teachers' representatives are cautiously optimistic about the National Supply Pool for

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<sup>21</sup> Minister for Education and Welsh Language, [School teachers' pay and conditions year 4 remit: matters for report](#), December 2021

<sup>22</sup> In March 2022, 81% of supply teachers said that most of their employment was through an agency compared to 77% in 2021 and 58% in March 2018. See Education Workforce Council, [Data insights, Supply school teacher data](#), 2022.

<sup>23</sup> Welsh Government, [Programme for Government, 2021-26](#), June 2021 (updated December 2021)

<sup>24</sup> A third party will undertake employment checks before supply teachers and teaching assistants can register with the e-platform.

Wales, although its impact will depend on uptake by local authorities and schools.

- 43 The Welsh Government developed its approach following discussions with the Welsh Local Government Association and the Association of Directors of Education Wales. The Welsh Government is meeting the core cost of providing the service up to £231,750 + VAT per year. The final cost will depend on take-up of the platform by schools and local authorities.
- 44 For schools, however, the new arrangements will be more expensive than the framework arrangements, due to higher employers' contributions to the teachers' pension scheme<sup>25</sup> and the statutory requirement to pay any directly employed teacher 'to scale' so that their pay reflects their years of work. We have calculated that if all supply teachers employed under the framework in 2022-23 had been employed under the new arrangements, the total cost would have increased by at least £2.3 million<sup>26</sup>. This assumes that supply teachers employed in this way are paid at the minimum point of the main teachers' pay scale. In reality, the additional cost is likely to be higher as supply teachers will be 'paid to scale'.
- 45 The new model has similarities to 'supply pools' currently provided by at least two local authorities (see **paragraph 4**). Those local authorities support a register of supply teachers and teaching assistants which schools approach directly. Our 2013 report found that many councils had stopped providing supply pools, citing high administration costs and/or lack of use.
- 46 The rate at which schools will make use of the new employment option is unknown. Directors of education responding to our survey said the new arrangements might improve quality if schools build relationships with specific teachers by regularly employing them as supply teachers. Some directors said the new process could be more streamlined than the current arrangements for

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<sup>25</sup> The employers' contribution to the teachers' pension scheme is 23.68% of pay as opposed to an average of 3% employers' contributions for agency staff.

<sup>26</sup> This assumes current agencies employers' contribution at 3% and an average agency fee of £20.49 (see **Annex 3, Exhibit 4**). The estimate does not include the cost of developing the software or licence fees.

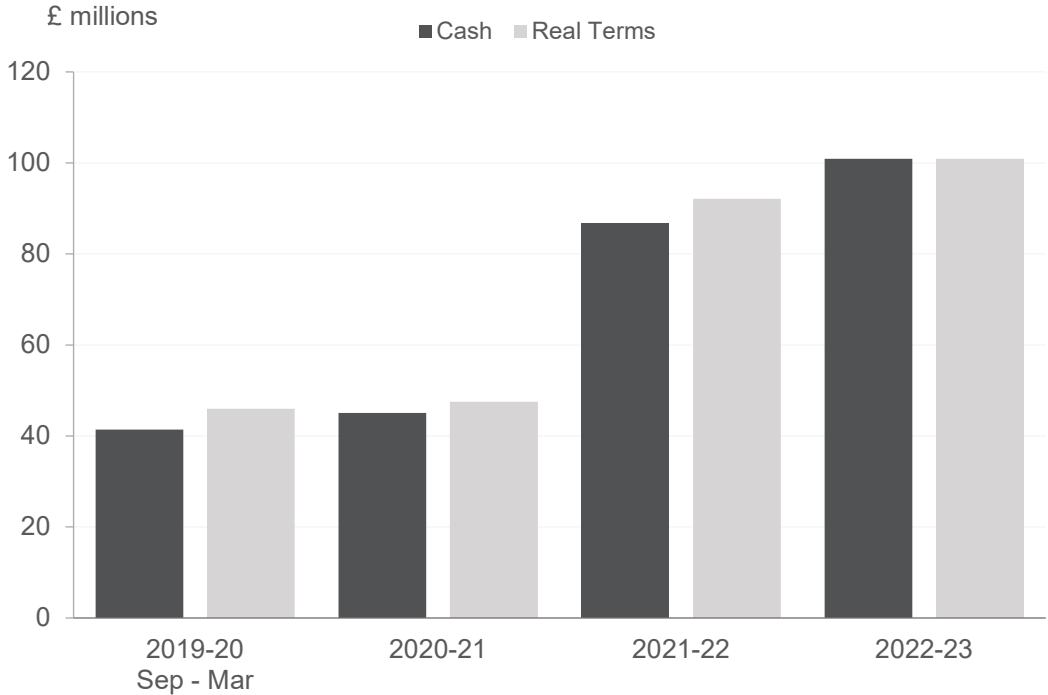
hiring supply teachers and others directly. However, others were uncertain if schools will choose to use the new option; they said its success will depend in part on having enough teachers and teaching assistants signed up to it and ensuring administration is not onerous for schools.

- 47 Isle of Anglesey Council currently maintains a supply pool for its schools but told us that it plans to move its in-house arrangements to the new platform from Autumn 2023. It has informed unions and existing supply staff of this and asked supply staff for permission to transfer their information to the new system. Once it is ready, the council will provide demonstrations and training for schools. Council officials think it will free-up significant administrative capacity. Powys County Council, which already has an arrangement with a recruitment company to provide a 'supply pool' for its schools, told us that this is a popular option for supply teachers. Powys schools also use the framework contract (see **Annex 3, Exhibit 2**) as the pool does not meet all their requirements.

### **Annex 3: Financial analysis relevant to the national framework contract for agency staff in education**

- 48 This annex includes the exhibits referenced in **Annex 2**. It draws on the most recent available data. The Welsh Government was able to provide total expenditure for 2022-23. However, it did not provide more detailed breakdown of expenditure, for example by category of staff.
- 49 Some analysis refers to financial years (e.g., 2022-23 format). Data related to pay is shown in academic years (e.g., 2022/23 format) as teachers' pay is set from 1 September.
- 50 Totals include expenditure on non-classroom staff, for example caretakers, administrative staff or catering agency workers. In our previous report, we noted that between October 2019 and March 2020, 11% of total spending through the framework was on non-classroom agency staff.

**Exhibit 1: expenditure by schools and local authorities through the Welsh Government’s framework contract for temporary staff in education, 2019-20 to 2022-23 (cash and real terms at 2022-23 prices) <sup>1, 2, 3</sup>**



**Notes:**

- 1 The figure for 2019-20 covers the period from September 2019 to March 2020 because the new framework contract commenced at the start of the academic year.
- 2 2019-20 and, in particular, 2020-21, include periods when schools were mainly closed due to the COVID-19 pandemic. All pupils returned to school from the beginning of the summer term on 12 April 2021.
- 3 Real terms analysis applies HM Treasury GDP deflators, June 2023.

Source: Audit Wales analysis of Welsh Government data

**Exhibit 2: school and local authority spending through the framework contract for temporary staff in education, by local authority, 2021-22** <sup>1, 2, 3</sup>

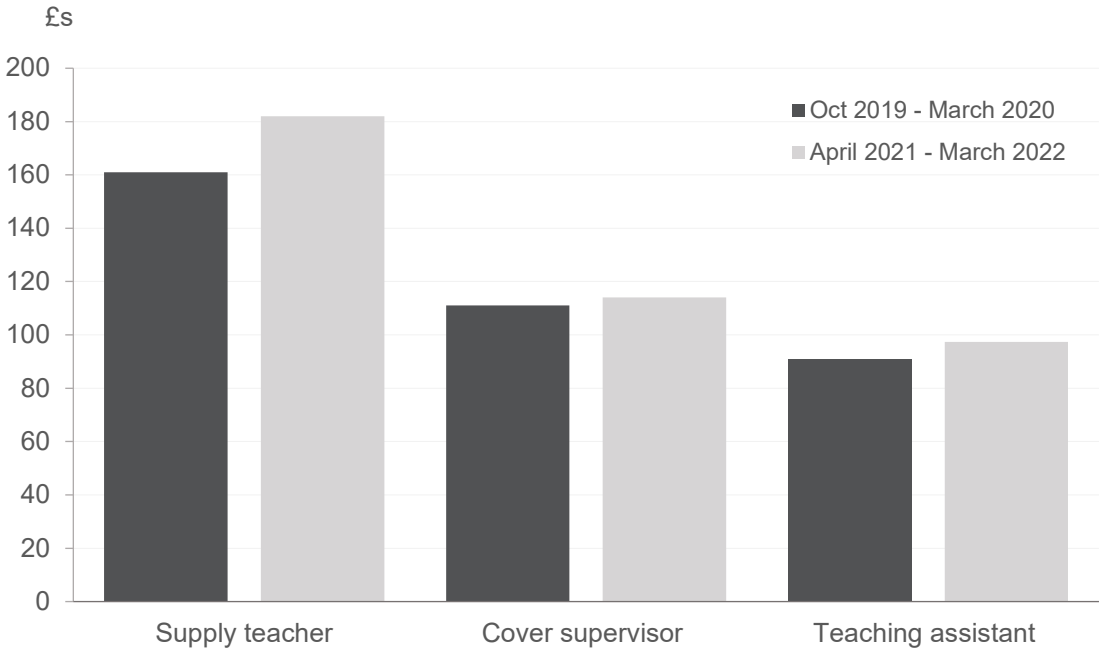
<b>Local Authority</b>	<b>2021-22 (£s)</b>	<b>Spend per pupil (£s)<sup>3</sup></b>
Blaenau Gwent	3,023,291	323
Bridgend	7,498,907	324
Caerphilly	7,664,095	276
Cardiff	7,825,671	138
Carmarthenshire	6,265,882	228
Ceredigion	1,138,528	119
Swansea	4,926,405	137
Conwy	2,262,149	144
Denbighshire	3,637,211	227
Flintshire	4,123,159	177
Gwynedd	109,405	6
Isle of Anglesey	16,431	2
Merthyr Tydfil	2,624,976	288
Monmouthshire	1,775,074	154
Neath Port Talbot	5,501,844	259
Newport	2,967,069	109
Pembrokeshire	2,385,872	139
Powys	2,724,655	159
Rhondda Cynon Taf	9,714,548	250
Torfaen	1,867,424	131
Vale of Glamorgan	2,922,850	125
Wrexham	3,852,686	200
<b>Wales</b>	<b>84,828,130</b>	<b>180</b>

Notes:

- 1 The Welsh Government told us that the total spending figure is slightly lower than represented in **Exhibit 1** due to data errors in supplier submissions which prevent payments being allocated to local authorities, for example spelling errors or incorrect data entry. This affects 2.2% of total expenditure.
- 2 The Welsh Government had not provided data for 2022-23 at the time of writing.
- 3 Pupil numbers from StatsWales, [Pupils by local authority and age group 2021/22](#), August 2022 update

Source: Audit Wales analysis of Welsh Government data

**Exhibit 3: average daily charge to schools by category of staff, October 2019-March 2020<sup>1</sup> and April 2021-March 2022 (cash terms) <sup>1, 2</sup>**



**Notes:**

- 1 Data is not available by category for September 2019.
- 2 The Welsh Government was unable to provide data for 2022-23 at the time of writing.

Source: Audit Wales analysis of Welsh Government data

**Exhibit 4: estimated breakdown of agencies' daily charge for supply teachers (2021-22)** <sup>1, 2</sup>

<b>Breakdown of payments (estimates)</b>	<b>£s</b>	<b>% of total</b>
Pay to teacher (pay + holiday pay) <sup>2</sup>	140.14	77.0
National Insurance (including tax free threshold)	15.73	8.6
Pension (3%)	4.20	2.3
Apprenticeship levy (0.5%)	0.70	0.4
Welsh Government commercial levy (0.5%)	0.70	0.4
Agency fee	20.49	11.3
<b>Total</b>	<b>181.96</b>	<b>100</b>

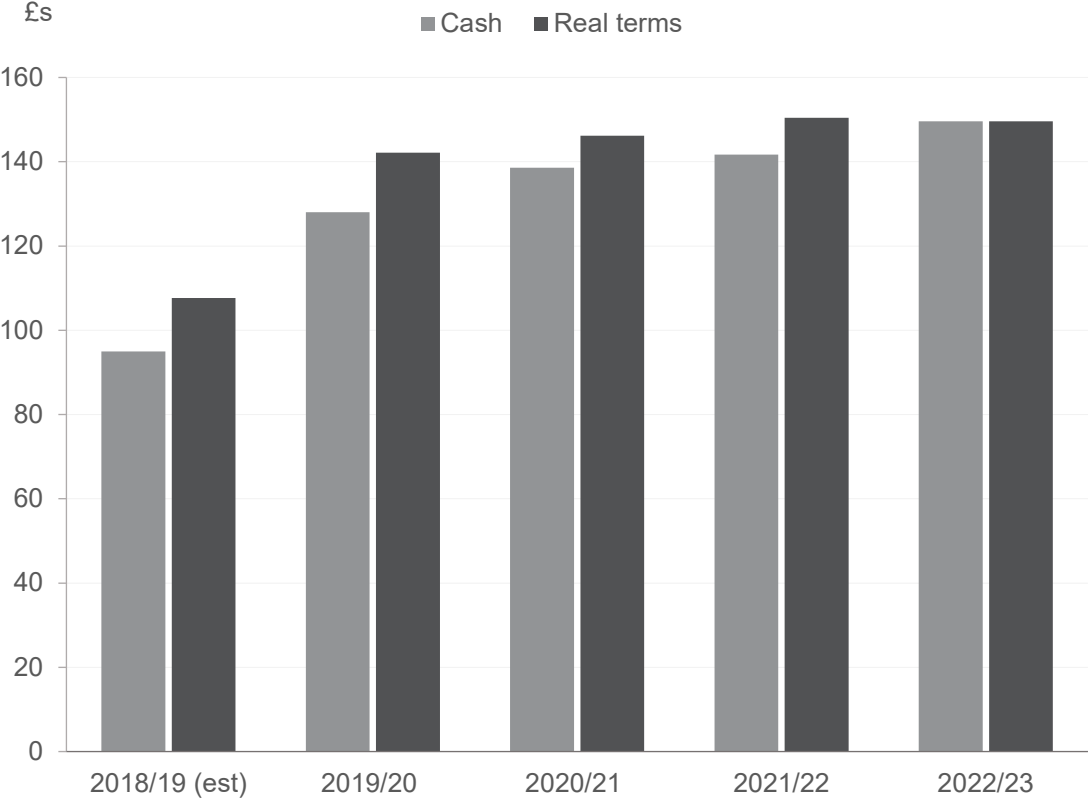
Notes:

- 1 The Welsh Government was unable to provide data for 2022-23 at the time of writing.
- 2 Assumes average pay of £140.14. Minimum pay was £138.56 in March-August 2021, rising to £141.72 in September 2021-March 2022.

Source: Welsh Government data



**Exhibit 5: minimum daily pay for supply teachers under the framework contract for temporary staff in education, 2019/20 to 2022/23, and estimated average pay for 2018/19 (cash and real terms at 2022/23 prices)**



Note: The Welsh Government estimated average pay for supply teachers in 2018/19 as £95 (2018/19 being the last academic year before the 2019/20 – 2022/23 framework contract). Pay for 2022/23 is based on the initial pay award from 1 September 2022 (see **paragraph 34** and **footnote 16**).

Source: Audit Wales analysis of Welsh Government data

ENDS

## **The Welsh Government response to the recommendations set out in the Audit Wales Follow-up Report on *Covering Teachers' Absence* (12 November 2020)**

### **Ensuring the quality and sufficiency of supply teachers for schools**

*R1 As part of its work to ensure the quality and sufficiency of supply teachers for schools, we recommend that the Welsh Government:*

- reinforces in its policy development and implementation that effective management of staff absence is fundamental to ensure positive learner outcomes.*
- sets out some clear longer-term measures of success against which progress in improving the quality and sufficiency of supply teachers can be judged.*
- works with the Education Workforce Council, regional education consortia and agencies to promote the availability of training and resources to supply teachers and LSWs, particularly as part of its work to prepare the teaching profession for the curriculum reform roll-out from September 2022.*
- clarifies if schools can arrange enough cover to release staff to prepare for the roll-out of the new curriculum from September 2022 as well as responding to demands resulting from the Covid-19 pandemic. This is particularly important for Welsh-medium schools and subjects where supply shortages already existed.*

The Welsh Government response: Accept in part

### **R1 - Ensuring the quality and sufficiency of supply teachers for schools**

The Welsh Government has considered the recommendation to ensure the quality and sufficiency of supply teachers for schools to both manage the impact of the Covid-19 pandemic and prepare for the new curriculum. We are able to accept bullet points one, three and four of this recommendation. However, bullet point two of this recommendation cannot fully be accepted as set out and further information is provided in the response below.

Overall achievement of this recommendation is being delivered through ongoing and future policy development on professional learning and Initial Teacher Education (ITE), and the School Workforce Annual Census (SWAC) collection and recent Education Workforce Council (EWC) workforce survey. In addition, funding for schools has been provided to recruit additional staff to manage the Covid-19 response and build capacity within the system.

Maintaining professional standards of all staff, including supply teachers, (bullet point two) is an ongoing element of policy development. However, *measuring* the quality or capability of school staff (both permanent and temporary) is a matter for individual school leaders and therefore this aspect of the recommendation cannot be fully accepted as currently set out. Information has instead been provided to show how the Welsh Government plans to address any shortages and build capacity and promote quality within the system in the longer term. Further information on the current and forward policy in these areas is below.

To address the first bullet point:

- The Welsh Government will reinforce in our policy development and implementation that effective management of staff absence is fundamental to ensure positive learner outcomes. We will continue to promote the supply cluster model as an effective way of managing cover and ensure relevant guidance is up to date and promoted to schools through Dysg and through our partners.

In response to the second and third bullet points:

- The Welsh Government will continue to develop and promote opportunities for supply teachers to maintain quality and sufficiency within the sector. We have improved access to professional learning opportunities for supply teachers, through the launch of the [Professional Learning Journey \(PLJ\)](#) website, populated with a wide range of high quality online resources to support all practitioners to prepare for the new curriculum.
- We will continue to advocate effective and innovative means of professional learning to build on positive engagement and avoid difficulty for supply staff who may not engage due to potential loss of earnings. We will also continue to enhance the PLJ resources during 2021, for the benefit of all staff.
- Preparation for the curriculum continued during the pandemic and evidence from our Sharing our Experiences playlists on Hwb demonstrate how schools have continued to prepare using unique and bespoke distance learning opportunities to their advantage, thereby reducing the burden on schools to source cover for professional learning.
- As part of the overarching Continuity of Learning (CoL) approach, the regions have also re-configured the Curriculum for Wales Professional Learning Programme to provide a web-based approach for educational practitioners to maintain the coherence and direction of our school system using digital technologies. This will continue for the foreseeable future to ensure ongoing access to our national professional learning programmes.
- In the autumn term, the Welsh Government offered a series of bite size Policy Insight Events focused on professional learning approaches for the new curriculum. The events were led by secondee teachers, and open to all educational practitioners.
- We recognise the digital challenges facing all learners, teachers and leaders as a result of the pandemic. A lot of the focus of professional learning recently has been about enhancing those skills and we will continue to work with the regions to further enhance practitioner skills in this area to provide higher quality remote synchronous and asynchronous opportunities for learners.

- The National Professional Enquiry Project (NPEP) is now an integral element of Wales' approach to professional learning in readiness for 2022. We will upscale the enquiry project over the next 12 months as part of the National Strategy for Educational Research and Enquiry (NSERE) to support continued preparation for the new curriculum for all staff.
- Like England and Scotland, Wales models its ITE recruitment requirements based on the analysis of data contained in the Teacher Planning and Supply Model (TPSM) that utilises the most current pupil projections and pupil teacher ratios to project the number of required teachers (taking into account leavers) in order to maintain pupil teacher ratios. The model generates two desired stock figures to differentiate between the needs of the primary and secondary school sectors for forthcoming years.
- The TPSM was introduced back in 2007 following a review by Professor Furlong and the oversupply of teachers into the workforce which drove down quality. The TPSM and allocations system is intended to address this situation.
- For previous academic years up to and including AY2018/19 this information was notified to the Higher Education Funding Council for Wales (HEFCW), as per the regulations at that time, and HEFCW notified the old ITE Centres of their allocation of student teachers by phase, subject and level of study. The 2017 Order transferred the allocation function from HEFCW to the EWC. The desired stock figures derived from the TPSM to which the EWC, in exercising its functions, is required to have regard to under the Order. This means EWC has a statutory responsibility to allocate the desired number of student teachers as part of their accreditation functions. Monitoring of actual recruitment to ITE also forms part of its obligations under the monitoring of the Programmes.
- Where ITE Partnerships consistently fail to recruit sufficiently against their allocations EWC has the ability to potentially re-allocate places across ITE programmes if demand is outstripping supply in some areas or subjects, or conversely is failing to meet the required levels.
- We recognise that there are gaps and issues recruiting to certain subject areas and locales and that this extends to the supply sector. The Priority subject incentive scheme helps attract high quality professionals to the teaching workforce in specific subject areas. We will continue the incentives scheme and have recently announced the raised maximum support to attract new Biology teachers, to respond to the increased demand. The Iait Athrawon Yfory incentive scheme, for Welsh-medium teachers, will also continue, offering incentives of up to £5,000, meaning trainee teachers can receive up to £25,000 in total.
- Despite the Covid-19 pandemic, overall recruitment into ITE Programmes in AY2020/21 appears to be an improvement on last year. Our National *Teach in Wales* marketing campaign is continuing to support ITE Partnerships to own recruitment activities and to promote the profession more broadly; there is

specific targeting to priority subject areas.

- We remain committed to recruiting the highest quality students to our ITE courses to ensure that we have the best possible workforce available to deliver the new curriculum. We will also continue to work closely with EWC to promote the profession and with partners to promote the availability of training, particularly on the new curriculum.
- We will maintain a focus on our plans and ambitions for increasing the Welsh-medium workforce and ability of all practitioners to develop their Welsh language. We will develop a short, medium and long-term strategic approach to address the shortage of Welsh-medium teachers and will work with stakeholders, including schools, to co-construct the strategy, and mainstream developments to support the Welsh-medium sector within the wider ITE system and the development of our early career support package.
- The national NPS Supply Agency Framework includes minimum requirements for training, and data from the first year of the Framework shows that agencies have far exceeded that requirement to support their staff. Under the Framework agencies must also consider the needs and experience of their staff, and offer additional training depending on those needs. Data monitoring of the Framework has not been undertaken over the last year due to school closures. From September 2021 we will resume monitoring of training opportunities offered under the framework and monitor what additional training has been provided by framework agencies to ensure that agency staff have appropriate opportunities to develop. To understand the impact this requirement has on agency supply teachers we will consider the evaluation arrangements for agency training, and recommend that feedback is requested to aid improvements to the offer over the longer term.
- We will also continue to provide high quality online learning resources and continue to work with the EWC, regional education consortia and agencies to promote the availability of training and resources to supply teachers and LSWs.
- To better understand absence management in schools, and the impact of work being undertaken, we have considered data requirements and have ensured the addition of supply cover data in the annual SWAC census from 2021. The addition of this data will assess sufficiency of cover in schools, and inform policy development in the long term. As this is the first year that supply cover will be included in SWAC, further consideration will be given to the information requested, and this may be refined further in future collections.
- The Minister for Education previously committed to undertaking a school workforce survey. This has now been completed by the EWC and included questions for staff on training opportunities. Results from the survey have not yet been submitted, however, this information will be reviewed and used to inform policy.

In response to bullet point 4 of this recommendation:

- The Welsh Government is able to clarify numbers of supply staff registered in each category via the EWC, and has the TPSM in place to ensure that we have the right numbers of teachers coming through the system at any given time. In addition, through the Recruit, Recover and Raise Standards Programme £29 million in funding has been provided to schools to recruit additional staff to support learners and address any gaps in learning as a result of the pandemic. Since last July the equivalent of 1,800 additional staff have been recruited; double the original target of 900. We are also providing record levels of investment in staff professional learning to further support schools as they prepare for the introduction of the new curriculum in 2022. In addition to professional learning, a further £7.3 million will be provided to schools this year via the regional education consortia, to better facilitate their ongoing curriculum development work. Guidance on how this funding can be applied by schools is currently being co-constructed, but it will include the option for head teachers to use some resource for supply cover directly linked to reform work. It should be noted that as planning and training for the new curriculum would be 'planned absence', cover would not necessarily be undertaken by a supply teacher.
- We are continuing to informally monitor supply and demand through the NPS Framework agencies, who are able to provide updates to the Welsh Government on numbers of placements and on availability. These updates provide a snapshot of the market and an indication of where gaps may be on an immediate and localised level. Currently Framework agencies are not experiencing difficulties with supply or demand.

### **The national framework contract for agency staff**

R2 *The 2019-2022 national procurement framework for agency staff has benefits for learners and schools as well as supply teachers but we recommend that the Welsh Government:*

- *puts in place monitoring arrangements for the contract's operation to ensure that supply teachers, cover supervisors and LSWs are working within their role description;*
- *encourages schools to use its national contract for agency staff to benefit from its quality standards and safeguarding arrangements; and*
- *monitors the rate of take-up of its national contract for agency staff to check if schools are switching to using agencies outside of the contract's requirements.*

The Welsh Government response: Accept in part

### **R2 - The national framework contract for agency staff**

The Welsh Government and the NPS will continue to make improvements to the current agency framework, to ensure fair pay and conditions for agency staff and high quality provision for schools, and is able to accept bullet points two and three of this recommendation. The first bullet point of this recommendation has not been accepted. Further information is included below.

We will work with local authorities to ensure take-up and compliance by schools and local authorities with the minimum pay rate. There are procedures and clear management structures in place if a school does not place a supply teacher in the role that they are recruited to, however, it is not the responsibility of the Welsh Government or the NPS to monitor whether each role has been filled as specified. Agencies can notify the NPS if there is evidence that a school has misrepresented the role. The NPS will refer evidence to local authorities, as these issues may be symptomatic of other poor management practice, which need to be addressed by the local authority. Further information is included below, which details how the Welsh Government and partners will progress this recommendation.

In response to the first bullet point:

- The Welsh Government is unable to '*put in place monitoring arrangements to ensure that supply teachers, cover supervisors and LSWs are working within their role description*'. Head teachers and hiring bodies, as the employers of school staff, are responsible for recruiting to the role required and for ensuring that the staff member is working within the role they have been appointed to. The NPS Framework has resulted in improvements in pay and conditions for agency workers. As part of monitoring arrangements for the framework, the NPS collates data on spend against different roles recruited to by each local authority, and monitors trends and fluctuations in patterns against local authority areas. Advice has been issued to agencies to request that all adverts clearly state the role and requirements, and the pay rate attached to that role, to ensure that supply staff are fully aware of the role they are being asked to undertake. This should also be clearly set out in the agency terms and conditions, and the agency's contract with their client. Ultimately it is the responsibility of schools' governing bodies to determine the type of role required, and for ensuring that they have an effective workforce in place. Head teachers and hiring bodies should be aware of the Staffing of Maintained Schools (Wales) Regulations 2006, as amended; the Education Workforce Council (Main Functions) (Wales) Regulations 2015 (the Functions Regulations), as amended, and ensure any breaches are reported to the governing body or LA.
- The Welsh Government's 'Effective management of school workforce attendance' guidance was updated in February 2020 though it is not clear how much schools reference or utilise the guidance. We will work with partners and stakeholders to disseminate guidance for schools, local authorities and consortia on effective management of cover and will write to the WLGA by summer 2021 to request their support in reminding schools of their obligation to ensure supply staff are working within role descriptions.
- As an additional measure will ask framework agencies to notify the NPS if there are issues with schools misrepresenting roles to supply teachers. Any issues will

then be escalated to the relevant local authority.

In response to bullet points 2 and 3:

- We will continue to promote the use of the framework to schools and local authorities. The NPS reviews the local authority supplier spend information that is submitted to assess how local authorities are procuring services. Whilst this is not a statutory collection, it enables the NPS to assess where local authorities are procuring services from. Currently these services have been paused due to Covid-19 pressures, and the data available has also been impacted due to the pandemic. We will assess how these services can be resumed in the next academic year, and, using data that is provided, will continue to monitor uptake against the Framework.
- To strengthen Framework arrangements, the NPS has implemented a new compliance process for agencies found not to be adhering to the framework terms. Guidance on the framework has been issued to agencies alongside the new process, and local authorities have been notified of the changes. The NPS and WG will continue to promote the Framework and its benefits to schools and local authorities.
- We have asked local authorities and schools to commit to only using framework agencies and to pay at least the minimum pay rate. Following discussions through the Schools Social Partnership Forum, local authorities have committed to supporting the Framework and all schools have been asked to include the requirement to adhere to Framework terms in their individual school pay policies. We will continue to engage with local authorities via the Schools Social Partnership Forum.



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

**Children, Young People  
and Education Committee**

Julie Morgan,

Deputy Minister for Social Services

9 October 2023

Dear Julie,

## **Ongoing work relating to Radical Reform for Care Experienced Children**

Thank you once again for appearing before Committee on 14 September to discuss your response to our report on services for care experienced children and young people. We appreciate how quickly you accepted our invitation to give evidence over an extended 2-hour slot, ensuring that we had the time we needed to discuss these important issues in detail.

We welcomed the additional clarity you gave to explain why the Welsh Government felt unable to accept some of our key recommendations, where it was taking work forward in other areas, and where you may have changed your thinking since the publication of our report.

Further to the evidence session, you'll be aware that we have already sent recent correspondence in respect of funding for the Family Drug and Alcohol Courts and also in respect of the lack of clarity about the data on the rates of agency staff in the statutory children's social care workforce.

Members also have some factual and policy issues arising from the session on 14 September that we are unclear about. We would therefore welcome your response to the questions in the Annex to this letter.

I acknowledge that this is a particularly busy time of year for you and for your officials. I would therefore appreciate a response no later than 11 December. Given this extended response deadline, I would be grateful if you could reply to all our questions in full. If you are unable to do so within this extended period, please do not hesitate to contact the Committee clerks who can work with you to find a suitable timetable for your response.

Yours sincerely,

**Senedd Cymru**

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Jayne Bryant

Jayne Bryant MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



# ANNEX

## National Service Standards for Children's Services in Wales

1. The Committee would welcome further written information on this new National Service Standards for Children's Services in Wales. (relevant transcript excerpts below)

*"Work is firmly under way to deliver a national practice framework. The framework will be the first set of national standards for children's services in Wales, sitting alongside things like the all-Wales safeguarding procedures, and we will be delivering up to five new standards of practice by the end of 2023, with further standards being co-produced. It will address the key concerns that young people have raised about practice in your report, which I've taken very great notice of."*

*"[...] four draft standards have now been produced. One of those is around child-inclusive practice; children and young people who go missing; manageable workloads; and continuing care."*

## Corporate Parenting Charter

2. Details of how compliance with the charter will be monitored and by who?
3. An updated list of which agencies have signed the voluntary charter to date
4. How children and young people can see which agencies have signed up?

## Care as a Protected Characteristic

5. Will you include care experienced older young people and adults in your discussions?

Thank you for updating us on the following:

*"I'm going to be working with officials across Welsh Government to explore this further with care-experienced people and children as part of the future care experience summits with Voices from Care. So, we will be exploring this, but there are different views that have been given to us, so it's not a united view."*

We have been told by some older young people that they have changed their minds on this as they have got older. Whilst as children they may have been concerned about stigma, but as they have got older, and understood what life is like beyond care. We have been asked to convey to you that whilst children may have different views on this issue, talking to care experienced adults about their views is important too.

## Advocacy

6. Clarity on the Welsh Government's latest position on our recommendation that care experienced children should have a statutory right to long-term, independent advocacy support on an 'opt-out' basis?

In the Welsh Government's response in July 2023 the response was 'Reject', however in our most recent meeting you said "[...]my response did not outrightly reject opt-out advocacy."

## Children in unregistered placements

7. What is the current number of children in the care of Welsh local authorities living in unregistered accommodation as of 11 November 2023?

We were particularly concerned to hear that as of 11 September there were 30 children who are legally within the care of Welsh local authorities but who are living in unregistered placements. Whilst we appreciate the significant pressures on accommodation, having such a significant number of children in what are essentially 'illegal placements' is clearly of grave concern. You'll be aware that in July 2023, you rejected our recommendation to publish an action plan to reduce the number of children in unregistered placements by December 2023.

## Children subject to Deprivation of liberty orders

8. What is the current number of children in the care of Welsh local authorities as of 11 November 2023

Again we were concerned to hear that there were six children subject to Deprivation of Liberty orders as of 11 September.

## Eliminate Profit

Although the Eliminate Profit work was not directly within our Inquiry Terms of Reference, we recognise that it is a Welsh Government priority and that you have emphasised to us at the scrutiny session that it is being taken forward "because young people said that that was what they wanted".

As part of our forthcoming scrutiny of the Draft Budget 2024-25, we will be asking for some financial information in respect of how the £68 million allocation over three-years has been allocated, as part of our broader budget request.

9. In terms of delivering this commitment, we would be grateful for
  - The current estimate of the number of children from Welsh local authorities placed in independent/ private placements in Wales

- Details of the transition plan / timelines to move these children or to transition the placements to local authorities / third sector providers
- How many children from England are placed in independent/ private placements in Wales? Plans to mitigate the unintended consequences of pressures on Welsh local authorities and health boards which could arise if more children from outside Wales move into these placements from 2027 onwards when they can no longer be used to place children from Wales.

## Data

Ahead of the scrutiny session on 14 September as part of a wider request for information, we asked for specific information in relation to each point of data not currently routinely collected and published in Wales (as set out on pages 50 to 52 of our report and the WCPP report), and a narrative on the Welsh Government's rationale for this not being necessary / possible / helpful to shape policy response in Wales. The response to this specific request did not go into the level of detail we had asked, and I would be grateful if your officials could relook at the response provided and provide a more detailed response.

# Agenda Item 5.11

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

**Children, Young People  
and Education Committee**

Sue Evans  
Chief Executive  
Social Care Wales

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10 October 2023

Dear Sue,

## The use of agency staff in children's services

I write on behalf of the Committee to ask information relevant to our ongoing work on Services for care experienced children: exploring radical reform.

We have spoken to many young people across Wales to inform this work and they have consistently raised with us their concerns about the negative impact of having frequent changes of social workers has on their care. The instability of the workforce is clearly a factor in this and for some time we have scrutinised the data available to us and to further establish the facts and the scale of this issue.

### 1. Clarification about data on the use of agency staff in children's services.

On 14 September 2023, we held a follow up scrutiny session with the Deputy Minister for Social Services and her officials about our report into Radical reform for Care Experienced Children. During that meeting there was confusion over some data provided to us by e-mail in April and following on from written information submitted by Social Care Wales in March 2023

At our request, in April 2023, Social Care Wales clarified to us by email that 49% of children's services staff were agency workers. (see annex to this letter). However, at our meeting on 14 September Welsh Government advised us they believed this figure was a number: that was 49 individual children's services staff were agency workers.

I would be very grateful therefore if you could you clarify the following:



1. Is this figure of 49 from April 2023 a percentage figure or is it the number of individual staff?
2. As of September 2023, what is the total number of children's social care staff in the workforce in Wales? (along with the vacancy rate and the percentage of agency staff)
3. As of September 2023, the total number of qualified social worker roles within the children's social care workforce in Wales? (along with the vacancy rate and the percentage of agency staff)

## 2. Responsibility for collecting and publishing workforce data, including agency data

4. Whose responsibility is it to collect and publish data on vacancy rates and use of agency staff in children's social care?
5. The frequency with which this data is collected.
6. Your views as to the merits of publishing annual data as in England and which agency would be responsible for taking that forward:
  - o Statistics: children's social work workforce
  - o Children's social work workforce: attrition, caseload and agency workforce
  - o Longitudinal study of child and family social workers.

Thank you for the information you have already provided us with. We would also be grateful for any other relevant workforce data you feel may be relevant to this inquiry.

Yours sincerely,



Jayne Bryant MS  
Chair

Cc: Julie Morgan MS, Deputy Minister for Social Services

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Prynhawn da [REDACTED] Good afternoon [REDACTED]

I hope all is well.

The answer to your specific question is it that 56% then 49% of all children's services staff were agency workers.

More generally, statistics on use of agency staff will be collected by the 22 local authorities and reported to Welsh Government as I understand it. The data is not collected by Social Care Wales.

Best wishes,

[REDACTED]




[REDACTED]



Rydym yn croesawu gohebiaeth yn Gymraeg. Ni fydd hwn yn arwain at oedi.  
We welcome correspondence in Welsh. This will not lead to a delay in responding.

Gwefan/Website: [gofalcymdeithasol.cymru](http://gofalcymdeithasol.cymru) / [socialcare.wales](http://socialcare.wales)

 @GofCymdeithasol / @SocialCareWales



From: [REDACTED] (Staff Comisiwn y Senedd | Senedd Commission [REDACTED])

Sent: 11 April 2023 08:32

To: [REDACTED]

Subject: RE: Correspondence from the Children, Young People and Education Committee

This is the first time you've received an email from this sender. Make sure this is someone you trust.

Good morning Sue and colleagues,

I hope that you're well and had a nice Easter break.

Thank you for providing written evidence to the Committee in relation to our inquiry into care experienced children. I was hoping you might be able to clarify something for me in relation to your submission, please. Page 6 [of your submission](#) states in relation to the use of agency workers:

*Some data suggests that the use of agency workers in children's services has decreased slightly over the course of the year from 56 in 2021 to 49 in 2022. 85.6% of all agency staff utilised in children's services were for qualified social workers. However, this data is collected through engagement similar to a census. This means it is dependent on the validity of the data provided and is a snapshot of that given day, therefore there are limitations to the reporting. Dependency on agency staff remains a key concern as does the risk of agency fees continuing to increase.*

Please could you confirm for me what the highlighted sentence means? Is it that 56% then 49% of children's services used agency workers? Or is it that 56% then 49% of all children's services staff were agency workers? Or something else?

If you could informally point me towards any more published stats on the agency workforce I would be really grateful.

Diolch, | Thank you,



# Agenda Item 5.12

Julie Morgan AS/MS  
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol  
Deputy Minister for Social Services



Our ref: DC/JMSS/00617/23

Jayne Bryant, MS  
Chair  
Children, Young People and Education Committee  
Welsh Parliament,  
Cardiff Bay,  
Cardiff  
CF99 1SN

Llywodraeth Cymru  
Welsh Government

16 October 2023

Dear Jayne,

Thank you for your letter of 25 September about the Cardiff and Vale Family Drug and Alcohol Court (FDAC) Pilot which we also discussed when we met on 3 October.

I appreciate the concerns of the Committee regarding our decision not to provide additional funding to extend the pilot for a further year. I must assure you that funding has not been reduced for the FDAC pilot, the project has come to its scheduled end which was set for November 2023.

I want to reassure you specifically about the families who are already being supported through the FDAC which you have highlighted as a particular concern. We have been assured by Cardiff and the Vale of Glamorgan local authorities that all the families currently supported by the pilot will continue to be supported.

One family may need an extension to their support if this happens the local authority have informed us that a community intervention plan will be recommended with FDAC trained staff within the regional Integrated Family Support (IFST) team continuing to provide support to the family.

The final evaluation of the FDAC Pilot, scheduled for early in 2024 will provide evidence to inform Government of the benefits and challenges of a further roll out of FDAC. It will be vital to understand how the FDAC model and principles can best be used and tailored to maximise the positive impact of the FDAC in the Welsh context.

The evaluation will ensure we are in an informed position to make the right decisions for children and young people.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

Bae Caerdydd • Cardiff Bay  
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[Gohebiaeth.Julie.Morgan@llyw.cymru](mailto:Gohebiaeth.Julie.Morgan@llyw.cymru)  
[Correspondence.Julie.Morgan@gov.wales](mailto:Correspondence.Julie.Morgan@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I hope the Committee have found my reply helpful in responding to their concerns, particularly in regard to support for families who are currently on the Pilot and highlighting how we will be using the evaluation to inform future decisions in this area.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Julie', is positioned below the 'Yours sincerely' text.

**Julie Morgan AS/MS**

Y Dirprwy Weinidog Gwasanaethau Cymdeithasol  
Deputy Minister for Social Services

# Agenda Item 5.13

## Y Pwyllgor Plant, Pobl Ifanc ac Addysg

### Children, Young People and Education Committee

Jenny Rathbone MS  
Chair, Equality and Social Justice

10 October 2023

#### Child Poverty

Dear Jenny,

Thank you for inviting members of our Committee to participate in your current work on the Welsh Government's Draft Child Poverty Strategy for Wales 2023. Such invites enable us to make connections and share relevant evidence to help strengthen each others work. It also helps maximise the impact of individual pieces of evidence.

My involvement in your work has enabled us to identify some issues that we wanted to bring to your attention and which we hope will be useful to your deliberations.

Earlier this year, we launched our inquiry asking whether disabled children and young people have equal access to education and childcare. The scope of the inquiry covers all childcare and statutory school provision from 0-16, and encompasses neurodiversity; physical, sensory or learning disabilities.

Alongside our formal written and oral evidence, we have been speaking to families more informally. Both through visits to special educational needs schools, and to the Serennu Centre in Newport and ASD Rainbows in Mountain Ash. We have also been bringing examples from our work as individual MS.

Our Citizen Engagement team have conducted over 30 family interviews covering all areas in Wales. While we are still finalising the summary note of this work, we can share with you some of the relevant stories. We have been hearing very powerful testimonies from children, young people and their

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families of the impact unequal access to education and childcare has on every aspect of their lives, and the longer term impacts this unequal access can have.

While we are still continuing to gather evidence on this inquiry, we wanted to share some of the information we have gathered so far which is relevant to your child poverty work. This includes the impact a lack of accessible childcare and school provision can have on a parent / carers' ability to work, as well as the additional costs that have to be met by these families.

While we have gathered a range of evidence on this issue, it was not a specific strand of our terms of reference. It is therefore possible that if this had been included in the terms of reference, we would have gathered even more information. However, the fact that this has become a clear theme throughout the evidence suggests it is a big issue for children, young people and their families.

We will also be writing to the Minister for the Economy and Minister for Social Justice on these issues, but we wanted to ensure that the relevant evidence could be taken into account for your current work. We will also copy you into the future correspondence to these Ministers.

### **Barriers preventing parents and carers from working**

We have a number of personal testimonies from families who are either unable to work at all or cannot work the number of hours they would like because they cannot access the right type of childcare. This issue continues for many families as the child gets older and goes to school.

#### Accessing inclusive childcare

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We heard powerful testimony from a parent who worked in paediatric nursing, who is currently on a career break from a job they love because they have been able to secure appropriate childcare. When they did eventually find some childcare, they were unable to increase the hours, despite being willing to pay for this themselves. The parent continues to be unable to work because they now cannot secure wrap-round provision from the school nursery provision.<sup>1</sup>

Mudiad Meithrin quoted a single parent who "had to stop working because there was no funding available by now for her child with intensive needs to attend wraparound care on school premises". This parent said that it was easier when their daughter was younger but "now I cannot work because there isn't suitable childcare or anywhere that offers wrap around care for her school". The parent has described the loss of work as a "double blow" because of both the financial and mental health impacts.<sup>2</sup>

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<sup>1</sup> [CYPE Committee, Note from Sparkle Focus Group, 15 September 2023](#)

<sup>2</sup> [Written evidence, AEC 51 Mudiad Meithrin](#)



Even in those instances where childcare is secured, there can still be issues. One parent described securing a childcare place. There was a number of successful settling in sessions, yet the day before the childcare started, the provider told them they could not support the child. The parent said she was fortunate her employer was supportive but flagged both the practical and emotional impacts of losing out on a childcare placement the day before it was due to start.<sup>3</sup>

Mudiad Meithrin highlighted the impact staffing issues for childcare providers can have on being able to provide regular and sustainable childcare. They said parents had told them that staffing was often the reason their children couldn't attend as regularly as other children, and that this inconsistency "will cause problems for working parents / carers..."<sup>4</sup>

One of the parents who took part in our family interviews described how childcare did not work out for their family:

*"... I struggle to find a place that can deal with his needs [...] not a lot of places can do that [...] I tried child care and he was there twice and they just couldn't make it work, I had to keep picking him up."<sup>5</sup>*

We have heard of the struggle to juggle working responsibilities, and the pressure this places on families. One parent told us that their son who is eligible for 12 hours of early years education, only receives 5 hours, and in terms of childcare, is entitled to 17 hours but gets nothing:

*"I am left doing a full time job on 5 hours childcare a week. ...is missing out on the early years foundation phase he's entitled to. He spends large parts of his days underestimated in front of screens as I have no other way of keeping him occupied so he doesn't cause disturbance while I take work calls, many of which are of a sensitive nature. I work with victims of domestic violence and modern day slavery.*

*As a full time working parent I am reaching crisis point. I have no family members who can care for... I cannot use a childminder as... is impulsive around roads and runs very fast and there is a high risk he would run into a road and a childminder be unable to catch him. I own my own home with a mortgage. I cannot stop work as won't be entitled to benefits."<sup>6</sup>*

Stakeholders also raised concerns about limited inclusive childcare provision. The Royal College of Occupational Therapists said:

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<sup>3</sup> [CYPE Committee, Note from Sparkle Focus Group, 15 September 2023](#)

<sup>4</sup> [Written evidence, AEC.51 Mudiad Meithrin](#)

<sup>5</sup> CYPE Citizen Engagement (published note to follow)

<sup>6</sup> [Written evidence, AEC.04, Individual](#)



*"Our members are concerned that private nurseries are difficult for children with special education needs and disabilities (SEND) to access to enable parents to go to work. They suggest there is inequitable access to funding for the additional support or equipment necessary to include children with additional needs in settings across Wales - some areas will fund equipment/support while others will not."*<sup>7</sup>

While Early Years Wales flagged that families often have to fund the shortfall of funding:

*"If a child needs additional adult support or resources to attend childcare, this can often be limited, for example, if a local authority scheme only offers 5 hours one to one support a week but the child needs to attend for 15 hours to enable the parent to work how is this shortfall managed."*<sup>8</sup>

Oxfam Cymru said that childcare "remains one of the main reasons for women to be economically inactive." They said that 25.5% of economically inactive women are not working because of family and homecare responsibilities.<sup>9</sup>

#### Accessing inclusive school provision

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Even when children reach the age to access statutory school provision, families are finding they have to be available throughout the day, making work often impossible.

One respondent to our consultation described the ongoing struggles they have had in accessing education for their son who has brain damage following a brain tumour.

*"He is in ....primary has one to one support for 7.5 hours a week!!!! There have been horrendous behavioural issues in school to the point.... stays in school 20-30 mins unsupervised then has to be collected. The only way.... remains in school currently is if myself or my son go in with him, stay with him, supervise him, try to teach him and ultimately take responsibility for him.*

*"I was working but had to give up my job as what employer will let you leave after 20 minutes on a repeated basis. Childcare options for children with needs are very limited, I'm a single parent with no local family support and am ex husband who is very intermittent in his commitment to my son."*<sup>10</sup>

Another parent told us that their child is often "kicked out of school" because the staff cannot cope, and they are repeatedly contacted to come and pick her up. As a result it's impossible for the parent

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<sup>7</sup> [Written evidence, AEC 30, Royal College of Occupational Therapists](#)

<sup>8</sup> [Written evidence, AEC 53, Early Years Wales](#)

<sup>9</sup> [Written evidence, AEC 57, Oxfam Cymru](#)

<sup>10</sup> [Written evidence, AEC 12 Individual](#)



to work, as they don't know when they will be called by the school.<sup>11</sup> For another parent the reduced timetable their child follows means:

*"I have had to give up work – I'm classed as a carer, if there were options out there for me I would have taken them, I loved to work but the reduced timetable made things very restrictive. Now we have to survive on benefits."*

They went on to say that they would be happy for their child to follow a reduced timetable if it was accompanied by "wrap around care" where they are not learning but under the care of the school. This would enable the parent to access work opportunities.<sup>12</sup>

The Third Sector Additional Needs Alliance also highlighted the impact of reduced timetables or exclusions can have on a family's ability to work:

*"But we know that where pupils are regularly excluded, actually, parents are far more likely to only be able to work part time because they know that they've got to keep picking them up, and I think SNAP alluded to that—that parents were being disciplined in work. So, an exclusion for a child, apart from them missing out on so much socialisation, let alone education, really has an impact on the whole family and the parents as well."<sup>13</sup>*

One of the parents who took part in our family interviews was asked if they are able to work under the child's current school hours, replied saying "no one would want me for like two hours a day, no one."<sup>14</sup>

Oxfam Cymru quoted a parent who said:

*"If you have a disabled child, it is impossible to work full-time. Childcare for disabled children is next to non-existent. School holidays are impossible. They don't even get the same amount of time in school as non-disabled children. Her school day is 30 minutes shorter every day; she has 2.5 hours less schooling per week than her nondisabled sibling! We have to use hours meant to be for respite to cover the gap between school finishing (early because she doesn't get a full school day - why??) and work finishing. Disability discrimination at its finest."<sup>15</sup>*

The All Wales Forum also told us about the other care factors that could impact on a parent / carer being able to work:

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<sup>11</sup> CYPE Citizen Engagement (published note to follow)

<sup>12</sup> CYPE Citizen Engagement (published note to follow)

<sup>13</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 292](#)

<sup>14</sup> CYPE Citizen Engagement (published note to follow)

<sup>15</sup> [Written evidence, AEC 57, Oxfam Cymru](#)



*"... That lack of specialised support—and this is extensive, because that specialised support could be tube feeding, it could be toilet changes, it could be sensorial needs, it could be specialised autism support—the lack of that means that the parent is going to have to have an impact on their own life and employment, having to come and pick up the child early, being reprimanded both from the school and their job, but also it's watching your child struggle through years of education and having to make the decision of, 'Am I going to watch my child struggle or am I going to put my well-being in second place, my job, my interests, my life, and stay at home and home school my child?'"<sup>16</sup>*

We are also hearing examples of families feeling that they have no choice but to homeschool their children:

*"I've always had to homeschool my child. The schools around where we live wouldn't take them and the nearest school was so far away logistically it wouldn't make sense, we would have spent all day travelling back and forth and with my child's disabilities, that wouldn't be possible." Ceredigion"<sup>17</sup>*

#### Accessing after-school and holiday childcare

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There are also significant issues with families being able to secure inclusive after-school and holiday club provision. Parents and carers have described being only able to work in jobs that offer term-time working, or having to stop working altogether. You may wish to be aware of the report by Contact on [holiday club provision for disabled children](#).

Adele Rose-Morgan, who is an inclusive education campaigner gave evidence on behalf of Learning Disability Wales and described trying to access childcare for her son:

*"On childcare, we eventually moved him to a unit for deaf children, because we found out late that he was deaf, and there was a breakfast club there. He could only go there with support, and the support came from a fund outside of education. And at one time, the funding criteria changed, and my husband's wage had gone up a little bit, so it was outside the criteria. So, the headmistress called me in and said, 'Look, you're no longer entitled to this but we will pay it'—out of the parental contributions that they used to collect. I just couldn't do that, so I used to just pay for the breakfast club. I used to give £10. It was one day a week, just so he had that social inclusion. I also refused a taxi. I insisted on taking him, and I was able to do it. He was my youngest, and we were able to have a second car, so it worked. He started and finished at different times. That posed a problem because*

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<sup>16</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 296](#)

<sup>17</sup> [Written evidence, AEC 05 Third Sector Additional Needs Alliance](#)

*the private childcare within the school didn't start their session until 10 minutes after he'd finished, and they weren't sure, because he would need one to one, whether it would cost a lot more. I applied for a job and I couldn't pursue that because I couldn't work out the childcare around that.*"<sup>18</sup>

A parent who is a member of the Swansea Parent Carer Forum said:

*" My child is now 12. He still needs childcare. At the same age I was able to leave his sister for short periods of time. He cannot access holiday schemes, childminders as he would need 1:1 care and the cost makes this inaccessible and he is too old for private nurseries. Breakfast clubs and after school clubs are not an option because the school cannot afford to cover 1:1 and still run these. I can't work as a result"*<sup>19</sup>

## Impacts on families

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As you can see from the examples above, parents are having to give up jobs / careers in order to look after children. In some cases because of the caring responsibilities across the family, both parents / carers have had to give up work. The strain of coping with these pressures can result in the breakup of families which will have an impact on household income.<sup>20</sup> We were told that four out of five marriages with a disabled child fail.<sup>21</sup> Sparkle said that relationships often break down because parents cannot spend "quality time together or share experiences" because they are often "ships in the night" missing each other because one parent will work when the other is at home, because they cannot work at the same time because of a lack of childcare.<sup>22</sup>

One respondent described the particular impact on their family:

*"...Because of his needs I was not able to find any childcare for him at all. This meant his father had to give up work to care for him and this eventually helped contribute to the breakdown of our nuclear family as financial pressures were building. The rate of divorce in families with a child with disabilities is far higher than the average population because of the isolation from society and lack of support that other parents can access."*<sup>23</sup>

In the research they have done, Sparkle have highlighted:

*"Parents talk of finding jobs that fit around their family commitments, rather than jobs they are qualified for or would enjoy. Many parents work at supermarkets*

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<sup>18</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 122](#)

<sup>19</sup> [Written evidence, AEC 55 Swansea Parent Carer Forum](#)

<sup>20</sup> [CYPE Committee, Note from Oak Hill Focus Group, 15 September 2023](#)

<sup>21</sup> [CYPE Committee, Note from Ysgol Bryn Derw school visit, 29 June 2023](#)

<sup>22</sup> [Written evidence, AEC 36, Chair, Sparkle](#)

<sup>23</sup> [Written evidence, AEC 31 Individual](#)



*because they can work around school hours or late in the evenings when another parent is home. These are specific employment restrictions and considerations that families with typically developing children may not face."*<sup>24</sup>

The challenges of securing employment that fits around caring responsibilities will also be a much longer-term issue for these families:

*"Another parent commented that when someone has a child with a disability their expectations surrounding parenting have to change; most parents expect that when their child is around 12/13 years old, they'll be able to spend an hour home alone after school, meaning the parent can work typical '9-5' hours. However, parents of children with disabilities are not able to do this due to their child's high support needs; they describe their child's lack of cognitive development as essentially meaning they care for a 12/13 year old toddler, and as they have no sense of danger they cannot be left alone for any time. Parents therefore have no choice but to be at home with their child if they cannot source appropriate childcare, limiting their employment options and the number of hours they can work."*<sup>25</sup>

This will also have an impact on parents / carers ability to work, along with the additional costs that can come from home education.

#### Longer term impact on household incomes

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As well as reducing income in the present these issues result in a long term impact on household income. In particular, in relation to overall household income, pension income or causing restrictions on a family's ability to buy or rent their preferred home in their preferred area. One parent said they hadn't been able to work for 15 years because of a lack of appropriate childcare, and that as a result they have no pension resulting in the need for more state support. They said if they had been able to access childcare, they would have been able to work reducing their reliance on state support and saving the state money.<sup>26</sup> We were also told that not being able to work limits future opportunities and that "it changes your future."<sup>27</sup>

#### Additional costs faced by families with disabled children

For many families they face additional costs which further reduce household income. Many of these costs are for services or equipment which they feel should not be borne by the individual family.

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<sup>24</sup> [Written evidence, AEC 36, Chair, Sparkle](#)

<sup>25</sup> [Written evidence, AEC 36, Chair, Sparkle](#)

<sup>26</sup> [CYPE Committee, Note from Oak Hill Focus Group, 15 September 2023](#)

<sup>27</sup> [CYPE Committee, Note from Ysgol Bryn Derw school visit, 29 June 2023](#)

## Costs of childcare

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This starts early with the costs of childcare. At a focus group, one parent told us that she had to pay for private childcare provision for her disabled child, yet there was funded provision for non-disabled children.<sup>28</sup> While the National Autistic Society also raised concerns about the cost of specialist private provision saying:

*"Even where specialist private provision exists, the financial cost can be a significant barrier. Families tell us they feel discriminated against in accessing free childcare because mainstream public-run nurseries often do not cater to their child."<sup>29</sup>*

Oxfam Cymru quoted a parent who had children with a range of differing needs that the cost of childcare "has rendered it impossible for me to return to work."<sup>30</sup>

Mudiad Meithrin quoted a parent who has not been able to access holiday / respite care saying:

*"We're not eligible for [respite] either, and we have to pay a family friend to do this for us. The holidays are a nightmare. We need more help and support. It's costing us a lot of money. Our son's costs are so much more expensive than other children so we must continue to work on very little sleep and very little respite in order to fund the extra needs. It's lonely and we're exhausted."<sup>31</sup>*

## Costs of equipment / transport

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Parents we spoke to as part of our citizen engagement raised the additional costs that their families face:

*"Anything that's got "special needs" written in the title you can guarantee will cost more than anything else."*

While another parent said:

*"When you speak to parents of anyone with a disability, in order to achieve the things that you would like your child to have, you normally have to go further afield. And that then becomes expensive."<sup>32</sup>*

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<sup>28</sup> [CYPE Committee, Note from Sparkle Focus Group, 15 September 2023.](#)

<sup>29</sup> [Written evidence, AEC 05 Third Sector Additional Needs Alliance](#)

<sup>30</sup> [Written evidence, AEC 57, Oxfam Cymru](#)

<sup>31</sup> [Written evidence, AEC 51 Mudiad Meithrin](#)

<sup>32</sup> CYPE Citizen Engagement (published note to follow)

We have heard examples of families having to provide specialised equipment to be used in the childcare and nursery settings.<sup>33</sup> This equipment can often be very expensive. The Royal College of Occupational Therapists highlighted that in some areas there are “partnership agreements across health and education” which allows for the purchasing and recycling of such equipment, but that this is not consistent across Wales.<sup>34</sup>

A parent of a college student told us that they were quoted a weekly charge of £178 for an accessible taxi to take their child to college. Yet if they lived in a neighbouring local authority, this would be fully funded. When they raised this discrepancy in provision, they were told their child should not have been enrolled in the college when they knew they did not have transport. As a result the parent has had to change their working pattern to enable them to take their child into college, with the taxi picking their child up. This is still costing £88 a week. Their child said to us, that non-disabled young people can access subsidies to reduce the cost of transport but this is not available to disabled young people.<sup>35</sup>

### Accessing private support

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We heard examples of people either accessing private support, or wishing that they could afford to access private support.

One parent, whose child has suspected autism, said their child has been waiting for assessment since April 2021 (despite requests for assessment starting at an even earlier age.) Their child will not be seen until April 2024, and since their child went on the waiting list, the list has lengthened, and the wait is now approximately 3 years.<sup>36</sup> Another family described a wait of 7.5 years in securing a diagnosis, in which time their child’s mental health “has taken an absolute battering and she has tried to take her own life twice.”<sup>37</sup> The Royal College of Paediatrics and Child Health, said that the waiting time for an autism /ADHD assessment ranges between 47 and 166 weeks across Wales.<sup>38</sup>

In this context, it is therefore unsurprising that we have heard of families accessing private diagnosis if they are in a position to do so. Obviously this length of wait is all time that is being lost in ensuring a child gets the right support in place, and is time that cannot be regained either in terms of education outcomes or wider emotional and mental wellbeing. Yet this can come at a huge financial cost, and clearly entrenches further inequality, as not everybody will be able to fund private support. One family described the potential cost of £6,000 for assessment for two children in a single family who needed

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<sup>33</sup> [CYPE Committee, Note from Sparkle Focus Group, 15 September 2023.](#)

<sup>34</sup> [Written evidence, AEC 30, Royal College of Occupational Therapists](#)

<sup>35</sup> [CYPE Committee, Note from Sparkle Focus Group, 15 September 2023.](#)

<sup>36</sup> [Written evidence, AEC 10 Individual](#)

<sup>37</sup> [Written evidence, AEC 33 Individual](#)

<sup>38</sup> [Written evidence, AEC 49, Royal College of Paediatrics and Child Health Wales](#)

assessment.<sup>39</sup> Another family told us they do not have the “financial means for legal support if needed, and I do not have a home that I can re-mortgage to provide private support for my children.”<sup>40</sup>

The parent who described the breakdown of their relationship as a result of the financial stress placed upon them (see above), also highlighted that they had to take out loans to access private healthcare:

*“Indirectly, we have been adversely impacted because of the financial strain of losing one income. This was a factor in causing our family to split and father and I are now divorced. The lack of external help caused us to seek out private speech and language appointments as the wait was nearly 2 years to be seen despite not talking. He also had extreme pain every night due to compacted ears and because of his ALN he would need to be put under a general anaesthetic to have this treated. We ended up taking out loans to pay for this privately to ease his pain. Neurotypical children could have been treated with microsuction while awake. He also had bi lateral grommets inserted as he was found to have glue ear (being non verbal he cannot explain the pain he has) and it was not until 3 years after he started screaming in pain every night that he finally saw an ENT on the NHS. I don't know how we would have survived had we not sought private surgery on his 3rd birthday.”<sup>41</sup>*

We have also heard about the legal costs of having to go through tribunals to secure appropriate support for their families.

#### Impact of the cost of living crisis

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We have also heard that the cost of living crisis is also preventing families from accessing activities that might benefit their children. The Royal College of Occupational Therapists told us:

*“Occupational Therapists report that the cost-of-living crisis is affecting opportunities for children and young people to benefit from extra-curricular activities. 56% of Welsh survey respondents said families were cutting back of activities that would support their child's health, development and wellbeing (such as swimming lessons) due to their cost.”<sup>42</sup>*

#### Direct payments

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<sup>39</sup> [CYPE Committee, Note from Sparkle Focus Group, 15 September 2023.](#)

<sup>40</sup> [Written evidence, AEC 33, Individual](#)

<sup>41</sup> [Written evidence, AEC 31, Individual](#)

<sup>42</sup> [Written evidence, AEC 30, Royal College of Occupational Therapists](#)



Although outside of the scope of the inquiry, we have also heard significant issues with the direct payments system. In particular the administrative burden and the challenges in securing personal assistants.<sup>43</sup> We have heard that the administration is overwhelming. One of the parents said:

*"I don't feel the direct payments are empowering or do what they are supposed to do. You don't have the head space to deal with things as they are happening. You are living hand to mouth. You are trying to cope with the daily challenges. Which there are just so many of because I've got one child who wants to go a millions miles an hour, gets really overwhelmed if they get hungry or cold or hot, they cannot wait, they have no patience whatsoever and another child who's mostly limited to a wheelchair, that can't do everything fast, and you have to be patient."<sup>44</sup>*

We acknowledge that this is a non-devolved issue, but wanted to highlight it as it should be a tool that helps families access support, but is not working as it should.

The charity, Sparkle shared research they have undertaken, and the issue of direct payments was raised with them:

*"The offer of direct payments to cover the cost of childcare or respite is welcomed, however families are still required to source appropriate workers, a task which families find stressful. Further stress is caused once a suitable person is found as the family have to become an 'employer', calculating wages and tax. Families with children with additional needs rarely have the time to learn about the business side and therefore these arrangements often fail."<sup>45</sup>*

## Entrenchment of disadvantage

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We are aware that families with disabled children are more likely to be living below the poverty line, and that this then can create additional barriers to them accessing inclusive services and support that meet the child's and wider family needs, further entrenching disadvantage longer term.

Organisations such as Disability Wales raised concerns about the impact faced by disabled children who have to live both with the impact of their disability and their poverty, and what this can mean for children's educational outcomes. They cited differences between the number of disabled people leaving education without qualifications and those who are not disabled.<sup>46</sup>

*"It is well established that educational outcomes for disabled people differs to non-disabled people. In Wales, from June 2020-2021, 37.9% of nondisabled people's*

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<sup>43</sup> [Written evidence, AEC 19 Individual](#)

<sup>44</sup> CYPE Citizen Engagement (published note to follow)

<sup>45</sup> [Written evidence, AEC 36, Chair, Sparkle](#)

<sup>46</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 64- 65](#)



*highest qualification was a degree or equivalent, compared to 21.5% of disabled people. In the most even statistics, 21.6% of non-disabled people's highest qualification was a A-level or equivalent, compared to 20.7% of disabled people. 18.8% of non-disabled people's highest qualification was GCSE grade C or above or equivalent, compared to 24% of disabled people. 9.4% of non-disabled people's highest qualification was another form of higher education, compared to 7.3% of disabled people. 5.9% of non-disabled people had no qualifications, compared to the significantly higher 16.4% of disabled people."*<sup>47</sup>

Clearly educational outcomes can have a life-long impact on a person's opportunities to earn money, so that this is another angle that needs consideration within the Child Poverty Strategy. The intersectionality of these issues also needs careful thought and should be addressed within any strategy seeking to reduce child poverty.

In relation to provision for childcare, Oxfam Cymru called for this, particularly for the provision of childcare and early education access for "children from different ethnic backgrounds and disabled children." They said that only by "recognising and addressing" these children's "unique needs and challenges" can we ensure that childcare and early education is "truly inclusive and equitable."<sup>48</sup>

We are concerned that for many of the families we have spoken to they will face a combination of all of these issues. We are also acutely aware that our evidence gathering has only allowed us to take a "snapshot" of evidence, and that there will be families who may be experiencing other issues which we are not aware of.

We will continue to pursue these issues through our current inquiry, but we wanted to ensure that this was brought to your attention and could help inform your current work. We will keep you updated with any relevant information or developments in this area of work.

I hope this evidence is useful to your Committee.

Yours sincerely,



Jayne Bryant MS  
Chair

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<sup>47</sup> [Written evidence, AEC 09 Disability Wales](#)

<sup>48</sup> [Written evidence, AEC 57, Oxfam Cymru](#)





**Dr Chris Llewelyn**

Prif Weithredwr / Chief Executive

**Cymdeithas Llywodraeth Leol Cymru  
Welsh Local Government Association**

**Un Rhodfa'r Gamlas**

Heol Dumballs

Caerdydd

CF10 5BF

Ffôn: 029 2046 8600

**One Canal Parade**

Dumballs Road

Cardiff

CF10 5BF

Tel: 029 2046 8600

Ein Cyf / Our Ref: Sep112023

Dyddiad / Date: 13 October 2023

Gofynnwch am / Please ask for: Sharon Davies

Llinell uniongyrchol / Direct line: 07917275203

Ebost / Email: [sharon.davies@wlga.gov.uk](mailto:sharon.davies@wlga.gov.uk)

Dear Ms Bryant,

### **Children and young people vaping in schools.**

Thank you for your letter of the 11<sup>th</sup> of September regarding children and young people vaping in school and offer the following information as our response.

Schools, of course play their part and have a zero-tolerance policy to any learner vaping in school settings. Schools communicate to their learners, parents, and carers to make sure young people and their families understand the health facts about vaping and know about vaping and the law. This is a growing issue for schools, and they are continuously working closely with their councils on how best to tackle this issue in providing the appropriate support and advice to the young people in their schools.

Trading Standards departments cover a wider range of diverse statutes and regulations, which include amongst other things, food standards, weights and measures controls, product safety, consumer credit, animal health and welfare, underage sales etc. For context, many departments are now reactive to complaints and act on intelligence received and are limited in what they can achieve proactively.

Underage sales of a wide range of products remain a concern for trading standards, and they aim to direct resources to highlight problem products and business activity where the sales of underage and restricted products are an issue.

The most recent information for 22/23 from Trading Standards shows that for nicotine containing vapes, that across Wales (not every LA provided data) 196 test purchase attempts were made by supervised children under the age of 18. Of the 196 attempts, a sale was made 49 times. Follow up enforcement action, in line with the local authority enforcement policy was carried out.

Trading Standards officers are also working with schools in Wales to help to provide advice and education to pupils. For example, in Anglesey, officers have visited at least three high schools in the last period for this purpose.

In England, the central government has announced £3m of funding to tackle the illegal sale of vapes. Trading Standards in Wales are discussing a business case with Welsh Government officials in order to provide a similar Wales plan.

In relation to the child appealing nature of vapes (containing nicotine or otherwise), Trading Standards would support the case for standardised, non-appealing packaging.

Please also find attached an information PowerPoint presentation, presented by Trading Standards Wales, to the Directors of Public Protection Wales, which provides further information in relation to dealing with this problem – including the need to pay for expensive sampling and analysis costs, and the storage of illegal products which have been seized by officers.

I hope this is helpful to the Committee's deliberations.

Your sincerely,

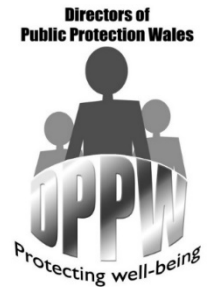


**Y Cyng / Cllr Ian Roberts**  
**Llefarydd Addysg CLILC**  
**WLG A Education Spokesperson**

# The vapes market

and the challenge for local authorities in Wales

Pack Page 138



Safonau Masnach Cymru  
Trading Standards Wales

# In the headlines

## Kids being hospitalised by vaping as youth e-cigarette smoking 'is becoming epidemic'

A paediatric respiratory consultant issued a shocking warning today as they revealed how children are being admitted to hospital because of vapes – as calls to ban the e-cigarettes grow

By **Kieren Williams**, News Reporter

14 Jun 2023 | UPDATED 10:26, 9 Jun 2023



BOOKMARK

Young kids are being hospitalised by **vaping** as calls grow to ban **e-cigarettes**.

A paediatric respiratory consultant issued the shocking warning today as they revealed how children are being admitted to hospital because of vapes.

Dr McKean, a doctor at the Great North Children's **Hospital** in Newcastle, said they were seeing a rising number of children developing dangerous lung conditions related to **vaping**.

The vice president for policy at the Royal College of Paediatrics and Children Health (RCPCH) also called for a ban on disposable e-cigarettes as the organisation warned that "youth vaping is fast becoming an epidemic".

Directors of  
Public Protection Wales



Safonau Masnach Cymru  
Trading Standards Wales

# In the headlines

**STARK WARNING** I took up vaping instead of cigarettes aged 16 but ended up on life support with organ failure – don't make my mistake

Alice Fuller

Published: 16:49, 27 Jun 2023 | Updated: 16:50, 27 Jun 2023



Pack Page 140

A TEENAGER who took up vaping as an alternative to smoking ended up on a life support machine with organ failure.

Ewan Fisher made the switch in a bid to improve his [boxing](#) skills and overall [fitness](#) - but he found himself with the lungs of an 80-year-old.

The lad said he was puffing away on fruity [e-cigarettes](#) up to 14 times a day, which caused a condition called hypersensitivity pneumonitis.

This occurs when the lungs develop an immune response to something you breathe in, resulting in inflammation of the tissue.

Ewan fell ill the night before he was due to start his [GCSE](#) exams aged 16.

He spent [eight weeks in intensive care](#) and then needed an artificial lung to keep him alive.

## READ MORE ON VAPING



**STARK WARNING** I took up vaping instead of cigarettes aged 16 but ended up on life...

Directors of  
Public Protection Wales



Safonau Masnach Cymru  
Trading Standards Wales

# In the headlines



EXCLUSIVE

Health > News Health

## DEADLY RISK Urgent warning as vapes contaminated with flesh-eating drug found in Britain

Joe Davies

Published: 21:00, 28 Jun 2023 | Updated: 9:24, 29 Jun 2023



VAPES contaminated with a deadly, flesh-eating drug have been found in Britain, The Sun can reveal.

Xylazine, a horse tranquilliser causing havoc with [drug](#) users in the [US](#), was discovered in modified [e-cigarettes](#).

Health bosses issued a warning to [NHS](#) clinics because it causes skin and tissue necrosis and is easy to overdose on.

Experts said the vapes, which were impounded in Luton, [Beds](#), could kill unsuspecting users.

Abbas Kanani, superintendent pharmacist at [Chemist Click](#), said: "It could have serious and potentially dangerous effects.

"In severe cases, [respiratory depression](#) can be life-threatening."



Health

## BAD HABIT Urgent vape warning as e-cigarettes leave children suffering with collapsed lungs

Harry Goodwin

Published: 23:25, 25 Jun 2023 | Updated: 9:34, 26 Jun 2023

Directors of  
Public Protection Wales



Safonau Masnach Cymru  
Trading Standards Wales

# Size of the market

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Pack Page 142



- 4.3 million people vape regularly (GB)
- Half a billion vapes bought each year in the UK
- 168 million of these are single use



Safonau Masnach Cymru  
Trading Standards Wales



# Size of the market

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Pack Page 143



Safonau Masnach Cymru  
Trading Standards Wales

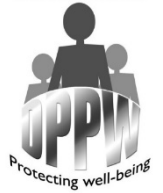


# Packaging and marketing

Pack Page 144



Directors of  
Public Protection Wales



Safonau Masnach Cymru  
Trading Standards Wales

# Packaging and marketing

Pack Page 145



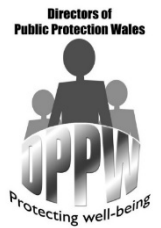
Safonau Masnach Cymru  
Trading Standards Wales

# Underage Sales

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Pack Page 146

- Across Wales, 15% of young volunteer attempts to purchase nicotine containing vapes have resulted in a sale
- Test purchase failure rate is as high as 24% in some areas
- Anecdotal evidence that retailers are not taking underage sales of nicotine containing vapes as 'seriously' as underage sales of alcohol or tobacco



Safonau Masnach Cymru  
Trading Standards Wales

# Illegal vapes and product safety

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- Non-compliant with regulations
- Liquid strength greater than 20mg /ml
- Liquid volume greater than 2ml / approx. 600 puffs
- Vapes and liquids not registered with the MHRA
- Presence of heavy metals (e.g. lead, nickel and chromium)
- In one area of Wales in 22-23, 14/37 test purchases (38%) resulted in the sale of illegal vapes
- In the same area there were 37 seizures of illegal vapes (retail value £51k)

# Links to serious crime

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Pack Page 148

- Concerns that illegal vapes are becoming the new illegal tobacco, but with a wider audience
- Evidence that illegal vapes are being concealed on premises in the same way as illegal tobacco
- Intelligence suggests vapes are being used to groom children and there are CSE concerns at specific premises



Safonau Masnach Cymru  
Trading Standards Wales

# Environmental concerns

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## Material Focus research in 2022 reported

- 1.3 million single use vapes are thrown away each week in the UK
- Across all vapes, the equivalent of 23 tonnes of lithium is thrown away per year – equivalent to 3000 batteries for electric vehicles

Pack Page 149

*Disposal of seized vapes is not straightforward and is proving costly for authorities*



Safonau Masnach Cymru  
Trading Standards Wales



# Tackling the problem

Announcing the new crackdown on Tuesday, Prime Minister Rishi Sunak said

*'I'm deeply concerned about the sharp rise in kids vaping and shocked by reports of illicit vapes containing lead getting into the hands of school children'*

*'Our new **illicit vape enforcement squad** – backed by £3million – is on the case, but clearly there is more to do. That is why I am taking further action today to clamp down on rogue firms who unlawfully target our children with these products'*

The UK Government's call for evidence on youth vaping closed in June:

<https://www.gov.uk/government/consultations/youth-vaping-call-for-evidence/youth-vaping-call-for-evidence>

Crackdown on illegal vapes after LBC exposed scandal of nicotine filled e-cigs sold with no age checks

30 May 2023, 05:21 | Updated: 30 May 2023, 05:22



Rishi Sunak has pledged to crack down on illegal vape marketing, following an LBC investigation. Picture: Alamy/LBC



Safonau Masnach Cymru  
Trading Standards Wales

# What support is needed in Wales ?

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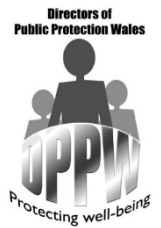
- Sampling and analysis of products (reference to a central database to avoid duplication)
- OPSS proposal for disposal of seized vapes through approved WEEE recycling schemes – still the cost of transport to be addressed
- Operational support / detection dogs
- Storage of seized products...



# Next steps...

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- TSW in discussion with Welsh Government
- Business case is being prepared



**Jeremy Miles AS/MS**  
Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language



Llywodraeth Cymru  
Welsh Government

**Senedd Cymru**  
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**Welsh Parliament**  
Cardiff Bay,  
Cardiff, CF99 1SN  
[SeneddChildren@senedd.wales](mailto:SeneddChildren@senedd.wales)  
senedd.wales/SeneddChildren  
0300 200 6565

16 October 2023

Dear Members of the committee

Thank you for your letter of 6 July regarding your concerns for the wellbeing of international students studying in Wales and the support available both in terms of their mental health and broader living experiences.

The Welsh Government is determined that citizens from other countries who have chosen to study in Wales feel welcomed and valued members of our communities.

We hugely value and appreciate the contribution made by our international students to our universities and Wales, not just economically but in enabling us to be a welcoming, outward-looking and diverse nation. That is why we support the inward mobility of international students and staff through our innovative Taith mobility programme, as well as by funding projects such as Global Wales, which seeks to encourage more international students to choose Wales as their place of study.

### **Student accommodation**

It is not acceptable for any individual to be living in sub-standard or unsuitable accommodation. Universities in Wales provide advice and guidance to all students, including international students, on how best to source and secure accommodation before they travel to attend university. Universities have a responsibility to ensure that information and advice provided by contracted and subcontracting agents is clear and up to date, so prospective students can make fully informed decisions.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

[Gohebiaeth.Jeremy.Miles@llyw.cymru](mailto:Gohebiaeth.Jeremy.Miles@llyw.cymru)  
[Correspondence.Jeremy.Miles@gov.wales](mailto:Correspondence.Jeremy.Miles@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

We are currently working with HEFCW to ensure international students are aware of their responsibilities before accepting a university place.

Where students are not eligible for university halls of residence, and particularly where students are travelling with their families or dependants, they are advised to research and secure accommodation prior to travel. In some instances, universities have had international students arrive with dependents without informing the institution beforehand. This is something that the universities are proactively trying to tackle.

### **Community engagement**

During the summer, my officials joined a cross sector meeting to address local concerns in the area of Blaenau Gwent as highlighted by a member of the committee, Buffy Williams MS. Universities demonstrated a willingness to be involved in any multi agency discussions and continue to engage with local services.

Universities advised that community engagement, where individuals are referred into the services provided by the university has more of an impact. Specific discussions were around easier identification of individuals who may be most at risk from hardship, so that constructive action can be taken quickly.

Local Authority representatives also presented information on the action they are taking in relation to housing standards, welfare checks, and coffee mornings to aid community integration.

Further meetings are proposed to continue the discussion in future, recognising this is a complex and multi-agency issue.

### **Financial hardship**

We are aware that international students are reluctant to access university financial support such as hardship funding due to the restrictions around their visas and the condition that they must be able to support themselves.

While I appreciate that international students may not be eligible for the Welsh statutory student support package, they can of course benefit from the [significant funding](#) we have provided to Universities in Wales for financial hardship and mental health.

Universities in Wales are proactively taking action to address the financial issues being experienced by international students. Some examples include:

- Pre-loaded credit card for use on campus so that delays in setting up a bank account won't prevent ability to purchase food
- Admissions processes which assess intent and enthusiasm for study as well as financial means
- Accommodation service to help find housing
- Engagement with local communities including foodbanks and other services
- Acting as rent guarantor or referring to third party service

We continue to advise any student that is facing financial difficulties to speak to their university's student union who will be best placed to provide further advice and signpost to alternative support where appropriate.

### **Visa rule changes**

The rise in the number of dependent visas from students wishing to study in Wales has been substantial and has possibly exceeded planning assumptions in local government. Following the announcement on changes to student Visas by the UK Government, students will no longer be able to bring dependents unless studying for research postgrad programmes, and cannot switch to another visa while studying. It is likely these new rules will help alleviate some of the ~~Prok Page 154~~ experienced, but as they won't come into

force until in 2024, we recognise in some places there will continue to be local challenges around access to suitable family accommodation and schooling.

### **Free school meals**

Regarding your concern about the impact on students' dependents, in particular their children. Children are entitled to have free school meals if their family receives support under Part VI of the Immigration and Asylum Act 1999. We would encourage families and local authorities to work together to check for entitlement to Free School Meals under this provision.

In addition, the Welsh Government has written to remind local authorities of their discretionary powers (under the 1996 Education Act) to provide meals without charging if a family does not meet the usual eligibility criteria. The Welsh Government does not specify when local discretion should be used. For example, it could be used where a family has applied for Universal Credit but is waiting for their first monthly payment.

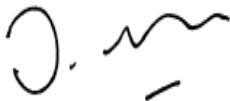
### **International recruitment**

Universities in Wales will have specific objectives when it comes to recruitment of international students due to their operational activity and academic programme.

The Universities Wales International Network is exploring a set of common principles with a view to publication later in the year. It is expected that these principles may include signposting and referral with local authorities, advice and guidance for students, and other approaches to support recruitment and address student need.

I hope that this provides you with reassurances that we are committed to fully supporting our international students and their families when they choose to study and live in Wales.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'J. Miles', with a stylized flourish.

### **Jeremy Miles AS/MS**

Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language