

Agenda – Equality and Social Justice Committee

Meeting Venue:

Committee Room 3 (Senedd)

Meeting date: 26 February 2024

Meeting time: 11:00 – 17:00

For further information contact:

Rhys Morgan

Committee Clerk

0300 200 6565

SeneddEquality@senedd.wales

Pre-meeting registration (10:40 – 11:00)

1 Introductions, apologies, substitutions and declarations of interest

(11:00)

2 Papers to note

(11:00)

2.1 Correspondence from the Chief Executive and Clerk of the Senedd to the Chair regarding the Committee's report on the public health approach to preventing gender-based violence

(Pages 1 – 2)

2.2 Correspondence from the Minister for Social Justice and Chief Whip to the Legislation, Justice and Constitution Committee regarding the Inter-Institutional Relations Agreement: Safety, Security and Migration Inter-ministerial Group

(Page 3)

2.3 Correspondence between the Children, Young People and Education Committee and the Chair regarding the Committee's follow up inquiry on childcare

(Pages 4 – 8)



2.4 Correspondence from the Deputy Minister for Mental Health and Wellbeing to the Chair of the Health and Social Services Committee regarding Budget spending

(Pages 9 – 11)

2.5 Correspondence from the Minister for Social Justice and Chief Whip to the Chair regarding additional information on Anti Racist Wales Action Plan

(Pages 12 – 28)

2.6 Correspondence between the Minister for Social Justice and Chief Whip and the Chair regarding additional information on the Draft Budget 2024/2025

(Pages 29 – 36)

2.7 Correspondence from the Minister for Health and Social Services to the Chair regarding the launch of the consultation on amendments to the 'Putting Things Right' process

(Page 37)

2.8 Correspondence from the Counsel General and Minister for the Constitution to the Legislation, Justice and Constitution Committee regarding a meeting of the Inter-Ministerial Standing Committee

(Page 38)

3 Governance of Fire and Rescue Services: evidence session with the Deputy Minister for Social Partnership and Chief Fire Adviser

(11:00–12:15)

(Pages 39 – 68)

Hannah Blythyn, MS, Deputy Minister for Social Partnership

Dan Stephens, Chief Fire and Rescue Adviser and Inspector for Wales

Liz Lalley, Director – Risk, Resilience and Community Safety, Welsh Government

4 Motion under SO17.42 (vi) and (ix) to exclude the public for items 5, 8 and 9 of today's meeting

5 Governance of Fire and Rescue Services: consideration of evidence
(12:15–12:30)

Lunch (12:30–13:30)

6 Childcare follow up inquiry: evidence session 1
(13:30–14:45) (Pages 69 – 89)

Dr David Dallimore, social policy researcher formerly employed by Bangor University and the Wales Institute of Social and Economic Research and Data

Hayli Gibson, Head of Early Years, Childcare and Play, Pembrokeshire County Council

Janet Kelly, Chair of Trustees, Sparkle Cymru

Break (14:45–15:00)

7 Childcare follow up inquiry: evidence session 2
(15:00–16:15) (Pages 90 – 119)

Sarah Coates, National Day Nurseries Association (a member of the CWLWM Partnership)

Jane O'Toole, Clybiau Plant Cymru (a member of the CWLWM Partnership)

Sarah Mutch, Early Years and Partnerships Manager, Caerphilly County
Borough Council

Cheryl Salley, Director at Darling Buds Nursery Ltd

8 Childcare follow up inquiry: consideration of the evidence

(16:15–16:30)

9 Anti-Racist Wales Action Plan: consideration of draft report

(16:30–17:00)

(To Follow)

2 February 2024

Jenny Rathbone MS
Chair of the Equality and Social Justice Committee
(by e-mail)

Dear Jenny,

Report of Inquiry into a public health approach to preventing gender-based violence

Thank you for your letter regarding the Equality and Social Justice Committee's Report on their inquiry into preventing gender-based violence. You have highlighted Recommendation 12 in which the Committee has recommended to all Senedd Members that they commit to completing training on preventing gender-based violence, and asked how the Commission might facilitate its implementation.

The Commission provides training to Members to support the delivery of their duties, including via Members' staff, and will seek to arrange for training in this area to be made available. The Member Learning and Engagement team will work with your Committee in the first instance to identify a date to suit. In making appropriate arrangements for training, we will take account of the three areas you have particularly highlighted:



- increased awareness and understanding of what constitutes GBV;
- improved bystander intervention skills which equip individuals with the skills to identify signs of potential GBV situations and intervene safely and effectively; and
- cultural competence: understanding the complexities of addressing GBV within diverse cultural contexts.

Information about support available can be accessed on the Wellbeing page of the Members' Intranet, and awareness posters are currently on display in a number of locations on the estate, at the request of Commissioners.



In relation to Commission staff, all those entering roles with management responsibilities are required to complete the Senedd Commission's Manager Programme. This programme provides the essential skills and knowledge they need to become a high performing line manager in the Senedd, including awareness of our policies and where to find the appropriate guidance. As well as Safeguarding policies and procedures, the Commission has a Domestic Abuse policy and guidance in place recognising a responsibility for the welfare of our employees and recognises that Gender Based Violence may be a workplace issue affecting some of our employees.



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If there is any further information your Committee would like to have, please do not hesitate to let me know.

Kind regards,

Manon Antoniazzi.

Manon Antoniazzi

Prif Weithredwr a Chlerc y Senedd / Chief Executive and Clerk of the Senedd

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.



Jane Hutt AS/MS
Gweinidog Cyfiawnder Cymdeithasol a'r Prif Chwip
Minister for Social Justice and Chief Whip

Agenda Item 2.2


Llywodraeth Cymru
Welsh Government

Our ref: Safety, Security and Migration IMG

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru
SeneddLJC@senedd.wales

02 February 2024

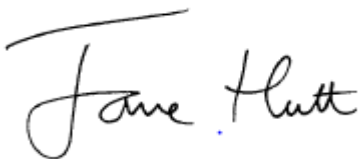
Inter-Institutional Relations Agreement: Safety, Security and Migration Interministerial Group

I wrote to you on Friday 26 January informing you that a meeting of the Interministerial Group for Safety, Security and Migration was scheduled for Monday 5th February from 10am to 11.15 am. Unfortunately, on Monday 29 January we were notified by our counterparts in UK Government that the meeting will now be postponed following a request by UK Ministers to have additional time to consider the proposed agenda.

Welsh Government officials have requested that the meeting be re-scheduled as soon as possible and that Official level conversations continue in the interim.

Unfortunately, no future dates have been proposed but I will of course update the Committee in due course, once a rescheduled date has been agreed.

I am copying this letter to Jenny Rathbone MS, Chair of the Equality and Social Justice Committee.



Jane Hutt AS/MS
Gweinidog Cyfiawnder Cymdeithasol a'r Prif Chwip
Minister for Social Justice and Chief Whip

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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.

**Children, Young People
and Education Committee**

Jenny Rathbone MS
Chair, Equality and Social Justice Committee

05 February 2024

Follow-up inquiry into childcare and parental employment

Dear Jenny,

Thank you for your letter dated 3 January. As Chair of the Children, Young People and Education Committee, I would very much welcome the opportunity to be involved in your inquiry into childcare and parental employment. As you eluded too in your letter the Committee's collaborative approach on cross-cutting issues has previously been very positive and constructive.

As you are aware the issue of childcare and parental employment has been raised during our inquiry into access to education and childcare for disabled children and young people.

As part of the evidence gathering process, we meet with parents, carers and organisations who said that it was a challenge for them of children and young people with disabilities and / or additional needs to secure and maintain paid employment. Summary notes from these meetings are available on the inquiry [webpage](#) together with all the meeting [transcripts](#) and consultation [responses](#) which you may find helpful.

You will also be aware that, we [wrote](#) to the Minister for Economy on this issue and recently received a [response](#).

Should you require any further information on the above please contact the Clerking team.

I very much look forward to working with your Committee again and to receiving the relevant meeting information.

Yours sincerely,

Jayne Bryant

Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Jayne Bryant MS

Chair of the Children, Young People and Education Committee

Dear Jayne,

3 January 2024

Follow-up inquiry into childcare and parental employment

Our recent work on the Welsh Government's Draft Child Poverty Strategy benefitted greatly from your participation and it is likely that our approaches to several cross-cutting issues were strengthened as a result of our collaboration. The report indicated our intention to follow-up on the issue and we are now in a position to provide you with details.

We plan to follow-up on 'Minding the future: the childcare barrier facing working parents' our 2022 report on childcare and parental employment in the Spring of 2024. As well as examining progress in implementing the recommendations of that report, we will explore the extent to which childcare meets the varying needs of families across Wales. This will include how inequalities in accessing childcare faced by particular demographic groups and across different parts of the country can be addressed. You will find the full terms of reference in the Annex.

Subject to the availability of witnesses etc. we plan to undertake this work on the following dates:

26 February 2024	2 x panels of oral evidence
4 March 2024	1 x panel of oral evidence
11 March 2024	Morning: stakeholder session in the Senedd Afternoon: evidence session with the Deputy Minister for Social Services

We would like to invite you and the other Members of your Committee under Standing Order 17.49 to attend the oral evidence sessions and other planned activities, on the above dates and to any other meetings where substantive discussions as part of the inquiry may take place. If this would be of interest to you or any of your Members, I would be grateful if you could please confirm by 31 January 2024. I will also ask our Clerk to liaise with your Clerks as arrangements for the inquiry progress and so that all necessary practical considerations can be made.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Jenny Rathbone". The signature is written in a cursive style with a large, prominent initial 'J'.

Jenny Rathbone MS

Chair, Equality and Social Justice Committee

Annex: Terms of Reference for the inquiry

- What progress has been made in implementing the recommendations in the Committee's report from early 2022 - [Minding the future – the childcare barrier facing working parents](#).
- The extent to which childcare provision in Wales provides high-quality provision which supports child development, tackles child poverty and supports parental employment. What changes might be needed to deliver these outcomes.
- What progress is being made towards achieving the Co-Operation Agreement commitment to expand 12.5 hours free childcare per week to all two-year-olds, with an emphasis on strengthening Welsh-medium provision.
- To what extent there is sufficient childcare available to meet the varying needs of families across Wales, and how inequalities in access to childcare faced by particular demographic groups and across different parts of Wales can be addressed.
- What approaches exist to integrate delivery of childcare provision in Wales, and how can best practice be spread widely.
- How childcare providers and the workforce have been impacted by cost-of-living pressures, and what effects these have had on the sector.
- What lessons can be learnt from other parts of the UK and international best practice to improve childcare policy in Wales.
- How financial and practical barriers need to be considered in developing future childcare policy.

Lynne Neagle AS/MS
Y Dirprwy Weinidog Iechyd Meddwl a Llesiant
Deputy Minister for Mental Health and Wellbeing

Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref
Russell George MS
Chair
Health and Social Services Committee

Cc:
Equality and Social Justice Committee
Children, Young People and Education Committee
Legislation, Justice and Constitution Committee

07 February 2024

Dear Russell,

During my appearance at the Health and Social Services Committee on the 17th January, I agreed to supply details of the Welsh Government's substance misuse funding.

This has been the most challenging budget since devolution but I have prioritised our substance misuse investment to vital frontline services to ensure some of the most vulnerable people in our society continue to have access to services and support. However, this has required some difficult decisions.

In spite of the challenging budget, I have continued to protect our substance misuse funding and this has now, overall, risen to just over £67m. Substance Misuse Action Funding (SMAF) is provided directly to our Area Planning Boards (APBs) and this will rise by £2m in 2024/25 to £41m. This £2m increase in our funding will be allocated to the ring-fenced allocations for children and young people and complex needs funding both increasing by £1m, to £6.25m and £4.5m respectively. In addition, within the £41m we will continue to support the highly successful use of injectable buprenorphine (Buvidal) with £3m, over half of which supports criminal justice prescribers in the community. Health Boards receive funding for their substance misuse treatment services through their allocation letters and this will increase by £812k to just over £22.9m in 2024-25. Details of these funding decisions are at Annex A.

The committee asked for details of any support we provide for Brynawel. We do not fund Brynawel directly from Welsh Government with any revenue funding as placements are

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funded either by local authorities or through the ring fenced £2m for residential treatment provided to APBs. Placements are made, led by service user choice, through our Rehab Cymru framework. However, I'm pleased to say that in February 2023 we awarded Brynawel £795,000 of capital funding for the expansion of their service through the purchase and refurbishment of a neighbouring property.

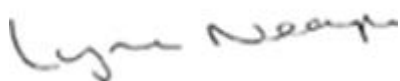
In addition to our funding for substance misuse services, we also continue to support our Out of Work Peer Mentoring Service. The service helps people recovering from substance misuse and/or mental ill-health through peer support and will be funded with £5.4million in 2024-25. The service aims to support up to 10,000 people including 3,000 young people across Wales between its start in October 2022 and March 2025. This service is a successor to the previous European funded service between 2016-2022.

I referred to the Wales Police Schools Programme (WPSP) at Committee. The programme is currently funded through the substance misuse budget but faced with potential cuts to frontline services I have decided to prioritise our substance misuse investment to ensure access to vital services and support. Therefore, I have had to withdraw the Welsh Government's funding contribution of £1.98m per financial year to the programme from the 31st March this year. The landscape around wellbeing for learners on a range of important issues has changed significantly since the introduction of the programme. Many areas are now subject matter that would be considered in mandatory health and well-being learning in Welsh schools. Relationships and Sexuality Education (RSE) covers a number of areas, including substance misuse, online safety and domestic violence. There are further plans to develop more resources for schools to inform learning about a range of health and wellbeing issues and my officials are working with colleagues in education to maximise learning from the programme

My officials will continue to work with the Police to work through the implications of the withdrawal of the Welsh Government's match funding for the programme. The Welsh Government will continue our close relationship with the four Police and Crime Commissioners and forces in Wales and they are valued partners.

I am copying in the chairs of the Equality and Social Justice Committee, Legislation, Justice and Constitution Committee and the Children, Young People and Education Committee.

Yours sincerely



Lynne Neagle AS/MS

Y Dirprwy Weinidog Iechyd Meddwl a Llesiant
Deputy Minister for Mental Health and Wellbeing

Annex A.

	2023-24	2024-25	Change
Substance Misuse Action Fund	£39.063m	£41.063m	+£2m
Wales Police Schools Programme	£1.980m	£0	-£1.980m
Drug & Alcohol*	£1.542m	£1.022m	-£520k
Capital	£2.5m	£2.5m	£0
Health Board ring fence	£22.102m	£22.912m	+£812k
Overall total	£67.187m	£67.497m	+£312k

*The Drug and Alcohol Budget supports key central services and activity. These include Public Health Wales, WEDINOS, Naloxone and evaluations of both MUP and Buvidal.

Agenda Item 2.5

JANE HUTT AM MS
Gweinidog Cyfiawnder Cymdeithasol a'r Prif Chwip
Minister for Social Justice and Chief Whip



Llywodraeth Cymru
Welsh Government

Jenny Rathbone MS
Chair, Equality and Social Justice Committee
Senedd Cymru Bae
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07 February 2024

Dear Jenny Rathbone MS,

Thank you for the invitation to give evidence on 4 December 2023 as part of the Equality and Social Justice Committee inquiry into the implementation of the Anti-racist Wales Action Plan (ArWAP). This letter provides the additional detail requested by the Committee.

The 11 Community Representatives and the Regional Coordinators

Please see Annex 1 for details of our Diversity Representatives' roles, including biographical details, and information about recruitment.

The [Terms of Reference for our External Accountability Group](#) sets out a co-designed and agreed vision, purpose and values which will underpin the work of the Group

As part of our governance structure, work is underway to establish four Regional Forums across Wales which will capture the voices of those with lived experience and respond to the needs of our Black, Asian, and Minority Ethnic people across Wales. They will be a key component of our governance structure and serve to connect our External Accountability Group, wider public sector. The Regional Forums will group the existing 8 Community Cohesion regions into 4 regions: North Wales, East Wales, Central Wales, and Mid and South West Wales. The Forums will tap into the existing Community Cohesion footprint and other Welsh Government grant funded programmes and outreach teams already in place.

Facial Recognition Software

The use of live facial recognition technology is an operational decision for the police. Policing is a reserved matter and the responsibility of the Home Office.

As a government, we recognise that new and developing technology can play an important role in policing and protecting communities. It is important to explore the ramifications of these technologies, both to maximise their benefit and to mitigate their potential risks. Any

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new technology should be used proportionately and considerately so that the benefit to people in Wales is maximised.

We have asked Policing in Wales for assurance, about how they are using live facial recognition and how they are mitigating the risks including the ethical impact on people's privacy. They have provided us with information in response to our concerns, which is reflected in Annex A to this letter.

This is an area where we will continue to champion the right to privacy as our understanding around these technologies develops. Additionally, I am meeting the Chair of the House of Lords Justice and Home Affairs Committee on 16 January to discuss these issues. The Committee had recently held an inquiry on artificial intelligence and have since launched a follow-up inquiry looking at facial recognition technology in more detail.

The operational practice of South Wales Police and the role of PCCs is reserved to the UK Government. We have provided some information at Annex 2 below on the basis of our conversations with South Wales Police on this issue, but the Committee may wish to contact South Wales Police or the South Wales Police and Crime Commissioner directly for detail on how they use and monitor LFR. Operational detail is also available on the South Wales Police [website](#).

We support the creation of a national body in line with the recommendation of the House of Lords, Justice, and Home Affairs Committee, and welcome their continued scrutiny on this issue.

Sharing of good practice in educational establishments across Wales

A range of different mechanisms are used for sharing information about the anti-racist Wales education work including examples of good practice. All Welsh Government resources for schools and education settings, plus relevant and appropriate externally produced materials, are published on Hwb, or linked to Hwb. The website offers a wide range of resources, including materials for different learner groups such as Gypsy, Roma, and Traveller children and young people, as well as materials from Show Racism the Red Card for example.

Resources are linked to an online search in Hwb for the Anti-Racist Wales Action Plan, for example the current Black History Cymru 365 pack, they should be easy to locate. Officials are considering the opportunities to add new and different resources, which are useful and relevant under the Anti-Racist Wales heading.

Our national Dysg newsletter is accessible to all teachers and practitioners in schools, as well as individuals working in other education settings. Recent examples of best practice, which have been highlighted in Dysg, include the launch of our new [guidance](#) for education settings, 'Celebrate and Participate', to support Gypsy, Roma and Traveller children and young people, published on 7 December.

Both Welsh ministers and officials regularly engage with our contacts with key local authority and education representative groups, including the Association of Directors Education Wales (ADEW). Officials in the Public Services and Education Department regularly attend the half termly meetings of the Local Authority Minority Ethnic Gypsy Roma and Traveller (MEGRT) officers' group. We are also engaged with teachers and practitioners with lived experience of racism and liaise very closely with our stakeholders, including third sector organisations which support parents and learners from Black, Asian, and Minority Ethnic communities.

Where issues arise for schools, and they are seeking targeted guidance, resources and examples of effective practice are circulated to all school head teachers and local authorities. Most recently a joint letter was sent to all schools and maintained education settings from myself and the Minister for Education and Welsh Language on 19 December which contained advice and information for teachers and practitioners to tackle antisemitism and Islamophobia. This was to support learners during any discussions about the current Israel / Gaza conflict and issued following discussions with representatives of the Jewish and Muslim communities in Wales. The Minister for Education and Welsh Language wrote separately to all FE colleges and universities in Wales, on 14 December, requesting information on their actions to tackle antisemitism and Islamophobia within their settings.

Following the successful launch of Diversity and Anti-racist Professional Learning (DARPL) in 2022, 27,500 education professionals have directly engaged with DARPL via events, education consortia and partnerships, consultation, guidance, and asynchronous provision.

However, the reach beyond initial engagement is much wider. For example, a North Wales event in the autumn involved tier 2 leaders responsible for 400+ schools, with potential to positively impact on the experiences of 80,000+ learners.

The [DARPL virtual campus](#) provides access to a wealth of resources for education professionals including live webinars, asynchronous materials, blogs and toolkits and wider communities of practice.

DARPL Phase 2 launched in autumn 2023 and includes a core focus on wider dissemination and engagement. This next phase also aligned with the publication of the [CCfW Spotlight report](#) which positively reflected:

'Schools who mentioned involvement and engagement in DARPL (Diversity and Anti-racism Professional Learning) training were generally very positive about their experiences. One school leader said it had 'truly led to the change', and that the training has affected them, and given them the opportunity to hear from lived experience to make change. (Nov 2023, p 35)

The first [national DARPL leadership conference](#) held in 2023 was fully subscribed by over 250 educational leaders. Input from keynote speakers, including Baroness Floella Benjamin supported senior leaders to take the next steps on their anti-racist leadership journey. Another national conference is planned in North Wales in 2024, providing further opportunities to disseminate anti-racist leadership practice.

Senior leader events during the autumn term included an audience with over 600 leaders at the North Wales School Effectiveness and Improvement Service / Gwansanaeth Effeithiolrwydd a Gwella Ysgolion Gogledd Cymru (GwE) national conference. DARPL are actively engaging with other regions and partnerships to spotlight the deep sustained collaboration work with GwE to support comparable national developments.

The DARPL community of practice for longitudinal action-research work continues to evolve. This provides a challenging and supportive space for schools, local authorities and education consortia. Following the 2023 leadership conference, over 30% of delegates signed up to engage in DARPL research focused on first steps and silos into Pan-Wales step change. Emerging findings will be made available via the [DARPL virtual campus](#).

During DARPL Phase 2, there has already been a significant investment in consultative work with a range of middle tier partners including Qualifications Wales, WJEC, local authorities and Estyn to support and challenge anti-racist leadership practice to significantly enhance wider system capacity and sustainability moving forward.

There is growing international interest in DARPL and positive progress in Wales in relation to the Anti-racist Wales Action Plan. DARPL are engaged in ongoing outreach work to support wider dissemination, engaging in scoping and development work with several international partners including Jamaica, US, New Zealand, and Australia.

Work to track the wider reach and impact of DARPL is continuous through a range of bespoke approaches e.g. engagement data, impact mapping, national blueprints, etc., with detailed investment to address specific engagement deficits. Work is also ongoing to develop a range of measures to demonstrate impact beyond initial engagement and exemplify how the DARPL model can support other professional learning priorities.

Criminal Justice Data

We have seen the proposal by Cardiff University for a Welsh Criminal Justice Data Observatory. We are considering this proposal in the context of our broader work on justice data, which includes a focus on race in the criminal justice system and improving our capacity for analysis in this area.

Within the Programme for Government there is a commitment to establish a Race Disparity Evidence Unit (RDEU). The mission of the RDEU is to tackle the current lack of accessible data related to ethnicity and improve its quality and granularity. The RDEU has been established and they have been working to address the gaps around data accessibility through ensuring consistency in classification and terminology throughout policy developments in the anti-racist space.

The RDEU has started preliminary work in collaboration with the ARWAP external accountability group to develop measurement indicators and incorporate lived experiences within research. The work of the RDEU in research and evaluation within eight different policy areas will help tackle the lack of Wales-specific ethnicity data. It is through collaboration with the external accountability group and extensive stakeholder engagement that the RDEU will ensure that the data is not only gathered but is utilised effectively and with ease. The RDEU is part of the Criminal Justice Board's anti-racism data sub-group as part of its engagement and work on improving data access.

Additionally, we have delivered work on criminal justice dashboards. Whilst existing justice data for Wales can be found in various published statistical releases, it is often split across open data tables and geographical tools. To realise more value from existing published data on the justice system in Wales, analysts from the Welsh Government Knowledge and Analytical Services (KAS) directorate are developing interactive Power BI dashboards to bring together and disseminate Welsh justice data.

The first of these, focused on Youth Justice, was [published](#) on Thursday 31 August. The dashboard brings together Wales-specific data from across the accompanying tables of [Youth Justice annual statistics, published by the Youth Justice Board for England and Wales](#).

Further to this, Welsh Government officials have continued work to identify crime and justice data requirements in Wales. The Knowledge and Analytical Services directorate have undertaken work to map the existing criminal justice data published on government websites, to identify where disaggregated data is available for Wales and the specific areas of data where Welsh specific data is missing.

For the first time, this work has given us a comprehensive view of the Welsh criminal justice data landscape, allowing us to clarify our understanding of what is available and where

there are gaps which could be addressed. This includes mapping out the available data on crime, prisons and probation, youth justice and the criminal justice workforce.

This mapping exercise, including the current gaps we think could be addressed, has been shared with the Ministry of Justice (MoJ) who have agreed to consider it and provide a response on what is feasible in the short and longer term. Given the scale of the work, the MoJ have asked for our view on the most important areas to address and the Welsh Government have suggested the following priorities:

- Areas where MoJ has provided data in response to Freedom of Information requests, but data is not routinely published.
- Improved data on race and ethnicity in line with the Criminal Justice Anti-Racist Wales Action Plan
- Data relating to the Women's Justice Blueprint and Youth Justice Blueprint
- Improving the availability and accessibility of existing published Wales-specific data, for instance through dashboards similar to the ones now being published by Welsh Government.

MoJ are continuing to consider this work.

Child Translators in medical settings

I recognise the importance of taking steps to reduce those instances where family members, including children, or non-registered individuals are acting as interpreters.

Alongside the recommendation from the Health and Social Care Committee 'Connecting the Dots Report' on mental health and inequalities and the Equality and Social Justice Committee's report on gender based violence and the needs of migrant women – recent research funded by Health and Care Research Wales into the Health Experiences of Asylum Seekers and Refugees (the HEAR 2 Study in Wales) and a Welsh Government report on the availability and adequacy of foreign language interpretation services as part of our Migrant Integration Wales Project – have highlighted the same issue. Over the coming months, Welsh Government officials will be engaging with Public Health Wales to take forward the committee recommendations and the findings from both research reports and explore the feasibility of a directory of interpreters.

Officials are also engaging in ways to ensure migrants and those seeking sanctuary can understand their right to have an interpreter for services include updating our Sanctuary website which can be translated into a language of choice and use the 'Recite me' software which enables text to speech.

Welsh Government commissioned research into the availability and adequacy of language interpretation services in Wales was funded through the Migrant Integration Wales Project. The study is available to view [here](#). Officials are undertaking the relevant actions from this research in policy making to help reduce barriers to accessing interpretation and translation services.

Work is also being taken forward to develop guidance for primary care and other health settings in relation to commissioning interpretation and translation services, with the view to driving consistency and promoting equity of access.

The Wales Interpretation and Translation Service (WITS) was established in 2009 to meet the interpretation and translation needs of the Public Sector. Hosted by Cardiff Council since 2017 WITS provides access to a wide range of registered interpreters covering

approximately 120 languages, including BSL. The Wales Interpretation and Translation Services (WITS) has also developed new [on-line training](#) to promote access to translation and interpretation services. In addition: As part of the Welsh Government's Migrant Integration Wales Project, new supporting materials are being developed to promote a person's right to access these services (using a rights-based approach). Partner organisations can access the WITS on demand services through their partner agreement. All Health Boards and Trusts in Wales are now partners to WITS.

Meetings with Local Government regarding implementation of the Anti-Racist Wales Action Plan

Strengthening collaboration with local authorities, third and private sectors is essential. Encouraging these sectors to adopt anti-racist practices within their organisations will contribute significantly to broader societal change.

Local Authorities are largely autonomous given their democratic accountability to the electorate. However, I have met with Local Authority Cabinet Equality Leads four times in the past year. I also continue to reinforce importance of embedding the ArWAP through established forums such as WLGA Equalities Cabinet Members meetings, the Wales Race Forum, and Social Partnerships meetings. Moreover, I have been visiting Local Authorities across Wales and the ArWAP One Public Sector Leadership Summit in May 2023 reached nearly all Local Authorities across Wales.

We are making effective use of all mechanisms available to the Welsh Government to embed the ArWAP within local government. One example is that Improvement Grants issued through the Welsh Local Government Association (WLGA) carried conditions to implement ArWAP goals and actions locally. Reallocations within the Improvement Grant have been made to allocate funds towards anti-racism initiatives.

Each policy area engages with Local Authority counterparts in specific ways. For example, Social Care directly engage with local authority social care teams. Another example is that Housing policy officials engage with the Housing and Regeneration ArWAP stakeholder group which includes membership from Cardiff Council and the WLGA. The distinctly cross-governmental vision of the ArWAP means that goals and actions are under the ownership of respective policy areas, holding them accountable for progress of outcomes.

I attach relevant minutes and actions of meetings with Local Government Cabinet members regarding the implementation of the ArWAP as requested.

I trust that this answers the committee's questions and provides the necessary clarification.

Your sincerely,



Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Annex 1 - External Accountability Group for the Anti-Racist Wales Action Plan: membership, roles, and recruitment

Successful candidate name and organisation

External Accountability Group for the Anti-Racist Wales Action Plan

Diversity Representatives

- Sabiha Azad
- Marilyn Bryan
- Helal Uddin
- Maria Mesa
- Loren Henry
- Aliya Mohammed
- Rajma Begum
- Martin Gallagher
- Leila Usmani
- Mfikela Jean Samuel
- Annette Nelson

Experts by Experience and Expertise

- Prof Nelarine Cornelius
- Prof Uzo Iwobi
- Prof Jason Arday
- Nisreen Mansour
- Dr Lella Nouri
- Dr Indu Deglurkar
- Prof Charlotte Williams
- Gaynor Legall

Description of role and organisation - Please list from the candidate pack where relevant giving a brief description only.

External Accountability Group - The Accountability Group’s core focus will be ensuring delivery of the Plan, monitoring progress on actions and commitments and ensuring momentum is maintained.

The Group will assess the extent to which progress is being made towards the vision and challenge, support (including co-design) and advise on any areas of anti-racism which they think need to be explored based on new challenges and successes as they emerge.

The membership includes both Diversity Representatives and anti-racism experts by experience and expertise.

The Terms of Reference for EAG is available as Appendix-5 from this link [Anti-Racist Wales Action Plan and Front Facing document \(gov.wales\)](#).

Appointment type or extension - Please state the decision of Welsh Ministers, including term number (e.g., first, second or third), term length and any remuneration. The type of appointment must also be stated (appointment/reappointment/direct appointment or extension).

The appointment is for two years. The minimum commitment is 16 days.

Remuneration for Experts is £300 a day. Remuneration for Diversity Representatives is £198 per day.

If a direct appointment a brief justification must be given.

This appointment was made in accordance with the Governance Code on Public Appointments: [Microsoft Word - 20161216 Governance Code FINAL in CO template.docx \(publishing.service.gov.uk\)](#)

Political activity

All appointments are made on merit and political activity plays no part in the selection process.

Any political activity in the last five years must be provided. Please state if the successful candidate(s), has, in the last five years, been employed by a political party, held a significant office in a party, has stood as a candidate for a party in an election, has publicly spoken on behalf of a political party, or has made significant donations or loans to a party.

Announcements: Public Appointments and Extensions

Summary:

- 1.1 All positions were openly advertised, accompanied by comprehensive information packs detailing roles, responsibilities and remuneration.
- 1.2 Independent selection panels were established to oversee the entire recruitment process.
- 1.3 In summary, the current EAG membership consists of 8 experts and 11 diversity representatives. This means, we have 14 females and 4 males (1 disabled person; 3 LGBT person; 1 GR&T person; 1 young person; 1 refugee; 2 people of mixed race, and faith representation from Hindus, Muslims, and Christians). We have good representation in South and North Wales, and a representative from Mid and West Wales. We were successful in selecting Representatives in the areas of policy listed below.
 - Leadership in public services in particular (including workforce, Board membership, and others)
 - Education
 - Health (including mental health)
 - Social Care
 - Employability and skills
 - Refugees and asylum seekers
 - Crime and Justice
 - Culture, Heritage, and Sport
 - Homes and Places

Biography notes list

Diversity Representatives

Sabiha Azad works for the Children's Commissioner as a Participation Officer. Sabiha hopes to contribute her lived experience and amplify the diverse experiences of ethnic minority communities. She is eager to move away from knowledge improvement and short-term commitments into implementing real changes to create an anti-racist Wales.

Marilyn Bryan has been involved with promoting fairness all her life, and her professional and voluntary roles have highlighted discrimination and injustice. Marilyn's view has been to

focus on solutions, seeing herself as a servant of the Community. She believes that Collaboration, Communication and Co-operation can lead to tackling discrimination.

Helal Uddin is a co-Director and Head of Services and Partnerships at EYST. Helal's passion is to make a better Wales and he enjoys all challenges and the benefits they bring. Helal feels blessed to serve the Black, Asian and Minority Ethnic communities and the people of Wales, playing his part to make a better society for all.

Maria Mesa came to Wales from Colombia as a political refugee 44 years ago. A qualified Social Worker, Maria has been actively involved in developing innovative organisations and services responding to the needs of Minority Ethnic communities, especially women. Maria's personal and professional life has been driven by her passion, commitment and belief in social justice and equality.

Loren Henry co-founded youth arts organisations Urban Circle and G-Expressions to drive improvement for young people, amplified by the BLM movement. Loren embraces a responsibility for challenging injustice. Her lived experience enables her to empathise with the marginalised communities she works in and to improve the aspirations of young people, actively listening to them and their communities.

Aliya Mohammed is Chief Executive Officer of Race Equality First and has over 10 years of expertise in Anti-Racism, delivering training for the civil service. She developed the Framework for Action on Hate Crime in 2016 and chaired the Welsh Committee for the United Nations Special Rapporteur on Racism to the UK.

Rajma Begum is the WCVA's National Sport Diversity Manager and a Board Member of Sport Wales. Rajma's passion for sport equality stems from negative personal experiences from a young age. Working with partners across the spectrum of equality and diversity, her mission is to ensure all sports and arts are welcoming for the ethnically diverse communities of Wales.

Martin Gallagher is an Irish Traveller, who is currently undertaking his PhD fellowship with Northumbria University. He has worked with many organisations, such as North Wales Police, Welsh Government, the Senedd and many others to raise awareness of inequalities that Gypsy, Roma and Traveller communities face and is an activist for equality.

Leila Usmani (she/her) manages her organisational development consultancy, and works separately within antiracist research, policy, lobbying and influencing. With experience of LGBTQIA+ people, disabled people, ethnic minority women and young people, Leila prioritises the intersectionality of antiracism in all her work. Leila will support the implementation of the ARWAP ensuring this lens is applied across the policy areas.

Mfikela Jean Samuel originally comes from West Africa and now lives in Gwynedd, working in different community engagement projects. Sam believes his decade of experience, encounters and activities in this part of Wales has braced him with valuable knowledge that will contribute to implementing the ARWAP.

Annette Nelson moved to mid-Wales in 2015. Annette was an experienced senior leader in education in one of the UK's highest attaining local authorities, challenging and supporting schools to raise standards. As a queer Black woman, Annette understands and embraces the power of intersectionality. Annette has been the Education Lead for the global Football v Homophobia campaign since 2013.

Experts

Nelarine Cornelius is Professor of Organisation Studies and member of the Centre for Research into Equality and Diversity, Queen Mary, University of London. Nelarine is a

researcher in social justice and business and is co-lead of a project analysing national data sets on race inequality in the workplace. Her focus with the ARWAP will be employment, leadership, accountability structures and evidence bases.

Uzo Iwobi is Professor at Practice at UWTSD and was a Specialist Policy Adviser to Welsh Government from 2019-2021. Uzo has challenged racism in Wales for 30 years as an equalities practitioner and served as a Commissioner to the Commission for Racial Equality. Uzo wishes to see this plan used effectively to transform lives.

Jason Arday will take up the 2002 Professorial Chair of Education (Sociology of Education), University of Cambridge in 2023. Jason is a Trustee of the Runnymede Trust and sits on the Centre for Labour and Social Studies National Advisory Panel and the NHS Race and Health Observatory Academic Reference Group.

Nisreen Mansour was born and brought up in Cardiff, to a Dutch mother and Iraqi father. Nisreen has worked for the Wales TUC as a policy officer for the last five years. The workplace plays a huge role in the ARWAP's implementation, and Nisreen will advise on making the worker's voice a central principle.

Lella Nouri is a Senior Lecturer of Criminology at Swansea University. Her research specialises in hate and extremist activity. Lella has lived experience of growing up and working as an ethnic minority woman in Wales. For Lella, the success of the action-plan is premised on ensuring that the voices of ethnic minority communities are utilised.

Indu Deglurkar is a Consultant Cardiothoracic Surgeon at University Hospital of Wales. In various leadership roles at a national and international level, Indu has championed equality and diversity. She would like to address the social determinants of health and develop robust ways of tackling institutional racism in the NHS at all levels.

Charlotte Williams is Professor Emeritus at the School of History, Law and Social Sciences, Bangor University and a Fellow of the Learned Society of Wales. She was awarded an OBE in the Queen's 2007 New Year's Honours List for services to ethnic minorities and equal opportunities in Wales. In 2022, Professor Williams published the 'Cynefin' Report which made Wales the first country in the UK to make the teaching of Black, Asian, and Minority Ethnic histories mandatory in Welsh schools.

Gaynor Legall, from Cardiff, is an advocate for ethnic minority women across Wales. She has worked as a local Cardiff councillor, on the board of Diverse Excellence Cymru, Bawso, and as Director of the Butetown History and Arts Centre. She has since been awarded a Lifetime Achievement by the Ethnic Minority Welsh Women Achievement Association.

Annex 2 – Additional information on facial recognition technology

South Wales Police (SWP) are using facial recognition technology in the South Wales and Gwent force areas. It has been using Live Facial Recognition (LFR) technology in both force areas since 2017. The below information is primarily based on information from South Wales Police, which is available on their website.

Use of facial biometric data

SWP have confirmed that when deploying LFR they use an authorised watch list of people who are wanted or suspected. Unless an individual is on the watch list they cannot be matched.

When the technology finds a possible match, an alert is generated. Any alerts are verified by an operator prior to an intervention by officers on the ground. The system will only seek to match those individuals placed on the watch list.

The watchlist will have been created specifically for the event where LFR is being deployed. The College of Policing provide [guidance](#) on how watchlists should be created and managed.

If an individual is not on a watchlist South Wales Police will never store biometric data. It is immediately and automatically deleted. For those images that cause an alert, South Wales Police will delete all alerts immediately within 24 hours.

SWP publish the dates and locations of a deployment several days in advance, except in very exceptional circumstances. The public are kept informed through social media, leaflets, posters and directly through police officers.

Potential bias in terms of gender and ethnic origin

Historically there have been issues with FRT and potential gender and ethnic bias..SWP has advised that as the technology has developed over time this bias has reduced greatly.

South Wales Police and the Metropolitan Police Service worked with the National Physics Laboratory (NPL) to undertake the largest independent academic operational evaluation of FRT regarding disproportionality.

[NPL's report](#) found there were no statistically significant differences in the performance of FRT based on gender or ethnicity at the settings the police use. This means there was no evidence of bias on the basis of race or gender.

The key safeguards to mitigate the discriminatory use of facial recognition software

Police should be guided in their use of FRT by the following primary legislation:

- Police and Criminal Evidence (PACE) Act 1984 (governs the use of biometrics by the police).
- Data Protection Act 2018 (Part 3)
Oversight: Information Commissioner's Office (ICO)
- Human Rights Act 1998
Oversight: Equalities and Human Rights Commission
- Equality Act 2010
Oversight: Equalities and Human Rights Commission
- Regulation of Investigatory Powers Act 2000
Oversight: Investigatory Powers Commissioner's Office

- Protection of Freedoms Act 2012
Oversight: Biometrics and Surveillance Camera Commissioner

The use of FRT is also guided by the following codes of practice and guidance:

- [College of Policing professional practice \(March 2022\)](#).¹
- Biometrics and Surveillance Camera Commissioner - [Surveillance Camera Code of Practice](#)² (January 2022). The Code of Practice sets out 12 guiding principles which should guide surveillance camera use.
- [ICO Toolkit](#) for organisations considering using data analytics – Law enforcement processing.

His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services inspects and reports on the efficiency and effectiveness of all police forces, including the use of emerging technologies to prevent and detect crime.

The use of FRT by SWP is guided by their own policies including (i) [Operating Procedure](#), (ii) SWP’s Deployment Reports and (iii) [SWP’s Policy on Sensitive Processing](#)³.

In their report the House of Lords, Justice and Home Affairs Committee⁴ argued that there is no specific legislative basis for the use of AI technologies (including LFR) in the application of the law. It recommended that the UK Government bring forward primary legislation to embody general principles, which should be supported by detailed regulations setting minimum standards. They also advised that a national body should be established to set strict scientific, validity, and quality standards and to certify new technological solutions against those standards.

The UK Government, in their response, rejected this recommendation and argued that the UK common law powers provide sufficient implicit legal authorisation to satisfy the “in accordance with the law” test⁵.

The Ada Lovelace Institute commissioned Matthew Ryder QC to undertake an independent review⁶ of the governance of biometric data in England and Wales. The review found that:

“the current legal framework is not fit for purpose, has not kept pace with technological advances and does not make clear when and how biometrics can be used, or the processes that should be followed; the current oversight arrangements are fragmented and confusing, meaning that, for example, it is not clear to police forces to whom they should turn for advice about the lawful use of biometrics; and the current legal position does not adequately protect individual rights or confront the very substantial invasions of personal privacy that the use of biometrics can cause.”

¹ The guidance was developed after consultation with the public, police, regulatory bodies and campaign groups. It was developed in the light of the *Bridges v South Wales Police* Appeal Court judgment (2020) and addresses the issues identified in the judgment.

² Issued by the Secretary of State under Sections 29 to 31 of Protection of Freedoms Act 2012

⁴ Justice and Home Affairs Committee (2022) [Technology rules? The advent of new technologies in the justice system](#) 1st Report of Session 2021–22

⁵ [Background on JHAC report into police use of new technologies \(parliament.uk\)](#)

⁶ [“The independent legal review of the governance of biometric data in England and Wales](#)

Annex 3 - relevant minutes and actions of meetings with Local Government regarding the implementation of the ArWAP

Equalities Cabinet Members Meeting with the Minister for Social Justice Tuesday, 31st of January 2023

<p>Blaenau Gwent – Cllr Chris Smith Bridgend – Cllr Rhys Goode Caerphilly – Cllr Eluned Stenner Cardiff – Cllr Julie Sangani, Cllr Peter Bradbury Carmarthenshire – Cllr Ann Davies, Cllr Philip Hughes Ceredigion – Cllr Catrin Davies Conwy – Cllr Chris Cater, Cllr Emily Owen Flintshire – Cllr Billy Mullin Gwynedd – Cllr Nia Wyn Jeffreys, Cllr Menna Jones Merthyr Tydfil – Cllr Michelle Symonds Monmouthshire – Cllr Mary Ann Brocklesby, Cllr Catherine Fookes Newport – Cllr Jane Mudd Powys – Cllr Matthew Dorrance RCT – Cllr Maureen Webber Swansea – Cllr Elliot King Vale of Glamorgan – Cllr Ruba Sivagnanam Wrexham – Cllr Paul Roberts</p>	<p>Welsh Government – Jane Hutt MS, Minister for Social Justice, Riaz Hassan, Rae Cornish</p> <p>WLGA – Daniel Hurford, Naomi Alleyne, Joseph Lewis, Pierre Bernhard-Grout, Emily Griffiths</p> <p><u>Apologies</u> Blaenau Gwent – Cllr Stephen Thomas Denbighshire – Cllr Jason McLellan, Cllr Julie Matthews Isle of Anglesey – Cllr Llinos Medi Merthyr Tydfil – Cllr Andrew Barry Neath Port Talbot – Cllr Simon Knoyle Pembrokeshire – Cllr Guy Woodham Torfaen – Cllr Peter Jones Vale of Glamorgan – Cllr Lis Burnett Wrexham – Cllr Beverley Parry-Jones</p>
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Anti Racist Wales Action Plan (ARWAP)

- The Minister has met with the Independent External Accountability Group set up by WG. The group is made up of 7 experts on anti-racism and diversity representatives with lived experience. The group met for the first time the Friday 27th of January. The group is chaired by Professor Emmanuel Ogbonna and Dr Andrew Goodall.
- The vision at the heart of the plan is deliver an anti-racist nation. WG have worked with BAME individuals to devise the plan. Grants have been given to groups across Wales to help implement the plan.
- WG have appointed the Head of Anti-racist Wales Action Plan – Riaz Hassan. It is expected that the team will be fully in place by March/April.
- It is a cross-government plan which means every Minister has objectives to work on, all Ministers have ‘virtually’ committed including the Minister for Finance and Local Government.
- WG are also working with the Police who have developed their own plan.

Comments

- Welcome lead by WG, setting targets for LG and setting out how we want to be as a nation. How the plan is implemented is important. From Monmouthshire point of view, need to bring partners and communities with us. Clear case that this is not a moral crusade, it makes sense for a nation, for the economy, for the cohesion of our communities. Started with our schools and integrating in the curriculum, more we can do and more to learn, especially as a rural community as people do not think it's an issue as numbers are low. Important about workers too. Need

to learn from other councils, how we move from acts and events to institutionally embedding it.

- Proud that Newport launched the diversity in the curriculum module, hope for the future. Opportunity for all colleagues to engage with staff networks, they are key.
- Incredibly ambitious and important piece of work. Diverse network for BAME staff in the Vale of Glamorgan, discussed and contributed to the plan and canvassing Heads of Service to identify leads to deliver. The disappointing thing is there are not specific resources attached to the plan, no specific training packages for colleagues etc. welcome help for developing meaningful framework to look at the impact of the plan. Welcome the WLGA support on equalities, would welcome officer to officer working together across Wales to set the right tone and ensure this is right.
 - MfFLG has allocated some resource to HR and Workforce side. Seeking resource from each of the Ministers to support councils. Can follow up to see how WG can assist with resources. There is a business information reporting tool that Council officers should be engaged in.
- Great opportunity to get LG and WG together to learn and share from each other. It is important to get the plan into education for the future generation. Period poverty is also especially important to take further. Race Equality Taskforce – 28 recommendations and all accepted.
- Equality of opportunity for some communities still is not where it should be. Issues with funding for sports clubs, different opportunities across the city and not the equality of opportunity for children from BAME backgrounds. Health spending, prevention could be focussed on this agenda, which could be massively transformative.
- The Minister noted that WG are developing a regional approach which is still in the early days of development, need regional forums to have discussions as there will be differences in terms of delivery etc. Accountability around the plan is important, looking at WG and LG. Training for staff is critical.
- Riaz Hassan Head of ARWAP noted that there is a Training Task and Finish Group in WG who are looking at the training needs of external stakeholders including Councils. Monitoring progress by working with the Race Disparity Unit, most important part is material change on the ground, people with lived experience seeing a difference. Want to develop a close relationship with Councils, the plan can only be delivered with a collective effort. Looking to have a leadership summit in May – one public service approach.

Period Proud Wales

- Launching on the 13th of February.
- Period dignity grant has been offered since 2018 to ensure learners and those on low incomes have access to period products. Evaluating the impact of the grant.
- Wanted to extend this beyond tackling poverty but empowering young women and educating young men – what it is to have a period and how it effects lives.
- Engagement with food banks and local groups, education providers have to ensure period products are available free of charge.
- Will monitor the plan closely to see if it will need legislation in the future.
- The goal is to end period poverty and achieve period dignity.
- Increased period dignity grant by £450,000 this year, annual grant is £3.7m.
- Welsh translation of Period Proud Wales is Mislif a Balchder Cymru.

Public Sector Equality Duty

Committed to reviewing the duties, fresh workplan and timeframe to take this work forward. Response to the work that has been done to strengthen equality within Wales.

Equalities Cabinet Members and WLGA Spokespeople for Social Justice Meeting with the Minister for Social Justice
Thursday, 5th October 2023

<p>In Attendance Caerphilly – Cllr Eluned Stenner Cardiff – Cllr Julie Sangani, Cllr Peter Bradbury Carmarthenshire – Cllr Ann Davies, Cllr Philip Hughes Ceredigion – Cllr Catrin Davies Conwy – Cllr Chris Cater Gwynedd – Cllr Menna Trenholme Merthyr Tydfil – Cllr Michelle Symonds Monmouthshire – Cllr Mary Ann Brocklesby, Cllr Angela Sandles Newport – Cllr Dimitri Batrouni Pembrokeshire – Cllr Guy Woodham RCT – Cllr Maureen Webber Torfaen – Cllr Peter Jones Vale of Glamorgan – Cllr Ruba Sivagnanam</p> <p>Minister for Social Justice, Jane Hutt MS Deputy Minister for Social Partnership, Hannah Blythyn MS</p> <p>Welsh Government – Lorna Hall, Rajvi Glasbrook, Gillian Huws-John, Kate Bacon, Lyndon Evans</p> <p>WLGA – Naomi Alleyne, Joseph Lewis, Emily Griffiths</p>	<p>Apologies Blaenau Gwent – Cllr Stephen Thomas, Cllr Chris Smith Bridgend – Cllr Rhys Goode Conwy – Cllr Emily Owen Denbighshire – Cllr Jason McLellan, Cllr Julie Matthews Flintshire – Cllr Billy Mullin Gwynedd – Cllr Nia Wyn Jeffreys Merthyr Tydfil – Cllr Andrew Barry Monmouthshire – Cllr Catherine Fooks NPT – Cllr Simon Knoyle Newport – Cllr Jane Mudd Powys – Cllr Matthew Dorrance Swansea – Cllr Elliott King Vale of Glamorgan – Cllr Lis Burnett Wrexham – Cllr Paul Roberts</p>
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1. GRT Update

- Challenges do remain to ensure adequate sites are available.
- Important to focus on how we can support and work together. GRT families have had a tough time as a result of the cost of living, disproportionate affect from the rising costs of heating and electricity. Need to ensure there are adequate, appropriate cultural sites.
- Minister meeting with the Local Government and Housing Committee this afternoon (5th October).

Comments

- Current issue in Monmouthshire, which has gone national across the UK. Challenging process, has made new Councillors aware of the regulations as tied into the LDP. Welcome the offer of support from Welsh Government on this matter, would like to have more support. Realise that there is a disconnect between awareness raising being done and the actions that must be taken to fulfil legal obligations, but

also morally to ensure all residents in Monmouthshire have access to services and are treated equality. Process of consultation needs developing, needs measurements that are sensitive and inclusive – more than one community that are being consulted with.

- Two-pronged issue – ensuring that GRT families have adequate accommodation but also a planning issue. Need a meeting of this scale with planning officers and cabinet members.
- Vale of Glamorgan have a small GRT community, biggest issue has been engagement and gaining trust with the community. Conducted meetings with ORS. Not been able to encourage any one from the GRT community to sit on the steering group.

2. Disability Rights Taskforce

- 3 final working groups for the taskforce - Affordable and Accessible housing, Well-being and Access to Justice.
- Disability Rights Action Plan – recommendations on the way. To be mindful that Welsh Government have adopted the social model of disability.
- Welsh Government also have disability employment champions funded through Vaughan Gething MS's portfolio.

Comments

- Vale of Glamorgan have the GLAM network – LGBTQ+ network and a diverse network for people from ethnic minorities, trying to set up disability network for employees.
- The social mobility approach is embedded within the policies in Monmouthshire.

3. AWRAP Update

- Developing a framework about how we can see the difference in terms of anti-racist goals and action.
- Webinars on the actions.
- Equality and Social Justice Committee have a consultation on Anti-racist Wales inquiry. <https://senedd.wales/committees/equality-and-social-justice-committee/>

Comments

- Intersectionality is important but, whilst equality across the board is what we are aiming for, the different strands require different approaches, need to distinguish the plans because it isn't one size fits all.
- Culture within the council became really apparent when elected, no great numbers of the global majority employed, no one in senior management. There is a whole piece of work around why people don't apply to these roles within the council – need to challenge own cultures internally.
- We all have a role to play in local authorities – are we doing enough with succession in authorities? Need training for senior officers on how to work on succession.
- Doing great work in Cardiff to reach the goal. The main barrier is getting diverse people on board, best way is to buddy up. There are language and society barriers, need some help to bring everyone along.

Actions

- WLGA to convene another meeting before Christmas.
- Welsh Government to provide an update on LGBTQ+ plan and Period Proud Wales.

Cabinet Members Meeting

1. Network Discussion

- Greater issue in which society is changing and how vocal society are with the changes we are trying to implement.
- Monmouthshire identifying sites for GRT communities – huge public outcry.
- Having officer core leadership which reflects diversity is a bigger signal, setting the tone on operational side, it needs to go hand in hand with the messaging in terms of diversity.
 - Inhibits longevity of what we are trying to do, politicians come and go but if you embed an officer culture, it is always there.
- Events in Monmouthshire have led to discussions with the senior management team, small but important step to get to where the council wants to be.
- There are regional community coordinators across Wales that have a role in supporting community engagement, they play a key role in how they work with communities in being understanding. Encourage to have conversation to see what the priorities are for the community coordinators at a regional level.

2. WLGA Update

- Strategic Equality Plans (SEPs) – Welsh Government were looking to include it on the agenda, as they will shortly be launching a consultation on their SEP. Councils SEPs will be coming to an end in March 2024, will be looking to engage with communities. WLGA are working with Equality Officers on consultation.
- Welsh Government and a number of councils have indicated support on integrating actions on a number of action plans – AWRAP, LGBTQ+ and potentially Disability Rights to package as one.
- Dates for an Intro to Anti-Racism session will be circulated to Cabinet Members shortly.
- Equality and Social Justice Committee ongoing inquiry into AWRAP – WLGA formulating response, with spokespeople for comment. Would be helpful if Councils are able to share responses to WLGA.

Jane Hutt AS/MS
Gweinidog Cyfiawnder Cymdeithasol a'r Prif Chwip
Minister for Social Justice and Chief Whip

Eluned Morgan AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Jenny Rathbone MS
Chair of the Equality and Social Justice Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

09 February 2024

Dear Jenny

Thank you for the Committee's request for further information on the Draft Budget 2024-25.

Please find enclosed the Welsh Government response to these questions.

During my scrutiny session I offered to attend a future meeting to discuss the work of the Equalities, Poverty and Children's Evidence and Support data units in more detail. My officials will be in touch with the committee clerk to arrange a time for this to take place.

Yours sincerely



Jane Hutt AS/MS
Gweinidog Cyfiawnder Cymdeithasol a'r Prif Chwip
Minister for Social Justice and Chief Whip



Eluned Morgan AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

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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.

Draft Budget 2024-2025 – A request for further information

Outcomes of the Public Health Wales evaluation of the three pilot schemes on early obesity prevention for children and families

These projects are supported from the Minister for Health & Social Service's portfolio.

Our Healthy Weight: Healthy Wales strategy supports three children and family pilots in Anglesey, Merthyr Tydfil and Cardiff. These pilots, branded PIPYN, aim to reduce obesity in early childhood. The pilots are based on a nested intervention of one-to-one family support within a wider systems-based approach that looks to enable families and their young children to be more active and eat more healthily.

The eight-week intervention is aimed at families with young children (age 3 - 7) who are obese or are at risk of becoming obese. A family support worker will help the family to set and achieve goals that aim to create an environment that supports their child to achieve a healthy weight. These include actions around parenting approaches, food choices and active play. The goals are tailored to the particular family but could include helping the family to put together a weekly meal plan on a budget. The nested intervention is well established within each pilot area, with hundreds of families benefiting from this support to date.

As part of the wider whole system approach, the children and family pilot leads have worked with Nutrition Skills for Life and local schools to establish cooking classes aimed at families with young children in each of the pilot areas. These free classes are available to everyone in the community, but families can also be referred into these classes as part of the one-to-one support.

The three Children and Family Pilots have submitted anonymised data on uptake, activity and outcomes for the nested healthy weight intervention to Public Health Wales for analysis. They have also sent information on pilot related activities such as cooking classes. This information will form part of a wider evaluation report that aims to provide an understanding of the pilots' approaches, progress and outcomes for the development of a healthy weight system.

Interim report on the basic income pilot

The Basic Income for Care Leavers in Wales Pilot Evaluation, Annual Report 2023-24 is currently being finalised ready for publication at the end of February 2024.

Chwarae Teg

Officials have worked with the Trustees of Chwarae Teg and other stakeholders to minimise the impact of the closure of the organisation. Most of the Chwarae Teg activity funded by Welsh Government has now been completed or mainstreamed.

The 2024-25 budget round has been the most challenging in the devolution era. A combination of inflation and UK Government decisions has meant the Welsh Government's settlement for 2024-25 is worth £1.3bn less in real terms than expected at the time of the 2021 Spending Review. This has necessitated a series of difficult choices, with consequences for budgets across the Welsh Government, including that which formerly supported Chwarae Teg. This budget has been cut as part of the savings exercise across Government. The budget has neither been reallocated, redirected nor pooled with central resources.

We remain committed to gender equality and we will be working across Government and with partners to make best use of existing interventions and available budgets, including through our fair work, employability and equality activities.

Breakdown of the funding given to the Welsh refugee consortium

The Wales Sanctuary Service is a Welsh Government-funded service to provide advice and advocacy for sanctuary seekers residing in Wales. The service was commissioned to begin in April 2022 and has a contract until March 2025, with a possibility of a two-year extension. The service is delivered by a consortium led by Welsh Refugee Council and including Ethnic Minorities and Youth Support team (EYST), Bawso, Tros Gynnal Plant (TGP) Cymru, Asylum Justice and Displaced People in Action.

The original contract issued was for £1.065m between April 2022-March 2025. However, shortly after letting the contract the full-scale invasion of Ukraine meant that additional resources needed to be found for the service. In 2022-23 and 2023-24 we have provided contract variations to uplift the value of the contract to a total of circa £1.567m.

In 2024-25 we recognise that there is still an immediate but reducing need for support for Ukrainian Schemes beneficiaries, whilst Home Office plans to widen asylum dispersal into all Welsh local authorities (and increase the overall number of asylum seekers in Wales) creates additional need. As a result, we intend to provide a further uplift of approximately £0.145m in 2024-25, meaning the overall value of the contract will be circa £1.712m by March 2025.

Allocations between partners within the Wales Sanctuary Service consortium are a matter for consortium partners.

Phoenix and Reflect programme

Phoenix and *Reflect* are programmes which the Fire and Rescue Service delivers to vulnerable children and young people (for instance, those at risk of offending or exclusion from school). They are fully supported by direct Welsh Government grant funding which has been maintained in the 2024-25 Draft Budget.

- *Phoenix* is a more intensive programme, for those most at risk, and involves 5 days at a fire station and instruction in using actual firefighting procedures and

equipment to build self-esteem, teamwork and respect for others. Classroom elements of the course promote objectives like anti-racism and awareness of cyber-bullying.

- *Reflect* is a less intensive one-day course aimed at diverting children and young people away from offending and antisocial behaviour, and typically takes place in a school setting (although it has also been run at HMP Parc for children of inmates, with the latter's input).

Both programmes use firefighters as role models, and to promote a positive image of people in authority. In a typical year - *Reflect* has around 3,000 participants and *Phoenix* around 500, depending on referrals from schools, social services and the police.

Equalities, Poverty and Children's Evidence and Support data units

Equality Race and Disability Evidence Units input into budgetary decision

The Equality, Race and Disability Evidence Units (ERDEU) provided an analysis of the evidence available to inform budgetary decisions across all equality characteristics. This was shared with all policy areas to inform decisions and shared with Cabinet as a summary of the cumulative impacts Ministers will be facing in the current budget savings in informing Cabinet's decisions. This information is shown in the Strategic Context section of the Strategic Integrated Impact Assessment (SIIA) of the 2024-25 Draft Budget and included an analysis of the variation in impact of cost of living and levels of poverty, educational outcomes, employment, mental health issues and hate crimes across all protected characteristics. Overall conclusions shared across all policy areas were:

- Those children who depend upon women's or disabled peoples' incomes are at greatest risk of becoming looked after and having poor life chances. These groups are therefore at greatest risk of cuts to services that prevent or address employment and pay inequalities and poverty.
- People with intersecting characteristics of being disabled, from a Black, Asian or Minority Ethnic background, or are LGBTQ+ are at greatest risk of loneliness and hate crime, and therefore would be most impacted by cuts to mental health services (in addition to disabled people generally, pregnant women, and children and young people).

The role of the Equality, Race and Disability Evidence Units more generally

The ERDEU sits within the Equalities, Poverty and Children's Evidence and Support division, alongside the Children's and Tackling Poverty evidence team.

The ERDEU are predominantly made up of Government Analysts (including social researchers and statisticians) with a small number of policy and engagement support

officers who work closely with policymakers to ensure the evidence will help inform policy thinking and decisions.

The purpose of the ERDEU is to improve the availability, quality, granularity and accessibility of equalities evidence to enable decision makers across Wales to develop better informed policies and measure their impact. The teams draw on different sources of evidence to address specific evidence questions.

A key aim of the ERDEU is to influence, providing both support and challenge to policy and analysts to ensure improvements are made to equalities evidence. The ERDEU are working closely with other analysts across Welsh Government, UK departments (e.g., ONS, Cabinet Office's Equality Hub and Scottish Government) and academia.

The three distinct Units within the ERDEU (the Equalities Evidence Unit, the Race Disparity Evidence Units and Disability Disparity Evidence Unit) work jointly on many projects. Most of their work which is deliberately cross cutting and aims to improve the evidence base across all policy portfolios and benefits will extend wider into the public sector. Whilst the ERDEU provides additional equalities evidence from existing sources, for example the 2021 Census, many of the projects are long term and aim to make fundamental improvements to the quality and availability of equalities evidence.

In particular, the ERDEU is setting out how we will measure the impact and effectiveness of key equality actions plans (ArWAP, LGBTQ+ action plan and Disability Rights Taskforce actions) and developing new data sources so that we can understand whether the plans are having an impact on people's lives.

Examples of where the ERDEU has delivered additional evidence include:

- Developing a dashboard of information for the ArWAP bringing together all ethnicity evidence in one place.
- Additional analysis of the Census providing breakdown of all key [life outcomes by ethnicity](#) which is central to measuring the impact of the Anti-racist Wales Action Plan (ArWAP).
- Additional analysis of the Census providing breakdown on disabled people which has been key to identifying [outcome disparities](#) and informing the priorities of the Disability Rights Action Plan.
- Led on measuring the Migrant Integration Framework ([Migrant Integration Framework | GOV.WALES](#)), including identifying Wales-level data sources to measure outcomes for migrants.
- Published '[A More Equal Wales](#)' chapter of the Well-Being of Wales Report 2023 providing commentary on progress toward the national indicators with respect to equality. Providing guidance and review of the [ethnicity sub-report](#).
- A macro evidence assessment of the impact of budget decisions on equality groups for BGB and Cabinet to support the Strategic Integrated Impact Assessment.

- Provided evidence to shape and agree priorities for the LGBTQ+ Action Plan and gender action plan.

Examples of longer-term projects which will fundamentally improve the equalities evidence base going forward include, for example:

- Looking at options to boost the sample for the National Survey for Wales so that National Well-being measures can be broken down by equality characteristics.
- Working to secure UK Government data sharing access to allow more granular pay gap analysis on ethnicity, disability and gender.
- Publishing results from a survey of the equality characteristics of the board members of Public Sector Bodies and literature review to influence leadership across PSBs.
- Setting out how information can be collected to measure the social model of disability so that future policy can focus on barriers.
- Research to understand the need for measures for sex and gender in Wales which will support understand the impact of outcomes on gender across all policies.
- Guidance on how research and evidence can be developed co-productively.
- Guidance on how research and statistics can be reported on in ways that are compliant with anti-racist and social model approaches.

Jane Hutt, MS
Minister for Social Justice and Chief Whip

30 January 2024

Dear Jane,

Draft Budget 2024/2025 – A request for further information

Thank you for giving evidence on January 22 as part of our scrutiny of the Draft Budget 2024-2025. During the session you agreed to provide further details in a number of areas. We would be grateful if you could provide the following :

- Details of the outcomes of the Public Health Wales evaluation of the three pilot schemes on **early obesity prevention for children and families, which includes** supporting families with cookery skills in Anglesey, Merthyr Tydfil and Cardiff.
- A copy of the interim report on the basic income pilot for care-experienced young people
- An update on the progress made with stakeholders and officials on finding new ways to embed the work done by Chwarae Teg. Please can you clarify how Welsh Government has reallocated the funds previously designated for Chwarae Teg and confirm whether the money has been redirected towards other gender equality organisations, or returned to a central budget pool? If the latter, can you please confirm whether the funding of £366k previously allocated to Chwarae Teg will be available to other gender equality organisation in year?
- A breakdown of the funding given to the Welsh refugee consortium
- Details of the Phoenix and Reflect programme

Evidence data units:

During the session you committed to providing the Committee with more examples of how data from the Equalities, Poverty and Children's Evidence and Support data units has been used to identify the groups and individuals most affected by Welsh Government budgetary decisions? You indicated that you would be willing to attend a future meeting to discuss their work in more detail. I would be grateful if your officials could please liaise with the Clerking Team to find a mutually convenient slot for this to happen.

Given the timescales for reporting on the Draft Budget, we would be grateful to receive this information no later than close of play on 2 February 2024.

Yours sincerely,

A handwritten signature in black ink, reading "Jenny Rathbone". The signature is written in a cursive style with a large, prominent initial 'J'.

Jenny Rathbone MS

Chair, Equality and Social Justice Committee
Welsh Parliament

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Eluned Morgan AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Jenny Rathbone MS
Chair of Equality and Social Justice Committee
Senedd Cymru
Cardiff Bay
Cardiff CF10 4PH

SeneddEquality@senedd.wales

12 February 2024

Dear Jenny,

I am writing to you to draw your attention, and that of the committee's, to the launch of the consultation on amendments to the 'Putting Things Right' process and National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011.

The consultation is launched 12 February 2024 and closes on the 6th May 2024.

<https://www.llyw.cymru/newidiadau-arfaethedig-ir-broses-gweithio-i-wella>

Your sincerely,



Eluned Morgan AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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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.



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: CG/PO/50/2024

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

16 February 2024

Inter-Institutional Relations Agreement: Inter-Ministerial Standing Committee

I am writing in accordance with the inter-institutional relations agreement to notify you of the sixth meeting of the Inter-Ministerial Standing Committee (IMSC), which will take place on 20 February 2024.

I will be chairing the meeting, which will be the first IMSC meeting since the re-establishment of the Northern Ireland Executive. I anticipate that this virtual meeting will provide an opportunity to discuss intergovernmental relations as a whole following the return of Northern Ireland Ministers, as well as UK legislation and also community cohesion. I will also be highlighting the recent final report from the Independent Commission on the Constitutional Future of Wales.

I have copied this letter to the the Llywydd, and to the Chairs of the Finance Committee, the Economy, Trade and Rural Affairs Committee, the Equality and Social Justice Committee, and the Culture, Communications, Welsh Language, Sport, and International Relations Committee.

I will provide an update after the meeting.

Mick Antoniw AS/MS

Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution

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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.

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Equality and Social Justice Committee Evidence Submission

Dr David J. Dallimore

1 Preamble

- 1.1 I would firstly like to highlight the difficulty in the Committee's focus on 'childcare' as opposed to the broader concept of early years services and its relationship to poverty and social justice.
- 1.2 Early childhood education and care (ECEC) is the term used internationally to describe any regulated arrangement that provides education, learning and care for children from birth to compulsory primary school age. In Wales, to reflect our focus on children, their rights, and our commitment to play, stakeholders working with Welsh Government have agreed to use the term early childhood play, learning and care' ([ECPLC](#)).
- 1.3 A focus only on the 'childcare' element within ECPLC can be viewed as reductive in that it directs public policy and funding towards primarily supporting parental employment. This may assist in reducing family poverty in the short-term, but as a policy in isolation it has been shown to lead towards the provision of low-cost, low-quality care that does little to enhance children's development and their [longer-term resilience](#) to poverty. There is [evidence](#) that in some circumstances poor quality care may do more damage to children than an absence of provision. While good quality ECPLC will undoubtedly support parents to work, employment opportunity for parents should be a by-product, not a primary outcome.

2 The extent to which childcare provision in Wales provides high-quality provision which supports child development, tackles child poverty and supports parental employment. What changes might be needed to deliver these outcomes.

- 2.1 There is now a large body of evidence that high-quality ECPLC provision supports child development, tackles child poverty and supports parental employment. However, measuring the quality of ECPLC services is difficult but, as set out in this [Research Briefing](#) there are three key areas of quality that require consideration.
- 2.2 Firstly, **an entitlement to universal rather than targeted ECPLC provision from birth to the start of compulsory schooling is preferable**. The Welsh Labour Government has set out an ambition to work towards this as part of its [Cooperation Agreement](#) with Plaid Cymru, and the focus on expanding towards universal provision through Flying Start is to be welcomed. Developing Flying Start childcare as a universal service available to all parents of two and three year olds in Wales, complementing or including the existing free early

education entitlement to provide ECPLC, meets the developmental needs of the most vulnerable children, while also meeting the needs of their, and other, working parents. Making Flying Start universal also increases the benefit to children living in poverty. Research has shown that inclusive provision, with children from a range of social backgrounds, has greater benefits for the most disadvantaged children. To achieve this, the way in which Flying Start is delivered requires some further streamlining and additional flexibility if it is to meet the needs of all, rather than just those in deprived areas. Flexibility is what working parents increasingly need, and therefore the current 'fixed' offer of a 2 ½ hour session each day needs to change. This requires local authorities to support Flying Start providers to change the way they work to become more flexible, and be able to deliver services that at least match the length of the school day. As Flying Start ECPLC is rolled out in all areas, local authorities should be able to fulfil their current childcare market-management and early education duties by planning delivery and commissioning the number and types of services that meet local needs. This includes the provision of Welsh-medium and bilingual ECPLC, accessible services for disabled children and, in the longer term, services that are able to support parents working shifts or unusual hours.

- 2.3 Secondly, **quality services require public policies to be integrated with adequate and equitable funding**. In Wales, despite terminology changing to ECPLC, Ministerial responsibility for early years education is still separated from early years care and play even though it has been accepted that for young children the concepts of learning play and care are interdependent and indivisible. Whilst there is some welcome integrated work between the ESTYN and CIW inspectorates, there are still different legal requirements for learning and care settings. This embeds the view that services for children under 3 are 'care', designed to support parental employment, while, at age 3 years, children can access the part-time Foundation Phase which is categorised as 'education', and is more generously funded. Furthermore, because local authorities only have a duty to secure the delivery of a minimum of 10 hours a week of Foundation Phase early learning, 3 and 4 year old children often attend a mix of settings across a day or a week making life more difficult for working parents.
- 2.4 Thirdly, **raising the quality of the ECPLC workforce** is critical. One of the main findings from UK research over the last two decades has been that higher quality settings are those in which staff have higher qualifications - usually defined as relevant degree level or above. Even when most staff in an ECPLC setting are not highly qualified, they benefit from the presence of a highly-trained colleague. In Wales, the language skills of practitioners are also critical in delivering Welsh-medium and bilingual ECPLC. While there have been significant efforts by Welsh Government and sector organisations to address workforce issues through the refreshed workforce plan, low pay across the sector remains the biggest barrier to recruitment and retention.

- 3 To what extent there is sufficient childcare available to meet the varying needs of families across Wales, and how inequalities in access to childcare faced by particular demographic groups and across different parts of Wales can be addressed.
 - 3.1 While 'sufficiency' of childcare is often a nebulous term, according to a [review](#) of recent Childcare Sufficiency Assessments undertaken by Local Authorities many areas of Wales report having enough childcare to meet the reported demands of parents. However, more objective data shows large inconsistencies in the number of registered childcare places available in different parts of Wales (as illustrated in the appendix of this [Briefing Paper](#)). As well as regional differences, there is a long-standing correlation observed between deprivation and childcare places, where families and children living in the least-advantaged areas often have limited access to registered childcare services.
 - 3.2 Despite some investment, there has been very little change in the overall number of registered places (relative to the population of children) since [data](#) was first collated in the early 2000's. There have been changes in the types of services available, with a precipitous drop in the number of childminders - although this has been off-set against increases in full daycare and the conversion of part-time sessional care to full daycare. Whilst availability of settings and places varies across Wales, most evidence suggests that it is less of a barrier to accessing ECPLC services than funding issues.
 - 3.3 However, there is a broader issue that is often ignored by policy makers in that formal childcare is only used by minority of parents in Wales, with most parents choosing informal care, which is usually provided by relatives and grandparents in particular. [Research](#) in 2016 found that rates of informal care are higher in Wales than in other parts of the UK, but that use varies widely. In turn, this has been shown to correlate with the demand and therefore supply of formal care services. In areas where use of informal care is more common - and therefore there are fewer formal care services - parents without access to informal care are considerably disadvantaged.
- 4 How childcare providers and the workforce have been impacted by cost-of-living pressures, and what effects these have had on the sector.
 - 4.1 A survey undertaken by [Early Years Wales](#) in December 2023, with 156 providers of registered ECPLC services, presents a concerning picture of the precarious situation in which many providers now find themselves. Inflation and the uplift in the National Living Wage is increasing costs, while income is restricted by the £5 per hour rate of the Welsh Government's Childcare Offer.

We are unable to increase our fees to parents as we are bound by the £5 an hour rate for the childcare offer. This has meant that our income has remained stable

whilst our costs have increased dramatically over the last 2 years. This is not sustainable and the next increase in minimum wage will have a further impact. We are not sure how we are going to make ends meet and survive.

Full daycare provider, Cardiff

- 4.2 The survey found that among a geographically representative and diverse sample of provider types, 83% said that the uplift in the Living Wage was unaffordable within their current business model. As a result, many providers said that they were considering how to cover these costs including reducing staff ratios (and potentially quality) and restricting how many Childcare Offer funded places they could offer.

We will have to reduce the amount of staff and increase the fees past (sic) onto parents. We will also have to restrict and reduce the amount of Childcare Offer children accessing our setting as it doesn't cover the costs.

Full daycare provider, Flintshire

- 4.3 To cope with the uplift, 87% of providers surveyed said that they would need to increase their fees to parents by an average of £0.75 per hour, while they also needed an increase in the Childcare Offer rate to an average of £6.98 per hour in order to remain sustainable. Given the current pressures, 65% of providers surveyed said that they would only be sustainable for 12 months with their current business model and a further 21% for up to 24 months.

Children numbers have only just started to increase since Covid but we are finding more parents only want to start when they are entitled to receive funding. The current funding level no longer covers essential running costs and has not for a number of years. The minimum wage has gone up each year but funding has not - staff moral is low and we have lost a few staff who have left to pursue an altogether different career outside of childcare/education which has better pay.

Full daycare provider, Denbighshire

- 4.4 By introducing the Childcare Offer, Welsh Government has (as foreseen here) disrupted the business model for most childcare providers. Because of regulated ratios, settings were often sustainable by cross-subsidising places. 3 and 4 year old children, who require fewer staff, kept prices lower for younger children who require higher staff ratios. With the Childcare Offer rate set by government, this is no longer an option and, unless the rate increases in line with costs, settings will have no choice but to increase fees for younger children or restrict the number of Childcare Offer funded places if they are to remain viable.

5 What lessons can be learnt from other parts of the UK and international best practice to improve childcare policy in Wales.

- 5.1 Funding for ECPLC needs to change if it is to become a universally accessible

service. Ideally, all state funding for care should be pooled to create a funding system that is simple, fair and affordable to parents (with capped means-testing) and fair to providers from all sectors. The current UK devolution settlement makes this difficult, but with a change of government in Westminster likely this year, and with similar conversations happening across the UK, there may be an opportunity to coordinate change.

- 5.2 As the Committee has discussed previously, a fairer funding system exists in other countries including Sweden - where nursery school costs are means-tested at 3% of family income for the first child, reduce with subsequent children and are additionally capped. All providers – public and non-maintained - receive a subsidy for each child that is sufficient to cover all costs and is reviewed monthly by the municipality. In Denmark, the price of ECEC to parents is capped at 25% of the price of services, while in Norway, maximum fees are capped by the government.
- 5.3 A comparable approach to funding was proposed in Scotland by [The Commission for Childcare Reform](#). It proposed three levels of funding for services; a core element of 600 hours per year for three and four year olds in term time that is universally available and free of charge; a middle element that provides up to 50 hours of state-subsidised, but means-tested 'affordable' childcare for working parents (including the 30 hours of term time provision for three and four year olds) and a final element of non-subsidised but regulated provision over and above the 50 hours of free or subsidised childcare. This model is similar to that in place in Wales, but focuses on capped costs for market-led provision, with the state funding any gap in income. Calculations based on the costs of existing provision in Scotland (which are not dissimilar to Wales) proposed a cap of around 10% of net household income as the proportion of childcare costs that any family would pay towards – covering up to 50 hours of childcare per week.

6 How financial and practical barriers need to be considered in developing future childcare policy.

- 6.1 Recent reports by Oxfam Cymru / Make Care Fair Coalition and by the Bevan Foundation / Joseph Rowntree have made important links between childcare costs and poverty. However, much of this evidence is focused on issues of childcare costs for parents rather than examining ECPLC holistically. International evidence is clear, however, that by making childcare affordable for working parents without an investment in high quality services, environments can be created that can be harmful to children. Wales' groundbreaking commitment to children's rights should be central to how ECPLC policy develops. As stated previously, while good quality ECPLC will support parents to work, employment opportunity for parents should be a by-product but not the primary outcome.
- 6.2 Over the longer-term, I would argue that the government's priority should be on funding and developing institutions in which early learning, play, care and family

services are commissioned by the state rather than relying on cash transactions between the state and families in the form of vouchers, tax credits or reliefs. Institutions such as Flying Start centres, Integrated Centres and Community-Focused Schools are more likely to serve the wider needs of children and their families and achieve broader social policy objectives. They can also be more sustainable as bringing local people together, promoting relationships and attachments that underpin flourishing lives are more likely to command enduring popular support. This does not mean that we need to lose the current plurality of provision, but that all provision must be adequately funded and supported to ensure that children receive only high quality care. This requires settings that are staffed by qualified and well-paid practitioners; that are able to meet the needs of all children in their communities through inclusive practice; and offer the flexibility that enables parents to be economically active.

- 6.3 Many of the complexities of current ECPLC policy are unlikely to be resolved whilst there are competing policy objectives. Providing low-cost care for young children that enables their parents to work may be politically expedient but is unlikely to provide the long-term benefits that we know can be gained from high quality early childhood services. Supporting early child development through high quality ECPLC has been shown to drive success in school and improve later life chances. It also supports parents to work. Birth to age five is a critical time to shape future productivity when the brain develops rapidly to build the foundation of cognitive skills alongside attentiveness, motivation, self-control and sociability. Yet, the sector best able to improve long-term life chances, reduce poverty and increase social mobility is poorly regarded and under-funded. Without a clarity of purpose around ECPLC policy in Wales, it will not be possible to resolve with any coherence, issues of delivery and funding.

Welsh Parliament: Equality and Social Justice Committee

Childcare – a follow up inquiry into childcare and parental employment

Written evidence on behalf of the **CWLWM** partnership.

The **CWLWM** partnership brings together the five leading childcare and play organisations in Wales to deliver a bilingual integrated Service that will ensure the best possible outcomes for children and families across Wales.

The organisations are: Clybiau Plant Cymru Kids’ Clubs, Early Years Wales, Mudiad Meithrin, NDNA Cymru and Pacey Cymru.

What progress have you observed being made with implementation of the Committee’s 2022 recommendations?

<p>Recommendation 1. We recommend that the Welsh Government sets out in its response how it intends to work with local authorities and health boards to improve awareness and understanding of the childcare support available to new parents.</p>	<p>We find that the challenges around parental understanding of the support available to parents continues. The widening of access to those in education is a positive step forwards in widening access and supporting more children and families.</p> <p>This is evidenced by over £16m of capacity for the Childcare Offer being redistributed into the emergency budget in summer 2023. Assuming the Welsh Government’s forecasts for capacity in this budget are accurate there is a substantial difference in availability of funding and parental uptake; some of this will be accounted for in parental choice but we would suggest that this stems from a lack of awareness and understanding of the multi-layered system.</p> <p>Potential solutions include simplifying the funding for childcare from a parental perspective, increasing continuity of funding and continuity of service provider (subject to satisfactory CIW / Estyn / quality provision) for the child’s benefit. Not all families can access all these funded systems at present. Not all families qualify for all elements.</p> <p>Since the original report was published in 2022, the journey for parents is more complex and can include:</p> <ul style="list-style-type: none"> • Statutory maternity / paternity pay up to 12 months of age (dependant on family circumstances), • 2-year-old-access to Flying Start (targeted, funded), • Transfer to the Childcare Offer (with or without early education funding depending on family circumstances. The education element can be
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	<p>provided be in school or in a non-maintained setting with the childcare element provided by non-maintained settings),</p> <ul style="list-style-type: none"> • Full-time education provision (term-time) from term following 3rd birthday (can be in school or in a non-maintained setting).
<p>Recommendation 2. We recommend that the Welsh Government sets out in its response its plans for addressing the gap in childcare between the end of maternity leave and eligibility for the Childcare Offer. This should include indicative timescales, and an evaluation of the financial and practical factors that would need to be taken into account in addressing this gap.</p>	<p>The phased approach of this implementation to funded access for 2-year-olds is pragmatic but will still leave families without funded access for a few years to come. The expansion to childcare for two-year-olds has been achieved through an expansion to Flying Start. This has created system challenges in all 22 local authority areas.</p> <p>This must be noted as the recommendation included acknowledging this commitment in the cooperation agreement. To our knowledge, little progress has been made on the gap between maternity support and the childcare offer in areas where there is not a Flying Start expansion in place. There has been no detailed discussion on any funded support for working families (beyond the Tax-free childcare offer) between maternity pay and 2-years of age.</p> <p>The timeline for a funded childcare provision (even if means tested as in Scotland) would be a positive step in support of children from low-income households and would be an investment into the future health, academic progress and lifelong outcomes of the future generations in Wales.</p> <p>If sustaining the Flying Start model, continued increasing access to service providers and simplifying the process of assessment at local authority level would be useful.</p> <p>Assessing whether this access can be extended towards the end of maternity would be helpful in maximising the impact of support to the child and to working families. Any assessment should include the measures, funding, and capacity needed to implement this structure in Wales and include all providers of childcare with equity.</p>
<p>Recommendation 3. We recommend that the Welsh Government sets out in its response how it intends to</p>	<p>As previously noted in our response to recommendation 2, since the original report was published in 2022, expanding the eligibility criteria to include access to families undertaking continued study is a welcome step.</p> <p>The availability of childcare at atypical times and for shift work is still limited across the sector. The current funding model and rate of payment is inhibitory to</p>

<p>address the eligibility criteria in the Childcare Offer to make it easier for parents employed in atypical hours, such as insecure work, shift work or on zero-hours contracts, to access provision</p>	<p>changing this. Understandably, staffing atypical hours from a childcare providers perspective comes at increased costs for staffing (anti-social hours) and availability of the workforce willing to work in these hours (a workforce still strongly tied to parents with children in school and seeking work around their own caring responsibilities), as well as the need to ensure that minimum staffing ratios are met and additional facilities provided to meet the different needs, particularly if children are to be cared for overnight.</p> <p>We also raise the point that the sectors that require staff to work atypical hours, rotating shift cycles and hold zero-hour contracts are often some of the lowest-paid roles within the workforce. Do we need employers to make a financial contribution to facilitate expanding the government funded offer?</p> <p>Simply making the Childcare Offer universal will not make the capacity for provision accessible or available across Wales.</p>
<p>Recommendation 4. We recommend that the Welsh Government sets out in its response its plans to strengthen guidance and legislation to deliver greater and more consistent provision of community-focused schools across Wales.</p>	<p>Clybiau Plant Cymru Kids’ Clubs has supported Welsh Government to update the Community Focused Schools (CFS) guidance to ensure the benefits of Out of School childcare clubs within school settings are highlighted, this will include a case study to demonstrate benefits of collaboration.</p> <p>One issue that needs to be addresses is the cost-recovery that schools use in terms of rent and utility usage. CWLWM presented a paper on Community-based venues and how the effects of high rents within school buildings are affecting the sustainability of the childcare and Playwork sectors to Welsh Government officials in May 2022, following a request for additional information from the Deputy Minister for Social Services.</p> <p>With some school-based non-maintained settings coming to the end of multi-year agreements are concerned about the new agreements they are being given, seeing big increases in their costs following challenges to school budgets and increased utility charges.</p> <p>Could Welsh Government issue clear guidance about the community benefit and focus that should be considered by school estates. It must be understood that full cost recovery methods are not always affordable to providers and that schools should be mindful of the benefit that good quality affordable childcare brings to their pupils and their families. They could suggest that a consideration for an x%</p>

	<p>discount should to be adopted to the full cost recovery method, especially where those non-maintained and Out of School Childcare settings provide parents with a ‘one-stop’ centre for childcare and education across different providers on one integrated site.</p> <p>There is also a concern about the long-term stability of non-maintained settings who provide their service from school buildings. Often, the settings are encouraged to make use of the ‘empty’ classroom space within the school if / when the school is below capacity, but once the school intake numbers increase, the settings can find themselves needing to find suitable alternative accommodation at short notice.</p> <ul style="list-style-type: none"> • 63% of all Out of School Childcare Clubs are based on school sites (CPCCKC) • 82% Welsh medium Out of School Childcare Clubs are based on school sites (CPCCKC) • 306 EYW member settings have a school address. This includes sessional, full day care and / or after school clubs registered with EYW. • Of those 306, there are 105 EYW registered sessional groups who have a school address. • In 2022 – 23, 196 Cylch Meithrin were operating within a Welsh-medium school site. <p>Clybiau Plant Cymru Kids’ Clubs has presented to the CFS co-ordinators meeting, pan Wales, to promote the advantages of Out of School Childcare Clubs on school sites and how they can support schools to develop a club.</p> <p>Working with economies of scale, having community focussed schools that have provision for childcare, wraparound and can meet the language choices made by parents is worthy of support.</p>
<p>Recommendation 5. We recommend that the Welsh Government sets out in its response its plans to place more Welsh-medium</p>	<p>Please see our previous response to Recommendation 4.</p> <p>Mudiad Meithrin notes that it’s <i>Sefydлу a Symud</i> scheme works with Local Authorities to recognise gaps in the existing provision, targeting areas which need to expand the childcare options available to parents.</p>

<p>childcare on school sites, given that progression from Welsh-medium childcare to Welsh-medium primary education is higher when this occurs.</p>	<p>Planning to establish a Cylch Meithrin or Welsh-medium after school club on a school site provides more options and certainty for parents.</p> <p>Where schools are actively transitioning from English-medium provision towards Welsh-medium provision, establishing a Cylch Meithrin on the school site would provide an earlier entry point to Welsh-medium education for families in the wider community of the school.</p> <p>The number of Welsh Medium Out of School Childcare Clubs on School sites has increased from 138 (Sept 21) to 146 (Dec 23). Funding through the CYMell project in its first year has meant that:</p> <ul style="list-style-type: none"> • 8 Out of School Childcare Clubs were supported and awarded grant funding to become CIW registered. • 7 Cylchoedd Meithrin supported and awarded grant funding to expand to offer Out of School Childcare for children up to the age of 12. • 2 settings supported to change their operational language to Welsh and apply for grant funding. <p>A case study showing the importance of a partnership approach between Clybiau Plant Cymru Kids’ Clubs, Mudiad Meithrin and a Welsh-medium primary school can be found here: Case-Study-Groes-Wen.pdf (clybiauplantcymru.org)</p>
<p>Recommendation 6. We recommend that the Welsh Government publishes a Children’s Rights Impact Assessment (CRIA) and an Equality Impact Assessment (EIA) for the new, expanded childcare offer.</p>	<p>We can find no published CRIA or EIA for the childcare offer since 2020.</p> <p>The phased approach to expanding Flying Start is pragmatic (noted above in response to Recommendation 2) as it allows capacity building and staff training to occur, however, there are ‘winners and losers’ from children and family perspectives and this is perhaps not within the working definitions of the rights of the child.</p> <p>Universal 2-year-old access can be seen to be within the rights, whilst the Childcare Offer is still available to some and not all our children.</p> <p>Updated CRIA and EIA assessments are required to resolve the issues.</p>
<p>Recommendation 7. We recommend that the Welsh Government</p>	<p>Lack of knowledge about the Childcare offer and Childcare, play and foundation learning is a problem across Wales, so ensuring information is accessible and made available in the languages spoken in communities in Wales is crucial.</p>

<p>sets out in its response its plans to work with local authorities to ensure that Family Information Services provide resources in community languages other than, and in addition to, English and Welsh.</p>	<p>Mudiad Meithrin produced a multilingual leaflet available in 7 languages in 2019, which has been warmly received due to the lack of information currently available through the medium of languages spoken in communities in Wales. Although widely distributed, we are aware that a single leaflet will not share the message and information about Welsh medium Childcare effectively, and we would like to see multilingual digital marketing which would be a great resource to share about services available in various languages.</p>
<p>Recommendation 8. We recommend that in order to address widespread concerns around the lack of ethnic diversity in the sector, the Welsh Government sets out in its response its plans for:</p>	<p>CWLWM partners have partnered with DARPL (Diversity and Anti-Racist Professional Learning) and developed/delivered the Senior Leaders and Practitioners’ Series of workshops for the Early Years, Childcare and Playwork sector.</p> <p>During the 2023/24 academic year CLWWM partners will be delivering online training, blogs and a conference to promote anti-racism and boost diversity within the sector.</p> <p>Policy staff in Welsh Government have shown a commitment to the Anti-racist Wales Action Plan and have contributed to leading this work across the sector. Data is being compiled by CWLWM partners on existing workforce demographics and work is ongoing to increase diversity in the sector including appointing community mentors to support staff from global majority backgrounds with their routes into the sector.</p> <p>Until we have robust data on the workforce it is difficult to understand the extent to which progress is being made, and whether this is acceptable, or needs further resources and increased drive.</p> <p>To ensure that the workforce is representative of the wider population, and the communities surrounding our settings, we need to work with Welsh Government to develop targeted, supported recruitment, once we have collated the robust workforce data previously mentioned.</p>
<p>Recommendation 9. We recommend that</p>	<p>Positive action has occurred against this recommendation including increased strategic focus between CWLWM and Welsh Government through a regular</p>

<p>the Welsh Government sets out in its response a plan which requires all childcare providers to undertake cultural and diversity awareness training, such as that being developed by CWLWM, and to ensure that it becomes part of continuous professional development within the sector...</p>	<p>overview meeting with working parties addressing specific outcome issues. A working partnership between DARPL and CWLWM has been established to share access to training, resources, and promote anti-racist actions in the sector.</p> <p>Further work has been driven by each CWLWM partner with their own members. This training is not mandatory but is now recommended by all stakeholders and consistently promoted.</p> <p>For Early Years Wales (EYW), this has led to a 10-month coaching programme with a cohort of setting leaders and managers, a suite of training materials to support leaders in their sector, and numerous articles sourced and published in our smalltalk magazine.</p> <p>Anti-racism through literature was also a keynote speech in the EYW June 2023 conference from Laura Henry-Allain MBE.</p> <p>CPCKC carried out a survey in December 2023. Out of 302 responses, clubs reported that a minimum of 524 staff members have undertaken anti-racist training and 660 intend to.</p> <p>Mudiad Meithrin has commissioned and delivered a range of training opportunities for practitioners and nation staff as part of its on-going training offering, including:</p> <ul style="list-style-type: none"> • Unconscious Bias training • Awareness training: Gypsy, Roma and Travelling Communities • Disability Equality training • Cylch i Bawb – A Cylch for All • Anti-racism training • Gender identity in the early years • LGBTQ+
<p>Recommendation 10. We recommend that the Welsh Government sets out in its response its plans to develop and strengthen the childcare provision for</p>	<p>This Recommendation was the subject of a recent Scrutiny Panel in October 2023. The issues relating to funding and access continue across the sector.</p> <p>Staffing shortages, short-term funding, Welsh language challenges, lack of specialist knowledge all raise concerns as there is not sufficient resources to meet an increased demand in terms of ALN and children requiring additional support.</p>

<p>children with additional learning needs, including increasing the amount of funding available through the Childcare Offer for Wales Additional Support Grant to improve provision for children with disabilities and/or additional or complex needs.</p>	<p>This is not just a direct staff cost issue, because supporting children with ALN can include additional planning, targeted work, different resources, specific training, attending PCP meetings, planned transitions, and additional support needed for parents.</p> <p>From a setting’s perspective, the main reason for understaffing is that funding is not available from the Local Authority, or that it is deemed necessary to wait and see if funding will be available. According to the principles of the Additional Learning Needs Act, it is necessary to put the child at the centre and plan according to their needs, and therefore funding for extra pairs of hands will not be required in every case as everyone is different. Nevertheless, it appears from the responses that waiting for assurances of funding excludes the children who currently need it:</p> <ul style="list-style-type: none"> • ‘Waiting to find out after the CDT meeting also waiting on outreach funding.’ • ‘We are awaiting funding to be allocated for a 1:1 support, so that there is an adult to support our daughter by carrying her portable oxygen cylinder.’ • ‘Waiting on a CDT meeting; my child was 2 in July but we don’t have a start date for Cylch because they want to check the support will be in place for him.’ <p>Waiting to hear if funding is available affects disabled or neurodivergent children’s right to childcare and education. The uncertainty will also affect the parents/carers’ ability to plan their lives and ensure that their children benefit from opportunities to play and partake in early years education.</p> <p>In the response to the questionnaire for parents and carers, the issue of funding during holidays was raised as one specific thing that prevented disabled and neurodivergent children from equitable access to childcare and education. In the words of one parent, the holiday periods are a ‘very difficult time’ and that funding for childcare for her daughter with intensive needs was cut earlier in 2023. This meant that, as a single mother, she faced weeks without respite from caring for her daughter, and that it adversely affected her mental health.</p>
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According to one parent, help to access respite care would be one of the biggest things that can be done to support them as a family during the holidays, but they have to fund and organise this themselves:

- '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.'

There is real concern among parents and carers that services and support available during school holidays will be curtailed further.

CPCKC notes that there is currently a lack of consistent funding across all LA's for Extra Hands to support children with additional needs to attend Out of School Clubs (OSC). Some examples are below as submitted to the committee in Autumn 2023

- In our response to the committee only 41% (14) responding Out of School Childcare Clubs have accessed funding in order to support a child's attendance
- Out of School Childcare Clubs responding to the same survey had received enquiries from parents of 234 children with additional needs regardless of formal statement with requests to access Out of School Childcare.
- Of those 234 enquiries had been received since September 2022, it was unfortunate that 69 (29%) were unable to access Out of School Childcare, with 26% citing the lack of funding being the barrier.
- A particular local authority does not fund school aged children, has led to a lack of continuation funding and support, (past the early years) and has caused a parent, who is a newly qualified teacher with a post starting in September 23, to consider giving up her employment as the child cannot access Extra Hands support for childcare.
- A local authority will only fund 1:1 support either during education or childcare for a child

	<ul style="list-style-type: none"> Funding for 1:1 support in many counties often ends in line with The Childcare Offer when children reach the school age (5) thereby impacting their ability to access Out of School Childcare Clubs. <p>Of the 302 of Out of School Clubs who responded to CPCCK’s National Club survey in December 2023, 66% had children with support/well-being needs in their setting. Many had a wide range of needs including increasing levels of neurodiversity, harmful behaviours e.g. conforming to gender norms or racist behaviours, difficulty managing emotions, poor independence, Speech and language challenges, low self-confidence/esteem, anxiety or low mood, difficulty making new friends/other social skills, poor physical fitness.</p>
<p>Recommendation 11. We recommend that the Welsh Government sets out in its response how it will ensure sufficient funding is available in the expansion of the childcare offer under the Co-operation Agreement to allow two year olds with additional or complex needs to fully access provision.</p>	<p>The challenges are wider than the Flying Start expansion and are factored into the staffing shortages, the limited resources to fund provision and the increased demand on these services as children are entering childcare with more needs being reported than prior to the COVID-19 pandemic.</p> <p>As a result, a more systematic focus on the importance of the child’s early years is needed across all sectors and departments within Welsh Government.</p> <p>The same science that demonstrates the impact of ACEs on children, long past the occurrence of the trauma, provides the evidence that early investment into a child’s positive start has long lasting impact, contributing to better health, education and lifelong opportunities.</p> <p>This early investment is even more beneficial when in support of a child with ALN.</p>
<p>Recommendation 12. We recommend that the Welsh Government sets out in its response its plans to ensure the long-term capacity plan for the Welsh-medium sector, which the Welsh Government</p>	<p>Recruitment and retention challenges within the childcare and playwork workforce are not new to the sector. The demands of programmes and schemes from funders including Local Authorities and the Welsh Government place increasing pressure on the workforce.</p> <p>We know from experience that the value of the childcare and playwork workforce to the economy in general needs to be balanced with the lack of recognition and respect towards the sector. Currently, you must have a level 3 qualification to lead a Cylch Meithrin / Playgroup (and level 5 for a Flying Start setting). We must also</p>

<p>will explore as part of the Co-operation Agreement, is undertaken alongside work for the English-medium sector. This should reflect the impact that staff shortages are having on both the English-medium and Welsh-medium sector.</p>	<p>recognize that low pay for practitioners in the childcare and early years sector contributes to the challenges of recruiting and retaining the workforce, and as a result contributes to the challenge of ensuring adequate provision of childcare.</p> <p>The expansion of Flying Start childcare has a focus on the increase of Welsh language access built-in to the provision.</p> <p>Further capacity-building work has been ongoing in partnership with the National Centre for Learning Welsh and access to the Camau language scheme which is crucial to the development of an early years workforce who are confident in their Welsh.</p> <p>But, the importance of securing training and qualification opportunities through the medium of Welsh for those who want to start a career in the field must also be noted. The Welsh Government has already recognised this, and we are working together to expand the training program for early years practitioners by increasing apprenticeship opportunities and Welsh-medium initial training and expanding the Croesi'r Bont program which immerses new practitioners in the Welsh language.</p> <p>There is still an issue, but this is heavily interlinked into the funding the sector receives, the availability of well-paid and sustainable jobs, and the demand being exacerbated in Welsh language provision.</p> <p>CPCCK's CYMell project aims to:</p> <ul style="list-style-type: none"> • support unregistered Welsh medium and bilingual Out of School Childcare settings to become CIW registered. • provide a grant funding to support settings who show a commitment to registration, allowing them to cover the costs of staff attending training and the hours involved in working towards submitting an application to register • train Welsh speaking individuals in Playwork, removing the qualification barrier to the clubs becoming registered with CIW. • provide a bursary to support settings to cover the cost of staff members attending Playwork qualifications outside their working hours or to pay for staff to cover that member of staff if within work hours.
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	<ul style="list-style-type: none"> • provide grant funding to sustain existing good quality CIW registered Welsh Out of School Childcare provision. <p>The CWLWM Welsh Promise scheme, endorsed by The Welsh Language Commissioner, supports settings to increase the amount of Welsh they use with children and parents, through bronze, silver and gold levels / certificates. Encouraging settings to work in manageable bite-sized sections, achieving one before moving on to the next.</p> <p>Since the scheme was launched, the data for April to December 2023 shows that:</p> <ul style="list-style-type: none"> • 198 settings are interested in bronze award • 117 settings embarked on the bronze award • 41 settings completed the bronze award • 48 settings are interested in silver award • 29 settings embarked on the silver award • 3 settings completed the silver award • 19 settings are interested in gold award • 13 settings embarked on the gold award • 1 settings completed the gold award
<p>Recommendation 13. We recommend that the Welsh Government sets out in its response its plans for a review of the promotion of careers in the Welsh-medium childcare and early years sector, and how further education and work-based learning can be used to ensure that it has sufficient staff.</p>	<p>Despite the emphasis on the importance of workplace planning in the area of language policy over a number of years, the lack of a Welsh- medium early years workforce remains a serious challenge. We estimate that we will need 1500 more individuals to qualify during any given Senedd term.</p> <p>Learners with ‘Cam wrth Gam’, Mudiad Meithrin’s National CCPLD Training Scheme span a number of demographic groups (in terms of age and location). A majority (71%) of those undertaking a L5 qualification are over 26 years of age and a majority of those undertaking a L3 qualification are over 18 years of age.</p> <p>According to recent statistics published by Stats Wales, only a small percentage (less than 1%) receive training through the medium of Welsh within the FE / apprenticeship sector. ‘Cam wrth Gam’ has seen 4,340 individuals qualify (including those about to qualify) since its inception in 2004.</p> <p>Mudiad Meithrin’s ‘Set Up and Succeed programme’ is creating demand (as evidenced by the dramatic increase in the number of weekly hours Cylchoedd Meithrin offer): up from 6180 hours (in 2016) to 8554 hours (in 2023) which creates an additional (but welcome) challenge in terms of finding practitioners.</p>

	<p>As evidenced in 2022, in order to meet these challenges and aims, we need to qualify up to 300 new staff each year (which through Mudiad Meithrin’s various programmes with ‘Cam wrth Gam’ at its core is close to being realized).</p> <p>Investment in the area of workforce training and qualifying needs to be continued, and this should include supporting Mudiad Meithrin to be able to directly train its own workforce through ‘Cam wrth Gam’ – which also has a Direct Claims Status with WJEC and City and Guilds reflecting their trust in our delivery of the course.</p> <p>Our Cam wrth Gam Schools Programme is also an important project delivered by Mudiad Meithrin and is anchored by the main infrastructure of the ‘Cam wrth Gam National Training Scheme’.</p> <p>The existence of this scheme has always been indicative of the exceptional importance which was, and is still, placed on the direct supply of Welsh-medium staff needed by the sector (and which also helps the statutory education sector given that the L3 qualification is also recognised there).</p> <p>Simply put, too few people are choosing to work in the Welsh-medium Childcare sector. This reflects the challenges facing the Childcare and Play Sector as a whole, but the call for qualified Welsh-speaking staff in a number of areas makes the challenge in the Welsh-medium Childcare sector more acute.</p> <p>Funding from CPCKC’s CYMell project has allowed the following:</p> <ul style="list-style-type: none"> • for 50 learners to achieve a playwork qualification through the medium of Welsh with another 73 still in learning. • for 83 bursaries to be awarded to support settings with the additional costs of staff attending training.
<p>Recommendation 14. We recommend that Welsh Government sets out in its response its plan to deliver a sufficient increase in the hourly payment to providers under the Childcare Offer to</p>	<p>There has been no change to the rate paid for the Offer since the 2022 report. Our current data demonstrates that the pressures on the sector have increased since 2022 with current concerns high that the rate is insufficient to meet the service provision, let alone consider any uplift to staff pay.</p> <p>This needs prioritising ahead of the full rate review scheduled in 2025. Failure to do so risks the viability of large numbers of providers across the sector, and in addition, requires providers to absorb losses in 2024/25 to off-set funded places. This model is therefore unsustainable for the sector. There are providers who are</p>

<p>enable an increase in staff pay, and a timeframe by which all childcare workers will be paid the Real Living Wage, learning from the Scottish Government’s incorporation of this into their childcare expansion plans.</p>	<p>considering reducing their reliance on funded places to facilitate the capacity to increase revenue through other places off-setting their running costs. Relying on private paying families to effectively subsidise funded places adds to the financial pressure on paying families.</p> <p>Between November 2023 and December 2023, EYW carried out a data inquiry with their members. In this period 159 providers responded to the survey. The key headline data is provided below based on projections required to meet the uplift to minimum wages in April 2024:</p> <ul style="list-style-type: none"> • 84% of EYW members disagree that the uplift in minimum wages is affordable based on the current funding models and other cost pressures. • 91% of EYW members are considering or will increase parental fees. • 94% of EYW members do not think the funded rate covers the costs of providing childcare places. • Almost all providers think the rate should be reviewed annually or moved in-line with inflation through some mechanism such as index-linked or in-line with minimum wage increases. • 72% of EYW members have confidence they can sustain the current model for 1 year, 20.2% for 2 years, and only 8.8% for the next five years. • Most providers indicate funding rates of between £6-£8 (the range is from £5/hr - £10/hr) are more appropriate than the current £5/hour. <p>NDNA’s state of the sector survey for Wales from February 2023 noted that the vast majority of nurseries (88%) either expected to make a loss or break even, with a quarter of nurseries expecting a loss. This was because 90% said their funding rate for the Childcare Offer for Wales of £5 per hour per child was just not enough to cover their delivery costs. The shortfall per child on just 20 hours of the Childcare Offer was recorded in February 2023 as £2,500 per year.</p> <p>With providers suffering such financial strain, the Welsh Government’s commitment to review their funding rates at least every three years is just not going to support the early years sector.</p> <p>If nurseries cannot generate any surplus they are unable to invest in their quality of provision including staff training and resources. They want to give their children</p>
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	<p>the best possible learning experiences but cannot do this if they are struggling just to survive.</p> <p>A brief summary of the NDNA 2023 survey shows:</p> <ul style="list-style-type: none"> • Average increase in staffing costs for nurseries: 14.7% • Average increase in parent fees: 7.4% • 88% of nurseries expect to make a loss or only breakeven. • 25% of nurseries say they expect to operate at a loss. • 63% only expect to breakeven. • 5% expect to be able to generate a surplus. • 90% of respondents now say that funding rates do not cover delivery costs (29% in September 2021). • estimated funding shortfall for 3 & 4 year-old places is £2.60 per hour (£1.46 in 2021). • 39% of hours are Government funded and 61% parent-paid (in 2021 it was 36% to 64%). • Funding shortfall for the average child on Childcare Offer for Wales (20 hours of childcare element) is £2,496 per year. <p>With providers having to go another year without an increase in the funding rate we are expecting to see very concerning results from the NDNA 2024 state of the sector survey.</p>
<p>Recommendation 15. We recommend that the Welsh Government sets out in its response its plan to ensure their upcoming workforce plan is developed with social partners, and includes a focus on improving working conditions in the sector as well as</p>	<p>Anecdotally, there is still a perception that childcare is underpaid, and undervalued compared to careers within the maintained education sector. The qualitative statements from the EYW survey indicate clearly how people perceive their workload, the training and statutory compliance they need to work with is not recognised in their pay. This includes reference to longer hours than Teaching Assistants, more wide-ranging accountabilities and duties, and worse working conditions in terms of structural support. There is a wide-spread feeling that the level of accountability and demand far-exceeds jobs with comparable earnings and that (particularly for those with extensive experience and higher-level qualifications) they are being expected to accept this ‘value’ for their work.</p> <p>If public sector funding cannot provide a business-model where the sector can pay people a fair wage, the only other workable solution is to re-position childcare funding as ‘subsidised’ and allow providers to charge additional fees to parents.</p>

<p>developing the workforce.</p>	<p>The inherent risk here is that the families who are also feeling the pressure of costs feel unable to meet the payments and children miss out on high-quality childcare. This could result in increasingly inequitable access and pushing more families into poverty.</p> <p>We need more intensive investment to train and qualify the workforce, noting the excellence of the new post-2019 qualifications in terms of standards and quality, but also accepting that different models are required to appeal to different types of learners. We also need to acknowledge the specific challenges of planning a Welsh-medium workforce and address these with a scheme or schemes in place for a blended economy.</p> <p>Consideration must be given to identify which financial support is needed by high schools which are a part of the ‘Cam wrth Gam’ scheme, in order to attract new schools and retain those presently offering vocational qualifications in the field of Childcare and Playwork.</p> <p>Clybiau Plant Cymru Kids’ Clubs are currently exploring a pilot with DWP, WeCare Wales, Local Authority Childcare Teams and other employability partners to recruit new Playworkers. We are also focusing on the benefits of Playwork as a career, we have engaged with Teaching Assistants (TAs) networks and presented to them to promote training opportunities for professional learning.</p> <p>A case study from Newport on the benefits of playwork for TA’s can be accessed here: https://www.clybiauplantcymru.org/wp-content/uploads/2022/11/Aros-a-Chwarae.pdf</p>
<p>Recommendation 16. We recommend that the Welsh Government sets out in its response its plan to ensure that the upcoming childcare recruitment campaign by Social Care Wales reaches and attracts groups such as ethnic</p>	<p>It is true to say that in planning for a Welsh-medium Childcare and Play workforce, there are no easy answers. Despite this, it is pertinent for the Welsh Government, and everybody interested in Welsh language policy, to pay attention to this area. Without a Childcare workforce we have no hope of fulfilling our important and ambitious plans to create new future Welsh-speakers nor to expand Flying Start nor to address the intractable problems facing the Welsh economy.</p> <p>SCW have been running their Introduction to Childcare course since September 2022. It’s been a great success so far, with 203 course completers.</p>

<p>minorities and Welsh speakers who are underrepresented in the childcare workforce</p>	<p>The online course gives an overview of working in early years and childcare. It introduces core areas, offers an insight into career options and explains what qualities workers need.</p> <p>Each course has guest speakers who bring to life the reality of working in early years and childcare.</p> <p>Clybiau Plant Cymru Kids’ Clubs have collaborated with a primary school, an Out of School Childcare Club, and 6th form students to offer Playwork training during the school holiday running alongside the holiday club, allowing the learners to put theory into practice with the children in the club. Supervised by the Club leader and assessed by the Training Officers, this is an innovative way to achieve a Level 2 qualification and encourage the next generation of Playworkers, providing potential staff for the next holiday period and employment in both afterschool and during the holiday for the young people.</p>
<p>Recommendation 17. We recommend that the Welsh Government sets out in its response its plan to deliver universal wrap-around care, including after-school clubs that can accommodate all those who want to benefit from them.</p>	<p>This recommendation should be considered alongside Recommendation 18, as the Exceptions Order, and its impact of exceptions order and SHEP/Playwork holiday programme, on registered provision is an important consideration here.</p> <p>Wrap around care is delivered by the majority of registered childminders in Wales in some form. As noted in the later part of this response and as PACEY Cymru has previously reported, CIW had stated that the number of child minders in Wales had fallen by nearly 18% between 2014 and March 2020. More recent information from CIW reports shows a further decline of 22% between March 2020 and March 2023 from 2025 registered childminders to 1589. The decline has continued to be evidenced during 23-24. This decline will impact on the availability of wrap around care nationally.</p> <p>Clybiau Plant Cymru Kids’ Clubs received funding from the Moondance Foundation which supported collaboration between Out of School Childcare Clubs, Schools, and social workers to provide a funded places grant scheme. It gave families and children, (not normally able to afford provision), access to play-rich experiences with their friends, supporting social engagement and wellbeing.</p> <p>Consideration should be given to the use of both SHEP and Holiday Playwork funding to sustain Holiday settings by utilising this type of grant scheme that is proven to work and to make an impact, meeting the purpose of both programmes.</p>

	<p>The full report can be found here: Moondance-Annual-report.pdf (clybiauplantcymru.org)</p> <p>Clybiau Plant Cymru kids’ Clubs has since September 2021, seen an overall decrease in Holiday clubs, with numbers of English medium and bilingual Holiday clubs decreasing, but an increase in Welsh, this is due to work done through CYMell funding to support the sustaining of provision, in the Welsh Medium sector.</p> <p>The Baseline All Wales figures for OSC as of April 1st 2023 are:</p> <p>847 Settings, 1526 Clubs - Total 45,745 places</p> <p>1308 Clubs CIW Registered (652 settings), 218 Clubs Unregistered (195 settings)</p> <ul style="list-style-type: none"> • Welsh clubs registered 179 (73%) Unregistered 76 (27%) • Bilingual 146 registered (85%) Unregistered 25 (15%) <p>All Wales figures as of December 31st 2023:</p> <p>850 Settings, 1535 Clubs Total 46,513 places</p> <p>1349 Clubs are CIW Registered (676 Settings) 176 Clubs are unregistered (169 Settings) 10 Clubs are unregistrable (5 settings)</p> <ul style="list-style-type: none"> • Welsh clubs registered 198 (76%) Unregistered 61 (24%) • Bilingual 151 reg (89%) Unregistered 19 (11%) <p>Changes Year To Date</p> <ul style="list-style-type: none"> • 3% increase in Welsh Clubs that are registered v unregistered (19 Clubs) • 4% increase in bilingual Clubs that are registered v unregistered (5 Clubs) • 11% increase in the number Welsh Registered clubs (19 clubs) • 3% increase in the number of Bilingual Registered clubs (9 clubs)
<p>Recommendation 18. We recommend that the Welsh Government sets out in its response</p>	<p>This has not been undertaken and evaluated fully to date and is only recently gaining momentum.</p>

Written evidence on behalf of the CWLWM partnership.

<p>its plans to undertake the full consultation on the Exceptions Order that it committed to in 2019 in order to address concerns around the negative impact it has had on registered providers and on the safeguarding of children</p>	<p>Clybiau Plant Cymru Kids’ Clubs have previously submitted a paper to Welsh Government officials that outlines the concerns around the exceptions order. Meetings are in place, following the recommendation for the Ministerial review of Play to explore options around the exceptions order.</p> <p>Information gathering sessions with both registered and unregistered settings are being arranged in spring 2024 to gather the views of the sector on the impacts of the Exceptions order.</p>
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What, if anything, has changed since your submission to the previous inquiry?

Flying Start expansion has provided funded childcare to more families in eligible areas (this is generally positive but has had some unintended consequences such as displacement of children from one service provider to another as families take advantage of the funded provision). Some LA’s are widening access to funded programmes such as Flying Start and Early Education allowing providers to increase their offers to families and reduce transitions from setting to setting for the child.

Substantial numbers of practitioners across the CWLWM partnership have completed Welsh language courses through Camau, and the Welsh Promise follows this into setting wide practice enabling providers to evidence their language progression. Through the direct payment of CCO, better clarity of data should be available to WG on the uptake / unused capacity within the scheme as the payments are delivered centrally across Wales.

Between September 2021 and December 2023, CPCKC notes that 129 OOS clubs at 106 settings, offering 3,535 Out of School Childcare places have closed their doors.

Whilst new OOS clubs have opened, the focus needs to be on supporting and sustaining those that are already open to remain open. The accumulated increase of 28.4% in the National Minimum Wage between 2021 and 2024, is continuing to have a massive impact on sustainability across the sector.

In the year to date, CPCKC has seen:

- 3% increase in Welsh Clubs that are registered v unregistered (19 Clubs)
- 4% increase in bilingual Clubs that are registered v unregistered (5 Clubs)
- 11% increase in the number Welsh Registered clubs (19 clubs)
- 3% increase in the number of Bilingual Registered clubs (9 clubs).

CPCKC notes that despite there being an increase in the number of school run Out of School Settings they are increasingly likely to be unregistered with CIW.

CPCKC Setting numbers Dec 23	September 2021	CIW registered	December 2023	CIW registered
Total Clubs	853		850	
Voluntary Management Committee	307 (36%)	73%	306 (36%)	75%
Private Company	427 (50%)	88%	419 (49%)	90%
School run	88 (10%)	51%	92 (11%)	49%
Other	31 (4%)	71%	33 (4%)	76%

Written evidence on behalf of the CWLWM partnership.

Out of 302 clubs who responded to CPCKC's Out of School Childcare survey in December 2023, 27% of term time clubs were not certain they were financially sustainable, 26% were uncertain during school holiday periods.

Mudiad Meithrin has recorded a shift from traditional sessional, morning-only provision within its Cylchoedd Meithrin to full daycare provision. 8 new Cylch Meithrin were established between 2021 and 2023, with an additional 223 weekly care hours available for families across Wales.

PACEY Cymru notes that in line with concerns raised by CWLWM with the Committee in 2021/22, registered childminder numbers in Wales have continued to significantly decline. This has an impact on childcare choice, availability, and accessibility in line with the wider recommendations of the work.

The long waited Independent Review of Childminding in Wales¹ was published by Welsh Government in June 2023, and its findings link to many of the 18 Recommendations noted above. The aim of this independent review was to understand the reasons for the decline in the number of childminders in Wales, and to produce some recommendations aimed at attracting more childminders into the industry and to encourage more of those already registered as childminders to stay in the industry. The Independent Review included a number of key conclusions and 23 recommendations in relation to key areas or themes.

The review of available data confirmed the rapid decline in registered childminders. The data outlines that the number of childminders who can deliver Welsh language provision has declined at a particularly sharp rate in recent years.

Following this in Autumn 2023 A Childminding Recommendations Review Group (CRRG) overview panel and Working Groups were established by Welsh Government to ensure key partners and stakeholders can work together to consider the recommendations identified in the Review. This involves consideration of the findings and recommendations from the review and exploring, scoping and identifying potential actions and timescales to take forward. Work on this is ongoing with further information and advice to the Minister due to be submitted in the Spring.

As PACEY Cymru has previously reported, CIW had stated that the number of child minders in Wales had fallen by nearly 18% between 2014 and March 2020. More recent information from CIW reports shows a further decline of 22% between March 2020 and March 2023 from 2025 registered childminders to 1589. The decline has continued to be evidenced during 23-24.

¹ [Independent review of childminding | GOV.WALES](https://gov.wales/independent-review-of-childminding)

Written evidence on behalf of the CWLWM partnership.

The Independent Review of Childminding (noted above) is looking to address issues related to this however it is clear that trends noted will not be reversed without significant, universal, long-term financial commitment for the sector.

Are you aware of innovative or pioneering practices in maximising access to high-quality childcare that could help to address issues within the childcare sector? If so, please could you provide details and share any ideas on how they can be shared more widely.

CPCKC notes that the CYMell funding through CWLWM has provided for the following innovations:

- Welsh Medium Playwork training, including for 16-18 year old to encourage the next generation to the Workforce, also for Teaching Assistants to upskill and support the OSC in their schools to have qualified staff and become registered and also to increase their own earning potential.
- bursaries for clubs to pay their staff to attend the Playwork training or to cover the costs of replacement staff if training is within working hours.
- Grants for unregistered clubs to support the costs of staff time to complete paperwork and policies to achieve CIW registration.
- Dedicated Welsh medium Childcare Business Development Officer staff time to support to settings with the registration process.
- Grants for Cylchoedd Meithrin to extend their provision to include OSC, covering staff costs to prepare paperwork and policies to change CIW registration to full day care.
- Grants to support settings to change their language of operation to Welsh.
- Grants to sustain good quality, CIW registered Welsh provision.
- Dedicated Welsh medium Childcare Business Development Officer staff time to support to settings to undertake the Welsh Promise to increase the use of Welsh in English and bilingual clubs.

Specific collaboration with Mudiad Meithrin, Clybiau Plant Cymru Kids' Clubs and a new Welsh Medium school to ensure that provision for parents included a Cylch Meithrin and OSC from the outset².

Collaboration with a school to train TAs in Playwork to support registration of after school club³:

The NMS Review and the change to the requirement for a supernumerary member of staff for larger settings has supported sustainability, enabling them to increase their numbers without having to employ an additional

² <https://www.clybiauplantcymru.org/wp-content/uploads/2023/11/Case-Study-Groes-Wen.pdf>

³ <https://www.clybiauplantcymru.org/wp-content/uploads/2022/11/Aros-a-Chwarae.pdf>

Written evidence on behalf of the CWLWM partnership.

staff member to staff an Out of School Childcare Club, which in turn supports settings to expand their provision from OSC to Wraparound care and vice versa.

Other developments include:

- SCW and WeCare Wales impending inclusion of Playworkers to their remit, and the inclusion of Playwork within Introduction to Childcare,
- Directing SHEP/School Holiday Programme funds to CIW HCs/affordability support for older children,
- Funding within two local authority areas to offer Extra hands funding facilitating inclusion within OSC.
- Childcare & school builds, considering childcare at early stages of planning, although needs to be considered that floor space is optimised to increase registration capacity.
- Exception Order Review,
- Promotion and explanation of Tax Free Childcare / Universal Credit childcare element, although more work is needed in this space.
- Requirement to focus on play and the wellbeing benefits of childcare rather than childcare fee saving WFH and Welsh Government targets.

Working in partnership across organisations and with schools to develop ‘one-site-for-all’, with families accessing all early years childcare and education, primary education and before / after school care on one site from 2 years onwards.

The Training and Support Programme (TSP) replaced PFS funding from 1 April 2023, and is planned to run until March 2025. Its aim is to support the childcare and playwork sector to upskill through qualifications, training and development.

The delay in allocating the funding at the beginning of the programme means that it is currently difficult to tell whether or not it is having a significant impact on training and developing the all aspects of the workforce. This is particularly evident with regards to training new childminders for the workforce, and PACEY Cymru note that a long term, universal commitment to supporting potential Childminders during the pre-registration phase that is easy to promote is essential to build sustainability within the sector.

The element of this funding that relates to Playwork training is supporting the sector, some of whom already have Early Years Qualifications, to achieve Playwork qualifications allowing the Out of School Childcare sector to meet NMS and support registration requirements. Building on the already successful PFS funding, which saw 616 learners achieve Level 2 and Level 3 Playwork qualifications, this funding is already making a difference to the employment prospects of Childcare workers, Teaching Assistants and Youth workers, by allowing them to become portfolio workers, working in EY settings or schools and the Out of School Childcare and Playwork sector.



Scotland
National Day Nurseries Association

*Brighter thinking
for early years

Briefing Paper – Welsh Parliament Equality and Social Justice Committee 4 March 2024

Inquiry into childcare and parental employment in February/March 2024

About NDNA

National Day Nurseries Association (NDNA) is the national charity representing private, voluntary and independent (PVI) children's nurseries across the UK. We are the voice of the 21,000-strong nursery sector, an integral part of the lives of more than a million young children and their families. NDNA Scotland is the national representative body for PVI nurseries in Scotland with six networks covering 17 local authority areas.

NDNA provides information, training and advice that support nurseries and their 250,000 employees to deliver world-class early learning and childcare. Working closely with local and national government, we advise and campaign on the cost, choice and quality of childcare to benefit children, nurseries, families and the economy. NDNA Scotland support 324 PVI nurseries from our Edinburgh Office.

It is our understanding that the Equality and Social Justice Committee are undertaking inquiry into childcare and parental employment: the pandemic and beyond. The COVID-19 pandemic brought issues around gender equality, childcare and employment to the fore. This inquiry seeks to address these issues by focussing on the barriers that childcare provision can present for parents, particularly women, entering and progressing in the labour market.

Funded Early Learning and Childcare (ELC) in Scotland

In 2016 the Scottish Government committed to a vision for a universal offer, regardless of financial circumstances, of funded childcare that would almost double the entitlement to funded ELC to 1140 hours per year (30 hours if taken term time, 22 hours if take over a full year) by 2020 for all three and four year olds and eligible two year olds. The criteria for funded early learning and childcare for 2 year olds is based on receipt of one of these benefits: Income support. Income-based Job Seeker's Allowance. Income-related Employment and Support Allowance. That vision continues to be underpinned by the principles of Quality, Flexibility, Accessibility and Affordability. The expansion of funded ELC, was originally intended for August 2020, was paused in April 2020 to give local authorities the flexibility to focus on responding to the COVID-19 pandemic. It was rescheduled for August 2021 and has now been in place for just over 2 years. The Scottish Government also published a joint

implementation plan for funded early learning and childcare places for all children who defer their primary one start in December 2020.

The main aims of the expansion in ELC are to:

- improve children's outcomes and help close the poverty-related attainment gap
- increase family resilience through improved health and wellbeing of children and parents
- support parents into work, study or training

The Committee may be aware that there are ongoing plans to expand funded childcare to 1 and 2 year olds to a wider criteria than is currently offered starting in this Parliament with children from low-income households. This plan was set out in the Program for Government in 2021/22. NDNA Scotland agree with the premise of the current 1140 hours funded childcare policy (high quality, flexible, accessible and affordable). However, NDNA Scotland have warned of the dangers of rushing into expanding the provision as there remain significant challenges with the current offer of universal childcare for 3 and 4 year olds.

Approach Scotland takes to childcare provision in relation to child development

Those who wish to work in childcare in Scotland must register with the [Scottish Social Services Council](#) as a support worker (equivalent qualification in Wales Level 2), practitioner (equivalent level 3 – 5) or lead practitioner (equivalent level graduate – level 6). This ensures that the workforce is qualified to the required standard for the role that they are in. At each level of registration child development is part of the qualification.

New staff into the sector must (if they work in a funded partner provider nursery) complete the [National Induction Resource](#) which encourages self-reflection and draws upon the national practice non-statutory guidance [Realising the Ambition: Being Me](#). (for children Pre-Birth – 8 years) which has a focus on early child development and learning and also the [Curriculum for Excellence](#) which provides a broad general education from the age of 3 to 18. The CfE builds upon the child's development from the early stages to the senior phase of education.

The extent to which the approach taken to pay of childcare workers has helped/not helped with recruitment issues within the sector

In our sustainability survey we asked what the expected increase in staffing budgets would be between last year and this once statutory minimum wages increases, the Real Living Wage and other staffing considerations had been put in place. The average reported increase was 10%.

Also, 55% of providers cited that the funding rates they received was a challenge to meeting the Real Living Wage (RLW) Requirement with 10% reporting that maintaining pay differentials for more experienced staff was a problem. This need to reward staff at levels above the RLW may add to the 10.4% increase reported in staffing budgets.

The Scottish Government recently committed to fully funding support for partner providers to pay at least £12 per hour (the Scottish Real Living Wage) to those staff who are delivering funded childcare.

However, the UK Government at the same time increased the national living wage to £11.44 from April 2024 meaning all staff in the setting will earn almost the same. This causes significant issues for funded providers as £12 per hour often takes practitioners up to the same level of wage as more senior practitioners. The extra funding from the Scottish Government will not be enough to make up the shortfalls.

[NDNA reported](#) that in its [Financial Sustainability Health Check of the Childcare Sector in Scotland](#) published last year, the Scottish Government found that providers costs were going up by 14% this year. However, in an Freedom of Information investigation, [NDNA Scotland found](#) that only three local authorities reported that their 'sustainable rates' will increase by a similar amount, Clackmannanshire (14.9%), Fife (14.38%) and Shetland Islands (15.48%).

Examples of good practice in addressing issues in access to childcare for particular demographic groups

Rural and Island communities

A new partnership project was launched in April 2022 to support the recruitment and training of more than 100 professional childminders across Scotland. The Scottish Rural Childminding Partnership pilot focused on ten areas across Scotland which were identified as in urgent need of high quality, flexible childcare.

Led by the Scottish Childminding Association (SCMA) aimed to support economic and community development through the creation of more than 100 new professional childminding jobs and up to 900 much-needed childcare spaces for families in remote and rural areas.

This project was so successful that the Scottish Government committed further funding to roll out the project to wider local authority areas.

<https://www.childminding.org/childminder-recruitment>

Access to Childcare Fund

The purpose of this fund was to support childcare solutions that enable more accessible and affordable childcare for families and to help to reduce the barriers parents and carers experience in accessing childcare. These barriers include the cost of childcare, the hours available and accessibility for children with additional support needs.

Grants were awarded to fifteen services and projects in 2020 to seek to address the challenges and barriers encountered and allow parents and carers to have time around the school day and in holidays safe in the knowledge that their child(ren) is being looked after and given opportunities to take part in activities, play or youth work experiences.

They aimed to make services more accessible and affordable for low-income families, particularly the six identified priority family groups most at risk from living in poverty and set out in the [Tackling Child Poverty Delivery Plan](#)

NDNA Childcare Works – East Ayrshire

Following the huge success of Childcare Works in Wales (since 2014) we have recently secured funding to begin a Childcare Works project in East Ayrshire Scotland.

Childcare Works is a supported employment programme for individuals wanting to pursue a career working in childcare. The project supports the development of knowledge, skills and confidence to work in the early years and childcare sector with the aim of participants entering employment following completion of the programme. The project also supports childcare settings with recruitment and retention by providing them with a Trainee Support Worker for 12 weeks, at no cost to the setting, with the opportunity to employ the trainee as a member of staff by the end of the programme.

We hope that this programme will go some way to reducing the workforce issues and support PVI nurseries to be able to provide high quality care and learning to children and families.

Examples of good practice in relation to integrated childcare provision.

Throughout Scotland those working with children and young people work with an approach which is set out in [Getting it Right for Every Child](#). GIRFEC, is a strengths-based approach, that seeks to realise children's rights on a day to day basis and is therefore underpinned by key values and principles. The following values and principles (refreshed in 2021) were developed together with stakeholders including children and young people from across Scotland:

- placing the child or young person and their family at the heart, and promoting choice, with full participation in decisions that affect them
- working together with families to enable a rights respecting, strengths based, inclusive approach
- understanding wellbeing as being about all areas of life including family, community and society
- valuing difference and ensuring everyone is treated fairly
- considering and addressing inequalities
- providing support for children, young people and families when they need it, until things get better, to help them to reach their full potential
- everyone working together in local areas and across Scotland to improve outcomes for children, young people and their families

ELC Professionals work with the [National Practice Model](#) which sets out a shared framework and approach to identification, assessment and analysis of a child or young person's wellbeing needs. The model provides a consistent way for practitioners to work with children, young people and their families to understand the child or young person's individual growth and development in the context of their rights, unique family circumstances and wider world, exploring strengths, resilience, adversities and vulnerabilities.

It is intended to provide a structure to support practitioners, working together with children, young people and families, to make effective use of assessment information. This information will likely have been gathered from multiple sources including regular information gathering processes on the progress of a child or young person with full participation from the child or young person.

(information from [Scottish Government GIRFEC webpage](#))

Scottish local authorities – early adopters

Since October 2022 the Scottish Government have been funding four local authorities to deliver Early Adopter Community (EAC) projects on school age childcare in Port Glasgow (Inverclyde), Drumchapel and Carntyne (Glasgow), South and East Alloa (Clackmannanshire) and Linlathen (Dundee).

There are 2 key drivers of this work – tackling poverty, by helping parents to access and sustain employment, and improving children’s outcomes, by reducing barriers to a range of activities round about the school day and in the holidays, contributing to reducing the poverty related outcomes gap.

The Scottish Government’s new Programme for Government commitment builds on the existing school age childcare work to design all-age childcare offers for families in six early adopter communities. The PfG announced two additional EACs – Fife and Shetland

Scottish Government know that funding childcare alone won’t lead to improved outcomes for low income families or contribute effectively to tackling poverty so the childcare projects are aligned with wider tackling poverty initiatives to combine funded childcare with employability and family wellbeing support

Scottish Childminding Association Early Adopter School Age Childcare Project.

The Scottish Childminding Association (SCMA) Early Adopter School Age Childcare (SACC) project includes a focus on child poverty via funded, accessible, quality SACC placements in childminding settings. It also addresses the challenge of the declining childminding workforce, and how it impacts on the availability of childminders for SACC, by incorporating the recruitment of childminders linked to our wider dedicated childminding recruitment programme. SCMA are actively working with 4 Early Adopter local authorities, supporting them to ensure that childminders are included in the delivery of SACC and guiding them to develop processes and procedures to take into account childminder requirements, as part of the ongoing Scottish Government’s SACC framework and delivery plans.

SCMA - Family Childminding Partnership

This SCMA service is designed to test the impact and outcomes of a model which supports whole family wellbeing, is targeted at families in need and supports the key commitments of The Promise, through the provision of preventative family support within enhanced, nurturing childminding placements targeted towards 1 year-olds and their siblings. It will also provide key learning for the future Scottish Government Programme for Government ambition to expand ELC funded hours to 2 and 1 year-olds.

What parents say about 1140 hours of funded childcare

According to a Scottish Government survey (Scot Govt, 2022) 98% of Parents were accessing some form of funded childcare, and 73% of parents with a 3 to 5 year old and 52% of those with a 2 year old using funded childcare. This survey does appear to show that parents find the 1140 hours policy useful to them which shows that it has been a success in terms of meeting the needs of parents returning to work, going into training and having financial support. However, this report also shows that 23% of parents were not taking up the full 1140 hours funded childcare as they could not get the sessions that they wanted at their preferred settings.

Parents also reported being dissatisfied with flexibility to match funded hours to their own working patterns to minimise the cost of top-up childcare. The Scottish Government report highlights that the majority of parents are happy with ELC however, there are still issues around flexibility, affordability, and access to places that Scottish Government need to address (Scot Govt, 2022).

The parents' campaign group, Pregnant then Screwed, Scotland say that *"the major issue for many families in Scotland, and across the UK, is the accessibility and affordability of childcare. The increase in funded hours has been hugely beneficial to many parents but there still remains huge issues over costs, particularly for under 3s, and there is a growing problem with accessibility"* (Pregnant then Screwed, Scotland, 2024).

The Scottish Women's Budget Group (SWBG) reported in 2023 that 22% found it difficult to access childcare in their area, with the situation being more acute in rural areas. One respondent said *"So many rural schools in Aberdeenshire miles away from nursery provision so I have to drive to two disparate places and no after school provision"*. Their survey also revealed that 16% were unable to access funded hours due to a lack of flexibility in provision with one respondent saying *"The 30 hours does not fully cover the cost of year-round (private) nursery, and council nurseries offer term time only"*. When it comes to affordability the SWBG survey showed that 30% of women did not find childcare costs manageable, this increased to 47% for single parents, 38% for women from ethnic minorities and 36% for disabled women. 74 % of women said that increase in household costs were making childcare costs more difficult. The report concludes stating that there is a long-standing problem of lack of flexibility and affordability of childcare which has been exacerbated by the cost of living crisis and is putting family finances under pressure.

NDNA Scotland are aware that throughout the UK nursery settings are closing down due to sustainability issues. Scotland is no different, as nurseries close, parental access to funded places becomes more difficult. Parents are beginning to find it difficult to find suitable places to match their childcare needs.

NDNA Scotland – Challenges remaining with 1140 hours policy

It is generally accepted that the aims of the policy are good and will benefit children and families. However, there is also concern that the delivery of the policy is leading to closures due to unsustainable funding and workforce pressures.

For many years now we have heard from members that:

1. Funding does not cover costs
2. Local Authorities have recruited their experienced staff leaving them with either no or inexperienced staff – [NDNA reported](#) that a [SSSC report in 2023](#) found that the staff turnover rate is 29% in private nurseries, 21% in voluntary settings and 11% in public sector nurseries with 26% of managers leaving private sector settings go on to work at a practitioner level in public settings
3. Recruitment and retention is extremely difficult because PVI settings cannot compete with local authority pay and conditions of service due to unsustainable funding rates
4. Many local authorities make it challenging for settings to have cross border or blended places
5. Parents can't always get the nursery of their choice – despite the policy being provider neutral
6. Provision of Additional Support Needs and support for nurseries is sporadic across Scotland

NDNA Scotland continue to urge the Scottish Government to address these issues (and many others), particularly before any further expansion to one and two year olds takes place. The current model of funding is unsustainable and must be addressed going forward as this is often at the heart of many of the challenges the sector are facing.