

Agenda – Equality and Social Justice Committee

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| Meeting Venue: | For further information contact: |
| Committee Room 3 – Senedd | Rhys Morgan |
| Meeting date: 16 September 2024 | Committee Clerk |
| Meeting time: 13.30 | 0300 200 6565 |
| | SeneddEquality@senedd.wales |

(Pre-meeting 13:00 – 13:30)

1 Introductions, apologies, substitutions and declarations of interest

(13:30)

2 Equality and Human Rights in Wales: Evidence session one

(13:30 – 15:00)

(Pages 1 – 20)

Professor Simon Hoffman, Swansea University

Charles Whitmore, Research Associate, Cardiff University

Dr Sarah Nason, Bangor University

(Break 15.00 – 15.15)

**3 The EU Settlement Scheme and citizen's rights after Brexit:
Evidence session three**

(15.15 – 16.15)

(Pages 21 – 78)

Miranda Biddle, Chief Executive, Independent Monitoring Authority for Citizens' Rights Agreements (IMA)

Rhys Davies, General Counsel, Independent Monitoring Authority for Citizens' Rights Agreements (IMA)

Victoria Peregrine, Deputy Director of Operational Delivery, Independent Monitoring Authority for Citizens' Rights Agreements (IMA)



4 Papers to note

(16:15)

- 4.1 Correspondence from Finance Committee to the Cabinet Secretary for Finance, Constitution and Cabinet Office: Welsh Government Budget Timetable 2025–26**

(Pages 79 – 81)

- 4.2 Correspondence from the Cabinet Secretary for Housing, Local Government and Planning regarding the report of the Equality and Social Justice Committee – Sounding the Alarm – the Governance of Fire and Rescue Services**

(Pages 82 – 89)

[Equality and Social Justice Committee report – Sounding the Alarm: the Governance of Fire and Rescue Services](#)

- 4.3 Correspondence from Equality and Human Rights Commission regarding consultation on their Strategic Plan 2025–28 – 17 July 2024**

(Pages 90 – 91)

- 4.4 Correspondence from Culture, Communications, Welsh Language, Sport, and International Relations Committee regarding Petition P–06–1387 Provide humanitarian aid to Gaza – 22 July 2024**

(Pages 92 – 93)

- 4.5 Correspondence from the Cabinet Secretary for Culture and Social Justice, Trefnydd and Chief Whip in relation to the pre–appointment hearing report – Older People's Commissioner for Wales – 29 July 2024**

(Page 94)

- 4.6 Correspondence from Early Years Wales regarding the report of the Equality and Social Justice Committee – Their Future: Our Priority? Follow up inquiry into childcare provision in Wales – 31 July 2024**

(Pages 95 – 97)

- 4.7 Correspondence from the Cabinet Secretary for Culture and Social Justice, Trefnydd and Chief Whip following up from the general scrutiny session – 28 August 2024**

(Pages 98 – 102)

4.8 Correspondence from the Cabinet Secretary for Culture and Social Justice, Trefnydd and Chief Whip regarding Speech and Language Communication Needs Summit- 31 August 2024

(Pages 103 – 112)

4.9 Written response by the Welsh Government regarding the Equality and Social Justice Committee report – Their Future: Our Priority? August 2024

(Pages 113 – 135)

[Equality and Social Justice Committee Their Future: Our Priority? Follow up inquiry into childcare provision in Wales](#)

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

(16:15)

(Private)

6 Equality and Human Rights: Consideration of evidence

(16:15 – 16:30)

7 Forward work programme

(16.30 – 16.50)

(Pages 136 – 147)

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Senedd Equality and Social Justice Committee

Inquiry into Equality and Human Rights in Wales

Professor Simon Hoffman, Swansea University

Submitted: 2nd September 2024

The Committee is inquiring into:

- Progress against the 40 recommendations in the ‘Strengthening and Advancing Equality and Human Rights in Wales’ research report.
- The work of the Legislative Options Working Group.
- Progress on the commitment to incorporate the United Nations Convention for the Elimination of all forms of Discrimination against Women and the UN Convention on the Rights of Disabled People into Welsh law.

1. I was Principal Investigator on the Strengthening and Advancing Equality and Human Rights (SAEHR) research, and I am currently secretary to the Senedd Cross Party Group on Human Rights and a joint coordinator of the Wales Civil Society Human Rights Stakeholder Group.
2. This submission is informed by my experience on the Welsh Government coordinated Human Rights Advisory Group (HRAG) and independent Legislative Options Working Group (LOWG), my engagement with Welsh Government officials working on human rights and equality, and my involvement with civil society in Wales.

The SAEHR recommendations

3. The SAEHR research took evidence from a broad range of stakeholders, including people with lived experience of equality and human rights, as well as participants from civil society, the Welsh commissioners and the public sector. The 40 recommendations are firmly grounded in findings from this fieldwork, as well as a comprehensive literature review.
4. The volume of recommendations is consistent with evidence from the literature review on the need to adopt a wide range of measures to progress equality and human rights.¹
5. The coverage of the recommendations means I am unable to comment on progress in all areas. In tis submission I focus on how the recommendations have

¹ This was clearly evidenced by the research: see Chapter 6, and in particular paragraphs 6.18 *et seq* on mainstreaming, and paragraph 6.22 on a Human Rights Approach ‘across all sectors’.

been received, and incorporation of international human rights into Welsh Law and other aspects of a Human Rights Approach in Wales.

How the 40 recommendations have been received

6. The majority of recommendations are directed at the Welsh Government, some are aimed at others with an important role to protect and/or promote equality and human rights in Wales.²

Welsh Government

7. The Welsh Government published its response to the 40 recommendations in May 2022.³ The response adopts a 'phased and thematic' approach to reflect the breadth of the SAEHR recommendations. It identifies five action areas:

- A. Preparatory Legislative Work.
- B. Guidance.
- C. Review of the Public Sector Equality Duty.
- D. Incorporation of Human Rights into Impact Assessment.
- E. Raising Awareness.

8. The Welsh Government set up a Human Rights Advisory Group (HRAG) to monitor progress on each of the five action areas. HRAG is currently chaired by the Cabinet Secretary, Culture, Social Justice and Chief Whip. Members include civil society organisations, the Welsh commissioners, the Equality and Human Rights Commission (EHRC) and academics. HRAG receives updates from Welsh Government officials on progress under thematic areas.

9. **To assist with monitoring progress and to enhance transparency and accountability it would be helpful if HRAG meeting notes were published in accessible format in the public domain as soon as possible post-meeting.**

Public authorities

10. SAEHR recommendations 2-4 engage public authorities in Wales. It is reasonable to suggest that the public sector in Wales will look to the EHRC and/or the Welsh Government for guidance on meeting those recommendations (see below).

11. Some local authorities in Wales have already taken steps to progress human rights at local level. Examples include: the City and County of Swansea declaration of a Human Rights City, the City of Cardiff award of UNICEF Child Friendly City status, and Abertawe Bro-Morgannwg Health Board adoption of Child Rights Approach to health services. However, across the public sector in

² Table 2 in the SAEHR report indicates the organisations to which the recommendations are directed.

³ [Strengthening and advancing equality and human rights in Wales research report: Welsh Government response | GOV.WALES](#)

Wales, it is unclear how individual authorities have responded to or acted upon the recommendations. **A comprehensive review of how the priority accorded to human rights in local well-being plans would provide an indication of how relevant recommendations are being implemented by public authorities.**⁴

The Equality and Human Rights Commission

12. Recommendations 14, 15 and 21 are directed at the EHRC. They contemplate new or revised Wales-specific guidance on: the Public Sector Equality Duty, a Human Rights Approach, and Impact Assessment. The EHRC 2023 report 'Is Wales Fairer' refers to work ongoing by the Welsh Government in these areas.⁵

The Welsh commissioners

13. The SAEHR recommended (recommendation 32) that the EHRC and the Welsh Commissioners examine opportunities for intelligence sharing and joint action to hold the Welsh Government to account in relation to equality and human rights. These are operational matters on which I cannot comment.

The Public Services Ombuds, regulators and inspectorates, the Law Commission and Law Council for Wales

14. Recommendations 31, 33 and 39 cover complaints, human rights as an aspect of regulation/inspection, and promoting awareness of human rights.

15. The Welsh Government response acknowledges that recommendations 26, 30 and 39 relate to the work of the Commission on Justice (CoJ) in Wales, and states that these will be addressed in a publication setting out progress against the recommendations of the CoJ. The Welsh Government published an update on progress in February 2024.⁶ It is not within my field of expertise to comment on how the report addresses specific CoJ recommendations.

Progress on incorporation

16. It is worth recalling the key aspects of recommendations 1 and 25, these are:

- The Welsh Government should introduce primary legislation to give effect to international human rights in Welsh law through a Human Rights (Wales) Act.

⁴ Not least because the link between human rights and well-being underpins recommendation 3: which seeks to promote a 'stronger vision to advance equality and well-being' by integrating human rights standards into policy decision-making.

⁵ [Is Wales Fairer Equality and Human Rights Monitor- English- accessible PDF.pdf \(equalityhumanrights.com\)](#)

⁶ [Part 1: improving justice outcomes in Wales under the current constitutional settlement \[HTML\] | GOV.WALES](#)

- Making international human rights part of Welsh law so that they are binding on Welsh Ministers and public authorities in the exercise of devolved functions.
- Making incorporated rights enforceable by a court or tribunal.
- Establishing an independent taskforce to examine options and bring forward detailed proposals for incorporation of human rights.
- This work to be completed so that legislation can be enacted before dissolution of the current Senedd.
- Meanwhile, the Welsh Government should continue to examine options for incorporation of international human rights through sectoral legislation, but this should not serve to undermine or postpone work on wider incorporation.

17. These recommendations reflect the ‘clear support’ for incorporation from research participants; itself reflective of historical support for ongoing incorporation of human rights in Welsh Law (in particular, the Convention on the Rights of Disabled People (UNCRDP), and the Convention on the Elimination of Discrimination Against Women (CEDAW)).

18. The Welsh Government accepts recommendations 1 and 25 in principle and established the LOWG chaired by Charles Whitmore to examine options for legislation.

19. A number of factors have slowed progress by the LOWG. Key amongst these has been ongoing turbulence on human rights at UK level and the possibility of challenge by the UK government. Linked to this are developments in Scotland where the UK government intervened successfully in the Supreme court to challenge the lawfulness of Scottish legislation to incorporate the UN Convention on the Rights of the Child.

20. In my view, the context for legislation to incorporate human rights in Scotland differs from Wales. In particular, SAEHR recommendation 1 limits the application of incorporated rights to the exercise of devolved functions: making the threat of challenge by the UK government far less likely. Notwithstanding, LOWG members take the view that competence issues need to be fully considered to guard against the possibility of divergent views on the limitations of the current reserved model of devolution.

21. Another consideration for LOWG has been an unexpected focus on how incorporated rights might impact on specific areas of Welsh Government policy. In particular, LOWG has been asked to consider whether the objectives of legislative incorporation might be achieved through policy focussed on implementation.

22. The reasons for incorporation are comprehensively addressed in the SAEHR and remain extant.⁷ It should also be recalled that incorporation should not be viewed as a complete solution for deficits in human rights. In the SAEHR we make the point on a number of occasions that measures to implement human rights, including our recommendations, should be viewed ‘holistically’ and not as a series of stand-alone measures.⁸ **I am concerned that a natural desire to take immediate steps to implement human rights in Wales will force an artificial binary choice between policy and legislation as frameworks to underpin progress.**
23. I remain confident that the Welsh Government is committed to incorporation. This commitment was recently restated by the Cabinet Secretary, Culture and Social Justice, in response to a question raised in a letter from Sioned Williams MS in her capacity as Chair of the Senedd Cross Party Group on Human Rights.⁹ However, **it would be very welcome if the commitment to pursue legislative incorporation of human rights were to be restated as a priority by the Welsh Government.**
24. An ongoing challenge is the resource available to LOWG to complete its work, and perhaps more significantly, to complete its work expeditiously. Civil society LOWG members are volunteers who have full-time employment responsibilities. **LOWG is supported by enthusiastic, professional and increasingly well-informed officials. However, the majority of LOWG’s work is carried out by civil society volunteers. While this is essential to maintain LOWG’s independence, it is vital that the group is properly resourced to achieve its objectives.**
25. Despite challenges, LOWG has made significant progress. In particular, to develop and pilot an ‘assessment template’ to be applied to individual international human rights under consideration for incorporation by Wales-only legislation to determine whether incorporation may be achieved through the exercise of devolved legislative competence.
26. In my view, even with the facility of a template LOWG will not complete its work in time for legislation to be brought forward during the current Senedd. However, with sufficient resources LOWG could complete its work within a relatively short period of time. **Civil society members of LOWG take the view that the Welsh Government could significantly advance this work by providing funding to draw in external expertise to complete the template in relation to CEDAW, the UNCRDP and ICESCR.**

⁷ See Chapter 5, in particular paragraphs 5.5 and 5.6.

⁸ See, for example, paragraph 12.2, and references in Fn 1 above.

⁹ Letter, Chair CPGHR to Cabinet Secretary dated 8th July 2024, response from Cabinet Secretary dated 24th July 2024.

27. **It is also the view of civil society members of LOWG that the Welsh Government should set out a timescale for delivery of LOWG's report and recommendations on incorporation, and for subsequent actions by the Welsh Government (e.g. publication of a Green Paper).**

Other areas

28. Two key areas to strengthen policy frameworks to progress human rights in Wales are: a Human Rights Approach (HRA), and Impact Assessment (IA).

29. I have had some engagement with officials working on a HRA and IA and have observed progress on key aspects of developing a HRA, in particular: on a statement of commitment to human rights for use by all public authorities in Wales (recommendation 2); and, on principles to underpin a HRA (the essence of recommendations 2-4).

30. I am also aware that work is underway to embed human rights as an aspect of Strategic Integrated Impact Assessment (SIIA).

31. A key contribution to work in these areas has been the commitment and the increasing expertise of officials, as well as a willingness to work with HRAG and civil society. **In my view, it is vital that the Welsh Government continues to support officials to develop capacity (expertise), and to work in an open and constructive manner with civil society to implement a HRA and SIIA which embeds human rights.**

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| Code from June 2021 to Sept 2022 | | Total |
|---|--------------------------------------|--------------|
| EU Settled and Pre-Settled Status | A Eligibility | 764 |
| EU Settled and Pre-Settled Status | C Rights in the UK | 726 |
| EU Settled and Pre-Settled Status | D Family members in UK | 311 |
| EU Settled and Pre-Settled Status | E Bringing family to UK | 182 |
| EU Settled and Pre-Settled Status | F Challenging decisions | 69 |
| EU Settled and Pre-Settled Status | G Unsuccessful application | 66 |
| EU Settled and Pre-Settled Status | Not recorded/not applicable | 230 |
| EU Settled and Pre-Settled Status | P Problems with evidence | 346 |
| EU Settled and Pre-Settled Status | Q Overstaying/late applications | 129 |
| EU Settled and Pre-Settled Status | Y Making and managing an application | 806 |
| EU Settled and Pre-Settled Status | Z Other | 434 |

| Code from October 2022 | | Total |
|-------------------------------|--|--------------|
| EU Settlement Scheme | A Eligibility | 339 |
| EU Settlement Scheme | B Poor administration, delays & errors | 9 |
| EU Settlement Scheme | C Rights in the UK | 291 |
| EU Settlement Scheme | D Family members in UK | 213 |
| EU Settlement Scheme | E Bringing family to UK | 139 |
| EU Settlement Scheme | F Challenging decisions | 77 |
| EU Settlement Scheme | Not recorded/not applicable | 104 |
| EU Settlement Scheme | P Problems with evidence | 164 |
| EU Settlement Scheme | Q Overstaying/late applications | 81 |
| EU Settlement Scheme | R Upgrading from pre-settled to settled status | 223 |
| EU Settlement Scheme | Y Making and managing an application | 360 |
| EU Settlement Scheme | Z Other | 294 |
| Grand Total | Grand Total (Jun 21 to Aug 24) | 2,431 |

Total number of clients = 2,431 (6,978 issues)

Rank Most common issues (Jun 21 to Sep 22)

- | | |
|----|---------------------------------------|
| 2 | 1. Making and managing an application |
| 3 | 2. Eligibility |
| 6 | 3. Rights in the UK |
| 8 | 4. Other |
| 10 | 5. Problems with evidence |
| 11 | 6. Family members in UK |
| 7 | 7. Not recorded/NA |
| 5 | 8. Bringing family to UK |
| 9 | 9. Overstaying/late applications |
| 1 | 10. Challenging decisions |
| 4 | 11. Unsuccessful application |

Rank Most common issues (Oct 22 to Aug 24)

- | | |
|----|---|
| 2 | 1. Making and managing an application |
| 12 | 2. Eligibility |
| 4 | 3. Other |
| 6 | 4. Rights in the UK |
| 8 | 5. Upgrading from pre-settled to settled status |
| 11 | 6. Family members in the UK |
| 9 | 7. Problems with evidence |
| 7 | 8. Bringing family to UK |
| 10 | 9. Not recorded/NA |
| 5 | 10. Overstaying/late applications |
| 1 | 11. Challenging decisions |
| 3 | 12. Poor admin, delays & errors |



Citizens Advice Cymru Case studies

EUSS Challenging decisions (January to August 2024)

For more information please contact: Lindsey Kearton (Lindsey.Kearton@citizensadvice.org.uk)

Anna's story (South Wales):

Anna has Power of Attorney for her mother's financial affairs but not for medical decisions. Her mother has dual Hungarian and Romanian citizenship and obtained pre-settled status in 2019, initially for five years although this has been extended for a further two years and expires in 2026. In the five years in which she has had pre-settled status her mother has travelled in and out of the UK using her Hungarian passport and has evidence in the form of plane ticket bookings but has no stamps as evidence of this in her passport. Anna has a letter from her mother's GP showing the dates of her mother's medical appointments over the five year period. She has some evidence of residence in the UK such as a British bank account, a claim submitted for Pension Credit and she is listed on the voting register, but all of this evidence is relatively recent and does not cover the five year period required. Anna lives in a rented adapted house. The tenancy agreement is held jointly with her husband although they are currently in the process of divorcing. The Housing Association is aware that her mother lives with her, but her mother's name is not listed on the tenancy agreement.

Anna applied for settled status for her mother in May 2024 but this has since been refused on the grounds that she has not provided evidence of her mother's continuous residence in the UK over the past five years. She has 14 days to appeal that decision, but this is unlikely to be successful unless she can provide more evidence of continuous residence in the UK. She is aware that she can apply again for settled status in 2026, but does not know whether a failure to appeal the decision now might have an impact on the success of a later application.

Lina's story (South Wales):

Lina moved to the UK from Germany around 10 years ago. She lives with her British husband and young daughter in a housing association property in South Wales. Lina applied for settled status 3 years ago. However, as she was unable to provide the correct proof regarding her residency in the UK she was given pre-settled status instead.

She recently came to Citizens Advice for help as she would like to reapply for settled status so that she can be accepted on her partner's Universal Credit claim, and claim benefits in her own right. The deadline for most people to apply to the EUSS was the end of June 2021 however as she already has pre-settled status she is eligible to reapply to the scheme to upgrade her status. Our adviser told her how to do this, including the documents required. They also passed on details of the charity Settled in case Lina needed more specialist support. Following this advice Lina was happy to make the application herself, and contact Settled if need be.

Elena's story (North Wales):

Elena arrived in the UK from Romania at the end of 2018. She applied for and was granted pre-settled status in 2019. Earlier this year (2024) she applied to upgrade her status to settled. She subsequently received an email requesting further information however didn't respond as she had had to return to Romania due to a family bereavement.

On returning to the UK she applied again but her application has been refused. She is unsure why this is the case so sought help from Citizens Advice to clarify the situation. Our adviser provided some information and Elena felt able to follow up things by herself, with the help of friends. We also provided contact details for the charity Settled if she subsequently needed further assistance to challenge the decision.

Post Funding Evaluation 2023-24

Evaluation is an objective process of understanding how a grant programme was implemented, what effects it had, for whom, how and why. Good quality evaluations can play important roles in setting and delivering priorities and objectives, demonstrating accountability, and providing evidence of outcomes delivered by the funding programme. They enable grant programmes to be improved and can justify reinvestment or resource savings. They can show if they are delivering as planned and if resources are being used effectively.

| 1. Grant Scheme Title | Grant Award (£) | Contract Manager |
|---|-----------------|------------------|
| EU Citizens Rights Project | £100,000 | Lizzi Trueblood |
| 2. Grant Scheme Overview | | |
| <p><i>Please provide a brief overview of the initial aim of the funding scheme.</i></p> <p>As set out in the Primary Grant agreement dated May 2019.</p> <p>The purpose of the funding is for the provision of information and advice services for EU, EEA and UK citizens. These services will be free to clients, person-centred and quality assured. The service will provide:</p> <ul style="list-style-type: none"> • A specialist advice service, including tribunal and/or Court representation services when appropriate, which will be required to enable EU, EEA, and UK citizens and other migrant citizens who have the Right to Work, to resolve any exploitation and/or discrimination issue related to employment. <p>All EU Citizens accessing the Specialist Advice Services will, if necessary, be offered appropriate advice and assistance to help them to understand, determine and apply for their right to Settled Status.</p> <p>All EU, EEA and UK Citizens accessing services must be offered, as necessary, interpretation services to ensure they can adequately engage with advisors/caseworkers.</p> | | |
| 3. Highlights | | |
| <p><i>Please capture the highlights of the scheme. Example case studies, staff training/experiences, stakeholder development.</i></p> <p>Having a local casework service for people whose first language is not English/Welsh was beneficial. One area of our service employed two engagement staff with a range of languages who were already embedded in the migrant work communities in Wrexham and Flintshire, which gave excellent access to the target group. Having direct access to specialist employment advisers enabled both action to be taken where employers were not following the law and increasing awareness and confidence of the client in our services.</p> <p>Having a caseworker who could respond to Home Office queries for further evidence enabled quick decisions making about applications. Providing caseworkers, in partnership with Trade Unions, at outreaches in local employers like factories worked well.</p> | | |

Understanding the problems facing EU nationals, and how that can translate to other migrant demographics has been key in understanding how to help as an organisation. For example, we supported hundreds of EU nationals having issues accessing their online accounts and status. There were delays to employment, benefit claims and local authority support, meaning that financial support had been unnecessarily delayed. The upcoming changes to the rules around physical Biometric Residence Permit (BRP) cards put us in a good position to understand the system used and the likely issues our clients will face.

We built good relationships throughout the project, working with Local Authorities and other agencies. At the beginning of the project, we attended MS surgeries to help raise awareness of the service. We worked with TGP Cymru, sharing leaflets with them to advertise and promote the service. We co-hosted 6 webinars with Ethnic Minorities and Youth Support Team (EYST), attended 8 networking events organised by local authorities, provided 3 information and outreach sessions at schools and colleges, 11 roadshows and events across West, South and Mid Wales, delivering presentations about our services. We also hosted an outreach at a local Portuguese bakery and provided a joint outreach with the Portuguese Consulate in Cardiff.

Delivering presentations and participating in COVID-19 webinars provided opportunities to engage with a broader range of clients and stakeholders. These stakeholders included other organisations assisting with the project, local authorities, and Consulates. This created a useful network of referrals and support for the project and the clients needing help.

Additionally, generalist advisers and staff at a number of Councils were also trained by our team on the EU Settlement Scheme.

The experience and knowledge gained from delivering this service, helped us apply for funding from the Welsh Government to deliver training in 2022-2023 and 2023-2024 on migrants rights and entitlements, to frontline workers in the third sector and local authorities. Without this background from the project, we would not have been able to draw on our experiences when delivering the training. As a result we were able to up-skill a significant amount of people.

Case study

We supported a client with multiple applications, from settled status, all the way up to their first British passport application. The client was supported for around 2.5 years and was very happy with the service provided.

The client had not applied for settled status and got in contact with our service because she wanted to become a British citizen. She is a French citizen who has lived in the UK since 1992, working as self-employed. Her partner is British and her children hold dual nationality.

What we did and how it made a difference

Firstly, we assisted the client with her settled status application as this was still required to secure her rights in the UK post-Brexit. Once this was completed we helped her with the

process of applying to become a British citizen. This is a lengthy process and she was advised that the decision making time could be as much as 6 months.

The client contacted us in November to let us know that her application had been successful and she was delighted to confirm that she would be attending her citizenship ceremony in January. She will soon be receiving help with a passport application. As soon as the client arrived home from the ceremony she emailed our team to let us know how it had gone.

The client said: *“Just to let you know that today was the day... All went well, thank you again so much for all your help in making today a successful and memorable ceremony. Wishing you health, peace, joy and all the best for the future, God bless”*

4. Challenges

Please capture the challenges the scheme faced, including areas for improvement, and what would work for future schemes.

At the start of the project, there was some difficulty in engaging with the target client group due to multiple, similar services on offer. This was further compounded by the COVID-19 pandemic, which meant that we were unable to visit all the counties in the region as planned. Our teams had intended to target the service sector in Conwy but the COVID-19 restrictions prevented this. In response to these challenges, our teams moved to digital solutions.

There were initial difficulties with dealing with applications remotely, especially with clients who were not confident with IT or did not have access. However, ways around this were found, such as the use of paper applications and clients consenting to sending their documents into the office via post for the adviser to complete the application. This did however result in applications taking longer to process.

We found there was a lack of awareness among migrants about who needed to apply for settled status, specifically affecting those with old permanent residency and families with children. So, after the lockdown, a huge amount of work was done to promote awareness and the need for EU migrants living in Wales to apply by the deadline.

Finally, our teams report that the broad range of languages was a challenge initially. This was addressed by increasing our provision of translation support and working with key stakeholders within communities.

5. Final Targets

Please [see the table at the end of the document](#).

6. Lessons Learned

List the lessons learned during the funding scheme period that impacted on the delivery of the service and how these can be resolved in any future scheme.

Working on the project from inception, we've learned a lot about a very complex advice area. We have gained a good understanding of the immigration system and feel confident in supporting clients with cases regarding immigration, or specific issues EU nationals could face.

We learnt that to maximise our ability to reach the target communities, we needed to work with people from within those communities and promote internal referrals to our specialist service where required.

We used advertising on platforms such as Facebook to target geographical areas and provided videos in four languages. This helped extend our reach when COVID-19 restrictions limited our presence in person, introducing us to people where English / Welsh was not their first language, and those that had no previous knowledge of the Citizens Advice service.

On a process front, we've learnt that there needs to be a way to ensure the telephone advice for online applications matches the simpler nature of face-to-face support. Ensuring all aspects of the online application process can be completed over the phone by addressing issues such as the client's ability or capability to send documents via post or electronically, or access the security codes sent to a client's phone.

Finally, we've also learnt that networking with other agencies and local authorities opened the channels of referrals and advice to clients who may otherwise have not accessed services.

7. Future Demand

Please include any trends emerging or on-going cases that are still in need of having a support service in place (these can be internal observations, experiences etc and external current research).

A notable trend was that EU nationals were trying to access the EU Settlement Scheme despite not being eligible. For example, they had no previous UK residency, no close family members in the UK, and were trying to come to the UK after 31 December 2020.

We anticipate a continued need for support by EU nationals with pre-settled status and their families. There have been changes to the rules on the back of legal action that will likely need to be communicated regularly.

There are also still a few clients who have attended the drop in in Cardiff who have still not made an application for a status due to their applications being rejected and needing assistance with further evidence or appeals. These have been directed to Settled for further assistance.

We also anticipate repeat requests for advice on how to replace BRP cards in the online system. This could likely make entitlement-based enquiries more complex, as it won't be immediately obvious to the adviser what their status is. It also means clients will be required to log into their immigration account, pass the security process and have an understanding of how to complete these processes. Our experiences in dealing with EU nationals and the online system suggests there will be considerable confusion and difficulty over the next 12 months. We are concerned that these difficulties will be compounded by the reduced numbers of providers able to deliver services to this cohort of people.

Section 5: KPI performance

| Description of the target | Target | Q4 outcome | Q3 outcome | Q2 outcome | Q1 outcome | Annual figure |
|---|---------------|-------------------------------|--------------------------------|--------------------------------|--------------------------------|-------------------------|
| Number of existing clients' cases brought to resolution | 123 per annum | 8 cases closed in Q4 | 99 cases closed in Q3 | 68 cases closed in Q2 | 93 cases closed in Q1 | 268 (+145 over target). |
| Number of new (2023/24) clients supported with advice. | 120 per annum | 2 new clients supported in Q4 | 57 new clients supported in Q3 | 76 new clients supported in Q2 | 97 new clients supported in Q1 | 232 (+112 over target) |

Client Satisfaction KPIs

| Area | Target | Result |
|--|--------|--------|
| Clients reporting improved knowledge of rights and resilience following advice | 85% | 91% |
| Clients who felt their situation had improved | 75% | 91% |
| Clients expressing satisfaction with the service. | 85% | 100% |

Geographic distribution of new clients in 2023/24:

- all new clients (so including those who had 'information' or 'casework' as their advice level)

| LCA | No. of new clients 2023/24 supported with advice |
|-----------------------------|--|
| Cardiff | 84 |
| Flintshire | 33 |
| Vale of Glamorgan | 26 |
| Wrexham | 18 |
| Not recorded/not applicable | 12 |
| Newport | 12 |
| Swansea | 11 |
| Neath Port Talbot | 5 |
| Ceredigion | 5 |
| Blaenau Gwent | 4 |
| Gwynedd | 4 |
| Isle of Anglesey | 4 |
| Rhondda Cynon Taf | 4 |
| Caerphilly | 3 |
| Carmarthenshire | 2 |
| Torfaen | 2 |
| Pembrokeshire | 2 |
| Conwy | 2 |
| Powys | 2 |
| Bradford | 1 |
| Stoke-on-Trent | 1 |
| Denbighshire | 1 |

Rebecca Evans MS
Cabinet Secretary for Finance, Constitution and Cabinet Office

11 July 2024

Dear Rebecca,

Welsh Government Budget Timetable 2025-26

Thank you for your letter of 4 July inviting us to comment on the proposed timetable for consideration of the Draft Budget 2025-26.

I fully appreciate that the Welsh Government's budgetary position remains unclear until the UK Government confirms the date of its fiscal event. I also recognise that publishing a Draft Budget earlier, based on indicative figures only, would be problematic, and should only be done as a last resort.

Furthermore I welcome that the Draft Budget will be laid this year during term time. This is an important principle and ensures that Members of the Senedd have an opportunity to consider the Welsh Government's proposals in Plenary as soon as they are published.

However, I would like to challenge your assertion that there is "no better alternative in these current circumstances" to publishing the Draft Budget on 10 December 2024.

In particular, we believe that the proposed timetable does not sufficiently take into account the concerns raised by Committees following the scrutiny of last year's Draft Budget. These were shared

with you on 27 June 2024, and it is disappointing that you made no reference to them in your letter; the second year in a row which you have failed to do so.

In their responses, several Committees called for more time to be made available to scrutinise the Draft Budget. We agree that the shortened timescales last year made it extremely challenging for all Committees to meaningfully assess the impact the Draft Budget has on policy areas within their remit and, in particular, to incorporate views from stakeholders. We ask for further justification on why a longer scrutiny window was not considered, particularly as bringing forward the publication date of the Draft Budget to enable more evidence sessions to take place this side of the Christmas recess would be highly beneficial.

Calls were made for the Welsh Government to adhere to the two stage budget process, and we find it regrettable that you are proposing circumventing the process again this year; the sixth year in a row that this has happened. As a result, we call on you to prioritise facilitating a two stage approach this year, if there is time available after the UK Government's fiscal event takes place.

In addition, Committees requested that ministerial evidence papers should be published at the same time, or close to, the publication of the Draft Budget. Again, it is disappointing that you chose not to address this point your letter of 4 July, and we ask you to consider this when preparing the publication of the Draft Budget later in the year.

Flexible scheduling options in the Senedd was also suggested by Committees as a way to maximise scrutiny opportunities.

Whilst I understand that these are matters for the Business Committee, I would welcome your views on the following proposals relating to the scheduling of Senedd business, should the Draft Budget be laid before the Senedd on or later than 10 December:

- automatically enabling Finance Committee to hold additional meeting slots during Christmas recess, should the need arise;
- providing more meeting slots for Committees during the budget scrutiny window, including extending the business week and providing more slots for committees to take evidence from stakeholders and experts (which could be offset by cutting down on the length of Plenary meetings);
- allowing more time for the consideration of Committee reports during Plenary meetings to enable detailed policy discussions on each aspect of the Draft Budget.

I have raised similar issues in response to the Business Committee's letter consulting us on the budget timetable.

Finally, I would also like to challenge your views that “these arrangements are acceptable given the circumstances, which are driven, once again, by external factors beyond our immediate control”.

As Cabinet Secretary, you are ultimately responsible for setting the budget and the strategic management of the Welsh Government’s resources. I would also remind you that proposing the timing of the Draft Budget is within the Welsh Government’s gift.

Whilst the Committee has sympathy with the uncertainties faced by the Welsh Government in understanding its financial position, we strongly feel that this should be balanced by the need of the Senedd to scrutinise detailed proposals and that adequate time should be provided to reflect the magnitude of the tasks facing Committees. Detailed scrutiny which meets the needs and expectations of our stakeholders and the public at large cannot be achieved under the proposed timetable.

I welcome your willingness to revisit the proposed timetable once the date of the UK Government’s fiscal event is known. Given that the Chancellor has indicated her intention to announce this date before the end of this month, I ask you to provide an updated timetable as soon as possible.

A copy of this letter has been sent to the Business Committee, the Chairs of all Senedd Committees, , and the Trefnydd and Chief Whip.

Yours sincerely,



Peredur Owen Griffiths MS
Chair, Finance Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 4.2

Julie James AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio
Cabinet Secretary for Housing, Local Government and Planning



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA JJ 5613 24

Jenny Rathbone MS
Chair, Equality and Social Justice Committee
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15 July 2024

Dear Jenny,

The Equality and Social Justice Committee published its report *Sounding the Alarm – the Governance of Fire and Rescue Services* on 6 June. I have read it carefully, and believe it provides an important and valuable contribution to our plans to reform governance in the fire sector. The initial work on this reform has begun and I will be monitoring progress closely and remain in regular dialogue with Fire and Rescue Services and Fire and Rescue Authorities across Wales as it develops. I am most grateful to you and your colleagues on the Committee for their work on this extremely important matter.

I am pleased to say that, on behalf of the Welsh Government, I am able to accept all of your recommendations and conclusions. I have set out my detailed response in the attachment to this letter.

Yours sincerely

PP Julie James MS

Julie James AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio
Cabinet Secretary for Housing, Local Government and Planning

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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.



Equality and Social Justice Committee report - *Sounding the Alarm: the Governance of Fire and Rescue Services*

Welsh Government Response

July 2024

Conclusion 1

The controversy regarding the appointment of the Interim CFO for South Wales has potentially reinforced negative perceptions amongst FRS staff of senior management. It is vital that every effort is made to restore confidence in the intervention through meaningful engagement with staff in all aspects and at every stage of the process for achieving cultural change.

Welsh Government Response

Accept. We have emphasised the importance of this to the Commissioners, who are committed to effective engagement with all staff throughout their tenure. This has included an overhaul of internal communications within South Wales Fire and Rescue Service (SWFRS) and a programme of personal visits by Commissioners to fire stations and other locations.

Recommendation 1

We recommend that the Welsh Government works closely with the Fire Commissioners (and in due course the other services in North and Mid and West Wales) to bring fresh individuals with skills and experiences from outside the sector and, where desirable, beyond Wales into key posts, especially posts that have the most impact in terms of wider organisational culture. To fulfil this recommendation the Welsh Government should work with the Fire Commissioners to:

- *Consider how to attract candidates from a more diverse range of backgrounds with a particular focus on attracting women leaders into senior management roles.*
- *Consider using the recruitment of a new Chief Fire Officer for South Wales as an opportunity to potentially recruit someone from outside the sector into that role.*
- *Ensure that staff within South Wales FRS are engaged meaningfully in a spirit of social partnership in the recruitment process.*

Welsh Government Response

Accept. As above we, have worked with the Commissioners on this and will continue to do so. The Commissioners fully support the need to encourage a diversity of applicants and to engage with staff in the selection process.

Applications for the post of permanent Chief Fire Officer / Chief Officer in SWFRS closed on 27 May. Advertising the alternative role of Chief Officer was expressly aimed at attracting candidates from a non-firefighting background. The Commissioners announced the appointment of Air Vice Marshal Dr Fin Monahan as the permanent Chief Fire Officer on 10 July.

All shortlisted candidates for this post were subject to an engagement exercise involving panels of staff members and union representatives, as part of the selection process. The Commissioners took the same approach to appointing the Director of Transformation in April.

We will also engage with the other FRAs to ensure this approach is used across Wales.

Recommendation 2

The Welsh Government, in respect of the North Wales and Mid and West Wales Culture Reviews, should align the Terms of Reference as closely as possible to the parameters of the Morris Review to aid comparison between any potential issues within each organisation. We would hope that this recommendation can be implemented immediately, and that the Reviews can be completed in a reasonably timely fashion.

Welsh Government Response

Accept in principle. We have emphasised the importance of the reviews of culture and values in Mid and West Wales Fire and Rescue (MWWFRS) and North Wales Fire and Rescue Service (NWFRS) being thorough and independent and conducted by the same provider, to facilitate comparisons.

MWWFRS and NWFRS set the terms of reference for those reviews in discussion with us, and we will continue to work with them to ensure they deliver full and robust assurance. We expect both to be completed in early 2025.

The scope of both reviews takes into account the work of Ms Morris KC for SWFRS but does not exactly mirror her terms of reference. For instance, they cover a 3-year rather than a 7-year time period. This is because, unlike SWFRS, both organisations appear to have made some progress on their own account already.

Recommendation 3

The Welsh Government should make clear its expectations that current or former staff members coming forward during this period in any of the FRSs will be adequately supported and treated fairly in line with established HR practice. In order to give this assurance, the Welsh Government should consider whether additional expertise and/or resource may be necessary to support the HR functions necessary in the coming months. This recommendation should be implemented immediately with an updated provided by November 2024.

Welsh Government Response

Accept. The importance of investigating historic grievances has been raised and accepted by all three FRSs, as does the need to provide those raising them with appropriate support from their employer, their union or elsewhere.

There has been no approach seeking Welsh Government expertise in this area from the FRSs so far but if such a request were made we would consider positively.

Conclusion 2

The Welsh Government should clarify the CFRAI's role so that it is more responsive to all issues affecting the fire and rescue service.

Welsh Government Response

Accept in principle. The CFRAI's formal and statutory role already embraces cultural issues and all other matters relating to the FRS. It is simply that his detailed reviews to date have focused on operational matters. The CFRAI has also required the FRSs to

provide him with regular summaries of all misconduct cases, and immediate notification of cases of gross misconduct and/or those involving senior staff.

How best to give effect to the full scope of that role can be considered in a revised system of inspection allied to a new set of governance arrangements.

Conclusion 3

We agree that weaknesses in the governance arrangements for South Wales FRS contributed to the failings identified in the Morris Review and that as a consequence, changes to the governance arrangements should form part of the Welsh Government response.

Welsh Government Response

Accept. Work to develop new governance arrangements in the sector is already under way, involving key stakeholders.

Conclusion 4

We would welcome clarification from the Welsh Government on how it intends to reconcile the potentially competing pressures of the need for reform on the one hand, and the lack of consensus or possibility of compromise on some aspects of those reforms on the other.

Welsh Government Response

Accept. A broad consensus about the need for governance reform is emerging. This was reflected in evidence which the Chairs of NWFRA and MWWFRA gave to the Committee and in the recent discussion the Cabinet Secretary had with the Leaders of all local authorities in the SWFRA area. We will work in social partnership to build on that and develop an effective model.

Recommendation 4

The Welsh Government should urgently update the National Framework to take account of recent events and the outcomes of several reviews. As part of the process the Welsh Government should:

- *Set out the timetable for agreeing a new National Framework;*
- *Consider establishing a suite of performance indicators and performance standards to accompany the Framework; and*
- *Proactively lay copies of future implementation reports before the Senedd.*

The new Framework and performance indicators should be in place by May 2025 at the latest.

Welsh Government Response

Accept in principle. We will develop and introduce on a new National Framework for Fire and Rescue Services. There may be challenges with meeting the Committee's suggested deadline due to the consultative and legislative processes required, and because

performance indicators have to be introduced at the start of a financial year, but we will look to complete the work as soon as possible.

Conclusion 5

Resolving the practicalities of establishing an inspections regime in Wales should be considered further alongside wider reform of governance arrangements.

Welsh Government Response

Accept. Audit and inspection are important components of any effective governance and accountability mechanism and this is something that will be covered by the governance reform work, informed by the Committee's report and the Audit Wales review of FRA governance.

Conclusion 6

The Welsh Government should set out its views on whether a broader definition of auditing would pick up on the cultural failings of the type found in South Wales FRS and if so, how it would do so, in its response to this report.

Welsh Government Response

Accept in principle. The broader need for robust assurance about culture and values in the FRS will be considered as part of the wider programme of governance reform.

Conclusion 7

We welcome the review of governance arrangements being undertaken by Audit Wales and look forward to considering its findings

Welsh Government Response

The Welsh Government will also consider the findings of the Audit Wales report fully.

Recommendation 5

The Welsh Government should improve the capacity of FRA members to hold FRSs to account by:

- *reducing the overall size of membership of FRAs;*
- *exploring proposals to draw FRA members from local authority cabinets;*
- *looking at proposals to formally separate the executive functions of the authority from the scrutiny functions of the Chair and Board;*
- *encouraging the co-opting of members with outside knowledge and expertise in equality, diversity and inclusion on to each FRA; and*
- *providing specific advice and training to FRA members on the implications of the Morris Review in the immediate term and conducting a rapid review of training and*

induction provided to FRA members with a view to enhancing provision and making future training mandatory.

Welsh Government Response

Accept. Many of the Committee's specific points have already been raised in discussion with the WLGA and others on governance reform. These will all be important considerations as the governance review is taken forward.

Recommendation 6

The Welsh Government should urgently explore options for more radical reform to the structure and delivery of fire and rescue services in the long term. This should include:

- *Beginning the process of examining what the core future functions of fire and rescue services should be in 2035 or 2040;*
- *Exploring the advantages and disadvantages of creating a single Wales-wide fire and rescue service; and*

Developing a longer-term policy position (ideally in the form of a White Paper) by the end of 2025 so that they can be considered in advance of Senedd elections expected in 2026.

Welsh Government Response

Accept. Besides the issues identified by the Committee, such a statement could usefully also address other strategic challenges such as the sustainability of rural services, the climate emergency and the findings of the second phase of the Grenfell Tower Inquiry. The form that such a statement took would depend on the progress made in addressing what are long-term and complex issues between now and the end of next year.

Agenda Item 4.3



Comisiwn
Cydraddoldeb a
Hawliau Dynol

Equality and
Human Rights
Commission

Jenny Rathbone MS
Chair, Equality and Social Justice
Committee
Senedd Cymru / Welsh Parliament
Via email only

Wednesday 17 July 2024

Dear Jenny,

Subject: Consultation on our Strategic Plan 2025-28

Last week, we launched a [public consultation on our upcoming three-year Strategic Plan 2025-28](#). This twelve-week consultation encourages individuals and organisations to share their views on our future direction as Britain's independent equality and human rights regulator.

We have identified three key areas where we can drive improvements and create long term change. These are:

- Work

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

The Commission welcomes correspondence in Welsh or English.

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- Participation and good relations
- Justice and the balance of rights

The consultation closes on 3 October and responses can be made through a [survey on our website](#). As Chair of the Equality and Social Justice Committee we would welcome your input to our future priorities.

I would value arranging a meeting with you in the near future to discuss our draft priorities and your Committee's upcoming work including the inquiry into disabled people and employment.

To arrange a meeting your office will be able to contact my team via this email address wales@equalityhumanrights.com.

Yours sincerely,

Rev Ruth Coombs
Head of Wales

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

The Commission welcomes correspondence in Welsh or English.

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Jack Sargeant MS
Chair
Petitions Committee

22 July 2024

Re: Petition P-06-1387 Provide humanitarian aid to Gaza

Dear Jack,

I write to you following our [evidence session](#) on international relations with the First Minister on 19 June 2024, to update you on matters relating to [Petition P-06-1387 Provide humanitarian aid to Gaza](#).

The First Minister reconfirmed the position that, if an appeal is launched by the Disasters Emergency Committee ("DEC"), the Welsh Government would expect to contribute.

He was asked whether the 17.6 per cent cut to the Welsh Government's international development budget will affect its ability to donate. The First Minister responded that any budget reductions:

"...would affect our ability to provide money to this or any other DEC appeal. [...] We don't know when an appeal might be launched. So, the honest truth is it will affect our ability, but I couldn't tell you how much or when, and that's because we don't yet know when a DEC appeal will be launched as well. That is part of the wider reality of our budgetary position."

Members asked whether consideration had been given to benefits in kind that could be contributed, such as expertise. The First Minister responded that no detailed conversations had taken place but that, in previous situations:

"...in a range of areas, we've provided benefits in kind that aren't always about money—sometimes it's about equipment, sometimes it's about expertise. So, I'd

want to look at what we can do in a positive way. And this all comes back to when there is a period in time when we're able to do that, because at the moment, there isn't a permanent or sustainable ceasefire."

I hope this provides a useful update to your consideration of the petition.

Yours sincerely,



Delyth Jewell MS
Committee Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 4.5

Jane Hutt AS/MS
Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder
Cymdeithasol, y Trefnydd a'r Prif Chwip
Cabinet Secretary for Culture and Social Justice, Trefnydd and
Chief Whip



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref: JH/PO/200/24

Jenny Rathbone MS
Chair
Equality and Social Justice Committee

29 July 2024

Dear Jenny

Pre-Appointment Hearing Report – Older People's Commissioner for Wales

I would like to thank you for the report prepared by the Equality and Social Justice Committee following the pre-appointment hearing with Rhian Bowen-Davies, who was the First Minister's chosen candidate as the next Older People's Commissioner for Wales.

I note the Committee's endorsement that the appointment should proceed. I have also noted the recommendations around data collection pertaining to older people, I will make sure that this matter is discussed with the new Commissioner when in post.

As you note, we shall all look forward to working with the new Commissioner as the new priorities are set out.

Your sincerely

Jane Hutt AS/MS

Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder Cymdeithasol,
y Trefnydd a'r Prif Chwip
Cabinet Secretary for Culture and Social Justice, Trefnydd 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.

Agenda Item 4.6



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Jenny Rathbone MS
Equality and Social Justice Committee
Senedd Cymru / Welsh Parliament
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CF99 1NA

Equality and Social Justice Committee Report: Their Future: Our Priority? Follow up inquiry into childcare provision in Wales

31/07/2024

Dear Jenny,

On behalf of Early Years Wales, I would like to say thank you for the recent report published by the Equality and Social Justice Committee into the current state of childcare provision in Wales. I was really encouraged to see the inclusion evidence from Early Years Wales on pages five, 48, 51 and 54 of the report, shining a light on key issues the sector is facing regarding recruitment and retention of staff, fair pay, and the impact of a lack of sustainable funding on quality and capability.

Early Years Wales would like to thank you for all nine recommendations made in the report, as we feel that each, working in tandem, will make a huge difference to our sector, rectifying the issues faced day in day out by stakeholders at all levels within childcare. In particular, recommendations three and nine stand out to us in terms of fixing short term, as well as improving the longer-term resilience of the sector.

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🌐 earlyyears.wales / blynyddoeddcynnar.cymru



Pack Page 95

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Registered Office Unit 1, Coopers Yard, Curran Road, Cardiff CF10 5NB / Swyddfa Gofrestredig: Uned 1, Iard y Cowper, Ffordd Curran, Caerdydd CF10 5NB
Company limited by guarantee / Cwmni cyfyngedig trwy warant 3164233. Charity / Elusen 1056381

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

Recommendation three, covering pay and working conditions, will enable providers to feel that their work is valued by wider society, providing huge benefits in terms of financial assurance to tackle cost of living concerns, and easing financial worries which will have vast benefits in the field of mental health and wellbeing. Degree qualified practitioners will also have the immediate effect of improving development for children, as specialist support in those crucial early years of advancement will have a lifelong impact on wellbeing and job prospects.

Recommendation nine will be crucial for the sector in the long term, as financial sustainability will create stability and security of income, ensuring that settings will be able to envisage a long-term future of providing support to children and families in their local communities. This also makes employment an attractive prospect for individuals who wish to work within the sector, as well as reducing the overall impact and uncertainty caused by high staff turnover as we see currently.

Taken together, the recommendations work in tandem to help with key policy developments within the sector, as financial assurance and a more qualified workforce enable greater resilience in the sector, giving providers time to properly engage with changemakers in the Senedd, enabling greater understanding of the impact of child centered policies both for the politicians creating them, and the individuals these policies will benefit.

Furthermore, we were pleased to see, in point 22 of the report, reference to a visit you undertook to Enfys Fach Nursery in Brecon seeing first-hand the positive impact of the [Creative Learning in the Early Years project](#). This is a jointly funded initiative involving Early Years Wales, the Arts Council of Wales, Paul Hamlyn Foundation, and joined this year by Mudiad Meithrin. The project was designed to explore the impact of working with creative practitioners in early years settings on the staff's perception of creativity and enhancing the children's experiences of creativity. Analysis of the project

shows huge benefits for both children and staff, and we were pleased to see this reflected in the report from your visit.

Lastly, Early Years Wales would like to offer our continued support to the Committee going forward. As you know, we have an extensive membership within the sector, who's views and expertise we can draw upon to help develop policy. We are also passionate about ensuring these individuals and organisations are kept informed about the latest developments impacting the sector. In support of your report, we issued a [press release](#) summarising the recommendations. We have a duty to support providers, practitioners, and most importantly, ensuring all children have a fair start in life. I know we share this passion, and I am glad to see this reflected in the committee's report.

I would once again like to thank you for the report, and I look forward to seeing how policy develops in this space going into the future.

Yours sincerely,



Dave Goodger
CEO, Early Years Wales

Agenda Item 4.7

Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder
Cymdeithasol, y Trefnydd a'r Prif Chwip
Cabinet Secretary for Culture and Social Justice, Trefnydd and
Chief Whip



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA/LG/5570/24

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28 August 2024

Dear Jenny

Follow up from ESJ Committee General Scrutiny session

Following the Committee's General Scrutiny session with my predecessor, the former Cabinet Secretary for Culture and Social Justice, Lesley Griffiths MS, on 17 June, please find below additional area updates requested.

Progress with implementation of the Welsh Benefits Charter

The Steering Group has continued to meet regularly to put in place the foundations for the streamlining of the administration of Welsh benefits, grants, and payments. The tasks required to achieve the aim of the first phase (all local authorities delivering Council Tax Reduction Scheme, Free School Meals, and Schools Essentials Grant seamlessly by Spring 2026) are now being identified and prioritised by the six Workstreams established by the Steering Group. The learning and best practice from phase one will guide the next phase of the project which will focus upon other Welsh benefits, grants, and payments.

In recognition of the leading role that local authorities have in this work all Chief Executives have nominated a Senior Responsible Officer (SRO) for their local authority. The SRO has a key role in ensuring their individual local authority is engaged in the work and, as a collective group, the twenty-two SROs will work closely with the Steering Group.

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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.

Over the summer, Steering Group members are developing a roadmap for the implementation of activities, with an initial focus on phase one activities, which will bring the commitments in the Welsh Benefits Charter to life. The roadmap will be presented to the Partnership Council for Wales for endorsement at its next meeting in the autumn.

Child poverty strategy including evaluation of the Scottish Child Payment

Progress continues with the implementation of our Child Poverty Strategy across government.

Since the committee update in June, we have progressed with a short-term grant scheme, intended to support innovation in collaboration to bring organisations together to address child poverty, with £900,000 of funding available for use this financial year.

The scheme is about removing barriers and supporting change so that organisations can work together in a more effective and sustained way to meet the needs of children in poverty. The grant scheme has proven hugely popular and we were extremely pleased by the number of projects seeking funding with many encouraging ideas on boosting collaboration at a local, community and regional level. Learning from the projects funded under the grant will be shared locally, regionally as well as nationally through our Communities of Practice work with external partners.

We have continued developing the Communities of Practice Approach to enabling collaboration to address child poverty. The first national Community of Practice meeting will take place on 18 September. This is an opportunity to bring public and third sector partners together to learn from one another, consider wider evidence and practice models and work to identify solutions to shared issues where stronger collaboration is an important tool for addressing child poverty.

A Child Poverty Conference has been arranged October 14, for services working with children, young people and families including early years, family support, education, health, housing, youth and community services. This will include a range of speakers and workshops from organisations working to provide goods to low-income families and money into pockets, exploring ways we can make every contact count and help families access their full financial entitlements.

The unpopulated Child Poverty Monitoring Framework will be published in the Autumn as planned. The framework will use population level data to provide an assessment of the impact of efforts across government in relation to addressing child poverty and securing improved outcomes for children and young people in poverty. It is planned that the framework with data will be published alongside the progress report on the strategy every three years.

The framework is intended to demonstrate the difference that the powers and levers the Welsh Government has, is making to the lives of children and families in Wales. These differences are often masked in headline poverty statistics which are heavily influenced by the levers at a UK Government level, and do not fully reflect the complexity of how poverty is experienced. The framework is intended to go beyond 'headline' poverty statistics to more fully reflect the complex and multi-faceted nature of child poverty in Wales. I would be happy to facilitate a technical briefing on the Monitoring Framework for the Equality and Social Justice Committee. This would provide an opportunity to discuss the content and function of the new Framework and for the Committee to meet Professor Rod Hick and hear his independent view. Should the Committee choose to accept a technical briefing, timing would be agreed to work alongside the publication date in the Autumn Term.

As agreed in the 'Final Budget 2024 to 2025: Joint Welsh Government and Plaid Cymru paper' officials have examined the balance of reserved and devolved powers in the area of a child payment and this work has confirmed Welsh Government does not have the powers to legislate for an equivalent scheme to Scotland. Over the summer officials will, as agreed, engage with Scottish Government to better understand how the Scottish Child Payment operates.

Fuel poverty, the Warm Homes Programme, and measures to improve fuel efficiency of fuel poor households

The level of fuel poverty in Wales is deeply concerning and we all have a responsibility to improve the lives of those in, or at risk of falling into, fuel poverty. Almost 200,000 households in Wales were living in fuel poverty in October 2021, the most recent date for which we have robust statistics.

While Welsh Government continues to provide emergency financial support and deliver our demand-led energy efficiency scheme to reduce levels of fuel poverty, our powers and resources are limited. Key policy decisions rest with the UK Government and I recently wrote to the Secretary of State for Energy Security and Net Zero about us working together to lift people out of long term poverty.

Householders struggle to meet day to day costs and those in energy debt have fallen into deeper arrears. The Chancellor's decision on 29 July, that the Winter Fuel Payment will no longer be a universal payment¹ in England and Wales risks pushing some pensioners into fuel poverty. There is a level of hardship and despair being experienced by households across the country and we need to develop a permanent, effective form of protection for households in need. Welsh Government has regularly called for the introduction of a social tariff to offer protection to vulnerable householders.

The previous Cabinet Secretary for Culture and Social Justice wrote to the Ofgem chair on 1 May highlighting three key areas of concern regarding their remit as energy regulator:

- Firstly, the need to address the unfairness around standing charges to remove the injustice of regional variation and support low income and low usage households. This is something we set out in Ofgem's recent Call for Input [[Written Statement: Ofgem Call for Input on Standing Charges – Welsh Government response \(10 February 2024\) | GOV.WALES](#)]
- Secondly, how Ofgem are ensuring the new rules on involuntary prepayment meter installation are being implemented effectively; vulnerable customers are treated with care and low-income households are supported.
- Finally, Ofgem is well placed to input into developing a permanent, effective form of protection for households in need and urged them to use their experience and insights to work with us to set out the need for affordable energy for all.

The price cap increase due in October is another blow to householders at a time when wider cost of living pressures is also putting significant pressure on household finance.

Energy price rises hit low-income households disproportionately as they spend more of their income on essential household bills. Energy suppliers must do all they can to support their customers through this difficult time with fair and affordable payment plans and emergency support where required.

¹ A Winter Fuel Payment was previously awarded to people aged over their statutory retirement age.

Ofgem figures suggest GB household energy debt and arrears has increased from roughly £2bn to £3bn in the last 12 months. The number of households in debt and arrears has risen from 1.9 million to 2.3 million during 2023, an increase of 20% and the amount of individual debt has increased at an even faster rate. Those who are in debt and arrears, are getting deeper into debt and arrears and are struggling to pay it off, even with prices falling.

The best way to tackle fuel poverty is to get more money into peoples' pockets. The UK government clearly has a key role through the benefits system, and we can do our bit in improving access to benefits, maximising income through initiatives such as 'Claim What's Yours.'

Warm Homes Programme

We launched our new Warm Homes Nest scheme on 1 April. It will continue to act as the Welsh Government's primary mechanism to tackle fuel poverty for homeowners and households renting from private landlords.

This year, we are investing more than £30 million to reduce the number of low-income households living in cold, damp homes. Since the new scheme has a greater focus on decarbonising homes, it will also contribute towards achieving a net zero Wales by 2050. It will directly enable a just transition; ensuring we leave no one behind as we move to a cleaner, stronger, fairer Wales, through the twin objectives of tackling fuel poverty and the climate emergency.

We have learnt the lessons from the previous scheme and taken on board various committee recommendations to ensure the scheme better targets those in fuel poverty. We have enhanced the eligibility criteria to allow support for low-income households not on means-tested benefits and allow multiple applications. Our new advice service is independent from the contractor installing the measures. This gives fuel-poor households confidence to make the changes to a cleaner, more energy efficient future.

The new Warm Homes Nest scheme will see a more joined up approach with complementary schemes, to maximise the benefits of these to Welsh citizens. Our advice service will have an important role in understanding each individual's circumstances and supporting them to access the most appropriate scheme for their needs.

Measure to improve fuel efficiency

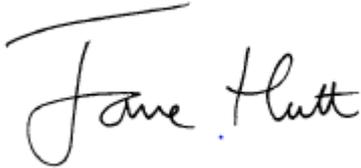
Our long-term ambition is to improve the energy efficiency of Welsh homes, ensuring householders use only the energy they need to keep homes comfortably warm at an affordable cost.

The Nest scheme will continue to support people based on their needs and the most appropriate measures for their home, their circumstances and their wellbeing. Key to this is the whole house assessment. Eligible households will receive a bespoke measure of packages to insulate and decarbonise their homes, leading to a reduction in energy bills to move householders out of fuel poverty.

Measures such as heat pumps and solar panels with battery storage where appropriate, are preferred, making households more resilient to rising energy prices in the future and reducing greenhouse gas emissions. Measures will be applied to households only after a whole house assessment, in accordance with PAS 2035. The PAS 2035 standard is the official industry framework for whole-house retrofit in the UK. By closely following the most up-to-date version of PAS 2035, the programme will be able to avoid negative impacts associated with installing incorrect measures.

I hope you find this information helpful.

Yours sincerely

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal line above the first name.

Jane Hutt AS/MS

Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder Cymdeithasol,
y Trefnydd a'r Prif Chwip
Cabinet Secretary for Culture and Social Justice, Trefnydd and Chief Whip

Jane Hutt AS/MS
Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder
Cymdeithasol, y Trefnydd a'r Prif Chwip
Cabinet Secretary for Culture and Social Justice, Trefnydd and
Chief Whip

Agenda Item 4.8



Llywodraeth Cymru
Welsh Government

Jenny Rathbone MS
Chair
Equality and Social Justice Committee
Welsh Parliament

SeneddEquality@senedd.wales

30 August 2024

Dear Jenny

Thank you for your letter of 2 July in response to the letter of 30 May from my predecessor, to which her response supported the position I had provided to the Committee in earlier correspondence. I, the Cabinet Secretary for Health and Social Care and the Cabinet Secretary for Education continue to value how the Committee has championed the importance of this issue.

Our position remains as set out in the initial response to the Committee's report and in our correspondence since. There are only around 800 registered SLTs in Wales and NHS speech and language therapy (SLT) services face high demand. There are already successful case studies where Youth Justice Services (YJS) have established service level agreements with health boards and commission additional SLT provision to be embedded in YJS.

In that context, I advised in my letter of 29 February 2024 the main focus of the summit held on 24 January was to consider some options that could be delivered within that current resource envelope. Attendees discussed the barriers and opportunities for making better use of the resources and tools available and identified a range of possible areas for action. As requested, I attach the note of the summit, which provides more detail on the conversation and suggested next steps.

As set out in my predecessor's letter of 30 May, in terms of next steps from the summit, we are now encouraging local Youth Justice Services to discuss the options at their disposal with their respective Local Health Boards, utilising resources like the Royal College of Speech and Language Therapists' 'The Box' training. 'The Box' is designed to give professionals in the justice system the ability to identify communication issues, the skills to work successfully with young people who have SLC needs, and how to recognise when they may need to refer for specialist support from SLTs.

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0300 0604400

Gohebiaeth.Jane.Hutt@llyw.cymru
Correspondence.Jane.Hutt@gov.wales

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

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

Following the summit, which brought professionals together across the health and justice spheres, we are encouraging teams to work together locally to meet the needs of the children they work with, using the relationships built and resources highlighted in the summit to achieve this.

To further build on the learning from the summit and to address the action to consider the Welsh Government's approach to SLC provision more broadly, officials in the Education portfolio are arranging a sharing learning event which will bring together Welsh Government colleagues from areas like education, healthcare, youth work and children and families to share practice and consider the approach being taken across government portfolios.

I hope this information is helpful.

Yours sincerely

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal line above the first few letters.

Jane Hutt AS/MS

Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder Cymdeithasol,
y Trefnydd a'r Prif Chwip
Cabinet Secretary for Culture and Social Justice, Trefnydd and Chief Whip

Youth Justice Summit on Speech, Language and Communication
24 January 2024, at 10:00am – 12:45pm
Via TEAMS

Attendees

| | |
|--------------------------|--|
| Alison Lott (AL) (Chair) | Lead for Youth Justice, Welsh Government |
| Pippa Cotterill (PC) | Head of the Wales Office for the Royal College of Speech and Language therapist |
| Diz Minnit (DM) | Head of Youth Justice and Support Service, Milton Keynes, Youth Justice Service |
| Alison Davies (AD) | Neath Port Talbot YJS |
| Vitoria Harris (VH) | RCSLT |
| Kim Jenkins (KJ) | Neath Port Talbot YJS |
| Amanda Turner (AT) | Neath Port Talbot YJS |
| Keith Towler | Board Member for Youth Justice Board (YJB) |
| Lynzi Jarman | Director of Innovation & Engagement, YJB |
| Darren Trollope | Head of Oversight Wales, YJB |
| Sarah Evans | Youth Justice Team, Welsh Government |
| Helen Nolan | Youth Justice Team, Welsh Government |
| Emma Coles | Deputy Director Workforce and Organisational Development, Health, Welsh Government |
| Mark Bradley | Head of Rehabilitation Care and Support |
| Ana Laing | Social Services, Welsh Government |
| Stephen Wood | Gwynedd Youth Justice Service |
| David Richmond | Youth Custody Service |
| Natalie Holohan | Cardiff CC |
| Ashley Evans | Hillside Secure Children's Home |
| Jon Jones | Early Years, Welsh Government |
| Catherine Page | Early Years, Welsh Government |
| Ceri Jones | Education, Welsh Government |
| Caroline Walters | RCSLT |
| Annet Irvine | Rhondda Cynon Taff CC |
| Sian Rees | South Wales OPCC |
| Lisa Morgan | Powys CC |
| Natalie Aitken | Cardiff & Vale UHB |
| Julia Dinley | Cardiff and Vale UHB |
| Professor Karen Bryan | York St John University |
| Kate MacGregor | Caerphilly YJS |
| Kate Parfitt | Newport YJS |
| Kevin Reeves | Bridgend YJS |
| Angharad Thomas | Cardiff YJS |
| Gill Adams | Carmarthenshire YJS |
| John Callow | Ceredigion YJS |
| Joanne Llewellyn | Merthyr Tydfil YJS |
| Jay McCabe | Newport YJS |
| Steve Davies | Pembrokeshire YJS |
| Lyndon Lewis | Cwm Taf YJS |

Victoria Ruff-Cock
Phillipa Elliot
Donna Dickenson
K Davies

Powys CC
Swansea YJS
Wrexham YJS
Vale of Glamorgan

Agenda item 1 - Welcome and introductions

1.1 AL welcomed everyone to the youth justice summit. She advised that in April 2023 the Senedd Equality and Social Justice Committee's published their report '60% - Giving them a voice' on speech, language and communication needs in the youth justice system which set out 7 recommendations.

1.2 Although speech language and communication is in the Health and Social Services portfolio, the Welsh Government response to the report was provided by the Minister for Social Justice and Chief Whip as the recommendations interfaced with a number of portfolios including that of the Minister for Education and Welsh Language. The Summit had been arranged in response to recommendation 1 set out below:

We recommend that the Welsh Government convene a summit of key stakeholders working in the sector with the aim of formulating a new workstream looking specifically at the impact of SLCN on children and young people and the link to the involvement of most young people involved with the youth justice system. The summit and concomitant workstream should be finalised before the end of 2023 and include realistic actions, measurable targets, and a timeline for their completion within the All-Wales Justice Board forward work programme. [60% - Giving them a voice \(senedd.wales\)](https://www.senedd.wales)

1.3 The intention of the Summit was to lead to a consistent and accessible approach across Wales, improving the outcomes of children and young people with Speech Language and Communication Needs (SLCN).

1.4 AL added that to support the summit Karin Phillips, Deputy Director of Community Safety at Welsh Government wrote on 2 November to Directors of Education and Social Services seeking information about the current delivery and funding position for SLCN within youth justice services, highlighting any issues and best practice. AL thanked everyone who had responded and advised the information had been helpful and would be considered in more detail in the coming weeks.

Agenda item 2 – Purpose of Summit

2.1 PC introduced herself advising she was head of the Wales Office for the Royal College of Speech and Language therapist (RCSLT) and also the deputy head of speech and language therapy in Aneurin Bevan University Health Board, and in that role she line manages speech and language therapists who work in youth justice services.

2.1 The RCSLT is the professional body for speech and language therapists, speech and language therapy students and support workers working in the UK and has around 650 Members in Wales, out of about 20,000 across the UK. The College

promotes excellence in practice and influences health, education, care and justice policies. The College want more speech and language therapists to be trained in Wales, building on the 49 speech, language and communication therapists (SLCT) currently trained each year.

2.3 PC reiterated the purpose of the summit was to ensure we were all meeting the needs of children and young people who access youth justice services. Youth justice services' speech and language couldn't be considered in isolation. Early years development, early years, settings, schools and educational settings and preventative work needed to be included. She referred to 'Talk with me', the Welsh Government campaign, primarily looking at the early years. The campaign provides information to parents and carers and early years practitioners and beyond about speech, language, communication needs and development.

2.4 PC stressed the importance of language as its used in everything people do. For example, problem solving, assessing situations, and knowing when and how to ask for help. All of which are vital when we make decisions about what we're going to do and how we respond to situations. We need to apply that to the young people and the and the children in services. And that might be different decisions that they make from the ones that people without speech language communication difficulties may make. Decisions made could lead to school exclusions, pupil absence etc.

Agenda item 3 – Presentation - Neath Port Talbot Youth Justice Service (YJS) Regional approach Ali Davies/Amanda Turner and Kim Jenkins

3.1 AD, AT and KJ presented on how they managed to embed speech and language into their youth justice service at Neath Port Talbot and gave an overview of how they achieved this. This included an overview of the current service model, the road map of what they achieved, how they went about getting funding, talking about recruitment and Service Level Agreements (SLA) and the role and outcome and impact on speech and language provision.

3.2 AL thanked AD, AT and KJ for their detailed and interesting presentation.

Agenda item 4- Milton Keynes YJS approach by Diz Minnit

4.1 DM introduced himself and advised he had been the speech and language lead and YJS Manager at Milton Keynes since 2007. He referred to Professor Karen Bryant's original research, which found that 60% of children and young people were showing as having a SLCN within mainstream youth justice.

4.2 DM's presentation covered, funding, staffing, assessment of every child (screening out rather than in), the promoting reintegration, reducing exclusion model introduced in 2023, which was around the work they were doing going out into secondary and primary schools.

4.3 AL thanked DM for his interesting presentation and invited participants to ask any questions they had following the last presentations.

4.4 In response to a question regarding barriers to setting up the Milton Keynes model DM stressed the need for data, sound evidence and research to build argument, being able to show the bigger picture and where if possible show any savings which could be made by doing things differently and in partnership with others.

4.5 Other comments raised following the presentations included:

- Importance of children having their SLCN identified, pre-school and plans put in place to help them.
- Lack of SCLT provision in some areas meant that some YJS services no longer had and SCLT.
- Importance of bringing health and youth justice together.
- Importance of training YJS staff.
- Questioned how the commissioning of SCLN will align with new Welsh Government Additional Learning Needs (ALN) legislation and what investment the Health Board may be required to make in this area under their statutory duties under the new legislation.
- Governance, support and challenge by the YJS management board were crucial in maintaining the SLA in Neath Port Talbot YJS.

Agenda item 5 - The Box – online training tool presented by Victoria Harris

5.1 AL invited VH to present on the online training tool 'The Box'. VH talked about 'The Box' and other resources which were available and ran through the tool online [The Box – free online training | RCSLT](#). The Box is a piece of online learning, designed to help professionals working in the justice sector to identify clients who have may have SLCN. It's also a set of tools to support those people if they are identified with needs. For example, visual and communication strategies that will support everybody. It will help people to understand how the SLCN might impact on clients. It's 10 modules and each has submodules and is free and online. While The Box has been online since 2003, since 2021 over 3000 people have passed at least one submodule.

5.2 AL thanks VH for her presentation and advised all presentations would be shared with participants along with the notes from the summit.

Agenda item 6 – Feedback from First breakout session on Barriers and mitigations

6.1 There were 6 breakout groups on teams and each fed back on their discussions. Themes from sessions are listed below:

Barriers

- Funding, and in particular short-term nature of funding, how difficult that can be in terms of commissioning services
- Availability of SLCTs and how commissioning is accessed
- How to increase funding from Welsh Government when some recommendations of the report have been rejected.
- Need for SLCN to be in the Welsh Language and other languages
- Lack of collaboration between health and education right at the beginning
- Access to SLCT a post code lottery
- The issue is wider than just youth justice

Mitigations

- Bringing funding pots together

- Sufficiently leveraging the fact that this is an area on the edge of devolution
- Importance of data which presents a picture of the impact of services and how powerful it can be
- Using the evidence to demonstrate the cost benefit analysis
- Importance of case studies to use as evidence as well as data
- Looking holistically, viewing this as a whole system issue across portfolios rather than a justice issue
- Longer term planning needed
- Utilising other grants, such as youth support grants, Promoting Positive Engagement to those at risk of offending (PPE) with a caution that could have an adverse impact on broader prevention activities for example.
- Multi-agency meeting between health, education, youth justice and others to work collaboratively
- Sentencing based on cognitive age rather than chronological age, which is quite a major step forward
- Calls for an Action Plan to bring everyone together
- Take an integrated thinking approach
- Role of the YJS Management board and in particular those members from health and education
- A lead on SLCN at the Welsh Government

Agenda item 7 – Feedback from Second breakout session on Resources/opportunities available

7.1 There were 6 breakout groups on teams and each fed back on their discussions. Themes from sessions are listed below:

Resources

- The Box – excellent online tool for assessments, but mindful of being able to follow-up with SCLT provision

Opportunities

- Consider the Milton Keynes model - promoting reintegration, reducing exclusion
- Look at the different funding/budgets sitting in different pools and link up
- Share provision of services
- YJS managers as they are really innovative in how they use funding currently within the constraints that they have.
- Partnership, a regional approach, potentially have an opportunity to mitigate against some of those funding concerns
- Role of Regional Partnership Boards
- Possibility about piloting, having a couple of SLCT in every service for two years and then reviewing the outcomes and perhaps commissioning a university researcher to do that.
- Pooling cross- government department budgets

Agenda item 8 – Closing remarks – Pippa Cotterill

8.1 Closing the summit PC commented it was hugely positive to see and hear and feel the enthusiasm of participants at the summit. There was so much that had come out of the discussion about both the big picture things but also about the detail which was really helpful and important. As the RCSLT they would keep pushing on this across the whole spectrum of ages and stages.

8.2 PC added the discussions had been useful to share information about other resources available, governance arrangements the YJS and also the regional partnership boards, showing there are a lot of links across areas. PC called for a multi-cross-department meeting between health, education and others as SCLN is not just a health issue. **ACTION**

8.3 PC and AL thanked all those who attended and for their time and participation, and particularly those who had presented.

Lesley Griffiths MS

Cabinet Secretary for Culture and Social Justice

1 July 2024

Dear Lesley,

Summit on Speech, Language and Communication Needs (SLCN)

Thank you for your letter dated 30 May. We consider the latest update to be a departure from correspondence with your predecessor which had left us hopeful that progress was being made on this important matter. However there is now a marked change in the Government's tone which we find deeply disappointing.

Our report sets out the clear and compelling case for the Welsh Government to do more in this area. It is simply not good enough for the Welsh Government to leave it up to health boards to determine provision. It requires intervention at the centre to coordinate resources and people so that they may be more creatively and effectively deployed to where they are most needed. That is why we proposed a summit as a first step in bringing people together to look again at provision and how SLCN in the youth justice system is funded. All the signs were that this had been a positive exercise, however, the lack of detail in your most recent letter suggests to us that the Welsh Government's position has changed – we expect a full explanation for this. In particular we would like you to outline whether or not further action will be taken to establish a workstream and implement recommendation 1. We would also be grateful to receive the summary report from the Summit as previously requested as we do not appear to have received a copy.

Finally, one of the Welsh Government's key aims with regards to the future devolution settlement is to secure powers over criminal justice. It is especially troubling therefore that in youth justice, an area where the jagged edge in devolution is most prominently displayed, the Welsh Government is not fully utilising its resources to influence outcomes through its control of social policies like funding for speech and language therapists. This is despite strong evidence that such funding can greatly improve the outcomes for these young people who, without support, are likely to end up unjustly incarcerated. On their behalf, we urge you to reconsider.

I am copying this letter to the Cabinet Secretary for Health and Social Care given their responsibility for Speech, Language and Communication provision.

I look forward to your response.

Yours sincerely,

A handwritten signature in black ink, reading "Jenny Rathbone". The signature is written in a cursive style with a large, prominent loop at the end of the name.

Jenny Rathbone MS

Chair of the Equality and Social Justice Committee

Welsh Parliament

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Equality and Social Justice Committee report - Their Future: Our Priority? Follow up inquiry into childcare provision in Wales

Welsh Government Response

August 2024

Agenda Item 4.9



Llywodraeth Cymru
Welsh Government

Recommendation 1 - *To address long-standing concerns that its early childhood education and care support programmes are overly complicated and disjointed, resulting in less than optimal take-up, the Welsh Government should:*

R1(a)- *Take decisive action to increase take-up for its early childhood education and care support programmes, and review the effectiveness of its current ways of promoting the support available to families.*

R1(b) - *Commit to consolidating the different childcare funding streams into a single funding stream, and develop plans to achieve this by April 2025.*

R1(c)- *Use existing systems as the basis for creating a ‘one-stop-shop’ for childcare information and applying for childcare support.*

R1(a) *Take decisive action to increase take-up for its early childhood education and care support programmes, and review the effectiveness of its current ways of promoting the support available to families.*

Welsh Government Response

Accept. Making families aware of the support available to them is a priority and we already work in a range of ways to achieve this. Take up rates for the core Flying Start programme are high – typically over 85%. This reflects the close multi-agency working that takes place across the programme, as well as the early engagement with families, which is a feature of the programme. Local authorities have their own local processes for engaging with Flying Start families and Flying Start health visitors provide continued support to families from birth, often acting as a gateway to the wider programme of support offered by Flying Start.

Delivery of Flying Start phase 2 expansion started in 2023/24. It is too early to give definitive take up rates, however, we know that many local authorities are developing effective and innovative approaches to identifying and communicating with eligible families. These include developing data sharing agreements with Local Health Boards, using local communication campaigns to let families know about the new provision and developing online application portals that families can use to apply for the new childcare provision.

The Welsh Government has also issued statutory guidance to local authorities (**Childcare Statutory Guidance**, revised August 2016) setting out how information to parents and prospective parents about childcare should be provided. Each local authority in Wales has a Family Information Service (FIS) which provides advice, information and signposting on a range of services available for parents and families within their local area. They are experienced in guiding parents to services which can help their family circumstances on a range of issues, including childcare, costs of childcare, training, family programmes, health, financial matters and recreation. Family Information Services can also be accessed via **Teulu Cymru** which launched in April 2024. Teulu Cymru enables parents and families to access support and advice on key Government policies, all in one place. Early performance is now being reviewed to support the growth and development of the Teulu Cymru brand, as well as relevant, evidence-based expansion of content. More information on Teulu Cymru is provided in our response to recommendation 1c.

The Welsh Government also provides funding and works collaboratively with Cwlwm childcare consortium. One of the Welsh Government set objectives for Cwlwm is to undertake activities to ensure more settings become sustainable from a financial

perspective. This includes ensuring the 'Choosing Childcare Booklet' is updated and promoted annually to promote childcare.

Our digital childcare offer administration system was implemented in January 2023 and from this point take up of the childcare offer will be monitored through this system. In addition to the Welsh Government funded childcare available within the Childcare Offer for eligible working parents of three- and four-year-olds in Wales nursery education forms part of the offer. Nursery education is available for all children aged three and four, usually in the term following their third birthday depending on when their birthday falls. As with the FIS, local authorities provide information on the admissions process.

Financial Implication - None

R1(b) Commit to consolidating the different childcare funding streams into a single funding stream, and develop plans to achieve this by April 2025.

Welsh Government Response

Accept in principle. As set out in our Early Childhood Play, Learning and Care Plan we will continue to enhance our partnership, integration, coherence and consistency to our approach across all childcare, playwork and nursery education providers and schools for all children aged 0-5 years.

We recognise the ideal of having a single funding stream for funded childcare and nursery education within the Childcare Offer and Flying Start. Funding for nursery education is mainly provided via the Revenue Support Grant as part of the Local Government Settlement. This funding is not ring-fenced and is for local authorities to determine how they plan for and deliver nursery education to meet the needs of their learners. Additional funding is also provided through the Local Authority Education Grant to support delivery of nursery education/childcare at a consistent rate in settings and more widely across early education.

In addition, our funded childcare via Flying Start and the childcare offer are currently commissioned and funded on different terms and conditions.

The complexities of the different funding streams and eligibilities do not lend themselves to consolidation without considerable additional cost and workload pressures which the Welsh Government recognises is not feasible for the sector at this time. However, we will continue to keep the position under review and if it is feasible within existing resources to streamline any of the different funding streams we will look to do so.

Financial Implications - None

R1(c) Use existing systems as the basis for creating a 'one-stop-shop' for childcare information and applying for childcare support.

Welsh Government Response

Accept in Principle. We recognise the importance of providing clear and easily accessible information about childcare for parents and families.

The new Welsh Government's families and parenting campaign, Teulu Cymru or "Family of Wales," is here for parents, carers and families of children aged 0-18, pointing them in the right direction for different Welsh Government sources of practical and financial support. From parenting tips and expert development advice, to help with childcare costs.

Teulu Cymru is predominantly a strong social media presence with a landing page on the main Welsh Government website. The project is co-produced with both internal and external partners and, very importantly, content is based on insight from parents regarding what information they want from the Welsh Government.

In addition, we work closely with key stakeholders, including Cwllwm and Public Health Wales, to ensure that information on childcare provision for parents is included in a variety of support materials for families.

As mentioned in response to recommendation 1(a), each local authority in Wales has a Family Information Service. They provide families with advice, information and signposting on a range of services available within their local area.

The Flying Start programme and Childcare Offer for Wales have different policy objectives, approaches and eligibility criteria. Given the different focus and criteria for the programmes, there are no plans currently to create an integrated application service. Creating such a service would be a significant undertaking and would have major financial implications which have not been accounted for within current budgets. However, we will continue to keep the position under review and if it is feasible within available budget to develop an integrated application service we will look to do so.

Financial Implications - None

Recommendation 2

Within the next six months, the Welsh Government should publish a delivery plan for its Early Childhood Play, Learning and Care Plan in Wales to ensure that it takes the actions necessary to meet the ambitions of the ECPLC plan. This should set out clear and timebound actions that focus on providing a child-centred, simpler and more integrated early childhood play, learning and care system, in addition to the existing areas covered within the plan relating to workforce, quality and access.

Welsh Government Response

Accept in Principle. At the heart of our approach to Early Childhood Play, Learning and Care (ECPLC) is the child and meeting their development needs. It supports our wider early years policies and ambitions in Wales. Currently the ECPLC Plan sets out what we have already delivered and what we will be delivering to the end of this Senedd term (May 2026).

The ECPLC Plan is a living document. As part of our approach to ensure the plan remains flexible, adapting as our policies develop, we have identified a process to ensure we review progress against the actions set out in the plan. Work will begin in the Autumn, approximately six months after publication to identify what progress has been made against the actions set out in the ECPLC Plan. This process will also take place at nine months after publication whereby the information provided will be used to develop an infographic to be published in Spring 2025 showing the progress made against actions in the ECPLC Plan and the next steps. It will be repeated until the end of the current Senedd term, with a progress to date infographic being published yearly.

We will also be collecting data and undertaking research to monitor if the programmes are being delivered effectively and are having a positive impact in delivering a child focused Early Childhood Play, Learning and Care system in Wales.. The Welsh Government collects detailed monitoring data on the Childcare Offer for Wales and Flying Start programmes. Data collected through Care Inspectorate Wales, including data on the number and capacity of registered childcare and play services and on features of these services, is routinely **published** and is used to inform monitoring and evaluation. In addition, Social Care Wales (SCW) collect data on completion of the Children's Care, Play, Learning and Development apprenticeship qualifications. Their role involves quality assuring the evidence provided to ensure it meets the required standards for completion certificates to be awarded.

Financial Implications - this work will be accommodated within existing budgets.

Recommendation 3

To improve pay and wider working conditions in the childcare sector, and increase the number of degree-qualified practitioners, the Welsh Government should:

R3(a) - *Ensure childcare settings are given sufficient funding to pay the Real Living Wage to all staff employed in the childcare sector, starting in April 2025.*

R3(b) - *Work in social partnership to support the sector to improve wider working conditions and provide training and development opportunities, and update the Committee with clear examples of how these have improved in 12 months.*

R3(c) - *Prioritise increasing the number of degree-qualified practitioners within the childcare workforce, including new approaches to achieve this, whilst also retaining traditional vocational routes into the sector. It should also take action to simplify qualification requirements.*

R3(d) - *Progress its plans to require the registration of the childcare and play workforce, with the aim of introducing registration before the end of the Sixth Senedd.*

R3(a) *Ensure childcare settings are given sufficient funding to pay the Real Living Wage to all staff employed in the childcare sector, starting in April 2025.*

Welsh Government Response

Accept in Principle. The Welsh Government does not directly influence the pay rates in the childcare and playwork sector, as most settings are third sector or private sector organisations, with voluntary committees and business owners responsible for determining pay and conditions.

However, we have sought to support settings to be able to offer reasonable rates of pay by reducing overhead costs. This has been done through the extension of 100% business rates relief for registered childcare premises until 31 March 2025 which will provide around £3.4m of additional support for registered childcare premises each year.

The hourly rate for the Childcare Offer is currently being reviewed. A survey of childcare settings exploring their costs and expenditure is a key part of this review. Any changes made to the current rate of £5.00 per hour per child would come into effect from April 2025. Announcement of this change will be made in line with agreement of the draft Welsh Government budget for 2025.

While the intention is that any increase in the Childcare Offer hourly rate will help to support the financial viability of childcare settings, it cannot be guaranteed that it will result in an increase in wages for childcare workers. The Welsh Government is not able to prescribe this.

Financial implications – Business rates relief until 31 March 2025 is accommodated within existing budgets. There would be financial implications for any increase in the Childcare Offer hourly rate. Any change to the rate would need to be considered by Ministers as part of the draft budget arrangements for 2025/26.

R3(b) Work in social partnership to support the sector to improve wider working conditions and provide training and development opportunities, and update the Committee with clear examples of how these have improved in 12 months.

Welsh Government Response

Accept in Principle. The Welsh Government has always worked collaboratively with childcare sector stakeholders, co-producing policies and interventions, including: the Childcare Offer; Flying Start expansion; and implementing the Anti-racist Wales Action Plan (ArWAP). We work closely with the Cwlwm Partnership which is a consortium of 5 childcare and play partners and have worked to strengthen engagement and working relationships with trade unions, inviting them to contribute to a number of key policy reviews, working groups and other stakeholder discussions.

As outlined in the recently published Childcare, play and early years workforce plan: review and refresh we will be establishing a Childcare and Playwork Social Partnership Fair Work Forum which will consider key issues for the workforce, such as recruitment, retention, continuing professional development and career progression. The aim of the Forum will be to work with childcare and playwork umbrella bodies, local authorities as commissioners of childcare services and trade unions to explore steps that can be taken to develop fair work practice across the sector.

We are encouraging settings to create workplaces that support the development of positive, inclusive workplace cultures and foster well-being for the people who work for them. We provide funding to Social Care Wales who have developed a health and well-being framework which supports key fair work principles such as the importance of employee voice and dignity and respect for all.

The Training and Support programme aims to support practitioners to access learning and upskill. Funding is provided via the Children and Communities Grant to local authorities to support a range of training for childcare settings, from mandatory to effective practice training, to be determined by local authorities and based on local need.

In addition, the Welsh Government provides funding to key partners such as Social Care Wales, Cwlwm and Play Wales who provide a range of resources and CPD opportunities to support the ongoing development of the workforce.

We will provide the Committee with an update on progress, including areas of work being taken forward, in a year's time

Financial implications – this work will be accommodated within existing budgets.

R3(c) Prioritise increasing the number of degree-qualified practitioners within the childcare workforce, including new approaches to achieve this, whilst also retaining traditional vocational routes into the sector. It should also take action to simplify qualification requirements.

Welsh Government Response

Accept in Principle. The Welsh Government will work to support those with degrees to enter the sector, but in recognition of the current recruitment issues, the focus has been on promoting the current childcare qualifications at level 3 and 5 and providing flexibility to support their achievement. These have been designed to provide a recognised and consistent high-quality standard, as well as clearer pathways for those wanting to progress in their careers. The qualifications embed key early years learning principles, and champion a child centred approach, respecting and promoting equality, diversity and inclusion. Key sector stakeholders including Cwlwm and Play Wales supported Qualifications Wales and Social Care Wales in the development of the qualifications and have widely promoted them across the sector. We are also seeking to continuously improve childcare qualifications and ensure they are fit for purpose. For example, a range of new additional units have now been added to the Level 3 Children’s Care, Play, Learning and Development: Practice Qualification. The new units have been developed following extensive consultation with the sector and in collaboration with Social Care Wales and Health Education and Improvement Wales.

The National Minimum Standards for Regulated Childcare were amended in 2023 to enable practitioners to be ‘working towards’ a qualification in order to be recognised as a qualified practitioner.

We are working with Social Care Wales (SCW) to explore the potential for top up awards to recognise prior learning for those who have relevant experience and skills, but who do not hold the childcare qualification listed on SCW’s qualification framework.

Work has already taken place to enable those with degrees with early years practitioner status to be eligible for Flying Start Leader roles. However, there are a number of degree qualifications that are currently not recognised for leadership roles in Flying Start and work to develop top up awards will help to overcome this supporting more degree graduates to work as leaders in Flying Start settings and across the sector. SCW are also working with settings across Wales to encourage and support them to offer work placement opportunities to those undertaking qualifications in further and higher education.

While there are no plans to change qualification requirements to ensure a degree led workforce, the Fair Work Forum will explore how to attract those with the relevant skills to the workforce.

Financial implications – the work will be taken forward by Social Care Wales within their annually agreed funding.

R3(d) Progress its plans to require the registration of the childcare and play workforce, with the aim of introducing registration before the end of the Sixth Senedd.

Welsh Government Response

Accept in Principle. The Welsh Government will continue to work with the sector to explore options for professional registration, but we cannot commit to introducing a register before the end of the Sixth Senedd.

The sector's views on whether a professional register should go ahead within childcare and play are mixed. A consultation on professional registration in the childcare and play sector was undertaken between November 2023 and March 2024. The consultation sought the views of the sector on the principle of having a workforce register for the childcare and playwork workforce in Wales. It was clear from responses received that even where there was support for a register, the support was qualified with concerns.

Given the concerns raised by the sector, the Welsh Government will continue to work with the sector to consider the most appropriate way forward regarding professional registration for childcare and play.

Financial implications – this work will be accommodated within existing budgets

Recommendation 4

The Welsh Government should act to address the risk of its early childhood education and care support schemes exacerbating inequalities faced by children living in non working households by:

R4(a)- *Extending funded provision for all 3-4 year old in any future childcare expansion, rather than excluding children from families who do not meet the employment criteria for the Childcare Offer.*

R4(b) - *Considering whether the current eligibility criteria that parents can each earn up to £100,000 is the correct upper boundary for eligibility for the Childcare Offer.*

R4(c) - *Taking steps to ensure that local authorities are initially targeting more deprived areas when expanding Flying Start childcare, in line with Welsh Government guidance.*

R4(a) Extending funded provision for all 3-4 year old in any future childcare expansion, rather than excluding children from families who do not meet the employment criteria for the Childcare Offer.

Welsh Government Response

Reject. Within the limits of our current investment strategy the priority for future childcare expansion remains to deliver our Programme for Government commitment, offering all 2 year olds childcare through our flagship Flying Start Programme. This will look to benefit 9,500 additional two-year-olds across Wales through accessing quality Flying Start childcare between 2023-24 and 2024-25. We know from independent evaluation evidence most parents feel that Flying Start has a positive impact on their child's development as well as making a positive contribution to their own skills and knowledge as a parent.

In addition from September 2022, the Welsh Government expanded the Childcare Offer for Wales to include parents in education and training, supporting the commitment made in our Programme for Government. In the first year, this expansion saw 675 additional families supported through the Offer.

Supporting parents in education and training with childcare costs means that a greater number of families, and particularly women, will be able to benefit from improved employment prospects and reflects the value we place on supporting those who are seeking to improve their employment prospects by gaining qualifications, retraining or changing career paths.

Financial Implications – None

R4(b) Considering whether the current eligibility criteria that parents can each earn up to £100,000 is the correct upper boundary for eligibility for the Childcare Offer.

Welsh Government Response

Reject. There are currently no plans to review the earnings threshold as this would have minimal impact on the overall budget available for the childcare offer. However, as more data and information become available we will keep the position under review. It is worth noting that the information currently available suggests the numbers accessing the childcare offer towards the upper end of this threshold would be relatively low.

As further background, modelling of the costs of delivering the Childcare Offer for Wales is undertaken in advance of each financial year to inform budget discussions. This approach uses an estimation of the eligible population, informed by analysis of the ONS Annual Population Survey. Evaluation of Year Five (September 2021 to August 2022) of the Childcare Offer Research published in 2023 ^[1] suggested that of those parents accessing the Childcare Offer in Wales, only 6% earn above a threshold of £52,000 per annum and that at least 54% of parents accessing the Offer earned below the national average annual salary level for full-time workers. 26% of parents earned less than £15,600.

Financial Implications - None

R4(c) Taking steps to ensure that local authorities are initially targeting more deprived areas when expanding Flying Start childcare, in line with Welsh Government guidance.

Welsh Government Response

Accept. The whole Flying Start programme has a focus on supporting the most deprived areas in Wales.

Our Programme for Government commits us to deliver a phased expansion of early years provision to include all two-year-olds, with a particular emphasis on strengthening Welsh-medium provision.

Local authorities have historically been encouraged to use income benefit data provided by HMRC and DWP to plan their approach to prioritising the rollout of Flying Start services across Wales, though there has been some flexibility for them to deviate from this using local intelligence.

The approach to targeting expansion services in Phase 2 builds on this approach and Welsh Government expansion guidance requires local authorities to prioritise delivery of Phase 2 expansion services in the most disadvantaged areas of their local authority. Many local authorities have based local expansion plans on this data which provides a ranked order of deprivation at lower super output area level. In many cases, local authorities have planned to deliver expansion services in those areas highest up the ranked order of deprivation but not currently covered by Flying Start provision, where this is practicable.

This prescription, set out in Welsh Government guidance, aims to ensure that the support delivered to children and families via the expansion of Flying Start is offered to those most in need in the first instance.

Local authorities submit their plans for expansion which are scrutinised by the Welsh Government officials to ensure that their plans follow the approach set out in the guidance. Focusing resources on our most disadvantaged communities, in the first instance, ensures that support reaches families in greatest need at the earliest opportunity.

By the end of 2024-25, we would expect to reach around 60% of all 2-year-olds across Wales with either full Flying Start (via the core Flying Start programme and Phase 1) or 12.5 hours a week of Flying Start childcare (via Phase 2).

Financial Implications – None

Recommendation 5 - *We recommend the Welsh Government, as a matter of urgent priority, takes steps to ensure sufficient childcare spaces and funding are available to all children with additional or complex needs by:*

R5(a)- *Working with local authorities and the sector to identify realistic timescales for guaranteeing children with additional needs will be able to access childcare provision, and committing to funding to implement that guarantee.*

R5(b) - *Setting out the steps it will take to raise awareness of funding streams to support children with additional needs, and to reduce the complexity of accessing these funds.*

R5(c) - *Accepting and implementing the recommendations relating to childcare in the Children, Young People and Education Committee's report 'Do disabled children and young people have equal access to education and childcare?'*

R5(a) *Working with local authorities and the sector to identify realistic timescales for guaranteeing children with additional needs will be able to access childcare provision, and committing to funding to implement that guarantee.*

Welsh Government Response

Accept in Principle. Local authorities have a statutory duty to ensure as far as is reasonably practicable that there is sufficient childcare available to help parents to work or train. Childcare Sufficiency Assessments (CSAs) are how they assess the supply and demand for childcare in their area. As part of the CSA process, local authorities must consider the needs of parents with children with additional or complex needs. However, given that childcare provision is largely operated by private individuals or businesses, local authorities are limited in the mechanisms by which they can guarantee that children with additional or complex needs will be able to access childcare provision.

The CSAs are carried out every 5 years with the most recent being carried out in 2022. As part of the assessment local authorities are required to identify the barriers in accessing childcare provision faced by families with children who have additional needs. Local authorities must also produce an action plan outlining the steps which need to be undertaken to improve opportunities for children to access childcare provision in their area. To help support local authorities in providing sufficient childcare the Welsh Government provides funding through the childcare and play element of the Children and Communities Grant. Local authorities use the grant to address gaps identified in their childcare sufficiency assessments to provide sufficient, sustainable and flexible childcare that is responsive to parents' needs. They may also use the grant to address gaps identified in their play sufficiency assessments where this relates to staffed play provision.

To ensure that the childcare element of the Offer for 3 and 4 year olds is inclusive to eligible children who need additional support, help has been made available by means of a separate funding stream - the Childcare Offer for Wales Additional Support Grant (ASG). The Offer has been designed in such a way to take account of barriers that eligible parents may face in accessing the childcare element in particular, including those who have children with additional support needs. This may include, for example, children with Additional Learning Needs (ALN), learning disabilities or other disabilities or health needs which require additional support.

Local authorities can draw on this funding to help ensure that eligible children with additional needs are able to access the childcare element of the Offer in the same way as other eligible children.

To strengthen and support the childcare infrastructure key objectives of the Childcare and Early Years Capital Programme is to maintain and improve the existing and new childcare settings. Childcare providers registered with Care Inspectorate Wales can apply to their local authority for small grants funding (up to £20k) which can be used to purchase ALN/Sensory equipment to help overcome the barriers in offering accessible provision. When a local authority makes an application for major capital funding, one of the key elements considered as part of the business case scrutiny is whether considerations have been made for the accessibility of the building/ provision for children with additional learning needs.

Welsh Government officials have also met with the Early Years ALNO network lead and Flying Start teams. They have highlighted challenges associated with how non maintained settings access additional resources to support emerging needs and those needs identified within Individual Development Plans. We are currently consulting with ALN colleagues to determine next steps.

Financial Implications – this work will be accommodated within existing budgets.

R5(b) Setting out the steps it will take to raise awareness of funding streams to support children with additional needs, and to reduce the complexity of accessing these funds.

Welsh Government Response

Accept. The Welsh Government has already issued statutory guidance to local authorities setting out how information to parents and prospective parents should be provided through their Family Information Service.

Each local authority in Wales has a Family Information Service which provides parents and families with advice, information and signposting on a range of services available within their local area including information in respect to childcare and costs of childcare. The 'Choosing Childcare' booklet details how parents can find suitable childcare.

Our Childcare Offer has been designed to take account of barriers that eligible parents may face in accessing the childcare element, in particular, those who have children with additional support needs including learning, physical and sensory disabilities. To ensure the childcare element of the Offer is inclusive to eligible children who need additional support, help has been made available by means of a separate funding stream called the Childcare Offer for Wales Additional Support Grant (ASG), which Local authorities can draw on.

The availability of the ASG is highlighted to parents of children receiving the Childcare Offer within the digital platform families use to apply for the Childcare Offer. They are asked to contact their local authority if they feel their child would benefit from the Additional Support Grant.

As part of the ongoing development of the Childcare Offer digital platform, we are currently developing a solution where the parent can make themselves known to their local authority. Following this notification, the local authority will contact the parent and discuss their requirement and how they can access this support. We expect this functionality to be released in Autumn this year.

We have a number of programmes that are different and that complement each other to support children and their families including the Childcare Offer for Wales and our Flying Start programme. It is evident from Local Authority Flying Start reporting mechanisms that there is good alignment and collaborative working between the Flying Start Childcare Advisory Teams who support settings and the Local Authority Early Years Additional Needs Lead Officers (EYALNLO) across Wales. There are also good transitional arrangements to support children with ALN into Flying Start childcare and from Flying Start childcare when they become eligible for early years education at three years old.

The Flying Start childcare expansion has increased the numbers of two-year-olds who can access funded quality childcare, which has created opportunities for children to be supported with ALN before they start early years education at three years old.

Financial Implications - Any decisions regarding future funding will need to be considered by Welsh Ministers and assigned through the normal budget process.

R5(c) Accepting and implementing the recommendations relating to childcare in the Children, Young People and Education Committee's report 'Do disabled children and young people have equal access to education and childcare?'

Welsh Government Response

Accept In Principle. We have considered and responded separately to the recommendations relating to childcare in the Children, Young People and Education Committee's report 'Do disabled children and young people have equal access to education and childcare?'

Financial Implications - Any decisions regarding future funding will need to be considered by Welsh Ministers and assigned through the normal budget process.

Recommendation 6

The Welsh Government should take steps to increase the number of Welsh-medium childcare practitioners, and opportunities for practitioners to qualify through Welsh-medium provision. It should do this by providing sufficient funding to enable 300 new staff to qualify each year, and working with further education and apprenticeship providers to increase Welsh language provision.

Welsh Government Response

Accept in Principle. Our commitment to increasing Welsh-medium childcare and playwork provision remains strong. The Welsh Government have committed to provide £3.78m over three years 2022-2025 to support activities to expand Welsh-medium childcare and early years provision. This includes funding to Mudiad Meithrin to support 150 learners to achieve their Level 3 and Level 5 Childrens Care, Play, Learning and Development qualifications through the medium of Welsh via the Cam wrth Gam Programme. As well as additional funding to support *Croesi'r Bont*, which offers language support for new settings established under the *Sefydlu a Symud* programme and English medium settings looking to introduce or improve Welsh language provision, we have worked with the National Centre for Learning Welsh on their *Camau* courses, which are bespoke Welsh language courses for early years practitioners. We also fund a co-ordinator to support these courses and the learners undertaking them to build their Welsh language skills and confidence and make the best use of their Welsh in childcare settings.

The Welsh Government funding supports a range of setting types through the funding of development officers who work with settings to increase their use of Welsh or change their language of operations to Welsh and co-ordinate the provision of dedicated Welsh-medium training for existing staff. We have also provided funding to support childminders seeking to offer Welsh provision as well as funding to support the achievement of playwork and other childcare qualifications through the medium of Welsh.

Social Care Wales launched a new Welsh language awareness e-learning module in February 2024. The module is for workers and students in the social care and early years and childcare sector who wish to learn more about Welsh language, culture and working bilingually.

Integral to our approach to growing Welsh Medium provision is our Childcare and Early Years Capital Programme, a three-year funded Programme available until March 2025. The Programme has two distinct funding streams, small grants funding and major capital funding, and is available to all CIW registered childcare and play providers. The key objectives of the Programme is to strengthen and support childcare infrastructure and aims to improve and grow new and existing childcare provisions with particular emphasis on strengthening Welsh medium provisions. Welsh Government officials assess applications for major capital funding based on an eligibility criterion where a key consideration is given to where a scheme directly supports the expansion of Welsh Medium setting or is a current Welsh Medium provider.

Financial Implications – this work will be accommodated within existing budgets.

Recommendation 7

The Welsh Government should commit to funding seamless and affordable childcare provision through the Barnett consequentials it will receive from increased childcare spending in England. It should set out how it intends to do this ahead of the publication of the draft budget for 2025-26.

Welsh Government Response

Reject. The Welsh Government is fully committed to providing affordable, available and accessible childcare provision and we will consider how we might do this as part of the draft budget 2025/26. However, the Welsh Government cannot fully accept this recommendation as we have no information yet on any Barnett consequentials nor on the settlement from the UK Government for 2025/26.

We received £12.1m in 2023/24 and £128.4m in 2024/25 in consequentials as part of the UK Spring Statement. Changes to funding in England on programmes which are devolved in Wales result in changes to our block grant via the Barnett formula. However, these changes do not determine what the block grant should be spent on. It is for Welsh Ministers with the Senedd's approval, to decide how to allocate the Welsh Government's budget which includes funding from the block grant, devolved taxes and capital borrowing. Where there is a case for using consequential funding for similar purposes, Welsh Ministers will deploy in line with its priorities.

Financial Implications - Any decisions regarding future funding will need to be considered by Welsh Ministers and assigned through the normal budget process.

Recommendation 8

To address the concerns of parents regarding the affordability of childcare, the Welsh Government should:

R8(a)- *Prioritise the roll-out of phase 3 of the Flying Start expansion for childcare for two-year-olds by allocating sufficient funding for this to be rolled out as quickly as possible, setting a target for the numbers who will be benefitting by the end of March 2026, and reporting to the Senedd on progress.*

R8(b) - *Work with the sector to develop a roadmap setting out future steps for expansion of childcare provision, as finances and other practical constraints allow. The long-term aim of this roadmap should be to work towards the delivery of universal childcare provision.*

R8(a) *Prioritise the roll-out of phase 3 of the Flying Start expansion for childcare for two-year-olds by allocating sufficient funding for this to be rolled out as quickly as possible, setting a target for the numbers who will be benefitting by the end of March 2026, and reporting to the Senedd on progress.*

Welsh Government Response

Accept in principle. Our Programme for Government commits us to deliver a phased expansion of early years provision to include all two-year-olds, with a particular emphasis on strengthening Welsh-medium provision. We remain committed to this objective.

During 2023/24 and 2024/25 we are investing £46m in expanding Flying Start childcare to support long-term, positive impacts on the lives of those children and families across Wales facing the greatest challenges.

We expect to support more than 9,500 additional two-year-olds across Wales to access quality Flying Start childcare during phase 2 (2023/24 and 2024/25) and we are well on track to deliver that.

The Committee will be aware that the Welsh Government is facing the toughest financial situation since devolution. This means we need to prioritise the finite resources we have. Our settlement for 2024/25 is still up to £700m lower in real terms than expected at the time of the 2021 Spending Review and our Budget in 2024/25 is £3bn lower than if it had grown in line with GDP since 2010.

Unfortunately, this means that we are not currently in a position to confirm any new developments to childcare. The next Budget round will take place at the end of 2024.

Financial Implications - None. Any decisions regarding future funding will need to be considered by Welsh Ministers and assigned through the normal budget process.

R8(b) Work with the sector to develop a roadmap setting out future steps for expansion of childcare provision, as finances and other practical constraints allow. The long-term aim of this roadmap should be to work towards the delivery of universal childcare provision.

Welsh Government Response

Accept in principle. We want Wales to be a wonderful place to grow up, live and work. Children have a fundamental legal right to grow up in a happy, healthy and safe environment. How we, as a society, provide for babies and young children can impact on their happiness, wellbeing and overall development. Early Childhood Play, Learning and Care has a significant contribution to make in mitigating the impact of inequalities, whether it's racism, poverty, disabilities or other societal factors such as lack of opportunities all of which can have lasting effects on individuals' lives. We are committed to breaking down barriers to ensure babies and young children are supported to have fulfilling and happy childhoods.

We will continue our journey, to drive greater coherence across the Early Childhood Play, Learning and Care landscape in Wales. We recognise that implementing our approach will take time, but change is essential if we really want all babies and young children in Wales to, thrive and have opportunities to have fun, play, learn and grow.

We have worked closely with partners in the sector like providers, sector organisations and local authorities both in developing our approach and in delivering high quality early years provision.

We have already set out our plans for childcare in Wales.

The Welsh Government provides up to 30 hours of nursery education and funded childcare for 3 and 4 year olds under the Childcare Offer for Wales. From September 2022, the Welsh Government expanded this offer to include parents in education and training, supporting the commitment made in our Programme for Government. In the first year, this expansion saw 675 additional families supported through the Offer.

We are making excellent progress in extending the eligibility of Flying Start childcare by rolling out high-quality childcare to two-year-olds across Wales through our Flying Start programme. This is a phased roll-out, starting with our areas of greatest deprivation and takes account of the capacity within the childcare sector across Wales.

We will continue to review the Childcare Offer and the Flying Start programme and we remain committed to making further progress on our commitment to extend early years provision, as resources allow.

Financial Implications – Any costs associated with further developing a plan/roadmap for expansion of childcare will be accommodated within existing budgets. However, implementing any plans for further expansion beyond this financial year will need to be considered by Welsh Ministers and assigned through the normal budget process.

Recommendation 9

The Welsh Government should act with urgency to shore up the financial sustainability of the sector by:

R9(a)- *Making an announcement on the hourly rate paid to Childcare Offer providers for 2025-26 by the end of October 2024. Based on all of the evidence we have received, we expect to see, and call on the Welsh Government to provide, a significant increase in the Childcare Offer hourly rate for 2025-26.*

R9(b) - *Moving to annual reviews of the Childcare Offer hourly rate and ensuring that the methodology for conducting these reviews takes a flexible approach that considers all relevant factors such as inflation, rates of pay and productivity.*

R9(a) *Making an announcement on the hourly rate paid to Childcare Offer providers for 2025-26 by the end of October 2024. Based on all of the evidence we have received, we expect to see, and call on the Welsh Government to provide, a significant increase in the Childcare Offer hourly rate for 2025-26.*

Welsh Government Response

Reject. Given the current timeframe for undertaking the review of the rate paid to providers of the Childcare Offer for Wales, we regret we are unable to make any announcement by the end of October.. The rate was last reviewed in 2021, with a commitment to further review after three years. The present review involves analysis of fee data that childcare and play providers submit to Care Inspectorate Wales, a survey of providers on their income and expenditure and submissions from sector bodies.

The review is considering factors including inflation, staff pay and service outputs. The review will also consider the appropriate timescales for future reviews. With evidence gathering and analysis ongoing, it would not be appropriate to provide more information on the potential outcome of the review at this time.

Any changes made to the current rate of £5.00 per hour per child will be implemented from April 2025. Announcement of this change will be made in line with agreement of the draft Welsh Government budget for 2025.

Financial Implications – None. However, there are financial implications depending on the outcome of the review of the rate but in rejecting this recommendation, there are no financial implications.

R9(b) Moving to annual reviews of the Childcare Offer hourly rate and ensuring that the methodology for conducting these reviews takes a flexible approach that considers all relevant factors such as inflation, rates of pay and productivity.

Welsh Government Response

Accept in principle: We recognise the need to support the creation of an environment where the sector is able to thrive and grow if we are to deliver our ambitions set out in our Early Childhood, Play, Learning and Care Plan. Taking into account the views of the sector we will move to annual reviews following the completion of the current three year review later this year; this approach is intended to support the sector with planning and improve sustainability. Annual reviews will need to be accommodated within existing resources and as a consequence this may impact on the methodology we are able to adopt. It should also be noted that implementing the findings of the reviews will be subject to annual budget considerations.

Financial Implications – any costs associated with undertaking the annual reviews would be accommodated within existing budgets.

Agenda Item 7

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

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