

Children and Young People Committee

Meeting Venue:
Committee Room 1 – Senedd

Meeting date:
15 January 2014

Meeting time:
09:15

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Agenda

AGENDA

09.15 – 09.30 – Private Pre-meeting

1 Introductions, apologies and substitutions (09.30)

2 Inquiry into Childhood Obesity – Evidence session 3 (09.30 – 10.30) (Pages 1 - 7)

Welsh Local Government Association
CYP(4)-01-14 – Paper 1

Dr Chris Llewelyn, Director Lifelong Learning
Peter Gomer, Policy lead on sports and physical activity
Daisy Seabourne, Lifelong Learning Policy Manager

3 Inquiry into Childhood Obesity – Evidence session 4 (10.30 – 11.30) (Pages 8 - 14)

Welsh Government
CYP(4)-01-14 – Paper 2

Mark Drakeford, Minister for Health and Social Services
Dr Ruth Hussey, Chief Medical Officer

4 Papers to note

Additional information from the Children's Commissioner for Wales following the meeting on 6 November (Pages 15 - 29)

CYP(4)-01-14 – Paper to note 3

Letter from the Chair of Public Accounts Committee – update from Welsh Government on the Capital Investment in Schools Committee Report (Pages 30 - 48)

CYP(4)-01-14 – Paper to note 4

Letter from the Minister for Education and Skills regarding removal of SEN provisions from the Education (Wales) Bill (Pages 49 - 50)

CYP(4)-01-14 – Paper to note 5

Letter from Jonathan Edwards MP regarding the Education (Wales) Bill (Pages 51 - 52)

CYP(4)-01-14 – Paper to note 6

Letter from the Minister for Education and Skills regarding the Education (Wales) Bill – Part 2; Education Workforce Council (Pages 53 - 55)

CYP(4)-01-14 – Paper to note 7

5 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:

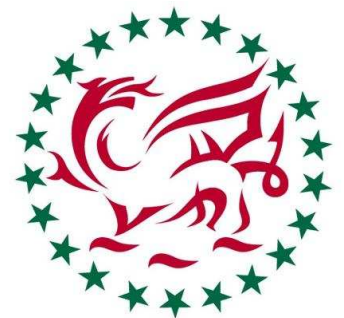
6 Committee Forward Work Programme (11.30 – 12.00) (Pages 56 - 67)

CYP(4)-01-14 – Private Paper 8 – Forward Work Programme

CYP(4)-01-14 : Paper 1

Children and Young People
Committee: Inquiry into Childhood
Obesity

January 2014



WLGA • CLILC

INTRODUCTION

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, the three national park authorities and the three fire and rescue authorities.
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.
3. The WLGA is guided by a number of key principles which underpin the work of the Association and have helped to shape the response to the inquiry on obesity in children in Wales. The WLGA believes that decisions about services should be taken as close to the point of delivery as possible and that the people and communities using those services should be as engaged as much as possible in their delivery. It is also our belief that local services should be provided within a democratic framework of local accountability.
4. The WLGA recognises that it is the role of the Welsh Government to set the strategic framework and policy direction for services at a national level, and that it is the role of local government to deliver those services taking account of the local circumstances and pressures. It is also recognised that services must be provided within a proportionate but effective regulatory framework to ensure that public resources are used appropriately and that services are delivered effectively and efficiently.
5. The WLGA has consistently argued for an un-hypothecated revenue support grant (RSG) as the best way of funding local government and any new responsibilities or additional burdens placed on local government should be fully costed and appropriately funded.
6. The WLGA recognises that some policy initiatives or strategies need to have funding attached to them for specific periods of time to make sure that they become embedded and are delivered as intended. For this reason, the WLGA, by exception, supports the use of specific grants or the ring fencing of revenue

funding for specified purposes on the understanding that funding will eventually return to the RSG.

7. The WLGA is pleased to be able to respond to the Children and Young People Committee inquiry into childhood obesity. Promoting the well-being of children and young people in Wales is of paramount importance to local authorities and addressing the issue of childhood obesity is seen as a key priority. The recent *Child Measurement Programme for Wales* (2013) shows that during 2011-12 70% of four and five year olds were within the healthy weight range, however, just over 28% were overweight or obese, and in comparison with the rest of the UK Wales has the highest level of childhood obesity. Reducing the number of children who are obese or overweight is essential because the factors which lead to obesity, poor nutrition and lack of exercise, can result in diminished life chances for children and young people which can last into adulthood. In partnership with other public sector agencies, local authorities have a clear role to play in promoting and supporting the well-being of their communities and providing services which enable children and young people to lead healthy and fulfilling lives.

8. It is clear that Wales has a particular issue with childhood obesity and that effectively tackling this issue will require a number of agencies, including local authorities, to work in partnership in line with the strategic priorities of the Welsh Government. The recently published Welsh Government early years and childcare plan, *Building a Brighter Future*, highlights the issue of childhood obesity set within the context of an overall strategy to provide children in Wales with the best possible start in life. The WLGA supports this work and is working closely with Welsh Government to ensure that the strategy is effectively implemented within local authorities. The strategy also details the role that other public sector organisations have to play in order to achieve effective implementation, this includes the health sector. For example, the plan links providing good maternity services and breast feeding support with the implementation of the Healthy Schools (Wales) Measure as part of an overall strategy to address childhood obesity. The WLGA and local authorities in Wales strongly support this collective approach to addressing this issue, as it recognises that multiple interventions are required in order to reduce the number of children and young people in Wales who are obese or overweight.

9. *Building a Brighter Future* also highlights research which suggests that childhood obesity is more prevalent in areas of deprivation in Wales. The Welsh Government's *Tackling Poverty Action Plan* specifically looks at childhood obesity as a proxy measure for deprivation. There are a number of ways in which local authorities play a specific role in addressing this issue, for example through the provision of school meals and in particular providing free school meals for those who are eligible. School food has an important role to play in ensuring that all children and young people are able to access a filling and nutritious meal during their school day. In addition to the health benefits, there is evidence to suggest that children and young people are more likely to engage with learning and have higher levels of concentration if they receive nutritious meal. This is particularly important for children who are not receiving the appropriate levels of nutrition outside of school.
10. It is vital that those who are eligible for free school meals access that service, not only in order to promote improved learning and concentration but also to enable children and young people to access a nutritious and well balanced meal whilst at school. The *Free School Meals Case Study Report*, by Welsh Government in March 2013, specifically investigated stigma around free school meal take up. Pupils in 8 secondary schools in Wales were questioned on what affected their take up of school meals. Each questionnaire asked the pupils if they were entitled to free school meals or not. This was to identify differences in responses between FSM pupils and non FSM pupil. The key findings identified that the main concern for FSM pupils taking up their entitlement was queuing. This report goes into detail about concerns of the children and young people and how a school may overcome some of the issues. The schools census 2011 provides the most recent data on free school meal take up:
- All maintained schools (primary, secondary and special schools) - 84,806 pupils entitled to FSM - 73.85% took up their entitlement on census day.
 - Secondary school – 32,314 pupils entitled to FSM - 68.39% took up their entitlement on census day.
 - Primary school – 39,420 (97.52%) primary pupils took up their free school meal entitlement on census day, in year 2010/11 40,422 pupils were entitled to FSM.

11. Local authorities are working to overcome issues which are a barrier to take up of free school meals and many schools already operate cashless systems in order to try and reduce the stigma associated with free school meals. Local authorities are also looking at the design and layout of dining areas within schools in order to encourage more children and young people to opt for school meals rather than leaving the school site where they are more likely to buy food which does not meet nutritional standards. This work is central to the plans being developed as part of the overall school building improvement programme, 21st Century Schools.

12. The provision of free school meals and ensuring capital investment improves facilities in schools, local authorities and schools are fully engaged in improving the nutritional content of school meals in line with provision in the Health Schools (Wales) Measure. Local authorities have been supported in this work through the Appetite for Life programme which has been managed through the WLGA. A key part of this work has been to support local authorities and schools (including those schools which have opted out of local authority management of school meals) to ensure that meals are meeting the nutritional standards. Central to this work has been providing access to a national wide tool, Saffron, which enables local authorities and schools to easily analyse the nutritional content of meals and ensure that school food is meeting the required standard. This has been a significant piece of work for local authorities and schools in Wales and has resulted in an improvement in the standards of meals being provided in schools. The Appetite for Life team have supported schools and local authorities during this transition period and have provided training to enable them to manage this process and will continue to do so.

13. In order to monitor compliance with the nutritional standards Estyn, when carrying out school inspections, will look at whether the nutritional standards are being met to ensure that children and young people have access to healthy food within the school setting. This information will also now be presented in the annual report from school governors. Both these developments are welcomed by the WLGA.

14. Schools also have a key role in ensuring that children and young people are aware of the factors which contribute to a healthy lifestyle, which includes both good nutrition and the benefits of activity and exercise. Involvement in schemes such as the Healthy Network of Schools has proved to be beneficial

and provides support for teachers when addressing these issues as part of the curriculum. Schools have also been keen to increase participation in sport through involvement with physical activity programmes and it is evident that involvement in sport is increasing in Wales. The Sport Wales, School Sports Survey shows that involvement of sports within a school setting is key to increasing participation in physical activity and also that the vast majority of children and young people in Wales enjoy participating in sport. In addition the survey showed that children and young people have a good understanding of the connection between physical activity and being healthy. The work of Sport Wales showed that participation in physical activity amongst children and young people increased in 2013 to 40% from 28% in 2009. There remained however, a gap in participation levels between boys and girls, although both groups saw an increase in overall involvement in sports and physical activity.

15. The work of local authorities in enabling access to sporting facilities and also to more informal physical activity such as play, is essential if this increase in participation in physical activity is to be maintained. It is the case, however, that local authorities along with the rest of the public sector is facing an unprecedented reduction in the level of funding available to support such services. Many local authorities in Wales are looking for innovative solutions to address these issues, such as working with the voluntary or private sector. Work undertaken by the Institute of Fiscal Studies for the WLGA, however, shows that future funding for local authorities will continue to be put under pressure. This is why it is essential that tackling childhood obesity is seen as the responsibility of a number of public sector agencies including schools and local authorities.

16. Research indicates that interventions based in schools alone will only have a limited impact on the levels of childhood obesity. Lifestyle choices within the home have a far greater impact on overall levels of obesity. Local authorities have a role to play in providing broad public health messages about healthy lifestyles and also via more targeted services through initiatives such as Families First and Flying Start. Both of these programmes are aimed at providing support for families which includes parenting support and working with families to provide a safe and healthy environment for children. Ensuring that parents are aware of how to create this sort of environment, including providing appropriate nutrition for children, is an essential part of these

schemes. Flying Start in particular targets families who live in areas of deprivation.

17. Local authorities continue to be committed to ensuring that children and young people in Wales are given every opportunity to fulfil their potential and it is recognised that tackling the issue of childhood obesity is an essential part of this work. The WLGA and local authorities recognise that reducing the level of childhood obesity in Wales can only be achieved through joint working with other agencies including the health service and the voluntary sector, and also through working with children, young people and families across Wales.

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Agenda Item 3

National Assembly for Wales

Children and Young People Committee

CYP(4)-01-14 – Paper 2

Inquiry into Childhood Obesity

Evidence from : Welsh Government

Purpose:

This paper provides evidence for the Children and Young People Committee's inquiry into childhood obesity.

The evidence paper looks at;

- The scale of the problem, the challenge of reducing the level of childhood obesity in Wales and its barriers;
- Current approaches aimed at reducing the level of obesity in children;
- The future direction to tackle the problem of childhood obesity in Wales.

Scale of the Problem:

Obesity occurs when the energy intake from food and drink consumption is greater than the energy requirements of the body's metabolism over a prolonged period. Obesity affects the ability of an individual to participate in everyday activities as well as having both short term and long term impacts on health. In the short term, obesity can impair a person's wellbeing and quality of life while longer term health problems include increased risk of coronary heart disease and strokes. People who are obese are also more likely to develop type two diabetes and some types of cancer.

Illnesses associated with obesity place a significant financial burden on services. It is estimated to cost the NHS in Wales over £73 million, which increases to nearly £86 million if overweight people are included. In 2008/09, between £1.40 million and £1.65 million was spent each week treating diseases resulting from obesity, amounting to between £25 and £29 per person in Wales and between 1.3% and 1.5% of total healthcare expenditure.

The UK Government Office for Science Foresight Report determined that rising obesity rates were a consequence of modern lifestyles against a backdrop of changes in work patterns, transport, food production and food sales. The obesity system influence diagram from the Foresight Report is attached at **Annex 1**.

The proportion of overweight or obese adults in Wales has increased slightly over the last 5 years from 57% in 2008 to 59% in 2012 (Welsh Health Survey). This includes 23% of adults now being obese compared to 21% in 2008. Levels of obesity are higher across all ages in the more deprived areas, with rates of obesity amongst adults ranging from 28% to 18% in the most and least deprived areas of Wales, respectively.

To improve data, the Child Measurement Programme for Wales (CMP) was introduced to ensure that the way reception year children (aged 4 and 5) are weighed and measured is the same across Wales. It shows that during the academic year 2011/12, nearly three out of ten (28.2%) reception age children are classed as overweight or obese, one in eight of whom (12.5%) are obese. Other data from the Welsh Health Survey show that rates of overweight and obesity amongst children (aged 2-15) have changed little since 2008 and are now at 34% compared to 33% five years ago.

More positively, a recent UNICEF Office of Research Report Card, which charts the well-being of children in 29 rich countries, showed that only Belgium, France, Spain and the United Kingdom saw a fall in the percentage of overweight 11, 13 and 15 year olds between 2001/2002 and 2009/2010.

Given that over half of obese children are likely to become obese adults, maintenance of a healthy, balanced diet during the early years is extremely important. However we know that not enough people follow national guidelines on what constitutes a healthy balanced diet i.e. restricting salt, sugar and saturated fat intake and increased intake of fruit and vegetables. This can be seen in findings from the Welsh Health Survey which indicates that 59% of all children (aged 4-15) report eating fruit daily and 50% vegetables daily. Moreover, the latest Health Behaviour in School-aged Children (HBSC) survey shows that Wales' children consume fewer fruits and vegetables than their counterparts in North American and the majority of European nations.

Similarly levels of physical activity in children are not optimal, and have been relatively stable since 2007. Information from the 2009/10 HBSC survey in Wales shows that among 11 to 16 year-olds, just over a third (35%) of girls and half of boys (53%) report undertaking moderate or vigorous physical activity for at least 60 minutes a day on five or more days a week. These percentages decline by age-group, this decline being particularly noticeable among girls. In school year 7, 42% of girls report being this active, but this figure drops to 28% by school year 11. Overall, Wales is similar to the HBSC average across all the participating countries in all three age groups surveyed.

More positively, the 2013 School Sport Survey shows that the number of young people taking part in sport or physical activity three or more times per week has risen strongly from 27% in 2011 to 40% in 2013. The survey also shows that 92% of pupils enjoy PE and 60% of pupils say they enjoy PE 'a lot'.

Current approach

At the beginning of this governmental term, obesity was recognised as a key national challenge in the Programme for Government. In addition, the need for concerted action on obesity forms a part of wider strategic documents including Together for Health, Our Healthy Future and the series of Chief Medical Officer Annual Reports. Such documents have highlighted the need for multi-faceted action to address childhood obesity. Examples of work include:

Action during pregnancy - A child's health and well-being is strongly influenced by their parents' health and behaviour particularly their mothers. In acknowledgement of this, the Strategic Vision for Maternity Services (September 2011) focuses on improving the health of women and their babies during pregnancy and childbirth. It includes action to improve data and reporting in relation to weight gain in pregnancy, so that Health Boards are clear about the extent of the challenge, along with the setting up of initiatives to support women to achieve a healthy weight gain in pregnancy.

Action during early years – Last year the Welsh Government launched Building a Brighter Future: the Early Years and Childcare Plan, to bring coherence across different policies and programmes impacting on and influencing the early years (pre birth to 7 years of age). This includes looking to ensure that children maintain a normal body weight through the following action;

- The Breastfeeding Programme which aims to increase breastfeeding rates and reduce inequalities in breastfeeding.
- Flying Start, a multi-disciplinary programme which provides a universal set of entitlements to all children under the age of 4 and their families within targeted

geographical areas. Nutrition, and the family diet, is a core part of the programme with parents made aware of the importance of a balanced diet and the need for regular meals and healthy snacks.

- Families First, which was rolled out across all local authorities from April 2012. One of its aims is that "Children, young people and families are healthy and enjoy well-being". All local authorities are required to report on progress made against set indicators, including one which looks at the proportion of children in reception class who are overweight or obese. Many local authorities are also promoting physical and nutritional activities through this programme, including support to families identified as having many additional health needs such as obesity.
- The Healthy and Sustainable Pre-school Scheme which provides guidelines to create healthier environments for the early years. It also provides indicators for work across health topics, including nutrition and physical activity/active play. Currently there are 507 pre-school settings across all local authority areas actively engaged within the scheme.

Action in Schools - The Appetite for Life Action Plan was launched in 2008, and set out food, drink and nutrient standards, to ensure that food provided in schools was healthy and well balanced, and that snack foods and drinks with little or no nutritional value would not be available. The Healthy Eating in Schools (Nutritional Standards & Requirements) (Wales) Regulations 2013, implemented in September provide Local Authorities in Wales with a Statutory Duty to ensure all maintained schools comply with the Appetite for Life nutrition standards. Wales also led the way in the UK by introducing free primary school breakfasts in 2004, with the intention of improving quality of life for young people living in Wales and reducing health inequalities arising from poor diet. Currently, 79% of maintained primary schools in Wales offer free breakfast provision. The Welsh Network of Healthy School Schemes (WNHSS) was launched in September 1999 to encourage the development of local healthy school schemes within a national framework. The Framework promotes a whole school approach to seven health topics, one of which is food and fitness. Currently over 99% of schools are actively involved in local healthy school schemes.

Launched in June 2006, the Cooking Bus (TCB) is an articulated lorry with 4 fully fitted kitchens which visits primary schools across Wales, prioritising schools in Community First areas. TCB teachers provide 90-minute cookery lessons for pupils and teacher training sessions for school and community based staff. Between its inception in 2006 and June 2012, almost 30,000 pupils received Cooking Bus classes across Wales, and over 3,000 teachers had been trained.

Action in the Community - Change4Life Wales, a social marketing campaign, was launched in 2010 as part of the Welsh Government's broader response to help people to achieve and maintain a healthy body weight, to eat well and be physically active. The target audience for Change4Life Wales for the first 18 months was families with children, in particular those with children of primary school age. To date over 76,000 people have signed up to the programme.

MEND (Mind, Exercise, Nutrition, Do It) is an evidenced based community programme for families delivered by trained staff across Health and Local Authority services. The current contract target is to reach 1,000 children and their families per year.

The Communities First programme aims to help narrow the education/skills, economic and health gaps between our most deprived and more affluent areas. One of its strategic objectives is to achieve "Healthier Communities". Much of the activity under this banner focuses on supporting and encouraging healthy eating and physical exercise. For example, Street Games, an organisation which works in disadvantaged communities to engage young people in sports activities, has been funded to run projects within Communities First cluster

areas across Wales.

Action on Training - Nutrition Skills for Life is an all Wales service which aims to build the capacity of communities to support healthy eating and prevent malnutrition. Operating in all health boards, dietitians aim to equip community based staff, volunteers and peer leaders with the nutrition knowledge and skills to incorporate nutrition messages into their work, support more local people as community food workers and strengthen community food and nutrition input into areas of health inequality. By the end of March 2013, 153 level 2 accredited nutrition skills courses had been delivered to 1725 staff.

Evaluation – A recent review of a number of these health improvement programmes was undertaken by Public Health Wales to assess the sustainability, value for money, and whether they deliver priority outcomes consistent with national policy. Of the programmes addressing overweight and obesity, the Cooking Bus was the only one identified as requiring a new approach.

The work set out above has been supplemented by the development of the All Wales Obesity Pathway. Issued in 2010, the Pathway is a tool to help Health Boards, working jointly with Local Authorities and key stakeholders, to map local policies, services and cross-departmental multi-agency activity for both children and adults. The Pathway is comprised of four tiers (see **Annex 2**), though for children, the focus has been mainly on preventative measures, with the exception of the MEND programme.

We are aware that there is a variety of different approaches being taken by Local Health Boards in a bid to tackle obesity. The focus on childhood obesity varies from area to area, and currently three health boards are setting up specific childhood obesity strategy groups to take forward action in this area.

Future Direction

Obesity cannot be viewed simply as a health issue, nor will it be solved by reliance on individual behaviour change. A successful approach will require cross-government collaboration to make deep, sustainable changes to our living environment in order to shift it from one that permits and encourages weight gain to one that promotes healthy choices and healthy weight for all. We will therefore need to build on the cross departmental work which has led to, for example: the development of healthy schools; the development of *Building a Brighter Future: Early Years and Childcare Plan*; and *Creating an Active Wales*.

The Government legislative programme provides a number of opportunities to strengthen our efforts to support people in achieving and maintaining a healthy weight. Progress has already been made with the Active Travel (Wales) Act, which aims to enable people to walk and cycle and generally travel by more active methods. Currently we are exploring options to improve health and reduce health inequalities for inclusion in our Public Health Bill. However in some areas, Wales does not have the necessary powers to act, and in these cases, where needed, we will continue to lobby the UK government to take action.

We also need to ensure that we have a whole age approach from pregnancy through to adulthood. A child's health and wellbeing is strongly influenced by the parents' health and behaviour, particularly the mother's. We know that once obesity is present, it is challenging to treat. Evidence suggests that women who are already overweight are likely to gain excessive weight during pregnancy, making it harder to return to their pre birth weight. If the child is female, grows up obese and becomes pregnant the cycle begins again.

Therefore better engagement is needed to support pregnant women to adopt healthier lifestyles. We need to build on work with midwives to help them better encourage behaviour change, potentially through the use of a brief intervention programme using the successful "*Have a Word*" model developed to tackle alcohol misuse. This includes increasing the rates of breastfeeding to give the best possible start to life.

In fact we need to improve the understanding and application of good nutrition and physical activity through ensuring minimum levels of nutrition education and physical literacy for all staff, for example within childcare courses.

In Government we can set the direction but it is also vitally important that our services work better together to improve obesity rates in Wales. A Preventing Childhood Obesity Task and Finish Group, with representatives from the major statutory agencies and third sector, has been exploring how the whole of the public service can contribute to more successful action in this area and will report early next year.

Schools will remain critical in our efforts to improve nutrition and physical activity levels within our communities. The Foundation Phase for 4 – 7 year olds is built on the principle of active play. The Healthy Eating in Schools Regulations 2013 support improvement of diet during the school day. It is important for us to investigate if this good work can be replicated in pre-school and other community settings. In addition, Tanni Grey-Thompson reviewed P.E in the school curriculum and produced a report that recommended P.E becomes a core curriculum subject. This is being fed into phase two of the current curriculum review.

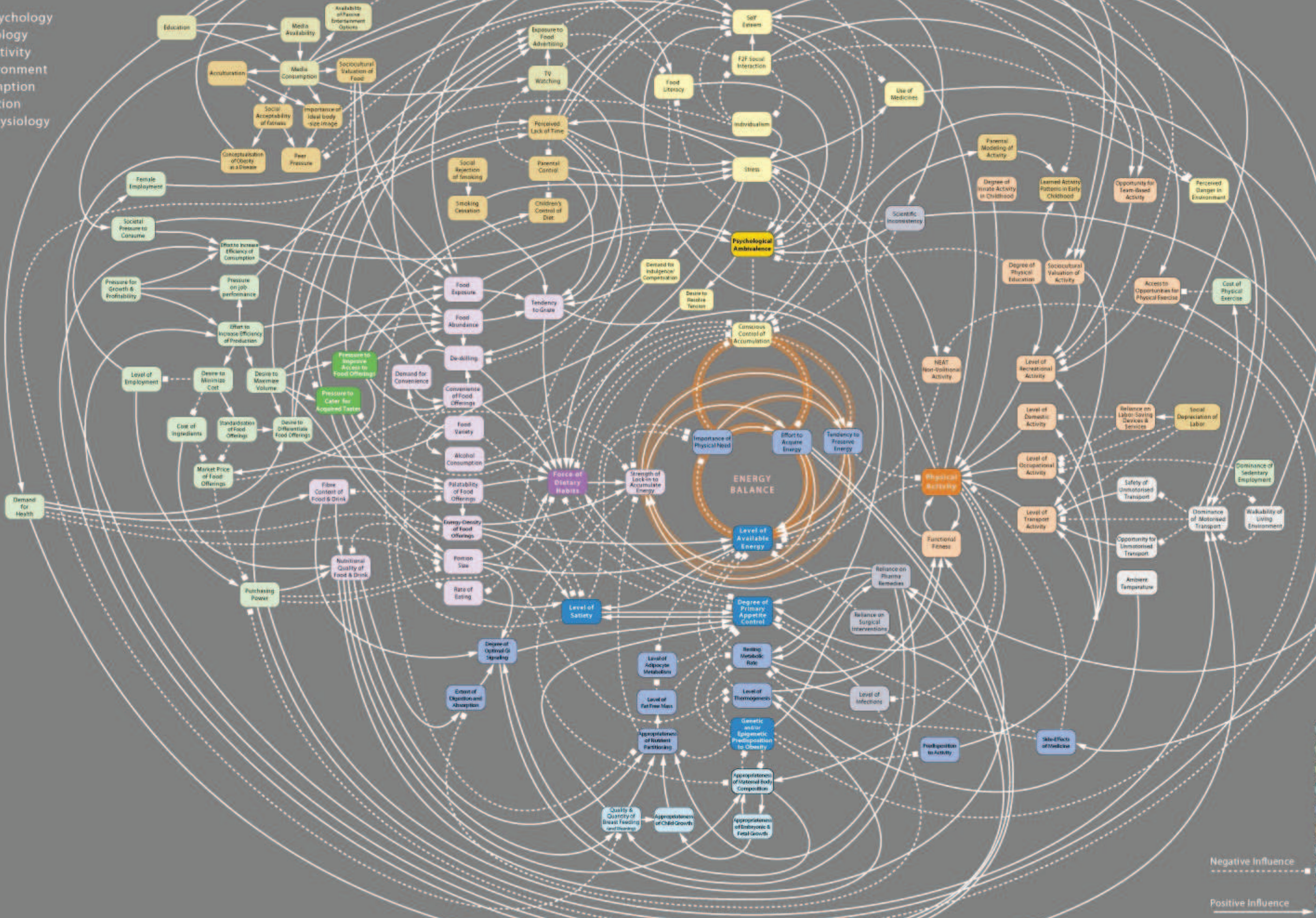
As obesity has a clear and persistent social gradient, there is a need to increase the focus on deprived areas on top of the work already being done. Communities have an important role here and it is important that we look to the communities themselves to take action to address childhood obesity and help where we can. This can be achieved through co-production approaches, which by their very nature can engender a greater sense of control and empowerment to the community.

As stated Government, services and the public can together improve health in Wales, but we need to be clear that there is a reciprocal responsibility; all of us as citizens should in turn take care of our own health. Therefore, effective communication with the population is of paramount importance. We need to make our public health messaging more relevant and accessible and open a two-way dialogue that will have a genuine impact.

shift^D Obesity System Influence Diagram

Full Map

- Clusters
- Core Loop
- Individual Psychology
- Social Psychology
- Individual Activity
- Activity Environment
- Food Consumption
- Food Production
- Individual Physiology
- Physiology



Media	Yellow
Social	Light Green
Psychological	Light Blue
Economic	Light Purple
Food	Light Orange
Activity	Light Yellow
Infrastructure	Light Green
Developmental	Light Blue
Biological	Light Purple
Medical	Light Orange

Negative influence

Positive influence

Minimum service requirements

Level 4 Specialist medical and surgical services

Targeted gateway - one to one
MDT support

Level 3

Specialist
MDT weight
management
services

Targeted gateway - dietetic and physical
activity support

Level 2

Community and
primary care weight
management services

Targeted gateway -Community
Intervention for overweight/obese

Level 1

Community based
prevention and early
intervention (self care)

Level 4- Specialist medical and surgical services (including bariatric surgery)

- Intensive physician led specialist obesity management by multi disciplinary team of expert practitioners
- Access to specialist assessment and surgery at a bariatric surgery centre offering a choice of surgical interventions
- Provision of specialist long term post operative follow up and support with agreed criteria for discharge back to levels 2

Targeted one to one, physician led, intermediate or secondary care multi
disciplinary team intervention (if level 3 interventions exhausted)

Level 3 – Specialist multi disciplinary team weight management services

- Specialist weight management services e.g. multi disciplinary weight management clinics in the community, intermediate or secondary care and dietetic weight management programmes that incorporate physical activity and behavioural change components
- Pharmacological interventions initiated by physicians, supported by targeted programmes

Targeted dietetic and physical activity weight management intervention
(if level 2 interventions exhausted)

Level 2 – Community and primary care weight management services

- Identification of people who are overweight /obese with risk factor
- Primary care weight management services
- Community based weight management programmes referred into by primary care

Community Intervention for overweight/obese (if level 1 interventions
exhausted)

•Level 1 – Community based prevention and early intervention (self care) All

- relevant policies to incorporate the health agenda and contribute to the creation of an environment that supports/promotes a healthy weight
- Lifestyle advice and information, signposting to public health interventions/services
 - Combined nutrition and physical activity programmes in key settings
 - Opportunities across settings/age groups to develop skills/knowledge on healthy eating and physical activity
 - Self referral and opportunistic community based weight management programmes that meet best practice guidelines

BMI / waist circumference

Page 14

Co-morbidity

BMI / waist circumference

Complexity

Paper to Note – Response from the office of the Children’s Commissioner for Wales

The following documents have been received from the office of the Children’s Commissioner for Wales in response to the additional information that Members were unable to ask during the meeting of the Children and Young People Committee on 6 November.

The information attached relates to the following:

- Annex 1. Administrative costs and accounting procedures within the office over the past two years;
- Annex 2. Specific details on the process of the Childs Rights Impact Assessments and
- Annex 3 Further details on the Commissioner’s work into access for disabled children and young people in mainstream education, pupil referral unit and short breaks.
- Annex 4• The Commissioner agreed to provide the Committee with a briefing on provision of CAMHS services.



Children's Commissioner for Wales Accounts 2012/13

During my evidence session on Wednesday 6th November the Children and Young People Committee asked for clarification over the increase in my total administrative costs, between 2012/13 and 2011/12.

Total Expenditure:

We continue to strive to make cost savings year on year ensuring that the priority of expenditure is on the delivery of activities for children and young people. For 2012/13 over 69 percent of my total expenditure relates directly to staff costs; and a further 15 percent is linked to staffing, for example, building lease payments etc.

My expenditure on staff and other administrative expenditure increased by £127,000, between 2012/13 and 2011/12. A further analysis of this increase shows that:

- Expenditure on staff costs increased by £89,000; and
- Expenditure on other administrative costs increased by £38,000.

Staff costs:

During 2012-13 my office increased its expenditure on staff costs due to a number of factors. These included:

- An increase in staff numbers (25.2 average whole time equivalent in 2012/13 compared to 22.6 in 2011/12).

This was necessary to cover maternity absences and the cost of agency staff for the additional work following the historic North Wales abuse allegations.

- Changes to existing contractual obligations relating to terms and conditions of staff, including increases to pension contributions.



Other Administrative costs:

During this period, expenditure on other administrative costs increased overall but savings were made against some budget lines. Planned investment was made in the following areas to support certain objectives:

- The development of a specific website in support of my work on enhancing the image of children and young people – www.seemedymafi.org.uk
- The redevelopment of the Super Ambassadors website – www.superambassadors.org.uk

Additional costs were also incurred linked to the Historic North Wales abuse allegations, including legal advice.

Financial Control:

As Accounting Officer I have responsibility for reviewing the effectiveness of the system of governance for the work of my Office. My Annual Report includes a financial review and a statement of our accounts. An unqualified opinion was given by the Auditor General for Wales in relation to my 2012-13 Annual Accounts and no significant concerns were raised in the Annual Management Letter. My internal auditors have provided assurance that I have in place a sound system of internal control which should enable the achievement of my priorities.

My office will continue to strive for continuous improvement in our internal systems and to address any issues as they arise. We will also ensure that all the work we do complies with best practice, whilst aiming to achieve positive and lasting changes in the lives of children and young people in Wales.



Specific details on the process of the Child Rights Impact Assessments

Welsh Government has, as part of the Rights of Children and Young People (Wales) Measure 2011, adopted a duty of due regard to the United Nations Convention on the Rights of the Child (UNCRC). The completion of Child Rights Impact Assessments (CRIA's) are critical to the effective implementation of the UNCRC.

Welsh Government divisions are not actually required to publish or share CRIsAs. There is currently no formal or consistent process through which Child Rights Impact Assessments (CRIsAs) are published or shared with my office.

I have consistently called in my responses to consultations on proposed policy and legislation for this situation to be remedied. The development of a process by which CRIsAs are routinely published would allow for better informed scrutiny of the way in which the due regard duty is being applied and would support transparency and rigour in the formulation of policy and legislation for children and young people.

The Active Travel (Wales) Bill was published for scrutiny with an accompanying CRIA. The impact assessment accompanying the Bill in relation to the application of the Minister's duty to have due regard to the UNCRC set out the ways in which the Bill will give greater effect to: *Article 24: Children have the right to good health care and to clean water, nutritious food and a clean environment so that they will stay healthy.* In my submission I concurred with this assessment and welcomed the decision to publish the Child Rights Impact Assessment (CRIA) undertaken in relation to this Bill. I also commend the general quality of the CRIA that was been provided. However I also stated my belief that the CRIA had omitted a key issue (that of due regard to article 19 of the UNCRC) and the recommendations section of the CRIA could be usefully amended to reflect this. The publication of the CRIA accompanying the Bill provided for a better informed response in my submission. Although my consultation response did not result in changes on the face of the Bill it has resulted in Welsh Government proposals for new guidance for the risk assessment of walked routes to school (currently out for consultation) that consider the safety of walked routes to school as a paramount concern.

The Social Services and Well-being (Wales) Bill was not accompanied by a CRIA. I raised this issue in my written submission to the Health and Social Care Committee. Members will be aware that a copy was provided to the Children and Young People's Committee on 23 April 2013 by the Deputy Minister following a request for the CRIA by the Committee and in advance of my oral evidence session to the Children and Young People's Committee on 25 April 2013. I made clear my concerns about the quality of CRIA process as applied in this case by Welsh Government and provided a copy of the CRIA undertaken by my own office in



relation to the Bill in May 2013. I have set out clearly in the briefing pack shared with members in July 2013 the key proposals within the Social Services and Well-being (Wales) Bill that I have assessed as failing to give due regard to the UNCRC. The Deputy Minister has been clear in stating in written and oral evidence that she does not agree with my position. However the CRIA that has been undertaken by Welsh Government and that was not readily available at the time the Bill was published does not provide me with confidence that due regard to the UNCRC has been given full and proper consideration.

My office is currently engaged with the Welsh Government on the revision of their Children's Rights Impact Assessment template and processes. Officials have acknowledged the need to improve the current process and are responding positively through the development a new tool to support progress across Welsh Government divisions. The forthcoming revision of the Child Rights Scheme offers an opportunity to address the limitations of the current process and to set out provisions for the publication of Welsh Government CRIAs to support transparency and meaningful scrutiny in relation to application of the due regard duty.

The well-being of learners in pupil referral units:

Estyn published the findings and recommendations of their survey of the arrangements for pupils' wellbeing and behaviour management in pupil referral units in January 2012. The survey findings suggest that systems and measures to support pupil well-being through effective behaviour management need to be improved

The cases involving misuse of seclusion in Pembrokeshire that was dealt with by the office in 2012 also raise issues for CCfW in relation to lack of minimum standards for pupil referral units and the need to secure consistent application of accredited behaviour management training and clear behaviour management policies in such units. Estyn have suggested that local authority responses to the issues raised by the Pembrokeshire case are to date inconsistent.

At the same time pupil referral units support some of our most vulnerable learners but are not included in mainstream programme offers such as the Pupil Deprivation Grant, school nurse commitment and school counselling offer.

The project will examine these issues in more depth with a focus on the views of learners, their well-being and their right to education.



Short Breaks for Carers of Disabled Children

The Breaks for Carers of Disabled Children (Wales) Regulations came into force in June 2012. In September 2012, as a requirement of the regulations, Short Breaks Service Statements were published by local authorities. Welsh Government Best Practice Guidance was also published to accompany the regulations and assist local authorities in the practical delivery of the statements. Within this guidance attention focuses on the child's need alongside that of the carers. However, it is important to note that there is no direct reference to the United Nations Convention on the Rights of the Child (UNCRC), or indeed its application, found within the guidance.

As I stated in my annual report of 2012/13 it is my intention, over the coming year, to undertake a distinct and detailed piece of work in relation to the provision of short breaks. This will involve investigating and examining the implementation of the new regulations through the delivery of local Short Breaks Service Statements. I want a clear and comprehensive all Wales picture of the impact that short break provision is having on the lives of disabled children and young people, as well as their parent carers and other carers, as set out within each local authority statement.

I am establishing an advisory group to assist in the scoping and progression of this important piece of work. The group will comprise of individuals who bring with them wide ranging perspectives, knowledge and expertise. Service users as well as service providers, practitioners and other professionals in this field will constitute key members of the group.

In order to ensure that this piece of work is as far reaching as possible a series of evidence exchanges will be conducted throughout Wales. Evidence exchanges will involve stakeholders coming together, either in small to medium size groups or on a one to one basis, in order to provide insight from a multitude of perspectives. It will be vital to ensure that the evidence exchanges are as accessible as possible. For this reason my intention, the majority of the time, will be to visit children and young people as well as their parent carers and other carers at a time and place best suited to accommodate their individual needs.

In addition to the evidence exchanges I will also be utilising an online survey as an important tool to collect data and inform the report. I am working with key organisations, such as Contact a Family, to secure robust evidence and raise awareness of the survey. In addition, a paper questionnaire will also be available, as not everyone will be able to or want to engage with the online survey. My objective is to secure a high level of participation, especially amongst children and young people, in order to deliver an end report which is extremely well informed.



It is also my intention to invite all Assembly Members, Members of the Westminster Parliament and Members of the European Parliament in Wales to make constituents who have made contact regarding short breaks provision aware of the work I am undertaking. Therefore, I will be writing to elected representatives early in 2014 with information regarding the online survey, paper questionnaire and anything else of relevance to the collection of data.

The report will be published in the spring of 2014.



Briefing for National Assembly for Wales Children and Young People's Committee on the provision of Child and Adolescent Mental Health Services (CAMHS) in Wales

27 November 2013

Briefing for Members

Recent strategic developments and the policy landscape in Wales

Wales has seen major strategic changes in relation to mental health services for the population as a whole over recent years and predominantly since the introduction of the Mental Health (Wales) Measure 2010 (referred to as 'the Measure' within this paper) and, in relation to children and young people specifically, the replacement of Everybody's Business (2001), the previous strategic document on Child and Adolescent Mental Health Services.

Mental Health (Wales) Measure 2010:

Members will be aware that the Measure was first introduced as an adult-focussed piece of legislation that soon recognised the potential to create positive change for children and young people. Whilst this recognition required further work to distinguish how its final implications would ensure that the needs of children and young people were appropriately addressed, time constraints and a subsequent lack of financial investment remain the main concerns following its passing.

Despite this, we are aware that the Measure has resulted in numerous pieces of secondary legislation to guide both Local Health Boards (LHBs) and Local Authorities (LAs) in their statutory duties to implement its objectives, and included from the outset, a duty on Welsh Ministers to review its operation (Section 48), with the publication of both an interim report and final report by January 2016. We are keen to ensure we keep abreast of these developments in order to assess for ourselves, the impact that the implementation of the Measure has had on the lives of children and young people across Wales. However, the review process itself must also ensure that it too evaluates the appropriateness and reach of the Measure to children and young people. We will engage with this process as it develops and make any necessary comment on the reports produced.

Together for Mental Health: A Strategy for Mental Health and Wellbeing in Wales:

One of the major sources of evidence of how far CAMHS services are comprehensively developed and equitably available to children and young people across Wales remains the All Wales review of CAMHS led by the Wales Audit Office and Healthcare Inspectorate Wales, with support from Estyn and CSSIW in November 2009 (referred to as 'the 2009 Joint Review')



below). The review process also ensured that the views of children and young people were gathered and this work was led by Barnardo's Cymru. This report provides another source of valuable evidence.

Whilst the publication of the 2009 Joint Review led to the development by Welsh Government of 'Breaking the Barriers: Meeting the Challenges', an Action Plan for Wales in May 2010, and two subsequent progress reports in December 2011 and March 2013, which set out particular requirements to meet the needs of children and young people experiencing emotional and mental health needs, we now see the adoption of an 'age-inclusive' approach to policy development in this area and the end of a CAMHS-specific policy document ('Everybody's Business', 2001).

As Members will be aware, 'Together for Mental Health: A Strategy for Mental Health and Wellbeing in Wales', published by Welsh Government in November 2012 is intended to bring services together to form a single, seamless, comprehensive system for addressing mental health across all ages. We have argued that the loss of a distinct and separate national strategy for children and young people and its replacement with an all age strategy could potentially dilute regard to the intentions of the UNCRC. **With this in mind, it is our intention to complete a compliance report by the end of this year to assess for ourselves how far this new approach ensures the rights of children and young people.**

Implementation of policy

National and local governance arrangements:

As a result of Breaking the Barriers: Meeting the Challenges (2010), a National Delivery Group for 'Everybody's Business' was established "to monitor and oversee the delivery of the action plan on behalf of the relevant Directors General within the Welsh Assembly Government, and the Ministers they serve." (2010:19). A National Expert Reference Group was also established, made up of professionals and practitioners "to provide support and expertise to the National Delivery Group" (2010:19).

Whilst these groups were disbanded as a result of strategic policy changes, the Welsh Government, through the development of Together for Mental Health, has reconfigured a CAMHS Delivery Assurance Group (CAMHS DAG) in order to "maintain a focus on delivering the age specific elements" of the new Strategy (2012:59). The Children's Commissioner for Wales has secured observer status on this group, which reflects the Memorandum of Understanding between the Office and the Welsh Government. Terms of reference have recently been agreed by the new CAMHS DAG and reflect its delivery assurance role, whilst ensuring that the newly-established National Mental Health Partnership Board (NPB), with overarching Welsh Government responsibility on implementation, is informed of progress and any emerging issues.



Together for Mental Health also aims to ensure that multi-agency partnership arrangements are established on LHB footprints. These local mental health partnership arrangements were to be in place by January 2013 and an annual report produced and sent to the NPB by January 2014 (TfMH: Delivery Plan 2012-2016). Actions set out within the Delivery Plan also relate to service users of all ages and their families and carers being fully involved in service development. Local arrangements are consequently tasked with ensuring their effective engagement in the planning, delivery and evaluation of local mental health services by September 2013.

We are currently aware that local mental health partnership arrangements are said to be in place in all LHB areas and that the Welsh Government requested sight of each Annual Report in October 2013. There is, however, an acknowledgement that these arrangements continue to work to address the requirement to develop mechanisms to ensure the engagement of service users, their families and carers. **Through our communication with relevant stakeholders, we are in the process of collating each Annual Report to assess for ourselves the level of development in this regard.**

Whilst we believe that the above requirements will go some way to ensure national and local governance arrangements are in place to oversee developments in mental health service planning and monitoring, such processes must ensure a sufficient level of independent scrutiny to establish true levels of implementation and identify both best practice and issues requiring further attention. It is particularly important that such arrangements do not lose sight of the impact policy developments and their implementation are having on the children and young people they are duty-bound to serve.

CAMHS planning and commissioning arrangements:

In relation to the planning and commissioning of CAMHS across Wales, CAMHS Commissioning Networks (CCNs) were established as a result of CAMHS Implementation Guidance (*no publication date noted on document*) and a Welsh Health Circular published in 2003. NHS-funded specialist CAMHS at Tiers 2 and 3 were to be commissioned by a secondary care commissioning group model and subsequently established three regional networks, made up of a number of LHBs. The CCNs were established to “create sufficiently wide geographical areas and critical mass to allow expertise in CAMHS commissioning and performance management to develop” (2003:13). Tier 4 services and elements of Tier 3 were to be considered on an all Wales basis due to the fact that provision was very specialised in nature and likely to be accessed by a very small number of children and young people. Health Commission Wales (Specialist Services), now Welsh Health Specialised Services Committee (WHSSC) is responsible for ensuring fair and equitable access to a range of specialised services.

In relation to specialist CAMHS provision and as a result of such guidance, three specialist CAMHS planning networks were established across Wales: North Wales; Mid and West Wales;



and South Wales, who were associated with five CAMHS provider clusters. However, as a result of the NHS reconfiguration and a perceived blurring of role and function between the three networks, we are aware that a review of these arrangements commenced in early 2012 for the purpose of outlining proposals to restructure the way in which CAMHS in Wales was both planned and delivered. We understand that these proposals are to be agreed by Chief Executive Officers of each LHB before being submitted, for information, to the CAMHS DAG. We also understand that the final proposals will be distinguished by Directors of Planning across all LHBs and that Welsh Government, whilst without a locus to intervene, are to ensure that the proposed options reflect the strategic directions set out within the new Strategy. Whilst it is appropriate that LHBs lead this review, all relevant stakeholders, involved in the delivery of CAMHS services across Wales, should be appropriately involved in the decision-making process.

March 2013 saw the publication of the final report of 'Breaking the Barriers: Meeting the Challenges'. Within the report, an update is provided with regard to the specialist CAMHS planning networks reconfiguration and notes the developments above. The report goes on to state that "Following a full options appraisal LHB Chief Executives are in the process of considering their preferred option and an announcement is expected in 2013" (2013:5).

We are not aware of any further developments at present and given the delay in achieving a final decision, we are currently considering the merits of engaging with the decision-making process to ensure that children and young people across Wales who are currently receiving CAMHS services or will require mental health support in future are not placed at risk as a result. We must also ensure that practitioners are supported in continuing their professional roles in the interim and are appropriately engaged in the proposals as they develop. **It is our intention to facilitate an evidence exchange between lead professionals for CAMHS across all levels and the Children's Commissioner for Wales in order to distinguish the current status of the reconfiguration proposals; identify current levels of service delivery; and assess the impact recent developments are having on the rights of children and young people across Wales.**

Operational guidance for CAMHS professionals:

Another emerging concern that we have with regard to CAMHS is the lack of operational guidance and related performance management arrangements. Whilst we understand that Annual Operating Frameworks for the NHS have previously distinguished targets for CAMHS, there currently appears to be a lack of clarity on the status of these. In addition to this, the current status of the National Service Framework for children and young people continues to be unclear and therefore the future of CAMHS targets set out within it are also unclear. We continue to press the Welsh Government for an update on this.

As the 2009 Joint Review concluded, further development is needed to ensure that performance management arrangements are in place and that CAMHS targets are an integral



part of such arrangements across all key CAMHS stakeholders. In addition to CAMHS targets, we are currently aware that only limited practice and policy implementation guidance is available to CAMHS professionals. Despite the recent publication by the (now disbanded) National Expert Reference Group (mentioned previously) in June 2013 of 'Professional Advice for Service Planners', its status is unclear and therefore it is difficult to assess the contribution its content will make towards performance management arrangements.

Whilst we acknowledge that the Delivery Plan associated with Together for Mental Health sets out key actions for CAMHS services specifically and should also ensure a contribution from CAMHS into the wider all-age actions in practice, we are concerned at the lack of more detailed guidance to steer service development across Wales. The Measure includes statutory duties associated with timescales, to which CAMHS services will be expected to comply. However, further and specific guidance to ensure an appropriate and consistent response to children and young people who are experiencing mental health issues should be in place.

Audit of CAMHS:

We are aware from our representation at the CAMHS DAG that the Delivery and Support Unit of NHS Wales undertook an audit of CAMHS in June 2012. Its purpose was to understand the level of demand on services in Wales; assess the workload of staff; consider the multi-disciplinary skill mix; and to provide a baseline analysis of other aspects of provision. We are currently unaware of any published report although its conclusions were presented at the CAMHS DAG and included snapshot findings. An update on any developments as a result of this work would be helpful.

In addition to this, Members may be aware that the WAO and HIW have undertaken a follow up review of CAMHS with a focus on the safety issues raised in their Joint Review of 2009. Whilst we were expecting an announcement of findings in spring 2013, we are currently aware that a publication is imminent.

Levels of investment in CAMHS:

Concerns regarding the level of funding invested into CAMHS across Wales has been raised by the Children's Commissioner for Wales consistently. Whilst we have received anecdotal evidence of the impact this has on the availability and quality of CAMHS services for children and young people, statistics published by Welsh Government can be used to evidence this concern further. From a comparison of NHS expenditure programme budgets solely over the period of two financial years (2010-2011 and 2011-2012), we understand that Welsh Government report that "the largest single programme budget category was spending on mental health problems, which amounted to 11.9 per cent of the total"¹. Whilst this is a key

¹ Welsh Government (March 2012 and March 2013) NHS Expenditure Programme Budgets: 2010-11 and 2011-12 (separate releases): Cardiff.



point made in both publications, upon further analysis of the breakdown of expenditure, both documents conclude that the percentage share of the total expenditure on mental health problems for CAMHS until 2011-2012 (which is stated as 1%) has consistently remained at 0.8% since 2006-2007.

Considering the fact that early identification and investment in prevention and protection has been recognised and prioritised by the Welsh Government, we are concerned that this level of investment in CAMHS does not reflect this commitment. CAMHS has for too long been described by many as the “cinderella service” and will never address the needs of children and young people who have early signs of mental health problems if we do not sufficiently invest in it.

What this all means for children and young people

Cases received by our Advice and Support Team:

Issues in relation to CAMHS have consistently been raised with us via our Advice and Support Team. We have assessed the contact made from children, young people, parents/carers and professionals (amongst others) and as a result, we have distinguished many continued barriers children and young people face across Wales in accessing CAMHS services.

The most consistent concerns relate to access issues; waiting times and delays in the assessment process; and access to information on provision. This list is not exhaustive but reflects the issues that are most prominent amongst those making contact with the team.

Cases received by our Advice and Support team between April 2012 and March 2013 in relation to CAMHS have reflected the experiences of children and young people where referral processes have been unclear and thresholds have been high affecting access to services; the quality of provision has been questioned; and a lack of joined-up approach between CAMHS, education and social services has impacted on the ability of children and young people to access their rights.

We have identified that there may be particular cause for concern in relation to three major areas of mental health provision. These are detailed separately below and include a brief summary of the emerging concerns.

- Access to psychological therapies

Children and young people accessing a medically driven service model where access to psychological therapies, including the provision of counselling, has not necessarily been made available to them in conjunction with the prescription of medication.



- ASD assessments

Children and young people being caught up in unclear assessment protocols and availability of ASD treatment and support. CAMHS contribution to the assessment and treatment processes unclear and children and young people experiencing lengthy waiting times as a result of demand upon services and unclear referral pathways.

- CAMHS provision in youth justice settings

Young people in contact with the youth justice system continue to experience barriers to accessing CAMHS provision as a result of often unclear commissioning arrangements; lack of joined-up services; and an understanding of information sharing expectations and integrated assessment processes.

Implementation of Mental Health (Wales) Measure for children and young people:

In addition to the above, anecdotal evidence received from key CAMHS stakeholders is that the Measure does not allow for the most appropriate application for children and young people. For example, we are aware that Part One of the Measure provides for the establishment by LHBs and LAs in partnership, of local primary mental health support services, operating either within or alongside GP practices across Wales. However, whilst we recognise the intention to provide consistency in provision and earlier access to mental health services, the service model currently available to service planners only allows for referrals via GPs and therefore does not reflect the fact that these professionals are often not the first point of contact for children and young people. As a result of this, we are aware that in one LHB area, services have been re-developed to ensure that children, young people and their families are seen as early as possible by practitioners with appropriate skills within primary care. This in turn, ensures sufficient regard for children and young people within their structure of service provision.

Another issue that has been raised anecdotally with the Commissioner is the need to review the application of the Care & Treatment Planning resource available to CAMHS when applying Part Two of the Measure. Again, we understand that this part seeks to ensure greater involvement of service users, better outcomes and a co-ordinated response to patients through the development of a plan, for those in receipt of secondary service. However, we are aware that CAMHS practitioners are having to consistently modify the template available to them to ensure its applicability and appropriateness for children and young people.



Collating the views of children and young people:

As outlined in the Commissioner's Annual Report 2012-2013, we are currently collating the views of children and young people across Wales in relation to their emotional wellbeing and access to mental health services. We are engaged with colleagues working with children and young people locally to distinguish the work that has already taken place on this policy area and to collate the views they have already shared with local services. In addition to this, and in order to gain the particular views of children and young people who have been in receipt of mental health services across Wales, we are scoping the possibility of assessing the feedback provided through local evaluation and review processes to ensure we do not duplicate work and to also provide an avenue for their views to contribute towards the Commissioner's position and influencing plans.

If you would like further information about any of the issues raised within this briefing, please contact Nia Evans: nia.evans@childcomwales.org.uk / 01792 765600

Pwyllgor Cyfrifon Cyhoeddus Public Accounts Committee

Ann Jones AM
Children and Young People
Committee

10 December 2013

Dear Ann,

Capital Investment in Schools

At our meeting on 3 December 2013 the Public Accounts Committee considered an update from the Welsh Government on our report on Capital Investment in School. The inquiry focused on primarily the 21st Century Schools Programme and its potential to address past weaknesses in the planning and management of capital investment in schools.

We agreed there was merit in sharing the correspondence with the Children and Young People Committee to inform the Committee's general scrutiny of the Minister for Education and Skills.

A copy of the correspondence is attached.

Yours sincerely



**Darren Millar AM
Chair
Public Accounts Committee**

Owen Evans
Cyfarwyddwr Cyffredinol • Director General

Yr Adran Addysg a Sgiliau
Department for Education and Skills



Llywodraeth Cymru
Welsh Government

Darren Millar AM
Chair
Public Accounts Committee
National Assembly for Wales

Dear Darren,

Capital Investment in Schools

Thank you for your letter dated 11 October requesting further clarification on some of the points provided in my response to the Committee in August.

For ease of reference my response is provided below, applying the same corresponding headings as set out in your letter:

1. Timescales for making schools fit for purpose

As detailed in my previous letter the 21st Century Schools Programme supersedes the previous ambition of the “fit for purpose” aim of the former building investment programme; the Schools Buildings Improvement Grant (SBIG).

This means that investment proposals are no longer measured against a “fit for purpose” type standard and that the expectation of the new programme, and its appraisal process, goes beyond the concept of putting schools in a reasonable standard of repair. This is why in my previous response I stated that the new programme aspires to be more than that of building investment and that it was seeking to put to an end to the piecemeal “patch and mend” mentality that was prevalent in the last programme.

Setting a Programme Standard

In developing a forward long-term strategic investment programme the first stage of planning is the preparation of a Strategic Outline Programme. As outlined in previous evidence to the Committee the Strategic Outline Programmes submitted were assessed against a high-level set of criteria, which is provided at **Annex 1**. This high level set of criteria clearly sets out the expectations of the programme; which was supported by a wide ranging sub-set of specific assessment criteria.

Upon completion of the assessment process, all 22 Strategic Outline Programmes were eventually approved. Local authorities are now in the process of submitting business cases for all those projects they outlined in the first wave of their programmes; with all of these projects being at varying stages of planning and delivery.

Project Assessment Standards

A requirement of the programme is that all business case submissions are made in accordance with the HM Treasury 5 Case standard which means that each investment proposal is assessed against the following:

- Is there a robust case for change – the ‘strategic’ case;
- Does the project optimise value for money – the ‘economic’ case;
- Is the proposal commercially viable – the ‘commercial’ case;
- Is the project financially affordable – the ‘financial case’; and
- Is the project achievable/can it be delivered – the ‘management’ case.

To further reassure the Committee, in addition to the submission of the business cases, each project is developed with the support of Building Bulletins, which are specific guidelines for those involved in new school building and refurbishment projects, along with further technical information on project delivery and best practice for aspects such as transforming the learning environment, school design, school grounds, procurement and project management.

2. Capital Planning

Category C Schools

A list of the Category schools is provided at Annex 2. I would again like to remind the Committee that the survey was undertaken three to four years ago, in 2009/10, and provided a “snapshot” of the condition at that time, and that a new survey is already planned.

As noted above in Section 1, projects in the first wave are all at varying stages of planning and delivery. This means that a proportion of Category C schools have not yet been named nor were they specifically identified in the Strategic Outline Programmes. This is because they have not yet gone through the statutory determination process for school organisation which is why an estimated percentage of the Category C schools in the first wave was detailed in my last response.

Outcomes of school organisation consultation do determine the scope of school investment projects in the programme so ordinarily, where there a pending consultation in relation to a school organisation proposal, we would not expect school names to be provided until the project is at Full Business Case stage, or at best, the earlier stage of Outline Business Case stage.

Prioritisation of Projects in the First Wave

In summary, Welsh Government requested local authorities to prioritise their investment proposals in the first wave against condition, surplus places and running efficiencies (e.g. reduction in running costs, backlog maintenance) but also enabled authorities to prioritise investment where there was a need to address Welsh Medium and/or Faith Based Education issues. The local authorities then determined which investment proposals were to be incorporated in the first wave of investment on the basis of local need and local circumstances; within the programme cost envelope that was available.

3. The need for a holist approach to school investment

Asbestos Surveys

My response here is to firstly point out that, that the enforcement of the relevant legislation (the Control of Asbestos Regulations 2012) falls to the Health and Safety Executive (HSE) and not the Welsh Government, as does the remit for the provision of advice and guidance.

So in essence this means that we do not do anything differently here in Wales to in England. The types of survey that should be conducted in relation to asbestos are, therefore, defined by the HSE. In summary, the HSE inform that 2 types of surveys of asbestos should be undertaken which are a:

1. Management Survey; or
2. Refurbishment/Demolition Survey.

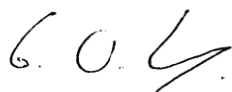
Neither of these surveys is purely comprised of visual inspections but they do have varying levels of intrusiveness.

A Management Survey is required to enable the management of Asbestos Containing Materials (ACM) during the normal occupation and use of premises and aims to ensure that: nobody is harmed by the continuing presence of ACM in the premises or equipment; that the ACM remains in good condition; and nobody disturbs it accidentally. It involves minor intrusion and minor asbestos disturbance to make a Materials Assessment. This shows the ability of ACM, if disturbed, to release fibres into the air and guides the client, e.g. in prioritising any remedial work. It is this survey that is used to inform the Asset Management Plans that are required. Responsibility for having these Asset Management Plans in place, and the actual management of asbestos, lies with the duty-holder and in the school premises context, this can either be the local authority or the school governing body.

The Refurbishment/Demolition Survey is required where the premises, or part of it, need upgrading, refurbishment or demolition. This survey does not need a record of the ACM condition and aims to ensure that: nobody will be harmed by work on ACM in the premises or equipment; and such work will be done by the right contractor in the right way. The survey must locate and identify all ACM before any structural work begins at a stated location or on stated equipment at the premises and involves destructive inspection and asbestos disturbance. When this type of survey is conducted the area surveyed must be vacated and certified 'fit for reoccupation' after the survey.

I trust the content of this letter provides clarification requested on the points the Committee raised with you.

Yours sincerely



OWEN EVANS

CRITERIA	SUMMARY OF RATIONALE
1. HIGH-LEVEL INVESTMENT OBJECTIVES	
1 School improvement strategy	Strategies are in place for school improvement, where necessary, and where appropriate for joint working at WAG/consortia/authority/school level.
2 Transformation of approaches to teaching and learning, incl. use of ICT	Local authority and schools have worked to implement a vision for teaching and learning that is more than just a building programme, drawing on available best practice guidance, including BECTA's publication: " <i>Transforming education and training through effective use of technology in capital programmes</i> ". The vision should embrace the whole 3-19 age range.
3 Organisation strategy across 3-19 age range	Opportunities have been taken where necessary to reduce surplus places and address organisational change, or otherwise improve the efficiency of the school estate. The strategy should refer to inter-authority issues and the full requirements of statutory processes. Reference should also be made here to the demand for Welsh Medium education.
4 Sustainability and CO2 reduction	Strategies for sustainability including carbon dioxide emissions associated with the education estate are in place.
5 Integrated public services, co-location of services and community benefits	Opportunities have been created where possible to co-locate and integrate community services and/or to enhance local or regional regeneration

Category C condition schools as at 2010

Local Authority	School Name
Blaenau Gwent	Abertillery Primary School
Blaenau Gwent	All Saints R.C. Primary School
Blaenau Gwent	Blaen-Y-Cwm C.P. School
Blaenau Gwent	Briery Hill Primary School
Blaenau Gwent	Bryngwyn Primary
Blaenau Gwent	Cwm Primary School
Blaenau Gwent	Deighton Junior and Infants
Blaenau Gwent	Glyncoed Primary School
Blaenau Gwent	Pontygof Primary School
Blaenau Gwent	Rhos-Y-Fedwyn Primary
Blaenau Gwent	St Joseph's R.C.
Blaenau Gwent	Waunlwyd Primary School
Blaenau Gwent	Ysgol Gymraeg Brynmawr
Blaenau Gwent	Abertillery Comprehensive School
Blaenau Gwent	Ebbw Vale Comprehensive School
Blaenau Gwent	Glyncoed Comprehensive School
Blaenau Gwent	Nantyglo Comprehensive School
Blaenau Gwent	Pen-Y-Cwm Special School
Bridgend	Betws Primary School
Bridgend	Mynydd Cynffig County Junior
Bridgend	Nantymoel Primary School
Bridgend	Penyfai C.I.W. Primary
Bridgend	St Robert's Primary Catholic School
Bridgend	Tynyrheol Primary School
Bridgend	Ysgol Cynwyd Sant
Bridgend	Ysgol G.G. Cwm Garw
Bridgend	Archbishop Mcgrath Catholic School
Bridgend	Brynteg Comprehensive School
Bridgend	Pencoed Comprehensive School
Caerphilly	Aberbargoed Primary School
Caerphilly	Bryn Primary School
Caerphilly	Cefn Fforest Primary School
Caerphilly	Cwmaber Infant School
Caerphilly	Deri Primary School
Caerphilly	Fleur-De-Lys Primary School
Caerphilly	Fochriw Primary School
Caerphilly	Libanus Primary School
Caerphilly	Machen Primary School
Caerphilly	Markham Primary School
Caerphilly	Pengam Primary School
Caerphilly	Phillipstown Primary School
Caerphilly	Pontlottyn Primary School
Caerphilly	St Helen's Catholic Primary School
Caerphilly	St James Primary

Caerphilly	Tiryberth Primary School
Caerphilly	Trinant Primary School
Caerphilly	Twyn Primary School
Caerphilly	Ty Sign Primary School
Caerphilly	Upper Rhymney Primary School
Caerphilly	Ynysddu Primary School
Caerphilly	Ysgol Gymraeg Bro Allta
Caerphilly	Ysgol Gymraeg Gilfach Fargoed
Caerphilly	Ysgol Gymraeg Trelyn
Caerphilly	Ysgol Gynradd Gymraeg Y Castell
Caerphilly	Ysgol Y Lawnt
Caerphilly	Ystrad Mynach Primary
Caerphilly	Glanynant Learning Centre (PRU)
Caerphilly	Bedwas High School
Caerphilly	Blackwood Comprehensive School
Caerphilly	Heolddu Comprehensive School
Caerphilly	Lewis Girls' Comprehensive School
Caerphilly	Newbridge School
Caerphilly	Oakdale Comprehensive School
Caerphilly	Pontllanfraith Comprehensive School
Caerphilly	Rhymney Comprehensive School
Caerphilly	Risca Community School
Caerphilly	St Martin Comprehensive School
Cardiff	Adamsdown Primary School
Cardiff	Bryn Hafod Primary School
Cardiff	Cefn Onn Primary School
Cardiff	Creigiau Primary School
Cardiff	Greenway Primary School
Cardiff	Holy Family R.C. Primary School
Cardiff	Lakeside Primary School
Cardiff	Llanedeyrn Primary School
Cardiff	Oakfield Primary School
Cardiff	Springwood Primary School
Cardiff	St Francis V.A. Primary School
Cardiff	St Mary The Virgin C.I.W. Primary School
Cardiff	St Mary's R.C. Primary School
Cardiff	Ysgol Gymraeg Coed-Y-Gof
Cardiff	Ysgol-Y-Wern
Cardiff	Bryn Y Deryn School and Student Support Unit
Cardiff	Cantonian High School
Cardiff	Cardiff High School
Cardiff	Fitzalan High School
Cardiff	Llanedeyrn High School
Cardiff	Llanishen High School
Cardiff	Llanrumney High School
Cardiff	Radyr Comprehensive School
Cardiff	Rumney High School

Cardiff	Whitchurch High School Upper
Cardiff	Willows High School
Cardiff	Ysgol Gyfun Gymraeg Glantaf
Cardiff	Ty Gwyn Special School
Carmarthenshire	Abernant C.P. School
Carmarthenshire	Caio County Primary School
Carmarthenshire	Carway C.P. School
Carmarthenshire	Cefneithin C.P.
Carmarthenshire	Copperworks Infant and Nursery School
Carmarthenshire	Cross Hands C.P. School
Carmarthenshire	Cwmifor C.P. School
Carmarthenshire	Ferryside V.C.P. School
Carmarthenshire	Gwynfryn CP School
Carmarthenshire	Halfway C.P. School
Carmarthenshire	Hendy C.P. Mixed School
Carmarthenshire	Johnstown C.P. School
Carmarthenshire	Llandeilo C.P. School
Carmarthenshire	Llandybie C.P. School
Carmarthenshire	Llangadog C.P. School
Carmarthenshire	Llangennech Junior School
Carmarthenshire	Llangunnor C.P. School
Carmarthenshire	Llanmiloe C.P. School
Carmarthenshire	Llansadwrn C.P. School
Carmarthenshire	Llanybydder C.P. School
Carmarthenshire	Maes Yr Morfa Community Primary School
Carmarthenshire	Meidrim C.P. School
Carmarthenshire	Myrddin C.P. School
Carmarthenshire	Myrddin C.P. School
Carmarthenshire	Nantygroes C.P. School
Carmarthenshire	Parc Y Tywyn School
Carmarthenshire	Pembrey C.P. School
Carmarthenshire	Pentip V.A. C.I.W. Primary School
Carmarthenshire	Pontiets C.P. School
Carmarthenshire	Pontyberem C.P. School
Carmarthenshire	Trimsaran C.P. School
Carmarthenshire	Y.G. Cynwyl Elfed
Carmarthenshire	Ysgol Bro Banw Community Primary School
Carmarthenshire	Ysgol Bro Banw Community Primary School
Carmarthenshire	Ysgol Capel Cynfab
Carmarthenshire	Ysgol Cefnbrynbrain
Carmarthenshire	Ysgol G. Rhydcymerau
Carmarthenshire	Ysgol Gruffydd Jones
Carmarthenshire	Ysgol Gynradd Llansawel
Carmarthenshire	Ysgol Gynradd Bancffosfelen
Carmarthenshire	Ysgol Gynradd Blaenau
Carmarthenshire	Ysgol Gynradd Brechfa
Carmarthenshire	Ysgol Gynradd Hafodwenog

Carmarthenshire	Ysgol Gynradd Hendy Gwyn Ar Daf
Carmarthenshire	Ysgol Gynradd Llanedy
Carmarthenshire	Ysgol Gynradd Parcyrhun
Carmarthenshire	Ysgol Gynradd Ponthenri
Carmarthenshire	Ysgol Gynradd Pum Heol
Carmarthenshire	Ysgol Gynradd Tycoes
Carmarthenshire	Ysgol Gynradd Wirfoddol Llanddarog
Carmarthenshire	Ysgol Gynradd Wirfoddol Llanllwni
Carmarthenshire	Ysgol Gynradd Ystradowen
Carmarthenshire	Ysgol Teilo Sant
Carmarthenshire	Ysgol Y Ddwylan
Carmarthenshire	Ysgol Y Felin
Carmarthenshire	Ysgol Y Fro (Llangyndeyrn)
Carmarthenshire	Ysgol y Fro
Carmarthenshire	Aalton House Tuition Centre
Carmarthenshire	Pwll KS3 Teaching and Learning Centre
Carmarthenshire	Amman Valley Comprehensive School
Carmarthenshire	Bryngwyn Comprehensive School
Carmarthenshire	Coedcae School
Carmarthenshire	Ysgol Gyfun Emlyn
Carmarthenshire	Ysgol Gyfun Gymraeg Bro Myrddin
Carmarthenshire	Ysgol Gyfun Pantycelyn
Carmarthenshire	Ysgol Gyfun Tregib
Carmarthenshire	Ysgol Gyfun Y Strade
Carmarthenshire	Ysgol Y Gwendraeth
Carmarthenshire	Ysgol Rhydygors
Ceredigion	Capel Seion Primary School
Ceredigion	Cardigan Community Primary School
Ceredigion	Coedybryn C.P.
Ceredigion	Llanwnnen C.P. School
Ceredigion	Mynach C.P. School
Ceredigion	Plascrug C.P. School
Ceredigion	Rhyd Lewis C.P. School
Ceredigion	St Padarns R.C.P. School
Ceredigion	Y.G. Capel Cynon
Ceredigion	Y.G. Glynarthen
Ceredigion	Y.G. Llanddewi Brefi
Ceredigion	Y.G. Llangynfelyn
Ceredigion	Y.G. Pontgarreg
Ceredigion	Y.G. Pontrhydfendigaid
Ceredigion	Ysgol Gynradd Llanfihangel-Y-Creuddyn
Ceredigion	Ysgol Gynradd Lledrod
Ceredigion	Ysgol Craig Yr Wylfa
Ceredigion	Ysgol Gymunedol Llannon
Ceredigion	Ysgol Gynradd Aberporth
Ceredigion	Ysgol Gynradd Beulah
Ceredigion	Ysgol Gynradd Bronnant

Ceredigion	Ysgol Gynradd Cei Newydd
Ceredigion	Ysgol Gynradd Cenarth
Ceredigion	Ysgol Gynradd Dihewyd
Ceredigion	Ysgol Gynradd Llanafan
Ceredigion	Ysgol Gynradd Llandysul
Ceredigion	Ysgol Gynradd Llangeitho
Ceredigion	Ysgol Gynradd Llanilar
Ceredigion	Ysgol Gynradd Llechryd
Ceredigion	Ysgol Gynradd Penllwyn
Ceredigion	Ysgol Gynradd Talybont
Ceredigion	Ysgol Gynradd Trewen
Ceredigion	Ysgol Llwyn-Yr-Eos
Ceredigion	Ysgol Penlŷn
Ceredigion	Ysgol Syr John Rhys
Ceredigion	Ceredigion Teaching and Learning Centre Aberaeron
Ceredigion	Ysgol Uwchradd Aberteifi
Ceredigion	Ysgol Gyfun Dyffryn Teifi
Conwy	Blessed William Davies School
Conwy	Conwy Road Infants School
Conwy	Llandrillo Yn Rhos Primary School
Conwy	Llanefydd School
Conwy	Mochdre Infants C.P. School
Conwy	Ysgol Babanod Llanfairfechan
Conwy	Ysgol Betws-y-Coed
Conwy	Ysgol Bod Alaw
Conwy	Ysgol Capel Garmon
Conwy	Ysgol Cystennin
Conwy	Ysgol Ffordd Dyffryn
Conwy	Ysgol Glan Conwy
Conwy	Ysgol Gynradd Pentrefoelas
Conwy	Ysgol Gynradd Tal-Y-Bont
Conwy	Ysgol Llanfair Talhaiarn
Conwy	Ysgol Nant Y Coed
Conwy	Ysgol Pant-Y-Rhedyn
Conwy	Ysgol T. Gwynn Jones
Conwy	Ysgol Trefriw
Conwy	Ysgol Y Foryd
Denbighshire	Bodnant Infants School
Denbighshire	Bodnant Junior School
Denbighshire	Heulfre Junior School
Denbighshire	Llandrillo C.P. School
Denbighshire	Llantysilio C.I.W. Controlled School
Denbighshire	St Brigid's School
Denbighshire	Twm O'r Nant
Denbighshire	Ysgol Bro Elwern
Denbighshire	Ysgol Bryn Collen Llangollen
Denbighshire	Ysgol Emmanuel

Denbighshire	Ysgol Esgob Morgan
Denbighshire	Ysgol Hiraddug
Denbighshire	Ysgol Pen Barras
Denbighshire	Ysgol Penmorfa
Denbighshire	Ysgol Tremeirchion
Denbighshire	Ysgol Y Llys
Denbighshire	Blessed Edward Jones R.C. School
Denbighshire	Prestatyn High School
Denbighshire	Rhyl High School
Denbighshire	St Brigid's School
Denbighshire	Ysgol Uwchradd Glan Clwyd
Denbighshire	Ysgol Tir Morfa
Flintshire	Abermorddu C.P. School
Flintshire	Broughton Infants School
Flintshire	Broughton Junior School
Flintshire	Brynford C.P. School
Flintshire	Buckley Southdown C.P.
Flintshire	Custom House Lane C.P.
Flintshire	Golftyn C.P. School
Flintshire	Merllyn C.P. School
Flintshire	Mountain Lane C.P. School
Flintshire	Mynydd Isa Junior School
Flintshire	Saltney Wood Memorial C.P. School
Flintshire	Sandycroft C.P. School
Flintshire	Sealand C.P. School
Flintshire	Shotton Infants School
Flintshire	St Anthony's R.C. Primary School
Flintshire	Ven. Edward Morgan R.C. Primary School
Flintshire	Wat's Dyke Infants School
Flintshire	Westwood Community Primary School
Flintshire	Ysgol Bro Carmel
Flintshire	Ysgol Bryn Coch C.P.
Flintshire	Ysgol Bryn Pennant C.P.
Flintshire	Ysgol Croes Atti
Flintshire	Ysgol Estyn C.P.
Flintshire	Ysgol Glan Aber C.P.
Flintshire	Ysgol Glanrafon
Flintshire	Ysgol Gwenffrwd
Flintshire	Ysgol Gymraeg Mornant
Flintshire	Ysgol Parc Y Llan
Flintshire	Ysgol Y Fron C.P. School
Flintshire	Ysgol Y Waun
Flintshire	Argoed High School
Flintshire	Connah's Quay High School
Flintshire	Elfed High School
Flintshire	Holywell High School
Flintshire	Alun School

Flintshire	St Richard Gwyn Roman Catholic High School
Flintshire	Ysgol Maes Garmon
Gwynedd	Y.G. Abergynolwyn
Gwynedd	Y.G. Rhostryfan
Gwynedd	Y.G. Y Groeslon
Gwynedd	Ysgol Abercaseg
Gwynedd	Ysgol Babanod Coed Mawr
Gwynedd	Ysgol Bodfeurig
Gwynedd	Ysgol Bro Hedd Wyn
Gwynedd	Ysgol Bro Plennydd
Gwynedd	Ysgol Cefn Coch
Gwynedd	Ysgol Cymerau
Gwynedd	Ysgol Dolbadarn
Gwynedd	Ysgol Edmwnd Prys
Gwynedd	Ysgol Ein Harglwyddes
Gwynedd	Ysgol Foel Gron
Gwynedd	Ysgol Gynradd Aberdyfi
Gwynedd	Ysgol Gynradd Abererch
Gwynedd	Ysgol Gynradd Beddgelert
Gwynedd	Ysgol Gynradd Bethel
Gwynedd	Ysgol Gynradd Bryncrug
Gwynedd	Ysgol Gynradd Edern
Gwynedd	Ysgol Gynradd Hirael
Gwynedd	Ysgol Gynradd Llanegryn
Gwynedd	Ysgol Gynradd Maesinclla
Gwynedd	Ysgol Gynradd Nebo
Gwynedd	Ysgol Gynradd Nefyn
Gwynedd	Ysgol Gynradd Pennal
Gwynedd	Ysgol Gynradd Rhiwlas
Gwynedd	Ysgol Ieuan Gwynedd
Gwynedd	Ysgol Llanystumdwy
Gwynedd	Ysgol Llidiardau
Gwynedd	Ysgol Penybryn
Gwynedd	Ysgol Trefferthyr
Gwynedd	Ysgol Tregarth
Gwynedd	Ysgol Y Friog
Gwynedd	Ysgol Y Gelli
Gwynedd	Ysgol Y Traeth
Gwynedd	Uned Bryn Llwyd
Gwynedd	Ysgol Arduwy
Gwynedd	Ysgol Botwnnog
Gwynedd	Ysgol Brynrefail
Gwynedd	Ysgol Dyffryn Nantlle
Gwynedd	Ysgol Dyffryn Ogwen
Gwynedd	Ysgol Syr Hugh Owen
Gwynedd	Ysgol Uwchradd Tywyn
Gwynedd	Ysgol Hafod Lon

Isle of Anglesey	Ysgol Syr Thomas Jones
Merthyr Tydfil	St Illtyds R.C.Primary School
Merthyr Tydfil	Ysgol-Y-Graig Primary School
Merthyr Tydfil	Afon Taf High School
Merthyr Tydfil	Bishop Hedley High School
Merthyr Tydfil	Pen-Y-Dre High School
Monmouthshire	Caldicot West End Infants School
Monmouthshire	Castle Park Primary School
Monmouthshire	Govilon C.P. School
Monmouthshire	Llanfair Kilgeddin V.A. Primary
Monmouthshire	Llanfihangel Crucorney C.P. School
Monmouthshire	Llanover Junior and Infants School
Monmouthshire	Raglan V.C. Primary School
Monmouthshire	Thornwell Primary School
Monmouthshire	Ysgol Gymraeg Y Ffin
Monmouthshire	King Henry VIII Comprehensive School
Neath Port Talbot	Baglan Primary School
Neath Port Talbot	Blaendulais Primary School
Neath Port Talbot	Blaenhonddan Primary School
Neath Port Talbot	Brynhyfyrd Primary School
Neath Port Talbot	Central Junior School
Neath Port Talbot	Creunant Primary School
Neath Port Talbot	Croeserw Primary School
Neath Port Talbot	Crymlyn Primary School
Neath Port Talbot	Cwmafan Junior School
Neath Port Talbot	Duffryn Afan Primary School
Neath Port Talbot	Glyncorwg Primary School
Neath Port Talbot	Godre'rgraig Primary School
Neath Port Talbot	Llangiwg Primary School
Neath Port Talbot	Llansawel Primary School
Neath Port Talbot	Melin Infant School
Neath Port Talbot	Mynachlog Nedd Junior School
Neath Port Talbot	Neath Abbey Infants
Neath Port Talbot	Pontrhydyfen Primary School
Neath Port Talbot	Rhos Primary School
Neath Port Talbot	St Joseph's Infant School
Neath Port Talbot	St Josephs R.C.Primary School
Neath Port Talbot	Tairgwaith Primary School
Neath Port Talbot	Tirmorfa Primary School
Neath Port Talbot	Tonnau Primary Community School
Neath Port Talbot	Traethmelyn Primary School
Neath Port Talbot	Tywyn Primary School
Neath Port Talbot	Y.G.G. Blaendulais
Neath Port Talbot	YGGD Y Wern
Neath Port Talbot	YGGD Gwauncaegurwen
Neath Port Talbot	YGGD Trebannws
Neath Port Talbot	Ynysfach Primary School

Neath Port Talbot	Ynysmaerdy Primary School
Neath Port Talbot	Ysgol GG Rhos-Afan
Neath Port Talbot	Cefn Saeson Comprehensive School
Neath Port Talbot	Cwrt Sart Community Comprehensive School
Neath Port Talbot	Cymer Afan Comprehensive School
Neath Port Talbot	Dwr-Y-Felin Comprehensive School
Neath Port Talbot	Dyffryn School
Neath Port Talbot	Glan Afan Comprehensive School
Neath Port Talbot	Llangatwg Community School
Neath Port Talbot	Sandfields Comprehensive School
Newport	Alway Primary
Newport	Brynglas Primary School
Newport	Caerleon (Lodge Hill) Infants School
Newport	Caerleon (Lodge Hill) Junior School
Newport	Caerleon Endowed Infant school
Newport	Caerleon Endowed Junior School
Newport	Crindau Primary School
Newport	Duffryn Infant School
Newport	Duffryn Junior School
Newport	Gaer Infant School
Newport	Gaer Junior School
Newport	Glasllwch Primary School
Newport	High Cross Primary
Newport	Langstone Primary School
Newport	Maesglas Primary School
Newport	Malpas Park Primary School
Newport	Marshfield Primary School
Newport	Millbrook Primary School
Newport	Milton Infants School
Newport	Milton Junior School
Newport	Mount Pleasant Primary
Newport	Somerton Primary School
Newport	St Gabriel's R.C. Primary School
Newport	St Mary's R.C. Primary School
Newport	St Patrick's R.C. Primary School
Newport	Duffryn High School
Newport	Hartridge High School
Newport	St Julian's School
Pembrokeshire	Angle V.C. School
Pembrokeshire	Burton V.C.P. School
Pembrokeshire	Cosheston V.C.P. School
Pembrokeshire	Croesgoch C.P. School
Pembrokeshire	Fenton C.P
Pembrokeshire	Hakin C.P. Junior Mixed School
Pembrokeshire	Haverfordwest Junior V.C. School
Pembrokeshire	Hook C.P. School
Pembrokeshire	Johnston C.P. School

Pembrokeshire	Manorbier V.C.P. School
Pembrokeshire	Mathry V.C.P. School
Pembrokeshire	Mount Airey C.P.
Pembrokeshire	Neyland Primary School
Pembrokeshire	Orielton C.P. School
Pembrokeshire	Pennar Community School
Pembrokeshire	Puncheston CP School
Pembrokeshire	Roch C.P. School
Pembrokeshire	St Aidans V.A.P. School
Pembrokeshire	St Florence V.C. School
Pembrokeshire	St Francis V.R.C. School
Pembrokeshire	St Teilos V.R.C. School
Pembrokeshire	Wolfcastle C.P. School
Pembrokeshire	Ysgol Gelli Aur Golden Grove
Pembrokeshire	Ysgol Gynradd Brynconin
Pembrokeshire	Ysgol Llanychllwydog
Pembrokeshire	Outreach Unit (SAGE)
Pembrokeshire	Pembrokeshire Pupil Referral Service
Pembrokeshire	Milford Haven School
Pembrokeshire	Pembroke School Ysgol Penfro
Pembrokeshire	Sir Thomas Picton School
Pembrokeshire	Tasker-Milward V.C. School
Pembrokeshire	The Greenhill School
Pembrokeshire	Ysgol Bro Gwaun
Pembrokeshire	Ysgol Dewi Sant
Pembrokeshire	Ysgol Gyfun Ddwyieithog Y Preseli
Powys	Llanfyllin C.P. School
Powys	Aberhafesp C.P. School
Powys	Arddleen C.P. School
Powys	Ardwyn Nursery and Infant School
Powys	Banw C.P. School
Powys	Beguildy C.I.W. School
Powys	Buttington Trewern C.P. School
Powys	Dolfor C.P. School
Powys	Forden C.I.W. School
Powys	Gungrog C.I.W. Infant School
Powys	Hafren C.P. Junior School
Powys	Irfon Valley C.P. School
Powys	Ladywell Green Nurs. and Inf. School
Powys	Leighton C.P. School
Powys	Llanbister C.P. School
Powys	Llandinam C.P. School
Powys	Llandrindod Wells C.I.W. School
Powys	Llanelwedd C.I.W. School
Powys	Llanfair Caereinion C.P.
Powys	Llanfechain C.I.W. School
Powys	Llanfihangel Rhydithon C.P.

Powys	Llangynidr C.P. School
Powys	Llanidloes C.P. School
Powys	Montgomery C.I.W. School
Powys	Nantmel C.I.W. School
Powys	Presteigne C.P. School
Powys	Talgarth C.P. School
Powys	Ysgol Maesydre
Powys	Gwernyfed High School
Powys	John Beddoes School
Powys	Llandrindod High School
Powys	Llanidloes High School
Powys	Newtown High School
Powys	Welshpool High School
Powys	Brynllwarch Hall School
Rhondda Cynon Taf	Aberdare Town C.I.W. Primary School
Rhondda Cynon Taf	Aberllechau Primary School
Rhondda Cynon Taf	Alaw Primary School
Rhondda Cynon Taf	Blaengwawr Primary School
Rhondda Cynon Taf	Bodringallt Primary School
Rhondda Cynon Taf	Capcoch Primary School
Rhondda Cynon Taf	Caradog Primary School
Rhondda Cynon Taf	Cwmaman Infants School
Rhondda Cynon Taf	Cwmbach C.I.W. Primary School
Rhondda Cynon Taf	Cwmclydach Primary
Rhondda Cynon Taf	Cwmdar County Primary School
Rhondda Cynon Taf	Glanffrwd Infant School
Rhondda Cynon Taf	Glynhafod Junior School
Rhondda Cynon Taf	Hendreforgan Primary School
Rhondda Cynon Taf	Llanhari Primary School
Rhondda Cynon Taf	Maerdy Primary School
Rhondda Cynon Taf	Oaklands Primary School
Rhondda Cynon Taf	Penrhiwceibr Primary
Rhondda Cynon Taf	Pentre Primary School
Rhondda Cynon Taf	Penygraig Junior School
Rhondda Cynon Taf	Pontrhondda Primary School
Rhondda Cynon Taf	Rhigos Primary School
Rhondda Cynon Taf	Ton Pentre Junior School
Rhondda Cynon Taf	Tonypandy Primary School
Rhondda Cynon Taf	Tonysguboriau Primary School
Rhondda Cynon Taf	Tref-Y-Rhyg Primary School
Rhondda Cynon Taf	Treorchy Primary School
Rhondda Cynon Taf	Trerobart Primary School
Rhondda Cynon Taf	Ynysboeth Junior School
Rhondda Cynon Taf	Ynyswen Infant School
Rhondda Cynon Taf	Ysgol G. G. Llwyncelyn
Rhondda Cynon Taf	Ysgol G.G. Bodringallt
Rhondda Cynon Taf	Ysgol G.G. Bronllwyn

Rhondda Cynon Taf	Ysgol G.G. Llyn Y Forwyn
Rhondda Cynon Taf	Ysgol G.G. Ynyswen
Rhondda Cynon Taf	Ysgol Gymraeg Abercynon
Rhondda Cynon Taf	Aberdare Boys' School
Rhondda Cynon Taf	Bryncelynnog Comprehensive School
Rhondda Cynon Taf	Cardinal Newman R.C. Comprehensive School
Rhondda Cynon Taf	Hawthorn High School
Rhondda Cynon Taf	Tonyrefail Comprehensive School
Rhondda Cynon Taf	Ysgol Gyfun Cymer Rhondda
Rhondda Cynon Taf	Ysgol Gyfun Llanhari
Swansea	Bishopston Primary School
Swansea	Blaenymaes Primary School
Swansea	Brynhyfryd Junior School
Swansea	Casllwchwr Primary School
Swansea	Dunvant Primary
Swansea	Gors Community Primary School
Swansea	Gorseinon Junior School
Swansea	Gorseinon Infant and Nursery School
Swansea	Gwyrosydd Primary
Swansea	Knelston Primary School
Swansea	Manselton Primary School
Swansea	Pentrechwyth Primary School
Swansea	Pentrepoeth Infant School
Swansea	Pentrepoeth Junior School
Swansea	Plasmarl Primary School
Swansea	Portmead Primary School
Swansea	St Helen's Primary School
Swansea	St Joseph's Cathedral Infant School
Swansea	St Josephs Cathedral Junior School
Swansea	Townhill Community Primary School
Swansea	Waun Wen Primary School
Swansea	Y.G.G. Bryn-Y-Mor
Swansea	Ysgol Gynradd Gymraeg Lonlas
Swansea	Key Stage 3 Education Centre
Swansea	Bishop Gore School
Swansea	Cefn Hengoed Community School
Swansea	Daniel James Community School
Swansea	Gowerton School
Swansea	Morrison Comprehensive School
Swansea	Pentrehafod School
The Vale of Glamorgan	Gladstone Primary School
The Vale of Glamorgan	Holton Primary School
The Vale of Glamorgan	Peterston Super Ely C.I.W. Primary
The Vale of Glamorgan	St Helen's R.C. Junior School
The Vale of Glamorgan	Partnership for young parents
The Vale of Glamorgan	Llantwit Major School
The Vale of Glamorgan	St Cyres Comprehensive School

The Vale of Glamorgan	Ysgol Erw'r Delyn
Torfaen	Blaenavon Hillside Nursery School
Torfaen	Brynteg Nursery School
Torfaen	Two Locks Nursery School
Torfaen	Blenheim Road Community Primary School
Torfaen	Croesyceiliog Primary
Torfaen	Griffithstown Primary
Torfaen	Hillside Primary School
Torfaen	Hollybush Primary School
Torfaen	Kemys Fawr Infants School
Torfaen	Maendy Primary School
Torfaen	New Inn Primary School
Torfaen	Our Lady of the Angels R.C School
Torfaen	Pontnewynydd Primary
Torfaen	St David's R.C. Jnr. and Inf. School
Torfaen	St Peter's C.V. Junior and Infants
Torfaen	Victoria Primary School
Torfaen	cwnffrwdoer
Torfaen	Croesyceiliog School
Torfaen	Fairwater High School
Torfaen	Llantarnam School
Torfaen	St Alban's R.C. High School
Torfaen	Ysgol Gyfun Gwynllyw
Torfaen	Crownbridge Special Day School
Wrexham	Caia Park Nursery School
Wrexham	Erddig Nursery School
Wrexham	All Saints Primary School
Wrexham	Brynteg County School
Wrexham	Cefn Mawr Primary School
Wrexham	Ceiriog Junior School
Wrexham	Froncysyllte C.P. School
Wrexham	Garth C.P. School
Wrexham	Gwenfro Community Primary School
Wrexham	Johnstown Junior School
Wrexham	Minera Aided Primary School
Wrexham	Pentre Church in Wales Controlled Primary School
Wrexham	Pontfadog C.P. School
Wrexham	St Mary's C.I.W. Aided School
Wrexham	St Mary's Primary (Ruabon) School
Wrexham	Tanyfron C.P. School
Wrexham	Ysgol Acrefair
Wrexham	Ysgol Min-Y-Ddol
Wrexham	Cyfle Young Mothers Unit
Wrexham	Gwersyllt Support centre
Wrexham	Ymlaen
Wrexham	Darland High School
Wrexham	Ysgol Bryn Alyn

Wrexham	Ysgol-Y-Grango
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Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref LF/HL/1253/13

Ann Jones AM
Chair
Children and Young People's Committee
Cardiff Bay
Cardiff CF99 1NA

6 January 2014

Dear Ann,

Education (Wales) Bill

Following the General Principle's Debate on 3 December and detailed consideration of your Committee's helpful Scrutiny report, I have decided, on balance to support the removal of the Special Educational Needs (SEN) provisions from the Education (Wales) Bill.

I remain committed to supporting our learners in Wales, however, I have also listened to the opinions of stakeholders and Assembly Members that their preference is that the SEN provisions are removed from this Bill and included in a stand alone SEN Reform Bill. This Government takes the scrutiny process very seriously - it is for this reason that I will be supporting the removal of Part 3 (Persons with Learning Difficulties), from this Bill.

However, I want to reassure stakeholders and Assembly Members that my officials will work closely with them to bring forward legislation that is cohesive and holistic at the earliest opportunity. Whilst I am disappointed for our learners that the implementation of these provisions will be delayed, I would like to make clear that we are not back-tracking. I recognise the importance of collaborative working on what is a very important piece of legislation and I hope that you and your Committee Members will support the delivery of the SEN Reform legislation when I bring it forward at the next available opportunity.

I am also copying this letter to David Melding AM as Chair of the Constitutional and Legislative Affairs Committee for information.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Huw Lewis'.

Huw Lewis AC / AM

Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Huw Lewis AM
 Minister for Education and Skills
 Welsh Government
 5th Floor
 Ty Hywel
 Cardiff Bay
 Cardiff
 CF99 1NA

Our ref: CE9976RL

19 December 2013

Dear Minister

Education Bill

Recently I visited Coleg Elidyr which is situated in the north of my constituency near Llandovery as a guest in their 40th birthday celebration. Coleg Elidyr is an institution providing specialist further education and training for young people aged 18-25 with learning difficulties for individuals not suited to general provision. In my short time at the College I learnt about the transformative impact specialist provision can have on very vulnerable individuals. I am proud that the College is located in my constituency. The College was the first of its kind across the British State, and its model has been copied by countless other institutions. A path finding success which we should celebrate and help develop due to the person centred approach it provides to complex and vulnerable individuals.

Staff at Coleg Elidyr were very concerned at some of the proposals included in your Education Bill, which I understand is at Stage 2 of the legislative process.

The main concern of Coleg Elidyr relates to Assessment Arrangements and in particular the intention of transferring responsibility for assessments to Local Authorities. The College is concerned that the arrangements as proposed might not take into consideration the full range of post-16 options available, particularly including specialist provision such as provided by Coleg Elidyr.

Coleg Elidyr inform me traditionally there has not been much strategic collaboration between Local Authorities and specialist providers and the new assessment arrangements you propose might mean that individuals who should receive specialist provision are not allocated to suitable providers.

Coleg Elidyr understand that the bill aims to provide assessment guidance that specifies the requirement to assess for the needs of the individual, but by placing the responsibility on Local Authorities there will be an incentive to assess on the basis of the cheapest option.

There is also a clear issue as to how will vulnerable young people and their families will get the best advice in terms of the options available to them at this stage of their educational development.

The College also has concerns about the timescale and resourcing of the change. They understand that the first assessments will be conducted by Local Authorities from September 2014 which allows very little time for local

Jonathan Edwards AS / MP

Llais Sir Gâr yn San Steffan / Carmarthenshire's Voice in Westminster



authorities to identify deficits in their knowledge base of post-16 options and to implement the necessary procedures and training for those responsible for carrying out assessments. The timescale outlined by the Bill will not allow sufficient time for Local Authorities and specialist providers to develop a collaborative approach, in particular for Local Authorities to have a joint approach so that specialist providers like Coleg Elidyr do not find themselves having to deal with twenty two LA's, each with their own criteria for determining assessments.

The implementation of similar changes in England led to huge variations between the requirements of Local Authorities. I would hope that you would want to ensure that this will not happen in Wales and that there will be uniformity to ensure a seamless transition. I would hope that the Welsh Government in particular would be minded to ensure that there are strict protocols in place in relation to contractual arrangements and payment schedules between Local Authorities and Specialist providers.

Paragraph 28 of the guidance of the Bill notes that your new arrangements will lead to better value for money. The College are unclear as to how judgments for value for money will be reached considering that outcomes for specialist providers and general Further Education are so different. Often in complex cases such as those catered for at Coleg Elidyr, the cheapest option will not be the best option. What measures will you be placing in the Bill to ensure that full costs of meeting an individual's needs are taken into account when comparing mainstream and specialist provision.

The College inform me that experience in England following similar changes indicates that there is growing duplication between mainstream and specialist providers, leading to excess capacity and a waste of resources. Far from greater collaboration it's led to competition - an unintended consequence I'm sure you will probably wish to avoid.

In short Coleg Elidyr and other specialist providers are concerned that unless the Bill provides clear guidance in relation to admissions it could seriously impact the business model of specialist providers and more importantly limit the life chances of extremely vulnerable individuals. These individuals deserve the best support we as a society are able to provide. Specialist providers such as the College therefore need to be protected as a result of Education Bill.

Yn gywir iawn,

Jonathan Edwards AS/MP

Dwyrain Caerfyrddin a Dinefwr / Carmarthen East & Dinefwr

Cc Ann Jones AC, Cadeirydd Pwyllgor Deddfwriaethol Deddf Addysg, i gofal Marc Wyn Jones - Clerc, Llywodraeth Cymru, Bae Caerdydd, Caerdydd, CF99 1NA

Jonathan Edwards AS / MP

Llais Sir Gâr yn San Steffan / Carmarthenshire's Voice in Westminster

Huw Lewis AC / AM
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Minister for Education and Skills



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Welsh Government

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Ein cyf/Our ref LF/HL/1245/13

Ann Jones AM
Chair
Children and Young People
Committee

7 January 2014

Dear Ann,

Education (Wales) Bill – Part 2; Education Workforce Council

Following the General Principles Debate on 3 December and the Stage 1 reports received from the Children and Young People Committee and from the Constitutional and Legislative Affairs Committee I am writing in advance of my appearance before your Committee to respond to both Committees' reports.

As I said in my recent Statement on this year's PISA results, it is important that we now continue with the job of work that we have started to improve educational standards and attainment in our schools. I believe that this Bill will, in many important and significant ways, help us to do just that by providing the platform for us to achieve a high performing education system where practitioners work together collaboratively to improve standards of teaching and the quality of learning. I am grateful to your Committee for your thorough scrutiny and the report of your findings.

I welcome the support of your Committee to the general principles of extending registration. In light of the evidence put forward, I have already indicated my intention:

- to bring forward an amendment to the Bill at Stage 2 to ensure that there is scope to include the independent sector within the requirement to register at a future date if there is clear evidence to support such a move;
- for regulations made under Section 5 to be subject to the affirmative procedure; and
- to inform the Committee when we are consulting on the draft order and associated regulations in relation to Youth Workers and would welcome the Committees input into that consultation.

The Constitutional and Legislative Affairs Committee Stage 1 report expressed concerns about Part 2 being of a framework nature. There is a good and necessary reason for the way that the Bill has been structured which I set out below.

As evidence to your Committee has emphasised, there are considerable differences in the current arrangements for the different roles within the education workforce. Evidence has

identified the different stages of development; support staff have to date not been subject to any regulation at all, while teachers have well established systems in place. For example, teachers are already subject to full registration requirements, qualifications and appraisal. The structure of the Bill takes into account these differences in current requirements.

The Bill also provides for further categories of workers to be added in future. I have had to be mindful of these variations in the development of this Part of the Bill, and in considering the balance of what can appear on the face of the Bill and what is more appropriately left to subordinate legislation. If we are to be able to respond to these needs and different stages of development of the extended workforce then the agility and ability to respond quickly that is provided by subordinate legislation is not only desirable but is critical to success.

I have, where possible, described in some detail what may be included in regulations and that is on the face of the Bill. I believe this gives a clear indication of our policy intentions, whilst providing the ability to ensure that we have regulations that will support us in our ambitions to raise standards.

In determining the provisions for subordinate legislation I want to assure your Committee that I have applied the Counsel General's guidelines, on whether the affirmative or negative procedure should apply.

Following further detailed consideration, in view of both yours and the Constitutional and Legislative Affairs Committee Stage 1 reports I have looked again to make further amendments where it is right and appropriate to do so. I intend to bring forward amendments at Stage 2 in the following areas:

- **Section 7** – In response to the Committee's concerns about the independence of the Council, an amendment will be tabled so that the Council will not be required to obtain consent from Welsh Ministers before advising on the relevant matters set out in section 7(2). I am proposing an amendment to this section that will instead require that the Council notifies the Welsh Ministers of the advice it has provided.
- **Section 8** – I intend to address concerns raised about a perceived lack of reference to continuing professional development. An amendment to this section will be tabled to refer to the development of careers.
- **Section 12** - The exercise of the power under this section will be subject to the affirmative procedure, and I will be tabling an amendment to section 53.
- **Schedule 1, paragraph 3** I propose an amendment to prescribe on the face of the Bill that the initial number of Council members will be 14.
- **Schedule 1, paragraph 4 (2) and 9 (2)** amendments to these paragraphs will be tabled to denote that regulations can refer to a code of practice relating to the public appointment procedure. This will address concerns by some Members about a perceived lack of independence, and gives assurance that members will be appointed fairly and on merit. As indicated in Committee, when making appointments, the Welsh Ministers are in any event committed to following the Code of Practice for Ministerial Appointments to Public Bodies or its equivalent that will be in force at the time.

We know from the PISA results that we need to ensure that our learners benefit from a highly-skilled workforce that is well led. It is practitioners who work directly with learners, and it is practitioners who are responsible for turning national improvement policies and

initiatives into reality. We are, therefore, hugely dependent upon our school workforce to secure the improvement that we seek.

I am confident, with the proposed amendments, we will achieve the right balance and that the provisions in Part 2 of the Bill will provide the appropriate vehicle to support this improvement agenda.

I have written to you separately on Part 3 of the Bill and hope you will agree that I have been positive in my overall response to your report.

I am writing in similar terms to David Melding AM as Chair of CLAC.

Bert Regards
Huw

Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills

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