

## Agenda – Petitions Committee

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Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 15 January 2019

Meeting time: 09.15

For further information contact:

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

(Pages 1 – 36)

### 2 New petitions

2.1 P-05-853 No to any Closure of Junction 41

(Pages 37 – 43)

2.2 P-05-854 Make learning disability training mandatory for hospital staff

(Pages 44 – 52)

2.3 P-05-858 Fire sprinklers are for life, not a fast buck!

(Pages 53 – 59)

2.4 P-05-859 Provide Child Houses in Wales for victims of child sexual abuse

(Pages 60 – 73)

### 3 Updates to previous petitions

#### Education

The following two items will be considered together:

3.1 P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time

(Page 74)



- 3.2 P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference or bias. (Pages 75 – 79)
- 3.3 P-05-828 Presumption in favour of rural schools (Pages 80 – 89)
- 3.4 P-05-805 Fair Deal For Supply Teachers (Pages 90 – 98)
- 3.5 P-05-848 Let Welsh students have the opportunity to choose the best study option for them (Pages 99 – 103)

## **Environment**

- 3.6 P-04-648 Unconventional Oil and Gas Planning Applications (Pages 104 – 107)
- 3.7 P-05-743 End the Exotic Pet Trade in Wales (Pages 108 – 111)
- 3.8 P-05-816 Say 'NO' to pheasant shooting on Welsh public land (Pages 112 – 117)
- 3.9 P-05-825 Protect children's lungs from harmful pollution whilst at school (Pages 118 – 120)
- 3.10 P-05-852 Introduce a Licence to manage land for game bird shooting in an attempt to end raptor persecution (Pages 121 – 125)

## **Health**

- 3.11 P-05-804 We need Welsh Government funding for play!! (Pages 126 – 131)
- 3.12 P-05-846 Save our Hospital at Prince Philip Llanelli (Pages 132 – 136)

## **Economy and Transport**

**The following two items will be considered together:**

3.13 P-05-775 Put an end to the Cross Border and Sub-contracting Taxi Licensing loophole.

(Pages 137 – 142)

3.14 P-05-835 Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales

(Pages 143 – 144)

## **Equalities**

3.15 P-05-798 Male domestic violence victim support services to be independently run & funded

(Pages 145 – 150)

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# Agenda Item 2.1

## **P-05-853 No to any Closure of Junction 41**

This petition was submitted by Carol Clement – Williams, having collected 473 signatures.

### **Text of Petition**

Calls on the Welsh Government to reject any proposal to close junction 41 of the M4.

A report by WSP to Welsh Government published in September 2018 which considers measures on the Welsh Government motorway and trunk road network for Nitrogen Dioxide reduction includes a proposal to close Junction 41 westbound on slip as a measure to reduce roadside emissions on the M4 between junction 41 and junction 42. This will only increase emissions of Nitrogen Dioxide on local roads and have a greater impact upon local people particularly children.

### **Assembly Constituency and Region**

- Aberavon
- South Wales West

## P-05-853 No to any closure of junction 41

Y Pwyllgor Deisebau | 15 Ionawr 2019  
Petitions Committee | 15 January 2019

### Research Briefing:

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**Petition number:** P-05-853

**Petition title:** No to any Closure of Junction 41

**Text of petition:** Calls on the Welsh Government to reject any proposal to close junction 41 of the M4.

A report by WSP to Welsh Government published in September 2018 which considers measures on the Welsh Government motorway and trunk road network for Nitrogen Dioxide reduction includes a proposal to close Junction 41 westbound on slip as a measure to reduce roadside emissions on the M4 between junction 41 and junction 42. This will only increase emissions of Nitrogen Dioxide on local roads and have a greater impact upon local people particularly children.

### Background

The Welsh Government is the statutory highway authority for the Welsh trunk road and motorway network - including the M4.

In 2014-15 the Welsh Government trialled closure of the westbound on-slip at Junction 41 of the M4 at Port Talbot in an effort to reduce congestion. The trial closure period [ended in May 2015](#). However consideration of [future options for the junction continued](#).

In October 2016 the then [Cabinet Secretary for Economy and Infrastructure indicated](#) that he had "decided not to proceed with further consideration of slip road closures at Port Talbot at this time".

In February 2018, [in a case brought by the environmental group ClientEarth](#), the High Court ruled that the Welsh Government had failed to develop adequate plans to meet EU targets to cut air pollution. The ruling in the case, which also included the UK Government, placed a legal obligation on the Welsh Government to draft a plan by the end of April 2018, and have a final plan in place by 31 July 2018, to improve air quality across Wales in line with EU law. However,

in July 2018, the Welsh Government [applied to the High Court for an extension which was granted](#). The Welsh Government was required to publish the new plan by 30 November 2018.

On 24 April 2018, the then Minister for Environment, Hannah Blythyn, made a [Plenary statement setting out a range of measures to address air quality issues](#). These included the introduction of 50mph speed limits on five stretches of the trunk road and motorway network, including the M4 between junctions 41 and 42.

The trials were intended to reduce nitrogen dioxide (NO<sub>2</sub>) concentrations where these exceed requirements set out in the EU Ambient Air Quality Directive and the associated [Air Quality Standards \(Wales\) Regulations 2010](#). The temporary 50mph zones were [implemented from June 2018](#). When the then Cabinet Secretary for Economy and Transport [appeared before the Climate Change, Environment and Rural Affairs Committee for scrutiny](#) in November 2018, he told the Committee that the Welsh Government is due to report on the effectiveness of the 50mph zones in improving air quality in early 2019.

The Welsh Government launched a consultation on [tackling roadside nitrogen dioxide concentrations in Wales](#) in September 2018. The Welsh Transport Appraisal Guidance (WelTAG) [stage 3 assessment for Junction 41–42 \(PDF 2MB\)](#), published as part of this consultation, is the report by WSP referred to by the petitioners. WelTAG stage 3 is a full business case and is used to make a detailed assessment of preferred measures to inform a final implementation decision.

The report set out seven “hard measures<sup>1</sup>” to be appraised at stage 3, including three which involved junction closure:

- Junction closure option A (J41 Eastbound on-slip), plus 50mph Speed Limit;
- Junction closure option B (J41 Westbound on-slip), plus 50mph Speed Limit; and
- Junction closure option C (J41 Eastbound and Westbound on-slips), plus 50mph Speed Limit.

On 29 November, [the Welsh Government announced](#) publication of its [supplement to the UK plan for tackling roadside nitrogen dioxide concentrations in Wales](#). This sets out an action plan of measures to be taken at the five exceedance locations on the trunk road network (Table 10, page 56), as well as a table of Precautionary Retained Measures (PRM) (table 11, page 57).

For Junction 41–42, the action plan measure identified is a “50 mph Speed Limit from the end of the current 50mph speed limit near Junction 41 (Baglan) to Junction 42 (approximately 5.0km)”. However, the “closure of junction 41 westbound on-slip, plus 50mph speed limit” (option B above) is retained as one of two PRMs.

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<sup>1</sup> The “hard measures” were in contrast to “soft measures” which are described as “those that passively reduce NO<sub>2</sub> levels by increasing peoples’ awareness to the problem and encouraging a behaviour change.” These were described as having “marginal indirect benefits” which “could provide benefits at all five locations on the network, and potentially across the Welsh [Strategic Road Network].”

## Welsh Government Response

The letter to the Chair from the then Cabinet Secretary for Economy and Transport confirms the position described above. He indicates that:

NO<sub>2</sub> concentrations at each of the 5 locations are currently being monitored by diffusion tubes and the intention is to supplement these with continuous monitoring using reference method analysers by the New Year. As part of the monitoring exercise, the effect of speed limits on air quality is being reviewed and the results fed into the investigations and modelling to establish if further measures are required to achieve compliance in the shortest possible time. This is where the precautionary measures may be required.

I recognise the strong local desire to keep open Junction 41 of the M4. However the Welsh Ministers have to consider all measures that could reduce exposure to NO<sub>2</sub> as quickly as possible and to present options as part of the consultation process in order to comply with the Ambient Air Quality Directive (2008/50/EC) and the Air Quality Standards (Wales) Regulations 2010. The consultation on the WelTAG Stage 3 appraisals was the most recent stage in the process and that consultation sought views on the proposed measures to reduce exposure to NO<sub>2</sub> at five locations in Wales, one of which is Port Talbot. While we have considered the measures against set criteria and objectives, we must take into consideration that exposure to heightened air pollution does pose a threat to life, and consider not just road users, but also the people who live and work near the motorway and trunk road network and the wider public. Therefore, the future closure of Junction 41 cannot be ruled out at this stage.

Should we establish that development of the relevant 'Precautionary Measure' or any other measures to reduce NO<sub>2</sub> levels on this section of M4 are necessary, engagement with all stakeholders will then be undertaken.

## National Assembly for Wales Action

The trial closure of junction 41 was discussed extensively during the Fourth and Fifth Assemblies. A range of issues were raised by Members from across the political spectrum. These focused on the impact of closure on local traffic, emissions on local roads and the wider impact on communities and local businesses in the area.





Your ref: P-05-853  
Our ref: KS/03420/18

David John Rowlands AM  
Chair - Petitions committee.

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

10 December 2018

Dear David,

Thank you for your letter of 26 November regarding Petition P-05-853 - No to any Closure of Junction 41.

The Welsh Ministers are the highway authority for the trunk road network, special roads provided by them, highways for which they are responsible under any enactment, highways transferred to them and highways constructed by them that have not been transferred to any local highway authority, in Wales. Where sections of the motorway and trunk road network currently exceed Ambient Air Quality Directive (2008/50/EC) and the Air Quality Standards (Wales) Regulations 2010 limit values for nitrogen dioxide (NO<sub>2</sub>) concentrations we have acted decisively to safeguard public health by the immediate implementation of temporary 50 mph speed limits as soon as our investigations indicated that such action would bring immediate improvements to air quality.

There are five locations throughout Wales that exceed the Directive limit level for NO<sub>2</sub>. These include the M4 between Junctions 41 and 42 (Port Talbot) and the Welsh Government has a legal duty to ensure compliance with the Ambient Air Quality Directive (2008/50/EC) and the Air Quality Standards (Wales) Regulations 2010.

Detailed investigations, including traffic and air quality modelling using the approach set out in the Welsh Transport Appraisal Guidance (WelTAG), have recently been completed to establish the measures that will achieve compliance with the NO<sub>2</sub> limit values as soon as possible, in a way that reduces exposure to NO<sub>2</sub> as quickly as possible, and which mean it is likely, not just possible, that the limit values will be complied with.

At present, the potential M4 Junction 41 Westbound On-Slip Road Closure is a 'Precautionary Measure' arising from the Air Quality findings of the WelTAG Stage 3 appraisals. The public consultation exercise on this work finished on 2 November 2018 and a copy of the report summarising the responses can be viewed at the following webpage: <https://beta.gov.wales/sites/default/files/consultations/2018-11/tackling-roadside-nitrogen-dioxide-concentrations-in-wales-weltag-stage-3-summary-of-responses.pdf>.

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

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

In addition, we published our supplemental plan to the UK plan for tackling roadside nitrogen dioxide concentrations 2017, which confirms the measures moving forward to address the air quality at the five locations. A copy of the plan can be viewed at: <https://gov.wales/docs/desh/policy/181129-final-supplemental-air-quality-plan-en.pdf>.

NO2 concentrations at each of the 5 locations are currently being monitored by diffusion tubes and the intention is to supplement these with continuous monitoring using reference method analysers by the New Year. As part of the monitoring exercise, the effect of speed limits on air quality is being reviewed and the results fed into the investigations and modelling to establish if further measures are required to achieve compliance in the shortest possible time. This is where the precautionary measures may be required.

I recognise the strong local desire to keep open Junction 41 of the M4. However the Welsh Ministers have to consider all measures that could reduce exposure to NO2 as quickly as possible and to present options as part of the consultation process in order to comply with the Ambient Air Quality Directive (2008/50/EC) and the Air Quality Standards (Wales) Regulations 2010. The consultation on the WelTAG Stage 3 appraisals was the most recent stage in the process and that consultation sought views on the proposed measures to reduce exposure to NO2 at five locations in Wales, one of which is Port Talbot.

While we have considered the measures against set criteria and objectives, we must take into consideration that exposure to heightened air pollution does pose a threat to life, and consider not just road users, but also the people who live and work near the motorway and trunk road network and the wider public. Therefore, the future closure of Junction 41 cannot be ruled out at this stage.

Should we establish that development of the relevant 'Precautionary Measure' or any other measures to reduce NO2 levels on this section of M4 are necessary, engagement with all stakeholders will then be undertaken.

Yours sincerely,



**Ken Skates AC/AM**

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth  
Cabinet Secretary for Economy and Transport

**P-05-853 No to any Closure of Junction 41 – Correspondence from the petitioner to the Committee, 07.01.19**

Thank you for the opportunity to provide additional comments that may be considered by the committee on 15<sup>th</sup> January. The correspondence from the Cabinet Secretary for Economy & Transport does provide some clarity as to the reasoning behind the actions of the Welsh Government but I note that it does not rule out implementing the precautionary measure as identified in the WelTag3 report of closing the west bound on-slip road at junction 41 as a means of reducing nitrogen dioxide emissions along the section of the M4 between junctions 41 & 42. Therefore it is clear that the petition still needs to be considered as this option is live. I also appreciate that fact that officials from the Welsh Government have met with my local Assembly Member, David Rees, to discuss the concerns raised by the public in Port Talbot (and especially within my own electoral ward of Baglan) of the possible closure. The details provided in those meetings and the feedback from David Rees has given a greater understanding of the

reasons behind the decision of the Welsh Government for undertaking this survey and the need to reduce nitrogen dioxide emissions from vehicular traffic. However, there is an urgent need for the Welsh Government to understand the consequences of increasing vehicle emissions along local roads if they apply the precautionary measure and closing the west bound on-slip of junction 41. The increased levels of nitrogen dioxide on these roads will have a greater impact upon the health of local people, including children who walk along those roads to get to the two new schools that have been built within meters of the A4161, thereby having a greater detrimental effect than leaving all of the junction open. I would urge the committee to seek information from the Welsh Government as to what assessment has been undertaken with regard to the impact of increasing vehicle emissions along local roads if this precautionary measure was to be implemented. There should be sufficient evidence available from the previous trial closure of the same element of junction 41 which the Welsh Government introduced earlier this decade.

Regards

Carol

# Agenda Item 2.2

## **P-05-854 Make learning disability training mandatory for hospital staff**

This petition was submitted by The Paul Ridd Foundation, having collected 5,654 signatures.

### **Text of Petition**

Paul Ridd was our brother. He had severe learning disabilities and died in Morriston Hospital in 2009. The Public Services Ombudsmen report into the circumstances leading to Paul's death said that neglect, lack of training and ignorance were contributory factors leading to Paul's death. The Government must ensure all healthcare professionals get mandatory training to address the huge health inequalities facing people with autism and a learning disability.

1 in 4 healthcare professionals has never had training on learning disability or autism. This is unacceptable. Two thirds want more training, and 1 in 3 think a lack of government leadership is contributing to the problem of avoidable deaths (statistics from survey conducted by YouGov for Mencap: <https://www.mencap.org.uk/press-release/concerns-over-lack-clinical-training-causing-avoidable-learning-disability-deaths>).

### **Assembly Constituency and Region**

- Aberavon
- South Wales West

## P-05-854 Make Learning Disability training mandatory for hospital staff

Pwyllgor Deisebau | 15 Ionawr 2019  
Petitions Committee | 15 January 2019

### Research Briefing:

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#### P-05-854 Make Learning Disability training mandatory for hospital staff

Paul Ridd was our brother. He had severe learning disabilities and died in Morriston Hospital in 2009. The Public Services Ombudsmen report into the circumstances leading to Paul's death said that neglect, lack of training and ignorance were contributory factors leading to Paul's death.

1 in 4 healthcare professionals has never had training on learning disability or autism. This is unacceptable. Two thirds want more training, and 1 in 3 think a lack of government leadership is contributing to the problem of avoidable deaths. The Government must ensure all healthcare professionals get mandatory training to address the huge health inequalities facing people with autism and a learning disability.

### Background

The Welsh Government published specific guidance to improve the care and treatment of people with a learning disability in hospital in January 2014 as part of the 1000 Lives Improvement Programme. The '[Care Bundle for People with a Learning Disability in a General Hospital Setting](#)' was developed following the death of Paul Ridd. It is designed to help hospital staff ensure that people with learning disabilities receive a fair and equitable service when they visit hospitals. The Welsh Government also published '[Learning disability - Improving lives programme](#)' in June 2018.

There is currently a Welsh Government consultation open until 18 January 2019 on [Action on disability: the right to independent living](#) - Question 7 says "We want the Welsh social care

sector and health services to support people to lead independent lives. Looking at the Action Plan, how can we better achieve this for disabled people?”.

Key legislation that requires services to reduce preventable inequalities in health by people with a learning disability include the *Social Services and Wellbeing (Wales) Act 2014*, the *Wellbeing of Future Generations Act*, and the *Equality Act 2010*.

The petition is calling on the Welsh Government to make learning disability training mandatory for hospital staff. It has collected 5,312 signatures. Petitions on the Assembly website that get more than 5,000 signatures are automatically considered for a Senedd debate.

A similar petition urging the UK Government to prevent avoidable deaths by making autism and learning disability training mandatory for healthcare professionals was debated in the UK Parliament on 22 October 2018. In response to the petition, the UK Government said that: “we want all staff to receive the support, training and professional development they need to support people with learning disabilities and autism, in line with employers’ existing responsibilities”.

In September 2018, in a [written statement](#) in response to the learning disability mortality review, the UK Government’s Care Minister, Caroline Dinenage committed to completing a public consultation on proposals for mandatory learning disability training for all health and care staff in England. It states that by March 2019, the public consultation on proposals for mandatory learning disability training for all health and care staff will be complete.

In England, there is also a duty in the *Autism Act 2009* statutory guidance for all health and care staff to have appropriate autism training. An Assembly Member Bill, introduced by Paul Davies AM, [the Autism Wales Bill](#), which includes provision for staff training in autism is at Stage 1. The Stage 1 debate and vote is due to take place on 16 January 2019. If the Bill proceeds to Stage 2, tabling for amendments will then open, and Stage 2 scrutiny will take place shortly after.

Vaughan Gething AC/AM  
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau  
Cymdeithasol  
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-854  
Ein cyf/Our ref VG/03897/18

David John Rowlands AM  
Chair - Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

11 December 2018

Dear David,

Thank you for your letter of 26 November regarding Petition P-05-854 Make Learning Disability training mandatory for hospital staff from the Paul Ridd Foundation.

We have worked with the family to develop guidelines for people with a learning disability who need to access acute hospital care. The Ridd Foundation is also part of a working group to improve the health of people with learning disabilities and will be involved in the development of an educational framework for health and social care staff.

The two-year, cross-government, Improving Lives Programme aims to improve the life chances, health and wellbeing of people with a learning disability and includes a focus on meeting the needs of people with a learning disability when in hospital. Overseeing the delivery of this work is a new Ministerial Advisory Group, co-chaired by the former Minister for Social Services, Mrs Gwenda Thomas and a member of All Wales People First

All health services delivered in Wales are expected to be of the highest standard and comply with the Healthcare Standards for Wales, health professional standards and guidance issued by the National Institute for Health and Care Excellence (NICE). Specific guidance to improve the care and treatment of people with a learning disability in hospital has been available since 2014.

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

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

I hope this is helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V'.

**Vaughan Gething AC/AM**

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol  
Cabinet Secretary for Health and Social Services



## **Paul Ridd Foundation – Notes to support Mandatory Training Petition**

First and foremost, people with Learning Disabilities (LD) are people. They are unique individuals with their own likes and dislikes, history and opinions and they have the same rights as anyone else (GAIN, June 2010).

'Learning disabilities (LD)' is an umbrella term for persons who have varying degrees of 'Impairment of intellectual and social functioning'. LD affects about 1.5 million people in the UK and are common, lifelong conditions which are neither illness nor disease. In Wales, there are some 15,000 adults with LD who are known to social services and in receipt of services. There are estimated to be at least a further 60,000 adults with milder learning disabilities who are not in receipt of services.

'Learning disability' commonly refers to a history of developmental delay, a delay in or failure to acquire a level of adaptive behaviour and/or social functioning expected for a certain age, and evidence of significant intellectual impairment. LD is nearly always present from birth, although some people do acquire a LD through trauma or infection. For them, their condition is the norm and it will always be there.

The nature of people's LD varies widely and will affect the kind of support that they may require. Many people with a learning disability will have a significantly reduced ability to cope independently in a variety of situations (including health services), to understand new or complex information, to learn new skills (whether practical things like tying shoelaces, or social skills such as holding a conversation or self-care), and they may have difficulty with generalising any learning to new situations. Some people with a LD may also have other physical and emotional conditions and this may lead to the person having more than one diagnosis

It is expected that by 2020 the number of people with LD in the UK will have grown by over 10 per cent as well as a growth in the complexities of LD (Michael, 2008). This is due to people with learning disabilities living longer and due to young people with complex disabilities surviving into adulthood.

Research evidence consistently suggests that people with a LD are at greater risk of physical and mental ill health than the general population. In 1998, Hollins et al reported that people with a LD are 58 times more likely to die aged under 50 than other people, and four times as many people with a LD die of preventable causes than do people in the general population. More recently, the Confidential Inquiry into Premature Deaths of People with LD (CIPOLD) Final Report (Heslop et al, 2013) found that, on average, men with LD die 13 years younger than the general male population and women with LD die 20 years younger than the general population. Many of these deaths are considered avoidable and/or premature.

Michael (2008) reported that the general standard of health of people with LD is lower than for the general population. They have a greater risk of poorer health because they experience greater variety, complexity and range of health problems compared with the general population.

People with LD can find it difficult to access services and often have a different experience of using services than do other patients, for a variety of reasons.

For example, if they have poor understanding, communication difficulties or sensory impairments, people will need to communicate with them in an appropriate and

accessible manner. However, professional barriers can inhibit this. **Professional barriers include:**

- Lack of awareness of LD.
- Lack of training in LD.
- Assumptions and biases about people with LD.
- Diagnostic overshadowing – attributing symptoms and behaviour associated with illness to the learning disability rather than any other cause, and consequently appropriate investigations and treatments may not be undertaken and illness can be overlooked.

In addition, organisational barriers can also impede effective communication.

**Organisational barriers include:**

- Rigid appointment systems.
- Reliance on written forms of communication.
- Poor signage, which people with low literacy skills and poor sensory abilities will find difficult to follow.
- Lack of awareness of the Mental Capacity Act, 2005.
- Inter-agency and inter-professional barriers.

People with LD prove to be one of the most challenging to Health Professionals and hospital staff as they all present differently. Learning disabilities can be mild, moderate, severe or profound and every individual has their own challenges. From our experience, some individuals react to loud noises, busy places, children, confined spaces, bright lights, a clinical environment, even people wearing ties. These are just a short list of examples.

A person with LD is twice as likely to access secondary care as an emergency as their health needs are often not picked up early enough. There are 12,000 people with LD in the UK dying an avoidable death whilst in secondary care which is to be known to be a conservative figure and is clearly not acceptable.

Figures show that at least 2% of the population in hospital at any one time has a learning disability so for example a hospital the size of Morriston which has 800 beds will have at least 16 people with LD at any one time. A person with LD will most definitely visit several departments whilst being treated in hospital and staff need to be equipped and educated to deliver the standard of care required. From our (The Paul Ridd Foundation) many hospital walkabouts, discussions with staff on the ground and supporting families in time of need, it has become apparent that most issues that arise and the shortfall in care comes from staff having a lack of awareness and not received any formal training. This maybe a receptionist, porter, nurse, support worker, radiologist, speech & language therapist or a Medic.

Paul Ridd died in 2009 and there was no awareness, tools or training available for hospital staff and as a result Paul died of neglect.

As the family of Paul our purpose since his death has been that another family would not have to go through the same experience, as we paid the ultimate price for the lack of training, ignorance and complacency which was proved by the Coroner and Ombudsman's investigation.

Since 2012 The Paul Ridd Foundation (PRF) has worked closely with the Welsh Government and Health boards across Wales to develop guidelines and tools for staff to deliver better health care, and in 2014 a care bundle for improving general hospital care for patients who have LD was launched by the health minister at the time, Mark Drakeford. He made it clear that each of the seven health boards where expected to implement the guidelines set out in the 1000 lives document and use the tools that have been developed.

Shortly after the care bundle was launched we undertook hospital walkabouts in the four-main hospital in ABMU and visited all the health boards across Wales only to discover that

there was still little awareness and the care bundle was only being used in very small pockets. This quickly made us realise that we had a further mountain to climb being IMPLEMENTATION of the new system and supporting documents and tools.

The PRF is completely self-funded and has worked tirelessly to support each health board across Wales to promote the care bundle by offering training, developing and funding ward LOGO packs including the distribution to each health board delivered in person to key professionals. The LOGO now used across Wales was developed by PRF which is used as trigger for all staff to identify a person with LD and is proven to be effective when staff are aware of it and trained.

From the very outset, the Foundation set clear goals for all the health boards across Wales so there is a common standard and good practice is shared. The Goals set have never changed

- Care bundle resource file to be available on every ward and department
- Liaison Nurse service in each health board
- LOGO Pack to be available on every ward and department
- LD champions in every hospital
- IT Flagging System
- Mandatory Learning Disability Awareness Training for all Staff

Each health board is making slow progress on all the items on the above list other than the most important item Mandatory Awareness Training.

As a Family/ Foundation we have committed a significant amount of time to this campaign and are fearful that without Mandatory Training the care bundle, Logo Pack and supporting documents will not be implemented properly which will cause risk to the quality of the health care being delivered.

We strongly feel that creating a common standard is so important and the care provided will be consistent, so we proposed an All Wales group was formed which although in its infancy is the perfect vehicle to embed LD into the Health Service in Wales.

We lobbied for Liaison Nurse Services to be in operation as when a Liaison Nurse is involved in the health care of a person with LD on average they spend 45% less time in Hospital. The patient experience is less anxious, of a better quality and ultimately creates a more efficient service reducing bed time and saving on cost.

Our support in champion training has created over 170 LD Champions in ABMU and most of the other health boards have started the process. Like the Liaison Service Champions make a huge difference on the ground and from personal feedback, for many it gives a considerable amount of Job satisfaction. But unfortunately, they don't reach everyone. The PRF also works closely with Swansea University and the University of South Wales, raising awareness of nurses just about to start their careers, but again it doesn't reach all.

As a charity, we also support other charities involved with LD, carers and families by giving advice on access to secondary care. Unfortunately, over the past few years we have learnt of many unacceptable incidents that have resulted in sub-standard care caused by a lack of staff training and some resulting in premature death in North Wales and three in Llandough Hospital all of which have been since Paul's death.

People with LD have the right to the same level of medical and nursing care as that provided to the general population. 'Reasonable adjustments' mean that services must anticipate and be responsive and flexible so that any diagnosis or treatment takes into full account the LD and needs of the person, so that the best possible

health outcome for that person can be achieved (NPHS, 2009). However, 'equality' for a patient with a learning disability does not necessarily mean receiving the same service as patients without LD, and may mean providing additional and alternative methods of support established with the patient and/or their families/carer to achieve a positive outcome (GAIN, June 2010).

Reasonable adjustments can be covered in Mandatory training by examples of good practise as they make the difference required. Individuals with LD have a lot of challenges in life and together we can make sure that the Health Service is not one of them.

LD is everyone's business and the feedback we have received from hospital staff is that they want to do a good job but need the awareness training and tools to do it. By not providing staff with Mandatory training we are letting them down.

From the great work produced since Paul's death we feel that Wales has a huge opportunity to lead the UK in Improving Lives of People with LD which is highlighted in the recently published document by the Welsh Government – Learning Disability Lives Programme June 2018.

Mandatory training is essential for an organisation to deliver safe and efficient services, designed to reduce organisational risks and comply with local or national policies and government guidelines. We passionately feel that Mandatory LD Training for Hospital Staff is essential and should act as a 'catch all' to cover both mandatory and statutory requirements, but most of all to deliver equal health care for people with a learning disability.

Wales has always led the way within the UK in terms of support for people with LD. The 1983 Mental Handicap Strategy was ground breaking and set a philosophy of more visibility and value placed on people with LD in their local communities. Wales was the first country to close all long stay hospitals and in 2006, the first country to introduce annual health checks. In 2014 we introduced the Care Pathways, the only country in the UK with a formal process for reasonable adjustments for patients with LD.

England now plans to introduce mandatory training for health professionals in LD. In 2013, Wales introduced a country wide training programme, delivered by Mencap Cymru to hospital staff which was evaluated by Bangor University and showed the importance of face to face training for health professionals and the impact on behaviour of understanding the dangers of Diagnostic Overshadowing - attributing symptoms and behaviour associated with illness to the learning disability rather than any other cause, and consequently appropriate investigations and treatments may not be undertaken and illness can be overlooked.

If the Welsh Government Support Mandatory training it will ensure that Learning Disability Awareness is embedded with our National Health Service and all the good work will continue to develop making the new service sustainable.

# Agenda Item 2.3

## **P-05-858 Fire Sprinklers are for life, not a fast buck!**

This petition was submitted by John Newman, having collected 209 signatures.

### **Text of Petition**

Call upon the Welsh Government to amend paragraph 2.6 of Approved Document B in such a way as to make it mandatory that the design, installation and maintenance of residential and domestic fire suppression systems is conducted only by those that are members of appropriate third party certification schemes. This will ensure that such life saving systems are correctly designed, installed and maintained by suitably qualified personnel. Sadly this is currently not the case.

### **Assembly Constituency and Region**

- Caerphilly
- South Wales East

## Petition: P-05-858 – Fire sprinklers are for life, not a fast buck!

Y Pwyllgor Deisebau | 15 Ionawr 2019  
Petitions Committee | 15 January 2019

### Research Briefing:

**Petition number:** P-05-858

**Petition title:** Fire sprinklers are for life, not a fast buck!

**Petition text:**

Call upon the Welsh Government to amend paragraph 2.6 of Approved Document B in such a way as to make it mandatory that the design, installation and maintenance of residential and domestic fire suppression systems is conducted only by those that are members of appropriate third party certification schemes. This will ensure that such life saving systems are correctly designed, installed and maintained by suitably qualified personnel. Sadly this is currently not the case.

### Background

#### Building Regulations

The *Building Regulations 2010* (as amended) are made under powers provided in the *Building Act 1984* (as amended) and cover the construction of new buildings and the alteration or extension of existing buildings

Building Regulations are concerned with the way in which the building is constructed, its structural stability, means of escape and fire precautions, weather resistance, energy conservation, sound insulation, access and facilities for people with disabilities.

Technical guidance on how to comply with the Building Regulations is provided within a suite of '[Approved Documents](#)'.

## Automatic fire suppression systems

[Approved Document B](#) for Wales provides technical guidance on Building Regulations and fire safety.

Approved Documents are issued under the Building Regulations in separate forms for each of England and Wales. The UK Government issues the Approved Documents for England and the Welsh Government issues the Approved Documents for Wales. Both Approved Documents B have recommended that fire sprinklers, or other fire suppression systems, be installed in new residential buildings, typically with four floors or more, in England and Wales since 2007 (although the Approved Document B for Wales has since been amended to deal with the requirement to install fire sprinklers, as described below).

Acting within the devolved area of fire safety, the Assembly passed the *Domestic Fire Safety (Wales) Measures 2011*. This was implemented by the *Building Regulations &c. (Amendment No. 3) and Domestic Fire Safety (Wales) Regulations 2013*, which made automatic fire suppression systems (i.e. fire sprinklers) compulsory in Wales for care homes and certain rooms for residential purposes from 30 April 2014, and for new dwellings from 1 January 2016.

There is no requirement for sprinklers to be fitted retrospectively to housing constructed before 1 January 2016.

## Compliance and enforcement

Building Control Bodies are responsible for monitoring compliance with Building Regulations.

There are two types of Building Control Body – Local Authority Building Control and private sector Approved Inspectors. A developer has the option of choosing either of the two types of Building Control Body to ensure that building work complies with the Building Regulations.

Local Authority Building Control has a statutory duty to see that building work complies with the Building Regulations and will seek to do so by informal means wherever possible. If informal enforcement does not work, the local authority has enforcement powers which it can use.

## Installation of automatic fire suppression systems

Paragraph 2.6 of Approved Document B for Wales states:

... It is essential that automatic fire suppression systems are properly designed, installed and maintained. Where an automatic fire suppression system is installed, an installation and commissioning certificate should be provided. Third party certification schemes for fire protection products and related services are an effective means of providing the fullest possible assurances, offering a level of quality, reliability and safety.

The Committee received a letter from the then Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths, in relation to this petition on 5 December 2018. The letter states:

As guidance [referring to Approved Document B], it is possible for compliance with the requirements of the building regulations to be met in some other way, other than third party accreditation, such as proving competence of installing and commissioning fire suppression systems to the building control body (local authority building control or private approved inspector), even though not registered with a third party certification scheme.

## **Hackitt Review**

Following the Grenfell Tower fire the UK Government commissioned the [Independent Review of Building Regulations and Fire Safety](#) in England. The Review was led by Dame Judith Hackitt.

An [interim report](#) was published on 18 December 2017 and the [final report](#) was issued on 17 May 2018. The interim report identified that the current system of Building Regulations and fire safety is not fit for purpose and that a culture change is required to support the delivery of buildings that are safe, both now and in the future. The final report built on this conclusion and proposed a new regulatory framework to address the weaknesses in the system to ensure a stronger focus on creating and maintaining safe buildings.

## **Welsh Government action**

Although the Hackitt Review was commissioned in the context of the systems of Building Regulations and fire safety in England, the systems in Wales are very similar. The Welsh Government responded to Dame Judith's recommendations and the then Minister for Housing and Regeneration, Rebecca Evans, set out her initial response in a [written statement](#) on 23 May 2018. The Minister chaired an expert group to develop the recommendations into workable law, policy and practice changes for Wales. A detailed plan for implementing the recommendations is expected to be in place in the new year.

While Dame Judith's recommendations refer to buildings of 10 storeys or more, the Welsh Government has indicated that it will focus on buildings of seven storeys or more.

In her letter to the Committee, the then Cabinet Secretary states that:

Fire suppression systems form a crucial part in the fire safety provisions within buildings, particularly in high rise buildings. We will therefore investigate, as part of this work [the Welsh Government's plan for implementing changes discussed above], whether there is sufficient evidence to justify that those registered with third party certification schemes should be considered as the only method of meeting compliance with the requirements of the building regulations for the installation and commissioning of fire suppression systems.

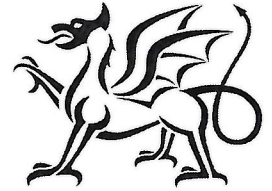
## **National Assembly for Wales action**

There has been much discussion in the Assembly on the issue of automatic fire suppression systems, and fire safety more generally, in the wake of the Grenfell Tower fire. This includes



the Equality, Local Government and Communities Committee's work which culminated in its report - [Fire safety in high-rise buildings \(private sector\)](#) - published in November 2018. However, none of this discussion has focused specifically on whether or not third party certification should be mandatory for those installing and commissioning fire suppression systems.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.



Eich cyf/Your ref  
Ein cyf/Our ref LG/02370/18

David John Rowlands AM  
Chair - Petitions committee.  
National Assembly for Wales  
Cardiff Bay  
Cardiff Bay  
CF99 1NA  
Government.Committee.Business@gov.wales

5 December 2018

Dear David

Thank you for your letter of 26 November, regarding the petition received from John Newman in relation to fire sprinklers.

The matter the petitioner refers to relates to guidance for the installation and commissioning requirements for automatic fire suppression systems within Approved Document B (Fire Safety) of the Building Regulations 2010. The petitioners request is to make it mandatory that the design, installation and maintenance of residential and domestic fire suppression systems is conducted only by those that are members of appropriate third party certification schemes.

The current guidance states third party certification schemes for fire protection products and related services are an effective means of providing the fullest possible assurances, offering a level of quality, reliability and safety.

As guidance, it is possible for compliance with the requirements of the building regulations to be met in some other way, other than third party accreditation, such as proving competence of installing and commissioning fire suppression systems to the building control body (local authority building control or private approved inspector), even though not registered with a third party certification scheme.

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

Pack Page 58

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

Work is currently underway on a review of the fire safety requirements of the building regulations following the independent enquiry undertaken by Dame Judith Hackitt following the Grenfell Tower fire in London.

Fire suppression systems form a crucial part in the fire safety provisions within buildings, particularly in high rise buildings. We will therefore investigate, as part of this work, whether there is sufficient evidence to justify that those registered with third party certification schemes should be considered as the only method of meeting compliance with the requirements of the building regulations for the installation and commissioning of fire suppression systems.

Regards  
Lesley

**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig  
Cabinet Secretary for Energy, Planning and Rural Affairs

# Agenda Item 2.4

## P-05-859 Provide Child Houses in Wales for Victims of Child Sexual Abuse

This petition was submitted by Mayameen Meftahi, having collected 227 signatures.

### Text of Petition

The child house concept is based on best practice learned from the USA and Scandinavia. Recognising the vulnerability of the child victim and the harm caused to the child by multiple interviews, the child house uses a child-friendly response to child sexual abuse (CSA).

In the UK, 2 child houses are available in the city of London, in Wales there is none.

As a child, you do not know who and where to run to, you do not know that there is any support available, if we can offer Child Houses across the UK, we can save children.

Continuation of Refuges for Domestic Violence, there should be Child Houses for children suffering child sexual abuse.

We know that many children who are suffering child abuse will at some point try and escape, they will want to free themselves, but they have nowhere to go. They will be returned back home, back into the arms of their abuser.

Providing a safe house, that is child-friendly, that can open the way for disclosure and safeguarding.

In Iceland, the 'Barnahus' model has been in place since 1998, and offers in one place, forensic interviews, making court statements, medical examinations and access to therapeutic services. We should make this available like we do a domestic violence refuge. Since the Barnahus model was established in Iceland, the number of child victims of CSA coming forward for help has more than doubled per year, indictments have tripled, and convictions have doubled. This is enough evidence to show they are crucial.

Not only should we be providing child houses, but we should continue this

with educating children that these options are available. Please join us in the Campaign to address this issue and let's make a push for the Welsh Government to provide a Safe House in Wales, we surely cannot expect children to get to London, if they are even aware such houses exist. Sadly this is currently not the case.

### **Additional Information**

Our children need somewhere to run to, they need to be safe and they need to have access to the correct support to save themselves from the life sentence of child sexual abuse.

Please sign this petition and start to make movements!

### **Assembly Constituency and Region**

- Swansea East
- South Wales West

## Petitions Committee

Y Pwyllgor Deisebau | 15 Ionawr 2019  
Petitions Committee | 15 January 2019

### Child Houses

**Petition title:** [P-05-859](#)

Provide Child Houses in Wales for Victims of Child Sexual Abuse young people a voice when commissioning local services in Wales.

**Text of petition:**

The child house concept is based on best practice learned from the USA and Scandinavia. Recognising the vulnerability of the child victim and the harm caused to the child by multiple interviews, the child house uses a child-friendly response to child sexual abuse (CSA).

In the UK, 2 child houses are available in the city of London, in Wales there is none.

As a child, you do not know who and where to run to, you do not know that there is any support available, if we can offer Child Houses across the UK, we can save children.

Continuation of Refuges for Domestic Violence, there should be Child Houses for children suffering child sexual abuse.

We know that many children who are suffering child abuse will at some point try and escape, they will want to free themselves, but they have nowhere to go. They will be returned back home, back into the arms of their abuser.

Providing a safe house, that is child-friendly, that can open the way for disclosure and safeguarding.

In Iceland, the 'Barnahus' model has been in place since 1998, and offers in one place, forensic interviews, making court statements, medical examinations and access to therapeutic services. We should make this available like we do a domestic violence refuge. Since the Barnahus model was established in Iceland, the number of child victims of CSA coming forward for help has more than doubled per year, indictments have tripled, and convictions have doubled. This is enough evidence to show they are crucial.

Not only should we be providing child houses, but we should continue this with educating children that these options are available. Please join us in the Campaign to address this issue and let's make a push for the Welsh Government to provide a Safe House in Wales, we surely cannot expect children to get to London, if they are even aware such houses exist.

Our children need somewhere to run to, they need to be safe and they need to have access to the correct support to save themselves from the life sentence of child sexual abuse.

## Child Houses in London

The petition refers to two 'Child Houses' which were established in London in 2016. This Mayor of London [press release](#) refers to the funding for them being made available and states:

The UK's first two Child Houses, funded by £7.2m secured by the Mayor's Office for Policing And Crime (MOPAC) and NHS England (London) from the Home Office Innovation Fund, will offer medical, investigative and emotional support in one place, removing the need for young victims to go through the trauma of repeating their statement several times to different agencies.

The press release goes on to state:

The new Child Houses, which will open next year, will build on the work of the CYP Haven. While the Haven offers an urgent 24/7 response, a predominantly clinical service and short term care and support, the Child Houses will provide a multi-agency, long-term support and advocacy service under one roof. Criminal justice aspects of aftercare will be embedded in the service, with evidence gathering interviews led by child psychologists on behalf of the police and social workers, and court evidence provided through video links to aid swifter justice.

[...]Based on the original Icelandic Barnahus model, which promotes a multiagency, interdisciplinary approach under one roof, the Houses will gather more effective evidence from interviews and offer faster progress in investigations and court cases.

## Funding for the London 'Child Houses'

Referring to the Mayor's Office for Policing And Crime (MOPAC), information on the [London Assembly](#) website also states:

MOPAC and NHS England (London) successfully applied to the Home Office Police Innovation Fund and received a total of £7.2m over two years, matched with NHS England (London) funding, to implement the Child House model for victims of child sexual abuse and child sexual exploitation in London.

It also states:

Previously £1m was allocated from the MoJ Victims Grant (DMPCD 2016 44) to support the development of the Child House model. As MOPAC has been successful in obtaining monies from the Home Office Innovations fund the £1m will be reallocated. A decision on how this will be spent will require further DMPC approval.

## Icelandic ‘Barnahus’ Model

The Mayor of London [press release](#) states that the Child Houses in London are based on the Barnahus Icelandic model. Adopting this model was recommended in a 2005 [NHS England Review of pathway following sexual assault for children and young people in London](#). It describes the Barnahus model in the following way:

In Iceland for example, when a child discloses sexual assault, an appointment is made at the Barnahus. An interview is conducted by a specially trained forensic interviewer (with a background in child psychology) in a child-friendly room which is video-linked to an observation room. The interview is witnessed by the child’s advocate, social worker, the defence and prosecution teams, with a Judge presiding. The Barnahus is effectively an outreach of the courtroom at that time and the recorded interviews usually suffice as the child’s full testimony for court. The interviews are reportedly more successful in obtaining information with increases in the number of prosecutions and convictions for CSA. Because the interviews are usually completed within one to two weeks of the initial allegation being made, this allows the child to start therapy quickly, either at the Barnahus or locally. The recorded interviews are also used to plan therapy and medical examinations / aftercare can also be provided at the Barnahus.

The Mayor of London [press release](#) further describes the Barnahus stating:

The model recognises the vulnerability of the child victim and the harm caused to the child by multiple interviews. The Barnahus in Iceland provides one place in which the child can have forensic interviews and make court statements, have medical examination and access therapeutic services, which are also available for the victim’s family. Since the Barnahus model was established in Iceland, the number of child victims of CSA coming forward for help has more than doubled per year, indictments have more than tripled, and convictions have more than doubled. The Barnahus model has since been exported to Norway, Greenland and Denmark, with pilots planned in Finland and Lithuania.

## Views of the Children’s Commissioner for England

Referring to the funding for the ‘Child Houses’, information on the [London Assembly](#) website states:

The Children’s Commissioner for England specifically recommended piloting the Barnahus (Child House) model and the use of child psychologists in Achieving Best Evidence (ABE) interviews in the UK.

In 2016, the Children’s Commissioner for England, Anne Longfield, published a [Report on Barnahus: improving the response to child sexual abuse in England](#). In it she concluded:

It is clear that the Barnahus represents a truly child-centred approach to child sexual abuse. Services are designed and administered in a manner consistent with the best possible criminal justice and therapeutic outcomes, and the results obtained are extremely impressive.

Experiences in Sweden, Norway and Denmark demonstrate that the model can be adapted and implemented within the legal framework of another country, without compromising the core principles which deliver such impressive results. It is now time for commissioners in England to look at how the



model can be piloted here and adapted to our own legal system so as to help improve rates of prosecution and, ultimately, outcomes for children.

## Welsh Government's position

On 11 December 2018, then Minister for Children, Older People and Social Care, Huw Irranca-Davies AM, responded to correspondence from the Committee. In it he states that 'evidence gathering in support of the prosecution process means that the development of Child Houses is largely a reserved matter'. He says 'it would be prudent to wait' for the evaluation of the Child Houses in London. His response to the Committee also refers to the funding for the 'child houses' being similar to funding arrangements for Sexual Assault Referral Centres.<sup>1</sup>

### Sexual Assault Referral Centres

Sexual Assault Referral Centres (SARCs) are different from 'Child Houses'. They are all-age facilities where a range of specially trained professionals are located to support individuals who have been raped or sexually assaulted. SARCs are intended to provide a single, safe location where victims of sexual assault can receive medical care and counselling, as well as assisting Police investigation into alleged offences. They should include facilities suitable for a high standard of forensic examination.

### Views of the Children's Commissioner for Wales

The Commissioner facilitates and chairs a national roundtable meeting about child sexual exploitation (CSE). In November 2018, Professor Sally Holland published her [Annual Report 2017-18](#) and in the accompanying [media release](#) she says:

Children who have been raped or sexually assaulted face unacceptable waiting times for medical examinations and support.

The Commissioner's main concerns relate to two areas:

- 'children who have been raped or sexually assaulted cannot access a forensic medical examination quickly enough after the traumatic event they have experienced, due to shortages of suitably qualified and experienced medical staff, and often have to travel long distances; and
- access to specialist counselling for children and young people affected by sexual abuse is not available when required in order for those children to begin the road to recovery.'

The Children's Commissioner went on to recommend:

[...] that Welsh Government ensures that Sexual Assault Referral Centre provision for each health board area includes 24/7 access to a rota of suitably trained paediatricians and forensic medical examiners,

---

<sup>1</sup> The Minister states 'whilst I am the Minister with lead responsibility for the safeguarding of children, including sexually abused children, I do not have the policy lead for Sexual Assault Referral Centres'. The First Minister has 'sexual violence' listed under his Ministerial Responsibilities.

so that no child has to wait for many hours or even days for an examination, and that sufficient counselling and recovery services for victims are available throughout Wales.

The Welsh Government [accepted this recommendation](#) in November 2018 stating:

The Welsh Government agrees that nobody, whether adult or child, should have to wait for services following any incident of sexual violence. The care and needs of the victim should be paramount for all services.

There have been issues in relation to the provision of paediatric services in recent years and the NHS is currently leading work to develop a sustainable and appropriate model of sexual assault services across south, west Wales and Powys. This work is being conducted in partnership with the Police, safeguarding, third sector and others and includes consideration of children's services. Work will continue throughout 2018 and into 2019. In the interim the NHS is working with its partners to ensure paediatric and Forensic Medical Examiner provision for children can be provided in a timely fashion in line with the needs of the young person.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Huw Irranca-Davies AC/AM  
Y Gweinidog Plant, Pobl Hŷn a Gofal Cymdeithasol  
Minister for Children, Older People and Social Care



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-859  
Ein cyf/Our ref HID/00917/18

David J Rowlands AM  
Chair Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

|| December 2018

Dear *David,*

I am responding to your correspondence of 26 November. Your correspondence relates to Petition P-05-859 – Provide Child Houses in Wales for Victims of Child Sexual Abuse.

The petition refers to a model developed in Iceland. The current two Child Houses in London are part of a pilot project. The service aims to increase prosecutions for child sexual abuse/assault while promoting a better victim support experience and better therapeutic support for children. An evaluation of these services has a start date of November 2018. The evaluation will establish a learning strategy/toolkit to support scaling of the Child House model in the UK.

While Social Services refer children into the services and form part of a multi-agency response funding in England is from the Home Office with the project led by the Police and NHS England. These are similar to the funding arrangements for Sexual Assault Referral Centres in Wales. While I am the Minister with lead responsibility for the safeguarding of children, including sexually abused children, I do not have the policy lead for Sexual Assault Referral Centres.

The petitioner suggests that Child Houses provide a place for children to run to when escaping abuse. This is not the case. Children who are identified by services as potential victims of sexual abuse are referred into the Child Houses where forensic medical evidence is gathered and the police work with children to gather information to submit to the Crown Prosecution Service. Children also receive therapeutic support. While I am the Minister for lead responsibility for the safeguarding of children, including sexually abused children, evidence gathering in relation to the prosecution process is, as you will be aware, a largely reserved matter.

Bae Caerdydd • Cardiff Bay  
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[Correspondence.Huw.Irranca-Davies@gov.wales](mailto:Correspondence.Huw.Irranca-Davies@gov.wales)

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

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

I would like to offer the Petitions Committee my assurance that we have robust safeguarding arrangements in place for children.

The Social Services and Well-being (Wales) Act 2014 introduced strengthened and robust safeguarding arrangements for children and adults. Each of the six Safeguarding Children Boards in Wales has arrangements in place to support practice and the implementation of procedures aimed at safeguarding children from abuse and exploitation.

The Welsh Government has also provided funding to Cardiff and the Vale Safeguarding Board who are developing updated multi-agency Wales Safeguarding Procedures for children (up to the age of 18 years) and adults on behalf of the six Safeguarding Boards. The Wales Safeguarding Procedures will be supplemented by a number of Practice Guides on safeguarding children in specific circumstances.

The Welsh Government is currently updating statutory guidance on Child Sexual Exploitation that was issued in 2011, this work is supported by a multi-agency group and updated statutory guidance will be issued for consultation in early 2019. The Welsh Government has committed to developing a National Action Plan on Preventing Child Sexual Abuse – including Child Sexual Exploitation and Harmful Sexual Behaviour in the spring of 2019.

The Welsh Government has commissioned Stop it Now to develop resources for practitioners and for parent/carers on spotting the signs of child sexual abuse, keeping children safe and responding to children who disclose abuse. The Welsh Government has also commissioned the NSPCC to develop resources for practitioners on handling disclosures of abuse by children and to provide implementation sessions.

We are also working with Social Care Wales, a body established through the Social Services and Well-being (Wales) Act 2014 to promote knowledge and learning to support robust safeguarding practice.

My view is that while the issues raised through the petition are of great importance, the petitioner appears to have not wholly appreciated the role and purpose of Child Houses. Further, the evaluation of the Child Houses in London has only just been initiated and it would be prudent to wait for evidence on the operation of these pilot services. It is also the case that the clear link between the operation of Child Houses and evidence gathering in support of the prosecution process means that the development of Child Houses is largely a reserved matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Huw', with a horizontal line underneath.

**Huw Irranca-Davies AC/AM**

Y Gweinidog Plant, Pobl Hŷn a Gofal Cymdeithasol  
Minister for Children, Older People and Social Care

**P-05-859 Provide Child Houses in Wales for Victims of Child Sexual Abuse – Correspondence from the petitioner to the Committee, 18.12.18**

Comments in light of the correspondence from Huw Irranca-Davies AC/AM

Reference one:

I would like to refer to the following information, that was reported at:

<https://www.london.gov.uk/press-releases/mayoral/uks-first-child-houses-to-launch>

Date: *13 September 2016*

“Open since April this year, it offers a calm environment for medical examinations, counselling and therapy, with soft coloured chairs and brightly coloured rugs providing a soothing alternative to plastic clinical furniture, and artwork and a 3D technology system providing distraction. Funded by NHS England (London), it expands the services offered to adult sexual abuse victims at the three London Havens.

The new Child Houses, which will open next year, will build on the work of the CYP Haven. While the Haven offers an urgent 24/7 response, a predominantly clinical service and short term care and support, the Child Houses will provide a multi-agency, long-term support and advocacy service under one roof. Criminal justice aspects of aftercare will be embedded in the service, with evidence gathering interviews led by child psychologists on behalf of the police and social workers, and court evidence provided through video links to aid swifter justice”

And: <https://www.england.nhs.uk/london/wp-content/uploads/sites/8/2017/04/Child-Sexual-Abuse-Hub-Toolkit-March-2017.pdf>

The toolkit for the CSA Hub which identified:

“The North London CSA hub pilot was evaluated after eight months and found improvements in the case management for children and young people, better access to early emotional support where needed and positive qualitative feedback from families and staff. Over 50% of children, young people and families attending the CSA hub were supported by the advocate and/or the CAMHS practitioners.

The CSA hub was reported to be a restorative experience for children and families and removed barriers to them accessing advocacy and CAMHS support by them being present in the first appointment. There was improved multi-agency and professional co-operation and better communication with children’s services

through advice and liaison. Awareness of the hub following the launch led to a fourfold increase in referrals at one of the CSA hub sites”

The CSA hub model is a one stop shop for medical, advocacy and early emotional support for children and their families, as well as offering advice and liaison to police and children’s social care services. The CSA Transformation Programme enabled the establishment of CSA hubs in North Central and South West London, funded by the Department of Health and local CCGs respectively. The Child House model is a multiagency service model for children and young people following sexual abuse or exploitation (CSA/CSE). The model was further recommended in 2015 by the Children’s Commissioner for England and is supported by the Home Secretary and Mayor of London. The Home Office has funded a national proof of concept of the Child House in London and Durham based on the international ‘Barnahus’ model”

Therefore in light of the above reported information, I would like to consider the already evaluated information for the Child House concept and how it can improve the therapeutic relationship to dealing with Child Sexual Abuse.

The concern is, that 5 Child Houses are planned to be rolled out in London, however there have been no suggestions put forward for Wales. The evaluations have already been crucial, in light of the above linked document, which continues to mention that within the 8 months of opening, 144 children and young people were seen at the Hub. The numbers speak for themselves, in how crucial implementing the Child House is, in all areas of the United Kingdom. Are proposals being put forward for Wales?

In regards to the comment:

‘Provide a place for children to run too’. I appreciate that the Child House is formed as a multi-agency hub identified by services, however I would like to kindly suggest consideration to the following:

We have a very large number of refuges for Domestic Violence and they have proven crucial for women fleeing violence in abusive relationships. Children would not flee to a Domestic Violence refuge, however if there could be consideration for forming something similar along the lines of a refuge but for children / young people suffering child sexual abuse or exploitation.

Having spoken with a number of survivors of child sexual abuse, many have agreed that had there been a place to ‘run too’, they would have.

As a Child Sexual Abuse survivor, on many occasions I 'ran away' from my home. Only to be returned by the police back to the same home, that was the place the abuse was happening.

I cannot speak in hindsight, but I do wonder if I was aware there was a place I could go to, that was child friendly, and welcoming, would I have run there to find solace, would I have disclosed the child sexual abuse I encountered from age 4 to the time of my father's arrest in 2011?

I guess that is a question unanswerable, but is it something we can consider for the future of our children, with statistics so high for child sexual abuse. I know that many I have spoken too, have shared this same idea.

I fully appreciate the role and purpose of the Child House and that they are more 'agency' based, however I would also like the committee to consider the following:

Services are doing amazing work, I am sure that funding is being allocated and robust measures are taking place for safeguarding with social services and organisations, however:

It is a given statistical fact that children do not report to the 'professionals' - we are taught from a very early age that Social Services will remove us and it is a bad thing, that is part of the grooming process, this is why children disclose in other ways other than walking up to a professional or police officer and saying 'I am being sexually abused'. Children are groomed by fear, but also their already role models are the ones abusing them.

The fact that we know child sexual abuse is undisclosed, means we have to review the current ways we are working with children, we have to see it from a child's eye. I feel that children would more likely 'run to' a place of comfort with their indirect disclosures and if we could provide that safety unit, are we saving a child. I believe it is to be considered.

I raised the petition in light of the above information from the CSA Hub toolkit, when I established there were no proposals for Wales, however this petition can also be reviewed and amended to consider my concerns of having a place for children to 'run to'.

On that note, I would like to provide a link and copy of the Blog Post I wrote in light of children disclosing, I hope this can bring some further reflection and open

mindedness to the petition proposal: <https://shecanconsultancy.com/why-didnt-you-report-why-didnt-you-protect-me/>

What was I reporting?

A man who was my abuser or the man who was my protector?

See that's the complexities of a child abuse victim they don't know what the difference is, their whole concept of normal is a disillusioned version.

The brain a mush, not knowing what to remember or should I even remember because what's the point nothing was done when I was a child. So what am I reporting?

I needed him... I relied on him... he was the man who had brainwashed me to love him and protect him. He was my father!

So you ask me why didn't I report...

You came too late, and that day left me confused and challenged. I have to now hate him? Maybe I do, maybe I don't.

Maybe I'm just the confused little girl that wants her daddy?

Why did I deserve so less?

He helped me, he was the only one there for me, he paid for things. He was evil by far but that was amidst the character of Jekyll and Hyde, I knew no different and now you want me too.

I'm scared, I'm lonely, I'm confused.

From 2011 to 2018 who was I now?

Who was I supposed to be, the little girl or the Survivor now?

I crave love and attention...

I need to help others without helping myself, because I deserve no less.

Do you understand now how confusing it is for a child when they were stripped of an innocence, their mind torn from birth to not know the difference between a good person and a bad person, because they form as one.

He was there for so long and then he was gone.



The days when I wondered what he was doing in prison, how did he cope, or am I still so groomed that I am stupid to believe he is anything other, now I wonder what he's doing out of prison, has his world changed as much as mine?

Do I owe him these thoughts and continued protection?

My life will never be free from what he did to me!

So don't ask me why I didn't report, ask yourself why you didn't protect me?

I disclosed with my anorexia, I disclosed with my body-focused repetitive behaviour disorders, I disclosed with my tears, I disclosed when I run away, I disclosed when you heard he was scarily possessive, I disclosed when I was in school disassociated and getting into trouble, I disclosed when I was angry and always fighting, I disclosed... I disclosed... what did you do? Nothing.

Why did you let him come in the night? Why did you let him hurt me so bad? Why did you let him make me scared? Why did you let him touch me there? Why did you let him make me so sad? Why did you let him drug me and rape me? Why did you let him take everything away from me? Why did you let him do the things you can't comprehend? Why did you let him leave me with no end?

And now tell me how you want me to behave, how you want me to continue this confusion and pain, tell me how you expect any child to just walk up to you and report?!

WRITTEN BY MAYAMEEN MEFTAHİ - FOUNDER & SURVIVOR - She Can Consultancy LTD

PETITIONER: P-05-859 - Pwyllgor Deisebau 15.01.19 / Petitions Committee  
15.01.19

# Agenda Item 3.1

## **P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time**

This petition was submitted by Bethany Walpole-Wroe and was first considered in July 2014, having collected 1008 signatures (an associated e-petition has collected over 10,300 signatures)

### **Petition Text**

We call on the National Assembly for Wales to urge the Welsh Government to review the guidance to Local Authorities on head teachers being able to authorise absence for family holidays during term time. Many families from poor backgrounds can only afford to go on holiday during term time, as holidays are about 60% more expensive during the holiday period. Also, many families where parents work are unable to take time off during the school holidays. Holidays can be extremely educational, giving the children awareness of the world in which we live.

### **Assembly Constituency and Region**

- Ceredigion
- Mid and West Wales

## **P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference or bias.**

This petition was submitted by *Pembs Parents Want a Say / Rhieni Pembs eisiau cael dweud* and was first considered in December 2014 having collected 812 electronic signatures.

### **Petition Text**

We ask the National Assembly for Wales to ensure that schools are free to exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference from bodies such as regional educational consortia and local authorities and without threat of penalisation through school inspection, performance judgement and banding processes.

Local authorities in Wales and their consortia are recommending that schools do not exercise their statutory powers under the above legislation leaving more families exposed to the threat of penalty notices under the Education (Penalty Notices) (Wales) Regulations 2013 than would have been otherwise. These recommendations are made on the basis that they can improve attainment despite the lack of evidence that absence of the type allowed under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 results in poorer attainment.

Currently schools in Wales can be penalised through inspection, performance judgement and school banding processes for authorising legitimate absences such as sickness, family holidays or other events or instances which enable families to participate fully in a normal, private family life.

These recommendations and processes bias schools against the authorisation of legitimate absence and make schools reluctant to exercise

their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010. This can damage the home/school relationship and child well-being. Where a family disagrees with a decision to refuse authorisation of absence on the grounds of equality, human rights or child well-being there is no independent route of appeal. Where a family disregards a decision to refuse authorisation of absence the issue of a penalty notice and potential criminalisation can result. There is an economic impact on the Welsh tourism and leisure industry which provides employment and income to many of our families.

### **Additional Information**

Regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 gives schools the discretionary power to authorise up to 10 days absence during a school year for family holidays and more than 10 days absence in exceptional circumstances.

Schools are being advised against exercising this power by their local authorities. They are feeling pressured to improve school attendance figures by Estyn, the education and training inspectorate for Wales, who can penalise them if attendance falls below a certain level.

The drive to improve attendance is based on an assumption that it will improve educational attainment. This is an over-simplification of a very complex issue. Attendance and attainment are linked but a causative relationship is not proven. Research shows that absence for family holidays does not affect attainment at primary school level, and a small degree of absence is unlikely to have any effect at secondary school level. ("A Profile of Pupil Absence, 2011, DfE").

A school's refusal to authorise an absence which is allowable under the law can seriously damage the home/school relationship, particularly if the family believe that the absence is important to their child's well-being and take their child out of school anyway. The family can receive a penalty notice (fine) or be criminalised.

There are many legitimate reasons why children and families need the flexibility to be absent from school during term time which include difficulty obtaining annual leave during school holidays, important family events, geographical remoteness from non-resident parents, grandparents and extended family. Families employed in the Welsh tourism and leisure industry have felt a significant economic impact from the English term time holiday ban this year. The Good Childhood Report 2014 identified school as only ONE of the ten aspects of life with the greatest influence on child well-being. Family, home, finances, friends, health and choice were among the others.

### **Assembly Constituency and Region**

- Preseli Pembrokeshire
- Mid & West Wales

Kirsty Williams AC/AM  
Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref KW/02744/18

David John Rowlands AM  
Chair, Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

12 December 2018

Dear David

**P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time /  
P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The  
Education (Pupil Registration) (Wales) Regulations 2010**

Thank you for your email of 10 December requesting an update on developments relating to the above petition.

My officials are continuing to undertake an extensive review of school attendance policy in Wales. This has included working with key stakeholders to understand the practical implications and challenges of the existing arrangements and to identify what changes are required to ensure arrangements continue to provide effective, fair and consistent support to parents, learners, schools and local authorities.

Our initial but extensive engagement work has now completed and my officials are using the evidence and feedback to revise the school attendance framework. Part of the evidence informing the revision of the framework is the evaluation of fixed penalty notices for non-attendance. The intention is to publish the revised framework for public consultation during the autumn term of 2019.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

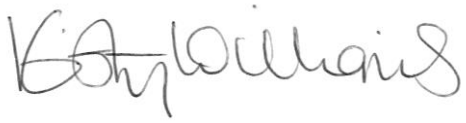
[Gohebiaeth.Kirsty.Williams@llyw.cymru](mailto:Gohebiaeth.Kirsty.Williams@llyw.cymru)  
[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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

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

I hope this information is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

**Kirsty Williams AC/AM**

Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education

# Agenda Item 3.3

## **P-05-828 Presumption in favour of rural schools**

This petition was submitted by the Parents and Teachers Association of Ysgol Gymunedol Bodffordd and was first considered in September 2018 having collected 5,215 signatures

### **Text of Petition**

We call on the Government to take steps to ensure that local authorities follow the guidelines within the current School Organisation Code and the new version of the Code (when it comes into force), including that they operate in accordance with the presumption in favour of rural schools. We accept that this does not mean that a rural school will never close, but the recent decision by Anglesey Council's Executive Committee to close Ysgol Bodffordd demonstrates that local authorities are free to ignore the new Code (that they are supposed to act in accordance with its spirit) and close even full and popular schools.

### **Assembly Constituency and Region**

- Ynys Mon
- North Wales



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

Document is Restricted

**P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig – Gohebiaeth Cymdeithas yr Iaith Gymraeg at y Cadeirydd, 6.12.18**

Annwyl Bwyllgor Deisebau,

Buon ni fel aelodau Cymdeithas yr Iaith yn cydweithio gyda rhieni Ysgol Bodffordd i gasglu enwau ar y ddeiseb. Bu'r drafodaeth yn y siambr yn gyffredinol iawn am ysgolion gwledig, ond roedd nod y ddeiseb yn benodol iawn – sef pa gamau y gallai'r llywodraeth ganolog eu cymryd i sicrhau fod Awdurdodau Lleol yn cadw at ofynion statudol a chanllawiau'r Côt Trefniadaeth Ysgolion y cyhoeddwyd ail fersiwn ohono ar Dachwedd 1af eleni. Defnyddiwyd enghraifft ymgynghoriad Ynys Môn am ddyfodol Ysgol Bodffordd i ddangos nad oedd yr Awdurdod Lleol yn cadw at ofynion argraffiad cyntaf (2013) Côt Trefniadaeth Ysgolion. Gofynnir felly beth yw diben cyhoeddi côd newydd – gyda rhagdyb o blaid cadw a datblygu ysgolion gwledig – os nad oes camau i sicrhau nad yw Awdurdodau Lleol yn anwybyddu gofynion y côd.

Yn yr ymgynghoriad ar Ysgol Bodffordd, torrodd Cyngor Ynys Môn ofynion statudol yr hen gôt mewn nifer o ffyrdd (heb sôn am beidio â "chadw at ysbryd y côd newydd" fel y gofynwyd iddynt gan yr Ysgrifennydd Addysg)

**CÔD TREFNIADAETH YSGOLION CYFREDOL – 006/2013**

\* Mae'r Côt yn deillio o Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013, ac yn cynnwys cymalau y mae'n rhaid i Awdurdodau Lleol eu dilyn wrth lunio ac ymgynghori ar gynnig i gau ysgol fel yr eglurir ar dudalen cyntaf y côd. Ni ellir gorbwysleisio'r ffaith fod sail ddedfwriaethol i'r Côt. Mae'n amlwg nad bwriad aelodau cynulliad wrth bleidleisio dros y Ddeddf oedd cynnig i Awdurdodau Lleol côd y gallent dderbyn neu wrthod ei gymalau yn ôl eu mympwy.

\* Mae cymal 1.7 yn disgrifio'r camau y mae'n rhaid i Awdurdod Lleol eu cymryd cyn ac wrth gynnig cau ysgol. Dywedir yn glir fod angen llunio Asesiad o'r Effaith ar y Gymuned o gau'r ysgol yn y ddogfen ymgynghorol. Ond ychwanegodd Cyngor Ynys Môn eu Hasesiad amrwd ar gyfer ystyriaeth gan y Pwyllgor Gwaith. Ni bu o flaen pobl yn y ddogfen ymgynghorol er mwyn denu sylwadau. Dywedir fod angen "dangos sut y gellid cynnal unrhyw gyfleusterau cymunedol a ddarperir gan yr ysgol ar hyn o bryd. Ni bu unrhyw

ymdrech i wneud hyn ; i'r gwrthwyneb, mae'r Ganolfan Gymunedol yn rhan integral o adeilad yr ysgol. Cred yr awdurdod eu bod wedi bodloni gofynion y côd trwy benderfynu cynnal trafodaeth gyda'r gymuned leol am ddyfodol y ganolfan. Nid yw hyn yn gyfystyr â gwneud asesiad o'r effaith ar y gymuned o gau'r ysgol.

\* Mae'r un cymal 1.7 yn egluro "wrth ystyried a yw'n briodol cau ysgol" (hynny yw, cyn ffurfio cynnig ac yn sicr yny ddogfen ymgynghorol) fod angen rhoi sylw arbennig i'r canlynol –

a) "a ellid ystyried sefydlu ysgolion â mwy nag un safle fel ffordd o gadw adeiladau, neu'r rhesymau dros beidio â dewis yr opsiwn hwn". Ni bu unrhyw sylw o gwbl i bosibiliad greu ysgol 2 neu 3 safle'n cwmpasu adeilad newydd yn Llangefni, Bodffordd ac o bosibl Henblas.

b) "a ellid ystyried posibiladau amgen heblaw cau'r ysgol, megis clystyru, cydweithredu neu ffedereiddio ag ysgolion eraill (gan ystyried y posibilrwydd o ddefnyddio cysylltiadau TGCh rhwng safleoedd ysgolion), neu'r rhesymau dros beidio ag ystyried y rhain fel opsiwn amgen yn lle cau'r ysgol". Ni wnaed hyn o gwbl, Yn wir un cymal o gyfeiriad oedd at ffedereiddio trwy'r ddogfen a hynny mewn cyd-destun gwahanol.

c) "Dylai Awdurdodau Lleol ystyried a fyddai'n ddichonadwy ac yn ddarbodus cyd-leoli gwasanaethau lleol yn yr ysgol i wrthbwysu costau cynnal yr ysgol". Ni bu unrhyw ymdrech i wneud hyn.

ch) "effaith gyffredinol cau'r ysgol ar y gymuned leol (gan gynnwys colli cyfleusterau yn yr ysgol a ddefnyddir gan y gymuned leol), yn enwedig mewn ardaloedd gwledig." Fel yr esboniwyd eisoes, ni wnaed hyn, ac mae'r cymal hwn yn y côd yn pwysleisio fod y côd presennol (cyn dod at y côd newydd) yn gweld fopd ysgol wledig mewn sefyllfa arbennig.

\* Wrth symud at adran 3 o'r Côd, mae cymal 3.1 yn egluro fod yna "gyfraith achosion" y dylid cyfeirio ati, a bod yn "rhaid i gynigwyr (cau ysgol) gofio'r pedair egwyddor sylfaenol". Y bedwaredd egwyddor yw "sicrhau y caiff yr hyn sy'n deillio o'r ymgynghoriad ei ystyried mewn ffordd gydwybodol pan wneir y penderfyniad yn y pen draw." Mae'n amlwg na wnaeth swyddogion Cyngor Ynys Môn gydymffurfio â'r egwyddor hon. Fel enghraifft bu ymateb manwl (cannoedd lawer o eiriau) gan Gymdeithas yr Iaith i'r ymgynghoriad. Gwnaeth y swyddogion adroddiad brysiog ac arwynebol o'r ymatebion i'r ddogfen ymgynghorol ar gyfer y Pwyllgor Gwaith wrth iddynt gymryd eu

"penderfyniad yn y pen draw". Ni bu ond un frawddeg yn yr adroddiad i grynhoi ein pwyntiau manwl, ac ni chrybwyllwyd dim o fanylion ein dadansoddiad o wendid y broses ymgynghorol, nac unrhyw gyfeiriad at yr opsiynau amgen a awgrymwyd gennym fel "Ffederasiwn Cefni" yn cwmpasu'r Ysgol Uwchradd ac ysgolion cynradd yr ardal fel dull mwy effeithiol o wella safonau addysgol.

\* Mae 3.2 yn pwysleisio lle canolog y Ddogfen Ymgynhori yn y broses. Ond, fel y dywedwyd eisoes, ni chyfansoddwyd unrhyw ddogfen ymgynghorol o'r newydd i ddadlau achos y cynnig newydd hwn. Yn hytrach, ailgylchwyd hen ddpgefennau gyda llawer o gynnwys amherthnasol, ac heb drin materion o bwys canolog wrth werthuso'r cynnig newydd. Yn yr adran hon (tudalen 12) dywedir fod yn "rhaid" i'r ddogfen gynnwys "disgrifiad o unrhyw ddewisiadau amgen a ystyriwyd a'r rhesymau dros eu gwrthod". Mae'r ddogfen yn amlwg ynmethu ar y pwynt hwn. Yr unig gyfeiriad at "ddewisiadau amgen" yw rhestr o syniadau a godwyd gan ymgynghoreion mewn dau ymgynghoriad blaenorol am drefn addysg yn ardal Llangefni yn gyffredinol (y mwyafrif ohonynt yn amherthnasol i'r cynng arbennig a newydd hwn oedd yn sail i'r ymgynghoriad) gydag un cymal o sylw i bob un gan yr swyddogion. Ni bu unrhyw ymgais i werthuso'n broffesiynol dedwisiadau amgen.

\* Ailadroddir (tudalen 27) fod "rhaid cynnwys" y wybodaeth ganlynol yn y ddogfen ymgynghorol, a dangoswyd eisoes fod yr Awdurdod wedi methu ar y pwyntiau hyn –

a) "manyion unrhyw opsiynau amgen sydd wedi'u hystyried yn lle cau'r ysgol a'r rhesymau dros beidio â bwrw ati â'r rhain"

b) "effaith y cynigion ar y gymuned leol, yn enwedig mewn ardaloedd gwledig"

\* Mynnwn felly fod yr Awdurdod wedi methu yn y broses ymgynghorol hyd yn oed yn ôl cymalau a gofynion y Côt presennol, a bod y côd hwn hefyd yn datgan pwysigrwydd ysgol wledig.

Mae'r côd hefyd yn mynnu fod Awdurdod Lleol yn ystyried "yn gydwobodol gyda meddwl agored" pob gwrthwynebiad i Rybudd Statudol i gau'r Ysgol. Daeth cyfnod gwrthwynebiadau i'r Rhybudd Statudol i gau Ysgol Bodffordd ar Hydref 29ain. O fewn diwrnod yr oedd y Cyngor wedi cyhoeddi ar eu gwefan (mewn adroddiad ar ysgolion ardal Amlwch) eu bwriad i symud ymlaen i gau

Ysgol Bodffordd – sy'n amlygu nad oedd unrhyw fwriad yn y byd i ystyried y gwrthwynebiadau. Ymhellach mae'r adroddiad ar ysgolion Amlwch – a drafodir dan y Côt newydd (gan nad oes cynnig wedi ei wneud cyn 1/11/18) – yn cyfystyru "moderneiddio" gyda chau ysgolion ac mae pob opsiwn y cyfeirir ato yn cynnwys cau ysgolion. Mae'n amlwg felly nad oes bwriad yn y byd i lynu wrth argraffiad newydd y Côt i fod â rhagdyb o blaid ysgolion gwledig a cheisio syniadau am sut i'w cadw a'u datblygu.

Gofynnir eto felly beth yw diben cyhoeddi Côt os gall Awdurdodau Lleol ei anwybyddu. Defnyddiwyd dull deiseb gan fod yr Ysgrifennydd Addysg wedi osgoi ateb yn uniongyrchol bedair gwaith mewn gohebiaeth cwestiynau yn gofyn iddi ddweud yn fanwl pa "rymoedd wrth gefn" sydd gyda hi i ymyrryd a phryd yn union a sut yn y broses y gellir cwyno nad yw Awdurdod Lleol yn cadw at ofynion y Côt.

Yn ei llythyr diweddaraf, dywed yr Ysgrifennydd Addysg "Mae gan Weinidogion Cymru bwerau ymyrryd pan fyddant wedi eu bodloni nad yw awdurdod lleol wedi cydymffurfio â'i gyfrifoldebau statudol. Mae disgwyl bod prosesau lleol wedi eu defnyddio i'r eithaf. Mae'r Cod yn gosod safon uchel o ran ymgynghori, sy'n rhoi cyfle i chi godi unrhyw gwestiynau am ymgynghoriad yr awdurdod lleol. Os hoffech wneud cwyn ffurfiol yn erbyn yr awdurdod lleol, dylech gysylltu ag Ombwdsmon Gwasanaethau Cyhoeddus Cymru." Ond unwaith eto nid oes esboniad ynghylch pryd yn y broses ymgynghorol, a thrwy ba ffurf, y gellir cyflwyno cwyn. Erbyn i Ombwdsmon orffen adroddiad – ac ni wna gychwyn ymchwiliad hyd nes bod pob posibiliad arall wedi ei ddefnyddio – bydd y mater wedi ei hen setlo. Diben y ddeiseb felly yw ceisio ateb pa gamau yn union y gall y llywodraeth eu cymryd i sicrhau fod Awdurdodau Lleol yn cadw at ofynion y Côt Trefniadaeth Ysgolion a sut yn union y gellir cyflwyno cwyn i'r Gweinidog a beth yn union yw ei grymoedd ymyrryd.

Yn gywir,

Grŵp Addysg, Cymdeithas yr Iaith

# Agenda Item 3.4

## P-05-805 Fair Deal For Supply Teachers

This petition was submitted by Sheila Jones and was first considered by the Committee in May 2018, having collected 1,425 signatures (997 online and 428 on paper).

### Text of Petition

*We, the undersigned, request that all supply teachers be paid fairly and have full access to training opportunities and other terms and conditions. There should be a qualified teacher in every classroom and taxpayers' money should be going directly into education and not into the pockets of private agencies.*

*Supply teachers are being exploited and teachers are leaving the profession as they cannot afford to be supply teachers.*

*Agencies reduce teachers' pay by forty to sixty percent and teachers lose their pensions, this is public money going into the private sector for profit. Lessons are being covered by unqualified staff.*

### Assembly Constituency and Region

- Caerphilly
- South Wales East

Kirsty Williams AC/AM  
Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-805  
Ein cyf/Our ref KW/02684/18

David John Rowlands AM  
Chair - Petitions committee.  
National Assembly for Wales  
Cardiff Bay  
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7 December 2018

Dear David

Thank you for your correspondence of 29 November about an all Wales supply model.

I have not ruled out working with employers to support the introduction of arrangements for a centralised or regional supply arrangement in the future. The responsibility for teachers' pay and conditions was devolved to Welsh Ministers on 30 September. As part of the process for establishing robust mechanisms for determining teachers' pay and conditions we are recruiting members for an Independent Welsh Pay Review Body. The review body will consider evidence from all key stakeholders and will produce a report and make recommendations for proposed changes to Welsh teachers' pay and conditions in the future based on the terms of a formal remit letter.

To support the new arrangements we have also established a Teachers' Pay and Conditions Partnership Forum which includes representatives from Welsh Government, employer organisations and union representative bodies. The Forum provides an opportunity to discuss and agree some of the issues that will need to be included in future remit letters to the pay review body.

The recently published independent report on teachers' pay and conditions *Teaching – A Valued Profession* recommended that in taking forward devolved pay and conditions the Welsh Government publish a coherent pay and conditions document that takes account of the need to support a flexible workforce able to deliver our National Mission. It is envisaged that this flexible workforce will include provision for temporary staffing.

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

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

The Welsh Government is unable to direct school governing bodies or local authorities to employ supply staff directly. However, the work being undertaken by the Welsh Government and the National Procurement Service (NPS) will ensure that our temporary workforce is treated and rewarded fairly however they are employed.

Officials have worked closely with colleagues in the NPS to revise the tender specification requirements for the agency worker framework to ensure that it is current, fit for purpose and incorporate the principles endorsed by the *Code of Practice on Ethical Employment in Supply Chains* and our *Fair Work* principles.

The NPS published the Contract Notice for the Temporary Workers and Supply Teachers tender opportunity on 12 November. The revised tender specification will ensure that any future arrangement introduced includes minimum pay rates and transparency of agency fees so schools can make an informed choice. The specification also includes a sliding scale of temporary to permanent fees making it easier for schools to take on agency staff permanently should a vacancy arise, abides by the principles of fair work, and supports supply teachers' professional learning. Attached is a link to the Contract Notice on Sell2Wales: [https://www.sell2wales.gov.wales/search/show/search\\_view.aspx?ID=NOV273861](https://www.sell2wales.gov.wales/search/show/search_view.aspx?ID=NOV273861)

To complement this development we are also examining proposals to introduce statutory quality assurance standards which agencies wishing to supply temporary teachers to maintained schools would need to meet. This work will complement the work being undertaken by the NPS and add an additional layer of assurance to all involved in the process.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

**Kirsty Williams AC/AM**

Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education



## **P-05-805 Fair Deal For Supply Teachers – Correspondence from the petitioner to the Committee, 07.01.19**

Dear Mr Rowlands

Thank you and the members of the petitions committee for your continued support for supply teachers, which after years of exploitation by agencies, gives us hope for change. As you all agreed at your last meeting, a public sector solution is the best way forward. As our petition states, we do not feel that taxpayers' money should continue to be syphoned off by supply agencies to fund dividends for shareholders and we are pleased to see the agreement of the Committee in this.

We need to have any inequalities in pay and conditions eradicated as soon as possible to retain hard working supply teachers who have been demoralised for some considerable time.

The Cabinet Secretary for Education says “ I have not ruled out working with employers to support the introduction of a centralised model or regional supply model in the future ” in the first paragraph. We would welcome clarification of what can be put forward now we have devolved powers and on a timescale for this . The NEU have stated that a regional model is *not* the answer as that would allow the possibility that the Regional Consortia would then be assuming the role of an employer.

We have some further queries which we hope can be answered by the Cabinet Secretary

### **Will the Independent Welsh Pay Review Body be able to include pay and conditions for all supply teachers?**

Surely this will only be for those in direct employment. How long will it take to set up, gather evidence and report back? We feel it would be beneficial to have a supply teacher representative on this group, is this something that would be possible?

### **What about those employed by agencies?**

For agency staff we have a minimum pay rate to be written in the framework agreement for 2019-20. The tender is to go out for a maximum of 4 years. We do not want to see the minimum rate become the maximum as this is grossly unfair to experienced supply teachers who bring years of skills and knowledge to the role. Although agency staff will be finally paid via STPCD in the same way as permanent teachers, albeit at the minimum rate, we also need to be able to be paid

to scale with access to Teachers' Pension Scheme and only a public sector solution will enable this.

**Would the Cabinet Secretary consider having supply teacher representation on the Teachers' Pay and Conditions Forum?**

There was a supply representative on the Supply Working Group who would have put forward our views, but left to take up other employment and was not replaced. Again, it would be helpful to have representation on the Teachers' Pay and Conditions Forum so that we could take part in the dialogue about our future pay and conditions.

**Where is the recommendation in: "*Teaching-A Valued Profession*" to enable all supply teachers to have equality?**

**The work undertaken by the WG and the NPS currently deals with the Framework Agreement for agencies, how will this ensure we are treated and rewarded fairly?**

It is only when all supply teachers are being employed directly through Local Authority payroll that we will all be able to have equality and fairness of employment. Although the Cabinet Secretary continually asserts that it is up to schools how they employ their temporary staff, many find there is no payroll system in place for this, therefore schools do *not* have a choice.

It is imperative that all supply teachers are able to access the Teachers' Pension Scheme. We are all qualified teachers and those employed by agencies will be disadvantaged in later life by the inadequate government pension scheme provided by agencies. We can only get into the scheme when employed directly.

**Whilst the Cabinet Secretary says Welsh Government does not employ supply teachers, Could the Petitions' Committee request that the Cabinet Secretary write to schools to encourage them to employ supply teachers direct to expedite a fair solution?**

**What steps is the Cabinet Secretary taking to ensure that every classroom is led by a qualified teacher?**

We are noting that adverts are frequently asking for cover supervisors, and we fear that this is how schools and agencies will circumvent the need to have a qualified teacher in the classroom. This needs addressing as a matter of urgency as we believe that pupil outcomes will continue to be affected negatively. A supply teacher was recently asked to work 9 hours in a creche for £60-70 for the day.

Again with a public sector solution supply teachers would only be asked to work as a teacher.

In conclusion, we share the Cabinet Secretary's vision for a well funded, highly trained workforce to give our children in Wales the best education there is. We also share her aspiration for us to be part of the Fair Work Nation and hope that a public sector solution for supply teachers can be found as a matter of urgency.

Thank you again for your attention

Kind regards

Sheila Jones

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# Agenda Item 3.5

## **P-05-848 Let Welsh students have the opportunity to choose the best study option for them**

This petition was submitted by Sharon Ellis, having collected 127 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to ensure that the same funding arrangements are available to students wherever they choose to study and that the funding options are also available to students who have already commenced their studies.

Students currently have the option to study within the UK and Ireland with some study in Europe but why can they not study for a recognised degree throughout the world if the chosen programme best suits their overall career objectives.

In 2017 Georgia Ellis was accepted to the Doctorate of Physiotherapy course at Quinnipiac University in the USA. The bachelor's degree is a liberal arts degree which encompasses a variety of subjects as standard including Public Speaking and as part of gaining her undergraduate degree she will minor in another elective, in her case Business Studies. Although these are fabulous benefits Georgia chose this study option as her ambition is to become a physiotherapist for a sporting team and because of the exposure to sports teams she would gain in the university's purpose-built training health centre.

Why can't students be able to utilise the same funding arrangements they would have here in the UK towards funding alternative study options. Georgia's story is just one example of the fine calibre of UK students but there are many more.

Please sign this petition to support the options available to current and future students.

### **Assembly Constituency and Region**

- Alyn and Deeside
- North Wales

Kirsty Williams AC/AM  
Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-848  
Ein cyf/Our ref KW/02686/18

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7 December 2018

Dear David

Thank you for your letter of 29 November concerning petition 'P-05-848 Let Welsh Students have the opportunity to choose the best study option for them', considered by the Committee on 13 November.

I welcome the Committee's views on this issue and I have considered the recommendations that you submitted.

My officials have spoken to and corresponded with the petitioner Mrs Ellis and her political representatives on multiple occasions. My officials have already made clear the position regarding student support for her daughter or any other students undertaking a degree abroad. Meeting Mrs Ellis appears to provide little benefit to her or her daughter, particularly as Georgia is already undertaking her degree in America.

As I explained in my letter of 8 October, the new package of support from 2018/19 is based on recommendations resulting from the Diamond Review of Higher Education and Student Funding. The panel considered various different models for the fairest package of support, and difficult decisions had to be made regarding priorities for funding. With the limited budget available, the package targets those most in need. Unfortunately, it is not possible to extend the package to those studying a degree outside the UK.

There are currently a number of grants and funding schemes, as well as scholarships and bursaries, that Welsh domiciled students can access to support overseas study (of any duration).

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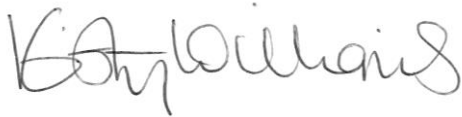
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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I remain committed to providing support which enables more students to benefit from periods of study abroad. On 20 November I made a statement on Overseas Student Mobility in the Senedd. During that statement, I announced details of the planned pilot which will offer a mix of opportunities for Welsh students at Welsh HE institutions, ranging from two to eight weeks. Our scoping study showed that it is these sorts of opportunities that will lead to the strongest take-up. The statement can be found here: <http://record.assembly.wales/Plenary/5365#A46915>. We are investing £1.3 million in this pilot over the next three years.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

**Kirsty Williams AC/AM**

Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education

**P-05-848 Let Welsh students have the opportunity to choose the best study option for them – Correspondence from the Petitioner to the Committee, 9.1.19**

Hi Kayleigh/Kathryn

After digesting The Minister's response I would be very grateful if my comments below can be considered by the Committee.

As per previous conversations I confirm I have received many letters from Ms Williams but unfortunately they have been very repetitive and have never clarified any of my queries. I have been offered many links to grants and scholarships as part of these letters unfortunately, very few are of an option to Georgia due to their restrictions.

My husband and I were born and bred in Wales as well as our children. We have worked full time throughout our adult life as has our son, so we would certainly not want to place the economy of the country at risk but would like to understand why access to student loans equivalent to those that are available for study in the UK and Ireland cannot be granted. The same agreement to repay the debt would be signed. The only difference I am able to see is that the funds would not be re-invested in educational institutions in the UK but I believe the numbers of student who would still be able to take this route would be very low and therefore unlikely to be detrimental to the country.

The package which is being offered from the Diamond review as Ms Williams states is aimed at those most in need which is similar to that of Sutton Trust on a much smaller scale of course, and again many of the other grants/Scholarships the Minister has directed us to. In addition to this, as the programme on offer is for a maximum of 2 months it is unlikely to provide the study abroad options identified under the Diamond Review.

This is the reason I have raised the petition as I feel access to student loans is the only way the average student will be in a financial position to have the opportunity to be able to study outside of the EU, an experience Ms Williams has supported repeatedly in previous correspondence.



Again I would be very grateful if you would be able to consider my comments at the meeting on Tuesday 15th January.

Kindest regards

Sharon Ellis

# Agenda Item 3.6

## **P-04-648 Amendment to Unconventional Oil and Gas Direction 2015**

### **Petition wording:**

We the undersigned call upon the Minister for Natural Resources to amend the THE TOWN AND COUNTRY PLANNING (NOTIFICATION) (UNCONVENTIONAL OIL AND GAS) (WALES) DIRECTION 2015 to call in all Planning Applications for Unconventional Oil and Gas development including exploratory drilling for Shale Gas, Coal Bed Methane and Underground Coal Gasification, to the Minister

### **Additional Information**

At present the Direction only relates to applications involving certain unconventional extraction techniques where the Local Planning Authority is inclined to approve the application.

The current Direction does not apply to Underground Coal Gasification, the impacts of which would be equally damaging to the environment and communities. Nor does it apply to exploratory drilling or test drilling. There are growing concerns about the impact of exploratory drilling, particularly around noise, traffic, disturbance of water courses, the potential for seismic disturbance, industrialisation of the countryside and the impact on house prices.

If there is an effective moratorium on extraction, then what is the purpose of exploration? Allowing exploration to proceed when, at present, extraction will be prohibited is perverse and illogical

**Petition raised by:** Councillor Arfon Jones

**Date petition first considered by Committee:** 22 September 2015

**Number of signatures:** 1,254 online signatures and 293 paper signatures. A further 415 signatures have been handed in after the petition was closed.



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**WRITTEN STATEMENT  
BY  
THE WELSH GOVERNMENT**

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**TITLE**        **Petroleum Extraction Policy statement**

**DATE**        **10 December 2018**

**BY**            **Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs**

The new onshore petroleum licencing powers in Wales, which commenced in October this year, have been an opportunity to consider our whole approach to the extraction of petroleum in Wales. In the summer, I published a consultation on petroleum extraction which set out the Welsh Government's view we should not hold any new onshore petroleum licensing rounds or support hydraulic fracturing "fracking" for petroleum.

[I am pleased to publish today the summary and analysis of the responses to the consultation.](#) We received over 1900 submissions and would like to thank the public, businesses, industry bodies and community representatives for their consideration.

The response to the consultation has demonstrated overwhelming support for our proposed policy. Many who responded also expressed the view Welsh Government should go further than its opposition to fracking and not allow any extraction of petroleum, particularly coal bed methane. The principle of keeping fossil fuels in the ground and reducing future reliance on fossil fuels in Wales was a common theme.

Respondents raised concerns about the long-term effects of petroleum extraction on health, the environment, climate change and impact in particular on local communities in licensed areas. The dominant view was greater levels of petroleum extraction in Wales would lead to an increase in emission levels through both extraction and use, whilst limiting Wales' ability to reach its emissions reduction targets.

When balancing the evidence of risks against minimal increase in prosperity and also the need to achieve decarbonisation targets, the public responded by stating they saw no future in beginning a new fossil fuel industry. Public opinion was that switching to energy alternatives, which emit far less pollution is both achievable and preferable. However the

petroleum industry view is that extraction of petroleum can be managed and regulated safely and offers the opportunity for a source of locally produced petroleum.

The evidence Welsh Government commissioned presented the current expert knowledge on the scientific appraisal of extraction and financial benefits to Welsh communities. There were concerns raised about missing data for the risks of fugitive emissions from coal bed methane. The lack of extraction sites anywhere in the UK means information on CBM is limited. The response from the majority of respondents was if we don't extract any petroleum then the impact and risks during production and decommissioning will not occur. This approach was supported as the way to give certainty to communities near licensed sites and to avoid unnecessary disruption and harm.

Having considered the evidence, the risks, and the responses we have received to the consultation, I confirm today hydraulic fracturing "fracking" of petroleum **will not** be supported in Wales.

To help deliver on my commitment in 2016 to reduce the use of fossil fuels I also confirm we **will not** undertake any new petroleum licensing in Wales. Individual licences will only be considered to ensure the safe management of abandoned mines or to support scientific research.

Following the transfer of powers, there are 13 existing licences in Wales which are still live. The recently revised 'Planning Policy Wales' has placed fossil fuels as the least favoured fuel in the energy hierarchy. PPW sets the policy framework against which all planning applications will be determined, including for existing licences. The recent Notification Direction also means Local Planning Authorities must also notify the Welsh Government if they intend to approve applications for any petroleum extraction development.

Although offshore licensing is a reserved matter, the principles set out in the consultation can be a relevant consideration for Welsh Ministers' marine licensing decisions in relation to offshore petroleum extraction.

The United Nations Paris Agreement has set the context for tackling one of the biggest threats we face, climate change and the challenge of decarbonising the global economy. The Wellbeing of Future Generations (2015) Act requires Welsh Ministers to ensure a sustainable and prosperous low carbon Wales now and in the future. Welsh Government is acting across Government to deliver a low carbon future.

We now need to optimise the opportunities and benefits of the global transition away from fossil fuels and ensure Wales is not left behind. Through our ambition to tackle climate change, we will build a Wales which is prosperous and secure, healthy and active, ambitious and learning and united and connected. We will achieve this by listening to voices in the community and laying the foundations that support all of Wales and by reducing our future reliance on fossil fuels.

# Agenda Item 3.7

## **P-05-743 End the Exotic Pet Trade in Wales**

This petition was submitted by David Sedley and was first considered in March 2017 having collected 222 signatures.

### **Text of the Petition**

We call on the National Assembly for Wales to urge the Welsh Government to take action against the trade in exotic animals captured and bred for the pet trade in Wales, and to forbid the licensing of all businesses involved in this destructive, cruel and unethical trade, with clear exemptions for rescue centres and licensed rescue centres. We further urge the Welsh Government to follow the example of the Scottish Government which committed to a review of the trade and importation of exotic animals for the pet trade in Scotland in February 2015, led by The Cabinet Secretary for Rural Affairs and the Environment. For Wales to be taken seriously in the global conservation community, we maintain that we cannot be seen to be allowing this trade – which elicits the concerns of the British Veterinary Association (BVA), The Federation of Veterinarians of Europe (FVE) and the RSPCA – to continue in our own country.

### **Additional Information**

Animals such as monkeys, meerkats, reptiles and turtles are wild animals who belong in their natural habitat, not in cages and glass tanks in somebody's home. Over 1000 species of mammals, birds, invertebrates, reptiles, amphibians and fish are bred and captured for the exotic pet trade, and it is our argument that the complex social, physical and behavioural needs of these animals cannot be met other than in their natural habitats. Furthermore, there is strong evidence linking the trade in exotic animals with habitat destruction and the extinction of species in the wild. In tandem with the suffering of such animals in transit – including many documented deaths – young animals can grow into dangerous adults which can become unmanageable in domestic environments not conducive to satisfying their welfare needs for increased space and food.

### **Assembly Constituency and Region.**

- Swansea West
- South Wales West



Ein cyf/Our ref LG/02407/18

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Chair - Petitions committee.  
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11  
December 2018

Dear David

Thank you for your letter of 29 November, regarding petition P-05-743, End the Exotic Pet Trade in Wales.

Since I wrote to you on this subject in February, the Welsh Government has continued to develop policies to promote animal welfare and responsible ownership. You will be aware Defra have recently introduced the Animal Welfare (Activities Involving Animals)(England) Regulations 2018. Whilst the Regulations in England introduce new requirements relating to the selling of exotic pets, they have not imposed a ban. There are no specific developments to update you on relating to the work of the Scottish Government. In Wales, there are no immediate plans to consider a ban on the trade of exotic pets, however there have been a number of developments in animal welfare policy on which I can update you.

In my Oral Statement in June I committed to exploring options relating to the banning of third party sales of puppies and kittens in Wales. A consultation to gather evidence on the impact of such a ban and to inform next steps will be launched early in the New Year. Whilst this specifically relates to puppies and kittens, we are keen to look holistically at the impacts any changes in policy could have on other species.

In July the First Minister announced his intention to ban the use of wild animals in circuses and a consultation was completed in November, a summary of the responses will be published early next year. As I stated when the consultation was launched, a ban will send a clear message that the people of Wales believe this practice to be an outdated notion and ethically unacceptable.

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**Back Page 110**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

In addition to these projects, another major work stream actioned this year was the revision of the Codes of Practice for several companion and farmed animal species. The Codes for dogs and horses came in to force on 12<sup>th</sup> November and the consultation for the cat Code will be launched on 14<sup>th</sup> December. Officials are working with the Animal Welfare Network Wales in prioritising the next Codes to be updated, or created if it is felt necessary, such as primates or other exotic animals.

With regards to your question around a list of potentially restricted pets, the Dangerous Wild Animals Act 1976 makes it an offence to keep specific animals including certain breeds of primates and reptiles.

Regards  
Lesley

**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig  
Cabinet Secretary for Energy, Planning and Rural Affairs

# Agenda Item 3.8

## **P-05-816 Say 'NO' to pheasant shooting on Welsh public land**

This petition was submitted by Animal Aid having collected 12,706 signatures on an alternative petitions website.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to ensure that Natural Resources Wales, as the Welsh Government-Sponsored Body responsible, stops leasing out public land to commercial shooting operations. NRW's key constitutional function is to act as an environmental steward of the land that it manages on behalf of the Welsh Government and citizens. But leasing this land to shooting operations negatively impacts on conservation, biodiversity and animal welfare. Shooting also pollutes the land with toxic lead shot which is responsible for poisoning and killing many animals. NRW's shooting leases facilitate an activity that is abhorrent to many Welsh citizens: the killing of animals for 'sport'. The leases also mean that public access to land that is owned by Welsh citizens can be restricted.

### **Assembly Constituency and Region**

- Montgomeryshire
- Mid and West Wales



Lesley Griffiths AC/AM  
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig  
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-816  
Ein cyf/Our ref LG/01235/18

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3

July 2018

Dear David

Thank you for your letter of 21 June, regarding the petition P-05-816 Say 'NO' to pheasant shooting on Welsh public land.

In relation to the comments made by Animal Aid about the Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes, I have written to Animal Aid previously on this matter. Whilst there is no specific legislation regulating the breeding and rearing of gamebirds for sporting purposes, their welfare is protected by the Animal Welfare Act 2006. Section 9 of the Act, on the duty of a person responsible for animals to ensure welfare, sets out the needs of animals to include; a suitable environment; a suitable diet; ability to exhibit normal behaviour patterns; to be housed with, or apart from, other animals (as necessary), and; the need to be protected from pain, suffering injury and disease. The Code of Practice provides practical guidance in meeting the requirements of Section 9 of the Animal Welfare Act 2006.

Work is ongoing to revise the existing Welsh Government Codes of Practice. Priorities for revising the Codes are agreed with stakeholders.

Any concerns about a specific gamebird rearing premises should be reported to the Animal and Plant Health Agency (APHA) or relevant Local Authority. They are responsible for the delivery and enforcement of animal health and welfare provisions on behalf of the Welsh Government. In the case of Bettws Hall, APHA has twice carried out investigations of the premises. APHA does not provide details of the investigations to the complainant.

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Pack Page 113

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

With regard to the comments made about the transparency of the process and potential conflict of interest with one of the academics engaged by NRW to oversee the review, this is an internal matter for NRW. However, I have had sight of correspondence from the Chief Executive of NRW to Animal Aid on this matter and following First Minister's Question on 12 June during which Bethan Sayed AM raised her concerns I arranged for NRW to write directly to the AM.

NRW has every confidence that the Review into the use of Firearms has been undertaken in a transparent and appropriate manner.

In May of 2016 the Board of NRW directed that a formal review should be undertaken into the use of firearms on land that NRW manage in response to the introduction of new legislation in Wales and following concerns from some stakeholders about the welfare of pheasants on land that NRW own and the ethics of allowing such activity on land owned by Welsh Ministers.

The Review has been undertaken in several stages including a public Call for Evidence, independent external assurance of the project approach and evidence analysis, and a formal Public Consultation on a series of proposals. The review has considered over 250 pieces of evidence and 4700 responses to the Public Consultation.

Several documents have already been published as part of the Review process including a Synthesis of Evidence to support the public consultation process. During the Review period meetings have been held with Countryside Alliance, British Association for Shooting and Conservation, Animal Aid, League Against Cruel Sports and an interested individual connected to the 'Stop shooting on Welsh Public Land' campaign. It is estimated that NRW staff effort over the Review period totals some 2000 hours.

The capacity in which two academics have been involved was to provide an independent external assurance on the process that NRW undertook for the Review. They also provided an assessment of any gaps that there may have been in the evidence that was considered. Therefore their input was solely in an advisory capacity; they did not undertake the review.

NRW have stated they are grateful for Animal Aid and the League Against Cruel Sports for providing information on the involvement the two academics have in the topic areas covered by the review. NRW remains satisfied that the context in which these academics were involved, coupled with their experience and professional status, means that they see no conflict of interest that would prejudice the outcome of the review.

The NRW Board will be considering the final recommendations of this evidence-based review at their forthcoming meeting on 12 July when they will make a decision on NRW's policy on this issue. Welsh Government Officials have been kept fully informed of the progress of this review.

**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig  
Cabinet Secretary for Energy, Planning and Rural Affairs



Ein cyf/Our ref: MA – P/LG/2404/18

Clare Pillman  
Chief Executive  
Natural Resources Wales  
Ty Cambria  
29 Newport Road  
Cardiff  
CF24 0TP

9 July 2018

Dear Clare,

Thank you very much for sight of the detailed review you have undertaken on the Use of Firearms on land managed by Natural Resources Wales and the recommendations for their future use on the Welsh Government estate.

I understand the NRW Board is meeting to discuss these recommendations on 12 July and thought it would be helpful to feed in the Welsh Government position with regard to shooting from the wider policy, ethical and welfare context as an aid to the considerations.

With the current focus of Brexit falling on the economic and social impact, it's also important to remember that as a Government we are absolutely committed to the environment in Wales and to the full implementation of the Well Being and Future Generations (Wales) Act 2015 and Environment (Wales) Act 2016. The evidence from Wales' first 'The State of Natural Resources' report is clear the environmental challenges we face require transformational action and in Wales' first natural resources policy, we described how reversing the decline in biodiversity and improving ecosystem resilience is central to my approach.

Linked to this is of course the way we treat our animals and birds. It is an important reflection of our society's values and they should not be subjected to any unnecessary suffering. Whilst there is no specific legislation regulating the breeding and rearing of gamebirds their welfare is protected by the Animal Welfare Act 2006. Once released into the wild, the birds are not specifically protected outside the close season. It is acknowledged the breeding of gamebirds does not currently take place on the Welsh Government estate, however, birds are held in holding pens on the estate prior to release. Shooting and its associated activities can therefore be very emotive issues with a wide range of views held by different interests.

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Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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[Correspondence.Hannah.Blythyn@gov.wales](mailto:Correspondence.Hannah.Blythyn@gov.wales)

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

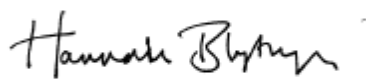
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I have therefore carefully considered the review recommendations and broadly agreed with the first two recommendations relating to NRW use of firearms for managing wild species, which impact on their objectives and other people's use of firearms for managing wild species which impact on their neighbour's land management objective. I recognise these are legitimate activities with a purpose to support appropriate pest control and land management environmental objectives.

I understand in most cases wildfowling is an important form of management, however, I have concerns regarding the shooting of conservation species. I therefore ask NRW ornithologists to investigate the impact of wildfowling on rarer bird species.

The NRW review looked at the purpose for which shooting is undertaken in the context of the Sustainable Management of Natural Resources. However, the review did not go as far as to consider some of the wider policy and ethical issues. Whilst shooting on private land is for the landowner to decide, we need to take account of wider considerations and public views in considering what happens on the Welsh Government estate. Given the wider policy issues and concerns, the Welsh Government does not support commercial pheasant shooting, or the breeding of gamebirds or the birds being held in holding pens on the estate prior to release on the Welsh Government Estate. I would ask our position on these issues is fed into the NRW discussions of future shooting activities on the Welsh Government estate and you consider not renewing the pheasant shooting lease agreements as they expire.

Yours sincerely,



**Hannah Blythyn AC/AM**  
Gweinidog yr Amgylchedd  
Minister for Environment

**P-05-816 Say 'NO' to pheasant shooting on Welsh public land –  
Correspondence from the petitioner to the Committee, 20.07.18**

Dear Kayleigh

Many thanks for your email.

If it helps, I have just this morning received this message from NRW, below.

Kind regards

Fiona

-----

Dear Fiona,

Thank for your enquiry.

The NRW Board approved the four recommendations made in the Review of the use of firearms on land managed by NRW and agreed the position statement. The Board accepted the position taken by the Minister for Environment in her letter to NRW. NRW staff will now look at how to implement the Minister's position, considering any legal implications of reviewing the leasing of rights for pheasant shooting.

Kind Regards,  
Shooting Review Team.

Cyfoeth Naturiol Cymru / Natural Resources Wales

[www.cyfoethnaturiol.cymru](http://www.cyfoethnaturiol.cymru) <<http://www.cyfoethnaturiol.cymru/?lang=cy>> /

[www.naturalresources.wales](http://www.naturalresources.wales) <<https://www.naturalresources.wales/?lang=en>>

**Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac  
adnoddau naturiol yn gynaliadwy.**

**Proud to be leading the way to a better future for Wales by managing the environment  
and natural resources sustainably.**

# Agenda Item 3.9

## **P-05-825 Protect children's lungs from harmful pollution whilst at school**

This petition was submitted by British Lung Foundation Cymru, having collected 159 signatures.

### **Text of Petition**

People in towns and cities across Wales are breathing in levels of air pollution that are illegal and harmful for their health. Children are among those most vulnerable to air pollution. Their lungs are still growing, and polluted air can stunt the growth of their lungs and increase the likelihood of asthma and other health problems later on in life.

A freedom of information request by the BLF to local authorities in 2017 found that 68% of respondents (15 out of 22) were not monitoring air pollution within 10 metres of any of their schools.

We, the undersigned, call on the Welsh Government to require all Local Authorities to monitor the quality of the air children breathe whilst at school so decision-makers have the information they need to take action on air pollution.

### **Assembly Constituency and Region**

- Cardiff South and Penarth
- South Wales Central

**P-05-825 Protect children's lungs from harmful pollution whilst at school – Correspondence from the petitioner to the Committee, 19.12.18**



Dear David John Rowlands AM,

We are grateful to the Minister for her response dated 20<sup>th</sup> November and apologise for the delay in responding to the committee's call for a further response from the BLF.

We welcome the Minister's commitment to improving air quality and hope that the loss of the post of Minister for the Environment does not impact on the work of the Welsh Government in bringing forward new measures to tackle poor air quality.

With reference to the Local Air Quality Management regime, we note that extensive guidance has been published for Local Authorities and that this was revised in the summer of 2017 which makes explicit reference to sensitive receptors. We welcome this and the focus that Welsh Government has placed on engaging with schools to inform children about air pollution and to take local action. It is also interesting to hear that the Government has undertaken some work on individual exposure assessment, and we hope to see more of this work undertaken as part of the Clean Air Plan.

We would like to see further work done to move from a risk-based approach of siting monitors to individual exposure model as part of the new Clean Air Plan, including an increase in the funding to local authorities to ensure that all local authorities can carry out their functions effectively and adequately monitor and take action to tackle localised challenges with air quality. We have received anecdotal evidence that some local authorities are struggling to continue to fund ARUN sites, for example. We would therefore encourage a review of funding to local authorities to ensure that air quality teams have the resources necessary to take the renewed action expected of local authorities to achieve threshold levels in the shortest time possible. Furthermore, we would welcome the opportunity to be involved with any future review of the LAQM regime.

Finally, we are aware that there is a growing call from parents to take forward 'buffer' zones around schools and introduce anti-idling zones around schools. We are aware that currently Local Authorities have to apply to Welsh Government to devolve the necessary powers to local authorities to take forward these measures. We would welcome consideration to be given for devolving these powers to all local authorities

in order for councils to take a proactive approach to protecting children from harmful emissions at school.

Yours sincerely,

Rhys Taylor  
Policy and Public Affairs Officer, BLF Wales





# Agenda Item 3.10

**P-05-852 Introduce a Licence to manage land for game bird shooting in an attempt to end raptor persecution.**

This petition was submitted by Anthony Britner, having collected 119 signatures.

## **Text of Petition**

We call upon the Welsh Government to introduce a licensing scheme for game bird shooting. In order to prevent the persecution of raptors which is commonly associated with this activity.

The RSPB Birdcrime reports show an exceptionally high number of raptor persecution events are by gamekeepers, however despite this knowledge, very few persecution events are successfully prosecuted due to difficulties in gaining sufficient evidence to charge any specific individual.

Even in Scotland, where vicarious liability exists, prosecutions are rare. Because of this, we believe the next most appropriate course of action is to introduce a licensing scheme.

This licence should be a "Licence to operate a game bird shoot" The licence should as a minimum:

1. Apply to a geographic area defined in the application licence.
2. Be required for an estate to carry out any activity related to game bird shooting including, but not necessary be limited to:
  - 2.a. Activities related to the rearing of gamebirds.
  - 2.b. Activities related to the legal control of predators (estates must hold an operators licence before they can be permitted to apply for general or specific licences associated with "pest control activities").
  - 2.c. To allow members of the shoot to partake in gamebird shooting outside of the closed season.
  - 2.d. To allow the shoot to sell shoot days to the public.

In the event of a persecution event, occurring on or near to an estates land the appropriate authority will be able to suspend the estates ability to carry out any or all of the activities listed under point 2. for a period of time Serious or, repeat persecution events should result in the estates operating licence being revoked.

#### **Assembly Constituency and Region**

- Wrexham
- North Wales

**Thank you for the opportunity to respond to the views of the Minister for Environment. I understand that following cabinet changes in Early December 2018 that this role is no longer held by Hannah Blythyn AM but by Lesley Griffiths AM and as such the views of the current Minister for Environment may differ from those held by their predecessor. I have however made the assumption that the current Minister for Environment agrees with their predecessor's response to the petition.**

**The response from the Minister for Environment is below in Italics, Any part of this document written by myself is provided in bold text.**

*In Wales, the Welsh Government is responsible for the Wildlife Incident Investigation Scheme (WIIS). The Scheme investigates and provides analysis services for wildlife, companion animals and honey bees suspected of being poisoned by pesticides. WIIS figures from the previous five years show an average of 2 confirmed cases per year of deliberate abuse of pesticides leading to the death of birds of prey. Wider results reported by the latest RSPB annual 'Birdcrime 2017' publication were 3 separate persecution incidents in Wales involving the shooting of a buzzard and a red kite and confirmed pesticide poisoning of a peregrine falcon.*

**The RSPB's raptor persecution map hub**

**(<https://www.arcgis.com/apps/opsdashboard/index.html#/0f04dd3b78e544d9a6175b7435ba0f8c>) reports that between 2012 and 2017 a total of 46 confirmed raptor persecution incidents occurred in Wales. 33 of which involved poisonings, 16 of which involved shooting. There is a widely held opinion by the RSPB and other conservationists that the number of confirmed persecution events represent a fraction of the total number of persecution events that occur in a year. A major challenge is in detecting persecution events as many occur in sparsely populated areas, often on private land with little to no public access.**

*Partnership working between the Welsh Government, Natural Resources Wales (NRW), the Police, Fire Service, Government Agency Intelligence Network and the Crown Prosecution Service plays a fundamental role in detecting, preventing, investigating and enforcing wildlife and rural crime, both at a national strategic level and a regional operational level. Welsh Government officials work closely with the four Welsh Police Forces, NRW and other enforcement bodies through the Wales Wildlife and Rural Crime Group. The Group identifies regional wildlife and rural crime priorities as well as ensuring Welsh interests are represented at UK Priority Delivery Groups including the Raptor Persecution Delivery Group. Raptor persecution is a priority in Wales as well as the UK as a whole. One of the shared aims of both the Welsh and UK Groups is 'to protect raptors from persecution by developing and sharing best practice methodologies to safeguard birds, their eggs and their nests'.*

**I believe we should be applauding the work carried out by the various rural crime teams and the organisations who support them in their unenviable task. Their work is undeniably challenging as they are required to be out in remote locations in all weathers carrying out what is highly specialised work.**

**Conversationalists have for some time been critical of the Raptor Persecution Priority Delivery Group (RPPDG), typically viewing it as ineffectual. However, on the 30<sup>th</sup> December 2018 the current chair of the RPPDG blogged about a number of planned changes to the RPPDG which recently received praise from the**

conservation blog Raptor persecution UK

(<https://raptorpersecutionscotland.wordpress.com/2018/12/30/police-supt-nick-lyall-to-create-hostile-environment-for-raptor-killers-in-england-wales/>), who have in the past be rather critical of the RPPDG's work, or seemingly lack of work on tackling raptor persecution. However, only time will tell if these efforts by the RPPDG's new chair make any real difference on the ground.

*In 2017 Welsh Government funded 'A Review of the Prevention and Investigation of Wildlife Crime in Wales'. The Review was undertaken by the National Wildlife Crime Unit and included 21 recommendations which are currently being considered by the Wales Wildlife and Rural Crime Group. The report highlighted the success of both the secondment of police officers to NRW and the setting up of dedicated rural crime teams within the Welsh forces. I will continue to support NRW in their commitment to work collaboratively with Welsh Police Forces to encourage compliance with, and enforce, wildlife and environmental legislation in Wales. This includes the continued funding of seconded police officers who are essential to the delivery of this work. I am pleased to say the 'rural crime team' model has been extended and now includes both North Wales and Dyfed Powys Police Forces. South Wales and Gwent Forces are also considering setting up similar teams.*

**I have been unable to find any online records of the aforementioned review as such regret that I am unable to make any comment on that particular point or in regards to the 21 recommendations. Perhaps the Minister for Environment will be kind enough to provide a copy.**

*The Review highlighted best practice and looked at knowledge gaps and problems in taking prosecutions forward. The licensing of gamebird shooting / gamekeepers was not identified as an issue and was therefore not listed in the recommendations. In carrying out investigations jointly with the police, my officials have not had issues identifying local landowners or those with game interests and as such do not see any benefit in introducing a licensing regime which would be time consuming and costly to implement with no obvious benefit over and above existing protocols of dealing with raptor persecution incidents.*

**UK wide, The RSPB's 2017 birdcrime report contained a total of 68 confirmed raptor persecution incidents but only reports of 4 prosecutions highlighting the challenges faced by the police in gathering sufficient evidence required to prosecute an individual. It is a result of the difficulties in securing sufficient evidence to prosecute any individual involved in gamebird shooting for raptor persecution that I believe licensing should be considered. The advantage being that a licence could be revoked without needing the same level of evidence required to undertake a prosecution of an individual.**

**An alternative to licensing that could be considered is vicarious liability as currently exists in Scotland, as you are likely aware this, in simple terms enables an employer to be prosecuted for the actions of their employees, however, even with vicarious liability very few raptor persecution events result in any sort of prosecution due to the difficulties in gathering evidence that the employee or employer had any direct involvement in a crime, which is why this licensing scheme has been suggested. We have to accept that this scheme will not stop all raptor persecution crimes but as a**

**significant proportion of raptor persecution incidents have occurred on or near land managed almost exclusively for gamebird shooting and a significant number of historical prosecutions have involved gamekeepers.**

**I accept that there are going to be administrative challenges associated with introducing such a licensing scheme which would need to be worked out before such a scheme could be implemented.**

**Regards  
Anthony Britner.**

# Agenda Item 3.11

## **P-05-804 We need Welsh Government funding for play!!**

This petition was submitted by RAY Ceredigion and was first considered in March 2018, having collected 328 signatures online.

### **Text of Petition**

We call on the National Assembly for Wales to provide annual designated funding to provide financial support to all Local Authorities in fulfilling their duty in line with their Play Sufficiency Assessments in order to avoid further closure of open access play provision such as RAY Ceredigion

### **Assembly Constituency and Region**

- Ceredigion
- Mid and West Wales

☎  
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📞  
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RAY CEREDIGION

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**Teitl y Ddeiseb: Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!**

**Testun y Ddeiseb:** Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ddarparu cyllid dynodedig blynyddol i roi cymorth ariannol i bob Awdurdod Lleol wrth gyflawni eu dyletswydd yn unol â'u hasesiad o ddigonolrwydd cyfleoedd chwarae er mwyn osgoi cau darpariaethau chwarae agored megis RAY Ceredigion

**Petition Title: We need Welsh Government funding for play!!**

**Petition Text:** We call on the National Assembly for Wales to provide annual designated funding to provide financial support to all Local Authorities in fulfilling their duty in line with their Play Sufficiency Assessments in order to avoid further closure of open access play provision such as RAY Ceredigion

20-12-18

**Our response to the Minister's response is as follows:**

Most of the response is an account of how information is being circulated within Welsh Government and local authorities to improve knowledge, awareness and the development of policy to support play.

This does not directly address the concerns raised in the petition

Funding has been provided to Play Wales, however that has not benefited us in Ceredigion – the £30,000 awarded for 'a social campaign aimed at parents and communities' has not been delivered in Ceredigion nor had we any knowledge of it as the foremost organisation delivering play in the county.

The funding noted that has been provided has to date ONLY been provided as a result of underspend at the end of the financial year, and not every year – one year no funding was provided. This is an unpredictable way to fund play development, both for local authority officers and play organisations because we do not know how much money will be provided



and there is always a very short timescale in which to execute projects, ie before the end of the financial year. In some years this has literally allowed a few weeks between knowing what funding is available and having to spend it, which has not always resulted in the most effective use of funds.

### Conclusion

Funding so far has been for:

- Internal use for Welsh Government and / or local authority officials
- Play Wales to deliver programmes that are not always inclusive of all providers or all regions
- Last minute unpredictable amounts of funding at the end of some years with pressure to spend funds quickly rather than effectively
- No regular designated funds for the delivery of play on the ground that has the greatest impact on children's lives
- Lack of designated funding means the Play Sufficiency Duty is not being executed in many areas and the lives of children are not being improved

In view of this conclusion we feel that the substance of our petition has not been addressed and our concerns have not been addressed.

Yours sincerely

Gill Byrne  
RAY Ceredigion





Eich cyf/Your ref P-05-804  
Ein cyf/Our ref HID/00239/18

David John Rowlands AM  
Chair - Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

SeneddPetitions@assembly.wales

13 April 2018

Dear David,

Thank you for your further letter dated 23 March regarding the petition submitted by RAY Ceredigion which your committee has recently considered.

I have responded to the points you have raised below:

- **What assessment the Welsh Government has made of the sufficiency of steps taken by local authorities to fulfil the duties under Section 11 of the Children and Families (Wales) Measure 2010;**

Since the commencement of the local authority duties in respect of play opportunities, the Welsh Government has taken a supportive, collaborative and encouraging stance. Under the Play Wales Strategic Policy Grant, the Welsh Government has provided grant funding to Play Wales to provide strategic support to the Local Authorities and their partners to assist the implementation of the Play Sufficiency duties.

The Play Sufficiency Assessment Toolkit was also developed in 2012 by Play Wales and the Welsh Government, in conjunction with play providers across Wales, as a means of supporting the implementation of the duty. The toolkit was designed to give guidance but allow for local contexts, to encourage dialogue across policy areas and to influence future awareness and policy decisions. The intention was to enable local authorities and their partners to take account of children's play in all policy and implementation agendas.

Bae Caerdydd • Cardiff Bay  
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[Correspondence.Huw.Irranca-Davies@gov.wales](mailto:Correspondence.Huw.Irranca-Davies@gov.wales)

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

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

To support local authorities to consider collaborative working, Play Wales has been promoting the delivery of a Professional Development Programme delivered by colleagues from the University of Gloucestershire. It is based on a pilot programme drawing on key themes identified in two research studies undertaken by Play Wales and the University of Gloucestershire in 2013. The programme comprises a series of workshops designed to support the local authority and its third sector partners in their approach to assessing and securing play opportunities.

As part of its grant funded activity, Play Wales has undertaken analyses and reviews of the Play Sufficiency Assessments and the related Play Action Plans. These reports have shown the progress being made in each local authority in Wales. My officials work in partnership with Play Wales to facilitate annual regional events for local authority play officers, where good practice is shared and regional issues discussed.

My officials also work in partnership with Play Wales to deliver cross policy networking meetings with a range of Welsh Government officials. These meetings have enabled the sharing of initiatives that have worked well, barriers to sufficiency and solutions, future actions and collaboration information. This approach has also identified issues and challenges which might be addressed by the various Welsh Government policy areas outlined within Matter I of the statutory guidance 'Wales – a Play Friendly Country'. Distinct benefits have been evidenced from this approach, including closer integration and alignment of policies.

- **What steps have been taken to ensure that an adequate level of expenditure on play is being allocated at a local level throughout Wales;**

As I outlined in my letter of 6 March, the Welsh Government has allocated just under £5 million since 2013-14 to support local authorities to meet their play sufficiency duties. A further £1.7 million was allocated in the last financial year, which isn't an insignificant amount of funding given the current financial climate. Local authorities also have the discretion to use their Welsh Government Out of School Childcare Grant funding for play-related purposes and this amounts to £2.3 million per annum. The majority of Local Government funding is of course made up of the core unhypothecated funding for local authorities and it is for each local authority to determine how it spends these resources, along with locally-raised council tax and income from fees and charges, to deliver key outcomes and priorities.

- **What consideration has been given to play provision in the development of the Welsh Government's obesity strategy;**

Matter I within the Welsh Government's statutory guidance 'Wales – a Play Friendly Country' acknowledges that if we are to achieve the positive outcomes for children we desire, it is necessary for policy and implementation across many policy areas to contribute. I have already mentioned the Welsh Government's Cross Policy Networking meetings that my officials convene to share policy development updates and information, including examples of good practice, challenges and barriers, identified in the Local Authorities' Play Action Plans.

We are currently developing an obesity strategy through our Public Health Wales Act 2017, with the objective of improving the nation's health. This will aim to consider a number of areas of work which will need to come together in order to create change. We will be launching a consultation later this year where we hope to test ideas. This will include listening to children and families to consider how we can understand some of the real life issues and barriers which provide challenges to healthy weights across everyday life.

Play is an important issue in order to increase levels of physical activity amongst children, which will help to tackle childhood obesity. Play Wales have been involved in early engagement workshops with stakeholders in order to feed in policy ideas for the development of a strategy. The role of play is recognised in Public Health Wales' '10 Steps to a Healthy Weight' and Play Wales have been working to develop campaign messaging in respect of 'Step 6 Children should play outdoors every day'. To support the programme, Play Wales has included information within its 'Focus on Play' publication to support public health professionals to consider the role they hold in supporting better opportunities for children to play in their own communities. Furthermore, we recognise the vital role which early years settings play and we are currently developing guidance for nutritional standards to help support healthier diets.

I also awarded an additional £30,000 grant funding to Play Wales in 2017-18 to develop and deliver a social campaign aimed at parents and communities to help make their communities more playful. Alongside a new supportive and accessible (jargon free) website, the campaign includes the development of a range of bilingual information sheets and community resources on street play, and the printing and distribution of Play Wales's 'Right to Play' children's book at events across Wales which include roadshows in partnership with Public Health Wales,

I hope this information answers the Petition Committee's queries.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Huw', with a horizontal line underneath it.

**Huw Irranca-Davies AC/AM**

Y Gweinidog Gofal Cymdeithasol a Phlant  
Minister for Children and Social Care

# Agenda Item 3.12

## **P-05-846 Save our Hospital at Prince Philip Llanelli**

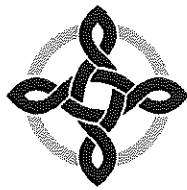
This petition was submitted by Sospan. The petition has collected 12,745 signatures.

### **Text of Petition**

We call upon the National Assembly for Wales to save our hospital at Prince Philip, Llanelli.

### **Assembly Constituency and Region**

- Llanelli
- Mid and West Wales



GIG  
CYMRU  
NHS  
WALES

Bwrdd Iechyd Prifysgol  
Hywel Dda  
University Health Board

Ein cyf/Our ref: CEO.2147.1118  
Eich cyf/Your ref:  
Gofynnwch am/Please ask for: Corporate Information Officer  
Rhif Ffôn /Telephone: 01267 239892  
Ffacs/Facsimile:  
Dyddiad/Date: 6 December 2018

Swyddfeydd Corfforaethol, Adeilad Ystwyth  
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job  
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building  
Hafan Derwen, St Davids Park, Job's Well Road,  
Carmarthen, Carmarthenshire, SA31 3BB

Email to: David J Rowlands - [SeneddPetitions@Assembly.Wales](mailto:SeneddPetitions@Assembly.Wales)

Dear Mr Rowlands

**Re: Petition P-05-846 Save our Hospital at Prince Philip Hospital, Llanelli**

Thank you for your letter of 29 November 2018 regarding the petition submitted by SOSPPAN.

I note that you requested a response to the petition (along with additional comments received) and additionally an update on proposals relating to service changes at Prince Philip Hospital.

Regarding the receipt of the petition, the Health Board views it positively that a significant amount of interest was received through the formal consultation exercise (*Our Big NHS Change*) earlier this year, which has enabled rigorous consideration of the proposals for future health and care services for our local population.

The views of SOSPPAN outlined in the *'What is the best "Option" for us'* were received by us as part of the formal consultation process, and subsequent independent consultation analysis, and were taken into account by the Board when deciding the preferred service model. This led to the development of our health and care strategy: *A Healthier Mid and West Wales – Our Future Generations Living Well* which was recently approved by our Board on 29 November 2018. The strategy sets out our vision for services to be fit for current and future generations.

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Swyddfeydd Corfforaethol, Adeilad Ystwyth,  
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job,  
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building,  
Hafan Derwen, St Davids Park, Job's Well Road,  
Carmarthen, Carmarthenshire, SA31 3BB

Cadeirydd / Chair  
**Mrs Bernardine Rees OBE**

Prif Weithredwr/Chief Executive  
**Mr Steve Moore**

Pack Page 133  
Bwrdd Iechyd Prifysgol Hywel Dda yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Hywel Dda  
Hywel Dda University Health Board is the operational name of Hywel Dda University Local Health Board

Mae Bwrdd Iechyd Prifysgol Hywel Dda yn amgylchedd di-fwg Hywel Dda University Health Board operates a smoke free environment

The health and care strategy confirms that Prince Philip Hospital will provide a GP-led minor injuries unit, as well as acute adult medical care with diagnostic support. This will include consultant-led overnight inpatient beds for patients to be cared for locally. It will also act as a stabilisation and transfer hub for certain specialised conditions as part of a network with colleagues in a new urgent and planned care hospital, as well as other regional sites (e.g. Morriston Hospital) for more critical care.

It is also noted that Glangwili and Withybush Hospitals will both provide a GP-led minor-injuries unit with full diagnostic support. The hospitals will include therapy and nurse-led step up and step down care, midwife led units, along with chemotherapy and palliative care with the ambition to provide dialysis units and both sites. Additionally, we will develop more locally-based treatment and care including a range of outpatient clinics so that care can be provided closer to home.

When we consulted with the public regarding our proposals for change, we talked about Community Hubs (e.g. such as Llanelli, Ammanford & Cross Hands sites as noted by SOSPPAN) providing a range of support and services. However, feedback suggested this term was not easily understood and therefore we now use the term 'health and well-being centre' to describe these.

Rather than being prescriptive on the number, and what services should be located in each health and well-being centre, we have recognised that the needs of communities will be different from each other, and we are committed to working with local people to develop tailored solutions to what matters to them.

Therefore, we have committed to a process of continuous engagement moving forward. Specifically, we have committed to "work together every step of the way" with our staff, patients, carers, people who live and work in our communities and people or organisations delivering or interested in health, care and well-being.

As such, SOSPPAN's engagement would be welcomed moving forward in the further development of health and care provision for the local area, and across the Health Board.

The additional comments received within the '*Correspondence from the Petitioner to the Committee, 5.11.18*' document focuses in the main on potential transport issues that may become apparent when implementing any new service model. Transport was recognised as a key issue within the Consultation feedback and its importance has also been set out within *A Healthier Mid and West Wales – Our Future Generations Living Well*.

In response to this feedback, a transport and access programme of work will be put in place to ensure that the transport provision and infrastructure is fit for purpose for the new service model. This will include working with partners on infrastructure developments (road, rail etc.) along with public transport providers and the Welsh Ambulance Services NHS Trust (WAST) for emergency patient transport and non-emergency patient transport.

Regarding mental health services, our health and care strategy views mental health and care equally with physical health and care, ensuring that those with mental health problems receive equitable access to the most effective and safest care available.

We have already undertaken a considerable amount of work on some parts of this journey, such as the Transforming Mental Health programme that has started to implement a co-designed new model for mental health services following a period of public consultation in 2017.

We will continue to progress the alignment of existing Transforming Mental Health plans with the development of our plans for the community and hospital models, considering every opportunity to co-locate services and support where appropriate.

Along with the update provided, please find enclosed a copy of *A Healthier Mid and West Wales – Our Future Generations Living Well*, which provides further detail regarding future plans.

Please do not hesitate to contact me again should you have any further queries.

Yours sincerely

A handwritten signature in black ink that reads "Steve Moore". The signature is written in a cursive, flowing style.

**Steve Moore**  
**Chief Executive**

**P-05-846 Save our Hospital at Prince Philip Llanelli – Correspondence from the Petitioner to the Committee, 03.01.19**

Thank you for looking at our petition again.

It would be useful if we could address the committee to express and explain ours and the residents of Llanelli views but ask this petition is debated in the Syndd

We have met with Steve Moore the CEO of Hywel Dda Health Board and members of his team and he has given us similar answers to the points he makes to you. However, he was unable to answer a number of our queries.

We can find no evidence of a Risk Assessment being carried out by the LHB or Welsh Ambulance Services Trust

Midwife led unit currently based at PPH being moved to a ste 42 miles away

No dedicated ambulance for PPH

Loss of mental health facilities in Llanelli

The board expressed their concern on Llanelli residents self presenting themselves to Swansea hospitals but have no plans for this.

A perfect example of this was myself only 7 weeks ago. After suffering a mild heart attack in my home my partner took me to Morriston Hospital as it was the closest and easier for visitors to come and see me.

The proposed new Hospital would have be 42 miles away on poor roads and would have taken around a hour

Morriston is 12 miles from house via the M4 and takes 25 minutes.

Thanks

John Prosser

SOSSPAN

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Can we please add the planned wellness centre in Llanelli forms a large part of the health board plan. This project has recently been suspended due to a number of investigations taking place and a number of key personnel suspended

SOSPPAN wonder what alternatives does the health board have in place

Many thanks



# Agenda Item 3.13

## **P-05-775 Put an End to the Cross Border and Sub-contracting Taxi Licensing Loophole.**

This petition was submitted by Taxi Drivers of Cardiff, having collected 390 signatures online.

### **Petition text:**

We call on the National Assembly for Wales to urge the Welsh Government, in the context of its consultation into the reforms of the taxi licensing laws, to put a stop to the 'cross border' and 'sub-contracting' loophole in the law which means hundreds of out of town taxis and private hire vehicles descend on Cardiff to work Private Hire.

### **Additional information:**

There are enough Cardiff licensed vehicles to cover the City without the need for these cars from as far afield as London, Merseyside, the Midlands etc. As well as from neighbouring authorities like Newport, the Vale and RCT etc.

There have even been vehicles not working on any platform, illegally plying for hire, hiding behind the fact so many 'alien' cabs are in the City.

Many of these vehicles have NO markings on them, making a mockery of the standards set by Cardiff County Council for vehicles licensed by themselves, including highly visible livery and local street knowledge. Alas it will be only matter of time before a vulnerable person jumps into a non licensed car with catastrophic results.

We urge the Welsh Government to ensure that the only Taxis and Private Hire vehicles allowed to work in Cardiff are those licensed by Cardiff County Council. This is to ensure public safety and to ensure that Cardiff isn't saturated with even more cars than what is needed which if allowed to continue will see even more congestion and pollution in our Capital. It will also give existing drivers licensed by Cardiff a chance to earn something approaching a living wage.

### **Assembly Constituency and Region**

- Cardiff South and Penarth
- South Wales Central



### **White Paper Response**

The white paper published by the Welsh Government was finally published in December, and after much anticipation it turns out the Government want to fudge the most important issues and take the easy way out rather than lead the way for the rest of the UK to follow.

#### **PROPOSAL 1**

*The Welsh Government is proposing to set national standards for taxi and private hire vehicle licensing.*

Whilst we agree with the concept of a national standard for all vehicle licensing in Wales, this proposal does not go far enough. Although the white paper does mention drivers standards briefly, what we are also seeking is a national standard for drivers, at present (much the same as the vehicle licensing) standards for drivers differ with each authority. We are seeking a national standard for each and every driver that wants to be badged in Wales, with a high level of entry, which in turn will raise standards. We propose that every driver (whether they want to drive a hackney carriage or private hire) on application must pass:

- Enhanced DBS check
- A DSA taxi test
- Extensive topographical and knowledge test for the area they are applying to be licensed
- NVQ or Btec Professional Taxi and Private Hire driver qualification
- Group 2 medical
- Proof of eligibility to work in the UK
- English Language and Maths tests

#### **PROPOSAL 2**

*The Welsh Government is proposing to allow a licensing authority to take enforcement action against any vehicle operating in its area.*

We agree with this proposal 100%. When a driver is either dropping off or picking up customers in an area they are not licensed from an area they are, the local enforcement officers must have control over them whilst in their jurisdiction.

#### **PROPOSAL 3**

*The Welsh Government is proposing to allow the creation of a mechanism by which relevant information can be shared, for the purposes of safeguarding.*

We agree. A national database needs to be established to allow local licensing authorities who have revoked a Drivers or Operators license for whatever reason, to check before issuing a Drivers or Operators license. There are incidents published nationwide involving drivers having their license revoked in their home area only for them to apply to another authority for a private hire license and then return to the area they've been revoked and work for Uber.

#### PROPOSAL 4

*Option A- The Welsh Government is proposing to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority, a JTA (Joint Transport Authority)*

*This would include licensing, fee- and fare-setting , enforcement, hearing appeals arising from licensing decisions, prosecutions and deciding matters such as whether to apply quantity control to taxis.*

*Option B- Would see local authorities retain the power to issue licenses, but more consistently than they do now. They would have to follow one set of national standards; they would all have to share information with each other; and they would be able to enforce against any vehicle/driver from another authority.*

Option A raises more questions than answers, it could create, in essence, a national license. Which could be open to a plethora of legal challenges. If the license is issued nationally what is to stop a driver from Anglesey wanting to ply for hire in Cardiff as the license is issued by one single authority? Localism has been the bedrock of licensing legislation for decades, even though we realise that reforms are desperately needed, we firmly believe that local authorities need to be the purveyor of all licensing functions under the direction of the Senedd. Option B would be our preferred option.

#### Missed Opportunity

Once responsibility for licensing was devolved to Wales it was a chance for our country to lead the way and be trailblazers for the rest of the UK to follow. We feel the White Paper and it's proposals for change does not go far enough. It has failed to mention a number of issues that drivers face such as:

- Cross Border Hiring
- The number of licenses issued
- CCTV
- New App regulation

This recently published [report](#) by Professor Mohammed Abdel-Haq, Chairman of the Task and Finish Group on Taxi and Private Hire licensing gave 34 recommendations on how to improve the trade.

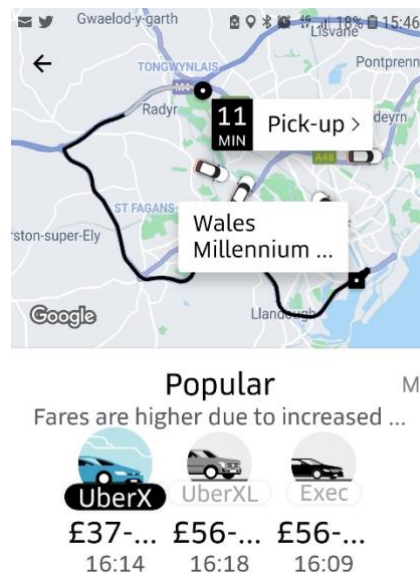
#### Cross Border Hiring

Not all 'cross border' work is a concern: many journeys will naturally start within one licensing authority and end in another, and the new framework should allow this, especially in more rural areas. Appropriate measures should also be in place to allow specialist services such as chauffeur and disability transport services to continue to operate cross border. However, what is not acceptable is the increasing number of drivers who now work entirely in areas that they are not licensed. For example in Cardiff, every day we see hundreds of vehicles licensed by Newport, Rhondda Cynon Taf, Merthyr and the Vale of Glamorgan working in the Capital.

They've circumvented Cardiff County Council's quite strict vehicle licensing policy and driver requirements to obtain licenses elsewhere and work in Cardiff for the relatively new app based companies such as Uber and Ola.

We realise that the proposed National Standards would rid Wales of these discrepancies with various licenses but it will not stop the issue of cross border hiring. We are constantly being told by drivers licensed elsewhere and the app companies that make use of these drivers that topographical and knowledge tests are obsolete and are no longer needed, due to sat navs.

We firmly believe that this is not the case. A taxi/PH driver is quite often the first point of contact for visitors or tourists, a driver is an ambassador for the city/town he or she works and needs local knowledge and the ability to drive wherever the customer wants in the shortest and most direct route possible. The picture below is a screen shot from the Uber app showing which way they want the driver to go from the Village Hotel in Coryton to the Wales Millennium Centre in Cardiff Bay. It may well be the quickest route but as you can see travelling via the M4 and then the A4232 is certainly not the shortest route, it is in fact 7.2 miles longer than the most direct route via the A470. A driver without that local knowledge would blindly follow the sat nav and it will cost the customer approximately £14 more than what it should. Is that the kind of service you want drivers to provide?



We are proposing that every journey for both Hackney and Private Hire needs to start or end in the area the driver and vehicle is licensed OR operators must not dispatch a booking to a vehicle when the vehicle is outside the authorities border, unless the booking ends within the authorities border. This will not stop customers from requesting a fare to any destination, and from any company but it will prevent areas becoming saturated with 'out of town' vehicles working predominantly in areas they are not licensed. This will simplify legislation and make it easier to enforce.

### License Numbers

The current rate that licenses across this City are issued is unsustainable, according to the White Paper there are 5,000 taxis and 4,900 PHVs in Wales and 12,000 drivers. In November 2018 there were 2,168 taxis and PHVs and 2,414 drivers licensed by Cardiff County Council alone, almost 25% of the countries total for what is only 10% of the countries population. And that's not including the hundreds of 'out of town vehicles working here since the arrival of Uber in April 2016. The following license numbers were obtained via the freedom of

information act. A huge 458% increase of Newport license holders living in Cardiff since the arrival of Uber and Ola proves that reform is desperately needed.

**CARDIFF COUNCIL HC/PH LICENSES**

|             | Dec 2016 | Sept 2017 | July 2018 | Nov 2018 | -/+  |      |
|-------------|----------|-----------|-----------|----------|------|------|
| HC Vehicles | 941      | 907       | 894       | 893      | -47  | -5%  |
| PH Vehicles | 1143     | 1149      | 1223      | 1275     | +80  | +12% |
| Drivers     | 2186     | 2271      | 2389      | 2414     | +203 | +10% |
| PH Ops      | 71       |           | 112       | 95       | +41  | +34% |



**NEWPORT COUNCIL HC/PH LICENSES**

|  | Jan 2016 | June 2017 | June 2018 | Nov 2018 | -/+  |       |
|--|----------|-----------|-----------|----------|------|-------|
| HC Vehicles                            |          | 121       | 108       | 100      | -21  | -17%  |
| PH Vehicles                            |          | 685       | 786       | 847      | +162 | +24%  |
| HC/PH dual badge holders               |          | 209       | 204       | 204      | -5   | -2.4% |
| PH drivers                             |          | 685       | 838       | 869      | +184 | +27%  |
| License holders with a Cardiff address | 43       | 83        | 209       | 240      | +197 | +458% |

The London mayor Sadiq Khan has stated in this [BBC report](#) from August 2018 the need for a cap on PHV licenses being issued, to combat congestion and improve air quality. There is no legislation at present that allows Local Authorities to cap PHVs, they can only cap Hackney Carriage licenses. This legislation needs changing urgently, the increase in numbers in Cardiff is massive and unsustainable. All major operators and the likes of the Licensed Private Hire Car Association will argue against a cap in licenses, the reasons being is that they make huge profits on the more drivers that use their platforms. All to the detriment of drivers; the more licenses issued; the more vehicles on the road; the more hours drivers have to work to earn anything approaching a living wage, which in itself creates health and safety issues; causing more congestion and pollution.

### CCTV

In the interests of passenger and driver safety discussions must be had on whether all licensed vehicles must be fitted with CCTV (visual and audio) subject to strict data protection measures. With attacks on drivers, both physical and verbal on the rise across the UK, CCTV could be the ideal deterrent to problem passengers. The issues of cost and funding needs to be addressed.

### App and Operator Regulation

The low pay and exploitation of some drivers is a source of concern. Licensing authorities should take into account any evidence of a person or business flouting employment law, and with it the integrity of the National Living Wage, as part of their test of whether that person or business is "fit and proper" to be a PHV or taxi operator. The opportunity is there to regulate fares across the country, creating a minimum rate to prevent companies undercutting each other, this causes a huge difference to drivers profit margins as the drivers expenses don't go down, if anything they rise year on year. All this does is create a race to the bottom. You could also create a maximum fare which would prevent the likes of Uber and Ola charging extortionate amounts for relatively short journeys, all you have to do us search social media for cases of this.

A code of conduct needs to be introduced for Private Hire Operators, at the moment they are answerable to nobody and act with impunity. The majority treat drivers with contempt forcing archaic rules onto a supposedly self employed individual.

# Agenda Item 3.14

## **P-05-835 Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales**

This petition was submitted by Taxis Without Borders, having collected 136 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to allow Taxi Drivers carry out private hire work freely anywhere in Wales, regardless of which council the driver is licensed by.

We bring this petition in response to the actions of a group of taxi drivers based in one City. We call on the National Assembly to take into account the wishes and desires of taxi drivers and operators across Wales, as opposed to a small group of drivers from one city.

If you book a taxi either by phoning someone, or using an app that company is legally allowed to send a car to you, regardless of where you are, or where the company is based. If you were in Barry and phoned a Cardiff company for a taxi to go to Caerphilly, they could, and would send a car to come and pick you up in Barry, and take you to Caerphilly.

If you were in Swansea, and wanted to go to Llanelli and were unable to get a taxi, you could phone a company in Bridgend, and they could send a car to pick you up, if they had one available.

This gives taxi users a greater choice of which companies that can and can't use. More choice, and more options meaning more competition drives companies to offer a better service to retain each person's custom.

From a drivers point of view, if they are licenced in Cardiff, and they were taking someone to Cardiff Airport, and a Cardiff based operator has a booking from someone to be picked up at Cardiff Airport going to Merthyr, the Cardiff driver is allowed to do that job.

### **Additional Information**

If a Vale of Glamorgan driver is taking someone from Cardiff Airport to Pontypridd, and there is someone who has pre-booked their company to

take them from Pontypridd to Cardiff Airport, but there is a few hours wait, that driver can ask a Vale of Glamorgan operator to find them work. This could be by the operator phoning Pontypridd based firms to see if there is any work the driver can do around the area whilst waiting for the return booking. This gives drivers a greater earning potential, as it increases the size of area they can work in, and opens up possible income streams. It is also more environmentally friendly and reduces congestion as the driver that went to Pontypridd, isn't forced to go back to The Vale of Glamorgan empty, and the operator is not forced to send a second car to Pontypridd empty.

If a Newport based operator looked to expand their company, they could speak to Hotels in Caerphilly, and become that hotels preferred supplier to pick up guests from Airports. The operator can expand their company, and the hotel can provide a better service to potential customers, increasing their bookings, whilst still having a greater choice of companies to use to provide this service.

If a publican ran a pub in Merthyr Tydfil, and wanted to provide a pick up and drop off service to its customers, it would need an operators licence and would need to use licenced private hire drivers and vehicle, all from Merthyr. If then the same publican wanted to open a second pub in Llanbradach, and wanted to offer the same service, they could provide a pick up and drop off service from the same operators licence. This enables them to expand their business.

All this and more is possible thanks to Cross Bordering.

### **Assembly Constituency and Region**

- Cardiff North
- South Wales Central

# Agenda Item 3.15

## **P-05-798 Male domestic violence victim support services to be independently run & funded**

This petition was submitted by FNF Both Parents Matter Cymru and was first considered by the Committee in February 2018, having collected 138 signatures online.

### **Text of Petition**

Male domestic violence victim support services to be independently run & funded separately from Women's Aid Cymru & all associated.

The cross-government definition of domestic violence and abuse is: "Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality."

Domestic Abuse can effect anyone. With more Male victims/survivors seeking help, advise, support & safety than ever before. It is important that Male victims deserve independent support & funding from such gender bias groups as Women's Aid Cymru & all associated.

Male victims/survivors deserve support/help specific to their needs, while still maintaining their dignity, & providing them and their children safety equal & parallel to that which women currently receive.

### **Additional Information**

Current Domestic Abuse statistics across Wales & England, indicate that Domestic Abuse will affect 1 in 4 women and 1 in 6 men in their lifetime.

Domestic Abuse/Violence is a problem that can effect anyone so surely it should be:

"Putting people & their children first."

There is no greater gap in availability of services & support just based on someone's gender across Wales & UK.



Attitudes need to change because no person (& their children) should continue so publically & shamefully be denied safety & support because of their gender in Wales, in this day & age.

Please support this to help support others.

**Assembly Constituency and Region**

- Cardiff West
- South Wales Central

Julie James AC/AM  
Arweinydd y Tŷ a'r Prif Chwip  
Leader of the House and Chief Whip



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref JJ/01097/18

David John Rowlands AM  
Chair - Petitions committee.  
National Assembly for Wales  
Cardiff Bay  
Cardiff Bay  
CF99 1NA  
Government.Committee.Business@gov.wales

12 December 2018

Dear David

Thank you for your letter of 29 November regarding the Petitions Committee - P-05-798 Male domestic violence victim support services to be independently run and funded.

The Welsh Government is committed to tackling all forms of gender based violence, domestic abuse and sexual violence and to supporting all victims of domestic abuse, regardless of their gender or sexuality.

Work to implement the Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) Act, the National Strategy and Delivery Framework recognises that men also experience domestic abuse and sexual violence. Whilst we acknowledge the disproportionate experience of women and girls, this does not negate violence and abuse directed towards men and boys or perpetrated by women and we recognise that anyone (women, men, children and young people) can experience and be affected by these issues.

Where we fund organisations directly, this is either to act as an umbrella organisation for both genders (Welsh Women's Aid and BAWSO), or to deliver a service to both genders (New Pathways for Sexual Violence services, Hafan Cymru to deliver healthy relationships education, Welsh Women's Aid to deliver the Live Fear Free Helpline, for example). The only organisation we fund to deliver to only one gender is Safer Wales for the men only Project Dyn and Dyn male helpline.

The regions also commission services. In January 2019, we will be publishing our statutory guidance for the commissioning of Violence against Women, Domestic Abuse and Sexual Violence Services in Wales. The aim of this guidance is to promote high quality collaborative commissioning that delivers more consistent and effective services to prevent Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) and protect and support victims of VAWDASV across Wales. This goes beyond commissioning

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

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

services with funding from Welsh Government, but lays expectations for pooling budgets when commissioning VAWDASV services.

The guidance contains a set of core commissioning principles on which a regional commissioning strategy should be based. This includes an understanding of VAWDASV as gendered and a commitment to provide all survivors equal access to holistic, appropriately resourced, high quality, needs-led, strengths-based, gender responsive services across Wales.

The guidance also sets out the expectation that commissioning decisions should be based on a robust assessment of needs and gaps. The information obtained from this should be used as the basis for developing strategic objectives and the regional commissioning strategy.

The statutory commissioning guidance will also contain detail of how monitoring and evaluation should be undertaken with formal evaluation mechanisms specified and built into the design and delivery of services from the outset. This will feed into and inform future service development, design and commissioning and the regional commissioning strategy itself.

In terms of those who receive public funding through the VAWDASV services grant, this funding is subject to the development and agreement of an annual delivery plan which meets the outcomes of the grant award and is monitored on a quarterly basis. Funding is subject to compliance against the terms and conditions of grant offer and due diligence processes.

Yours sincerely



**Julie James AC/AM**  
Arweinydd y Tŷ a'r Prif Chwip  
Leader of the House and Chief Whip



**BOTH PARENTS MATTER**

**FNF BOTH PARENTS MATTER CYMRU**

**61 COWBRIDGE RD EAST**

**CARDIFF**

**CF11 9AE**

7<sup>th</sup> January 2018

Dear Mr Rowlands

## **P-05-798 Male domestic violence victim support services to be independently run and funded.**

We are grateful for the opportunity to respond to the letter of the 12<sup>th</sup> December from the (then) Leader of the House which has raised important points. This petition was launched to address the growing trend by Welsh Government and Local Authorities to recognise Welsh Women's Aid and its member organisations as representative of the experience of male victims and to fund those charities to provide support to men as well as women. This approach is inconsistent with the Welsh Government's National Strategy that recognises the gendered nature of domestic violence and abuse.

In the fourth paragraph the (then) Leader of the House states:

***'Where we fund organisations directly, this is either to act as an umbrella organisation for both genders (Welsh Women's Aid and BAWSO), or to deliver a service to both genders (New Pathways for Sexual Violence services, Hafan Cymru to deliver healthy relationships education, Welsh Women's Aid to deliver the Live Fear Free Helpline, for example). The only organisation we fund to deliver to only one gender is Safer Wales for the men only Project Dyn and Dyn male helpline.'***

This is a remarkable but important statement, confirming that the Welsh Government recognises Welsh Women's Aid as a representative body for men as well as women. We ask what legitimacy Welsh Women's Aid or indeed BAWSO has to represent the views, perspectives and experiences of male victims of abuse, and why the Welsh Government has decided to use public funds in this way?

Welsh Women's Aid has a proud and impressive track record in representing the voices of women experiencing domestic violence and abuse. Their well resourced SEEDs project empowers survivors of abuse to talk about their experiences to influence the delivery of services. All those participating in the project are women.

In 2016 Welsh Government funded Welsh Women's Aid to undertake engagement work with survivors of abuse to inform the development of the National Strategy. On page 15 of that report Welsh Women's Aid states:

***'Although we sought involvement from women and men to participate, in separate focus groups, 65 women survivors participated in focus groups/interviews and 1 man participated by interview. A number of male survivors were contacted about the consultation and encouraged to participate***

*in focus groups or interviews by their male support workers, but declined to take part. Additional written recommendations for service improvement was also provided by some survivors, which has been reflected in the report.*<sup>i</sup>

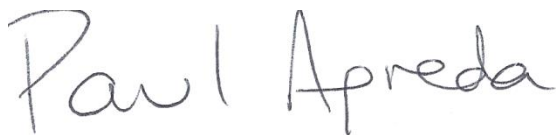
In the National Quality Standards for Domestic Abuse services produced by Welsh Women's Aid and funded by Welsh Government<sup>ii</sup> Welsh Women's Aid re-iterate their commitment to a **'By and For'** model of service design and delivery for women experiencing domestic violence and abuse. We acknowledge WWA's expertise in this field and the evidence that has been put forward that women want a 'female centred' service. Why shouldn't men expect the same provision in services designed to support them?

In 2018 our charity produced a study of male victims of abuse in which 728 male survivors contributed. We have asked the Welsh Government to fund an independent analysis of the findings of this research to help improve the understanding of male victim's experience. This has been refused on two occasions.

In relation to Safer Wales and the Dyn Project we have raised many concerns over the appropriateness of funding their service as it is delivered by a member organisation of Welsh Women's Aid and is grounded in an approach towards male victims that emphasizes the need to 'screen' or 'assess' victims of abuse presenting to the service to determine whether they are perpetrators. Ironically we have been advised by the Equality and Human Rights Commission that their view is that this 'discriminatory' approach is lawful because the Dyn Project does not provide support to female victims so is legitimately able to 'disadvantage' men.

The Welsh Government's National Strategy recognises that domestic violence and abuse is a gendered phenomenon. In that context we maintain that recognising and funding Welsh Women's Aid and its member organisations to support male victims may constitute an inappropriate use of public funds.

Regards



Paul Apreda, National Manager

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<sup>i</sup> [http://www.welshwomensaid.org.uk/wp-content/uploads/2016/03/Are\\_you\\_listening\\_and\\_am\\_I\\_being\\_heard\\_FINAL\\_July\\_2016.pdf](http://www.welshwomensaid.org.uk/wp-content/uploads/2016/03/Are_you_listening_and_am_I_being_heard_FINAL_July_2016.pdf)

<sup>ii</sup> [http://www.welshwomensaid.org.uk/wp-content/uploads/2018/06/Welsh-Womens-Aid\\_Service-Standards-Final.pdf](http://www.welshwomensaid.org.uk/wp-content/uploads/2018/06/Welsh-Womens-Aid_Service-Standards-Final.pdf)