

Agenda – Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 7 May 2019

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee Clerk

Kath Thomas – Deputy Clerk

0300 200 6565

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1 Introduction, apologies, substitutions and declarations of interest
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- 3.2 P-05-847 Create water fountains in the centre of cities and towns to eliminate plastic waste
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Document is Restricted

Agenda Item 2.1

P-05-873- Free Welsh Lessons for the People of Wales

This petition was submitted by Sheryl Callard having collected a total of 95 signatures.

Text of Petition

When I was younger I was deprived of the right to study my native language in school, and because of that I am not speaking my native tongue today. I, and so many others of my generation, and even the younger generation are deprived of the means to speak Welsh because the teaching of Welsh in schools wasn't successful with them in the past. This is why I am asking the Welsh Government to right the wrongs of the past, and to show true leadership to fight for my right to learn my own language by providing Welsh classes and resources for free. We are asking for the Minister for Welsh to support this motion and fund the classes so I, and many others who were deprived of the Language get the chance to speak once more. This would work perfectly with the Welsh Government's plan to reach a Million Welsh Speakers by 2050, and would provide a spark for people to re-grasp their culture and their mother tongue once again. We ask the government to work with different agencies to provide these lessons to people in different areas, and by making learning services available on the web for people. Also to provide booklets and paper to different people from different background in Wales to have a chance in learning the Language.

Please secure this for the people of Wales who are passionate to regain their culture and native tongue.

Assembly Constituency and Region

- Cardiff North
- South Wales Central

Free Welsh Lessons for the People of Wales

Y Pwyllgor Deisebau | 07 Mai 2019

Petitions Committee | 07 May 2019

Research Briefing:

Petition number: **Petition P-05-873**

Petition title: **Free Welsh Lessons for the People of Wales**

Text of petition: When I was younger I was deprived of the right to study my native language in school, and because of that I am not speaking my native tongue today. I, and so many others of my generation, and even the younger generation are deprived of the means to speak Welsh because the teaching of Welsh in schools wasn't successful with them in the past. This is why I am asking the Welsh Government to right the wrongs of the past, and to show true leadership to fight for my right to learn my own language by **providing Welsh classes and resources for free**. We are asking for the Minister for Welsh to support this motion and fund the classes so I, and many others who were deprived of the Language get the chance to speak once more. This would work perfectly with the Welsh Government's plan to reach a Million Welsh Speakers by 2050, and would provide a spark for people to re-grasp their culture and their mother tongue once again. We ask the government to **work with different agencies** to provide these lessons to people in different areas, and by making learning services **available on the web for people**. Also to provide booklets and paper to different people from different background in Wales to have a chance in learning the Language.

Please secure this for the people of Wales who are passionate to regain their culture and native tongue.

1. Background

The Welsh Government’s vision is to see the number of Welsh speakers in Wales increase to 1 million by 2050, which would almost double the current number of Welsh speakers in Wales. The 2011 Census showed that 562,000 people in Wales can speak Welsh, around 1 in 5 of the population.

The [Welsh Language Use Survey 2013–2015](#) shows that the majority of Welsh speakers now learn the language at school (51 per cent) compared to 43 per cent who said they’d learnt Welsh in the home as a child. Much of this is down to the increase in Welsh–medium education over the last half a century, although Welsh–medium schools only account for around a quarter of all schools in Wales.

Increasing the number of Welsh speakers in the future will depend, to a great extent, on the growth of Welsh medium education. The Welsh Government notes in its [Welsh Language Strategy: Cymraeg 2050](#), that ‘Welsh–medium immersion education is our principal method for ensuring that children can develop their Welsh language skills, and for creating new speakers’.

Cymraeg 2050 maps out the route to a million Welsh speakers, which also includes increasing the number of adults who learn and speak Welsh. The Welsh Government states that:

The Welsh for Adults sector has an important contribution to make to our aim of achieving a million Welsh speakers. It will do so by enabling adults of all ages and abilities to improve their skills, resume their study of Welsh or learn afresh to give them the confidence to be able to use Welsh in the workplace, socially or within the family.

During recent years there have been structural changes in the sector. There is now an opportunity to develop provision at a national level to support courses for the workplace, the family, and opportunities to use technology more effectively in support of learning.

Following an inquiry on the Welsh Government’s Draft Welsh Language Strategy in 2016, the Culture, Welsh Language and Communications Committee published its report, [Achieving the Ambition](#) stating that:

Good quality, readily available provision for Welsh for Adults is an important part of the overall ‘eco system’ for increasing the number of Welsh speakers. It is particularly important in helping to promote the language and in helping parents who want to become more involved in their children’s education. However, the rate of success may not be significant enough for it to be considered a central way forward in the context of the strategy’s aims and objectives.

The Committee recommended that the Welsh Government continue to support Welsh for Adults provision, but that it ‘considers carefully its relative priority within the strategy compared to other priority areas’.

2. Welsh for Adults/Y Ganolfan Dysgu Cymraeg Genedlaethol

The National Centre for Learning Welsh was established in 2016 by the Welsh Government, and is responsible for all aspects of the Welsh for Adults education programme. This includes among other things, course development, the [curriculum](#) and marketing.

The Centre was established in response to a Welsh Government review into the sector – [Raising our sights: review of Welsh for Adults](#), which stated that the new body should be responsible for co-ordinating and planning adult Welsh language learning provision on a national basis. The National Centre works with a network of **11 Learn Welsh providers** across Wales, which deliver Welsh courses to learners on its behalf. At the time of the review in 2013, it was estimated that **one in 120 non-Welsh speaking adults** in Wales were learning Welsh.

The core objectives for the Centre are to:

- Be a visible institution setting a national strategic direction for the Welsh for Adults sector;
- Provide leadership for the Centre’s providers;
- Raise standards in teaching and learning Welsh;
- Develop a high quality, appropriate, modern, engaging **national curriculum** and **produce resources** suitable for a range of learners at all levels.

Some of the resources developed are provided [online](#) to assist learners and improve access to learning resources.

2.1 Funding

For 2017–18, the National Centre for Learning Welsh received £1.85 million in funding from the Welsh Government towards the work of [setting strategic direction](#) to the sector and to **develop national learning resources**; the centre also distributed £8.81 million in funding to Learn Welsh providers across Wales to deliver language courses.

In addition, a sum of £2.54 million was awarded to the [Cymraeg Gwaith/Work Welsh](#) programme, designed to strengthen Welsh language skills in the workplace. *Work Welsh* offers **fully-funded**, flexible Welsh language training for the workforce.

The additional funding for Work Welsh would be used to develop:

- Information and advice on ‘Work Welsh’ for employers;
- Online courses;
- Intensive courses for ‘Work Welsh’;
- Courses for early years sector;
- Residential courses for ‘Work Welsh’.

Further details on the Centre’s budget and distributed funds to Learn Welsh providers can be found in its [Annual Report 2017–18](#).

2.2 Courses and Fees

Despite Welsh Government funding for Learn Welsh providers, this does not cover all the costs for delivering courses. Adults wishing to learn the language can take advantage of a number of different courses available across Wales, with course costs varying from one area to another ([delivered by different providers](#)), with some areas providing taster courses for free or for a nominal fee of £10–£30.

For those wishing to develop their language skills, there are a multitude of courses designed for different stages of learning and proficiency. Courses begin at *Entry* level, and progress through *Foundation*, *Intermediate*, *Advanced* and *Proficiency*. Fees also vary considerably depending on the length and intensity of the course, although the majority of courses cost between £70–£120 pounds, with the most expensive course being in Cardiff (Entry and Intermediate Courses – Part 1 & 2 running for 8 weeks costing £360).

There is also an option to attend intensive residential courses delivered at [Nant Gwrtheyrn](#). The most expensive course runs for a week (full-board) costing £495.

Adults wishing to learn can browse through the various courses available to them [online](#).

While there is no financial support to help pay for course fees, individuals may be able to claim some financial support to help them learn Welsh. Eligible learners could receive support for the cost of childcare (up to 3.5 hours at £5 per child for each lesson), exam fees, resources and travel costs (up to 60 miles at £0.25 per mile for each journey). Further details can be found on the [Dysgu Cymraeg website](#).

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.



Ein cyf/Our ref EM/05244/19

Janet Finch-Saunders AM
Chair, Petitions Committee

seneddpetitions@assembly.wales

17 April 2019

Dear Janet,

Thank you for your letter regarding petition P-05-873 – Free Welsh Lessons for the People of Wales.

Following a review of the Welsh for Adults sector in 2013, the National Centre for Learning Welsh was established in 2016. It offers strategic leadership to the sector, including developing a contemporary curriculum, creating a series of new courses which will be offered by each provider across Wales, as well as working with partners to expand opportunities for learners to develop and use their Welsh language skills.

The Centre is working with 11 providers to offer Welsh lessons for adults across Wales. Course details can be found via the Centre's website - <https://learnwelsh.cymru/learning/find-a-course/>.

The Centre offers practical support for learners in the form of free print and digital resources to accompany the new series of courses. The Centre has also developed online courses to offer a wider range of opportunities for learners to develop their Welsh language skills. Further details about the Centre's work can be found at www.learnwelsh.cymru.

A range of fees to register on Welsh courses is currently in use. Offering free Welsh courses for adults is not one of the 10 transformational changes set out in 'Cymraeg 2050'. However, the establishment of the Centre has provided an opportunity to ensure consistency in a number of aspects of the Welsh for adults programme, including learning fees. As a result of work undertaken by the Centre, all providers will introduce one fee of £90 per course, regardless of level or pattern of course, from September 2019. This will ensure consistency and fairness for all learners across Wales. One consistent discount structure for learning fees will also be introduced as part of these changes. This includes a 40% discount for individuals in receipt of benefits and students, and a discount of up to 100% (i.e. offering courses free of charge) for priority courses.

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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 Centre's Financial Contingency Fund offers financial support for Welsh learners. It offers support for a range of costs, including childcare and travel costs, to ensure these are not a barrier to learning.

I trust the information above explains steps being taken to ensure adults begin, and - crucially - continue to learn and use Welsh. I would be more than happy to provide further information to the Committee, or Efa Gruffudd Jones, the National Centre for Learning Welsh's Chief Executive, may be contacted directly by emailing should you wish to gather further evidence regarding their work to strengthen support for learners.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M. E. Morgan'.

Eluned Morgan AC/AM

Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol
Minister for International Relations and the Welsh Language

Agenda Item 2.2

P-05-874 – Ban the sale of goods packaged in single use plastics on Transport for Wales services

This petition was submitted by Lydia Jackson having collected a total of 125 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to ban the sale of goods which are packaged using single use plastics on Transport for Wales services. As stated by the Welsh Government: "Transport for Wales exists to drive forward the Welsh Government's vision of a high quality, safe, integrated, affordable and accessible transport network that the people of Wales are proud of." We feel that banning the sale of single use plastics which are damaging our natural environment would be a significant step in reaching this objective and demonstrating the Welsh Government's commitment to providing a fairer and safer future for the citizens of Wales.

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

Single use plastic packaging on TFW services

Y Pwyllgor Deisebau | 07 Mai 2019

Petitions Committee | 07 May 2019

Research Briefing:

Petition number: P-05-874

Petition title: Ban the sale of goods packaged in single use plastics on Transport for Wales services

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to ban the sale of goods which are packaged using single use plastics on Transport for Wales services. As stated by the Welsh Government: "Transport for Wales exists to drive forward the Welsh Government's vision of a high quality, safe, integrated, affordable and accessible transport network that the people of Wales are proud of." We feel that banning the sale of single use plastics which are damaging our natural environment would be a significant step in reaching this objective and demonstrating the Welsh Government's commitment to providing a fairer and safer future for the citizens of Wales.

Background

Single use plastics, or disposable plastics, are designed to be used once and thrown away or recycled. They are typically items such as plastic bottles, drinking straws, coffee cups and take-away food packaging. Recent media coverage, notably the [BBC Blue Planet II](#) series, has highlighted the scale of plastic debris in our oceans as a result of our 'throw-away' culture. The impact of single use plastic on the marine environment is evidenced by its prevalence in beach litter surveys. The [Marine Conservation Society's](#) 2017 [Beachwatch](#) Report showed "tiny bits of plastic were the most commonly found item" on beaches across the UK.

A 2017 report [Single Use Plastic and the Marine Environment](#) by [Eunomia](#) for [Seas at Risk](#), calculated the quantity of 'on-the-go' single use plastic waste "as these are most likely to escape normal waste collection systems". Key findings from the research include conclusions that:

- many of these items either do not need to be made from plastic (e.g. glass and paper alternatives exist), while others are used unnecessarily e.g. drinking straws;

- measures to reduce plastic consumption enjoy a high level of public support, which increases after the measures are implemented;
- solutions to reduce consumption of single-use plastics exist, and have been running in multiple places around the world; and
- drastically reducing consumption of key single-use plastic items would effectively eliminate a major source of marine pollution in all of Europe's seas.

A 2018 report by Eunomia, commissioned by the Welsh Government, [Options for Extended Producer Responsibility in Wales](#), estimated that “around 950 tonnes of takeaway food packaging waste are generated in Wales each year”, and it is estimated that “only 8.5% is recycled.” It continued:

While accounting for less than 0.06% by weight of Welsh municipal waste arisings, takeaway food packaging is a highly visible component of litter. We estimate that takeaway food packaging waste (which includes expanded polystyrene (EPS) containers) accounts for 1.6% of litter by weight on the ground and in litter bins, but accounts for a larger proportion overall by volume.

The report recommends that the Welsh Government should:

Conduct trials of reusable take-away packaging, perhaps within specific areas such as covered, permanent markets in the first instance, in order to better understand consumer acceptance. Examples already exist of reusable tiffins for some food types, and innovation, and expanded uptake should be encouraged in this area across the whole range of takeaway food types.

[Extended Producer Responsibility \(EPR\)](#), as introduced by the [EU Waste Framework Directive](#), is a way of encouraging producers to consider the post-consumer phase of a product's lifecycle by giving them responsibility for it. Applying an EPR approach to goods sold through Transport for Wales services would involve encouraging producers to minimise waste in packaging design.

Transport for Wales Procurement

[Transport for Wales \(TfW\)](#) was established in 2015 as a wholly Welsh Government owned not-for-profit company. Its initial purpose was to procure and develop/manage the new Welsh rail franchise and Metro services on the valleys lines on behalf of the Welsh Government using executive powers devolved in 2018.

The Welsh Government's ambition is that TfW will become its transport delivery company. A business case is currently being developed to consider how this wider role might develop. This means that TfW may become responsible for further services in future, for example including certain bus services. However, in the short term it is primarily responsible for oversight of rail services.

The new franchise was awarded to KeolisAmey in May 2018. KeolisAmey began operating rail services in October 2018 as [TfWRail](#).

TfW and TfWRail are separate organisations. While TfW is a wholly Welsh Government owned not-for-profit company, TfWRail (KeolisAmey) is a commercial rail services and infrastructure company. However, they are adopting a “partnership” approach to rail service delivery.

While TfWRail is a commercial company, the Welsh Government has committed to procure as many rail related services as possible on a not-for-profit basis. In [evidence to the Economy, Infrastructure and Skills Committee in November 2018](#) the Chief Executive of TfW said that this would include “things like catering, cleaning, ticket sales, marketing, [and car parking]”. He continued to say that “at seat catering” would be the first service TfW will procure on this basis and that a full business case would be prepared.

The letter from the Minister for Economy and Transport to the Petitions Committee responding to this petition makes no direct commitment to ban single use plastic packaging. However, he refers to:

- TfW’s “Sustainable Development Plan”, suggesting that through this TfW will “help to deliver and support a sustainable future for Wales that is fully in line with the goals and ways of working, set out in the Welsh Government’s Future Generations Act”; and
- TfW’s “Waste Management Plan” which “implements the principles of the European Waste Hierarchy through eliminating, reducing, reusing, recycling and recovering waste”. He provides a commitment to reduce the use of plastic drinks bottles as an example.

At time of writing neither document has been published on the TfW website.

Welsh Government action

In a written statement on [28 September 2017](#), the then Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths AM, stated that “as a Government we accept more needs to be done to improve our recycling rate still further and tackle litter and the issues associated with a ‘throw away’ society and ‘disposable’ culture”. She suggested that, in order to address this issue, the aim should be to “prevent litter entering the environment in the first place”, and “to value the resources we all too often take for granted”. She announced the Eunomia study into EPR (above) to assess possible options, saying:

I have commissioned a study to assess possible interventions to increase waste prevention, increase recycling and reduce land and marine based litter. Producer responsibility schemes such as the current schemes in place in the UK will be included in the research. Deposit Return Schemes will also be included. The research will also assess the likely environmental, economic and social impacts of potential extended producer responsibility (EPR) schemes, including any potential unintended consequences

In a Welsh Government Plenary statement on [27 February 2018](#), the then Minister for the Environment, Hannah Blythyn AM, discussed the Welsh Government’s action on single use plastics:

And we have secured Wales' involvement in the UK Government's call for evidence about how it will address the issue of single use plastics, including through the use of tax.

Alongside this, we will continue to work on a potential standalone disposable plastics tax for Wales.

In a Welsh Government Plenary statement on [8 May 2018](#), the then Minister for the Environment announced the outcomes of the EPR study. She said:

I am considering amendments to the Producer Responsibility Obligations Regulations so that producers and retailers pay a larger share of waste management costs.

... We continue to work with HM Treasury on a UK single-use plastics tax.

...I can announce that the Welsh Government has signed up to WRAP UK's Plastics Pact.

She also announced ways in which the Welsh Government is working to "practice what we preach":

I am committed to ensuring Welsh Government offices are single-use plastic free by the end of this Assembly term...

...We do not use plastic straws, stirrers or cutlery in our canteens. In addition, Welsh Government will continue to influence the broader public sector in Wales - for example through 'catering disposables' procurement contracts across the Welsh Government estate, working with Value Wales.

In Plenary on [13 June 2018](#), in response to a question from the Conservative Party spokesperson David Melding AM, the then Minister for the Environment said the Welsh Government was looking at how to:

... use public procurement ... particularly in the public sector, and with any contracts and supply chains, and how we apply green public procurement. And, particularly within my own portfolio, we're looking at actually how, working alongside the National Procurement Service, alongside WRAP, and the Future Generations Commissioner for Wales's office, to develop a range of measures that allow us to identify trends and actions to help reduce the use of plastics.

On Monday [18 February 2019](#), the Deputy Minister for Housing and Local Government, Hannah Blythyn AM released a written statement announcing [three consultations that are aiming to tackle plastic and packaging waste](#).

She has urged the Welsh public to have their say on the joint proposals, launched by the UK Government Department for Environment, Food and Rural Affairs (DEFRA). The proposals include [Extended Producer Responsibility \(EPR\)](#) for packaging (that will apply to the UK as a whole), and a [Deposit Return Scheme \(DRS\)](#) for drinks containers applying to Wales, England and Northern Ireland (the Scottish Government [consulted on DRS](#) proposals last year).

A third UK-wide consultation, published by HM Treasury, is seeking views on a proposed [tax on the production and importation of plastic packaging](#) containing less than 30% recycled content.

National Assembly for Wales action

The Fourth Assembly's Petitions Committee considered a [previous petition](#) on banning polystyrene packaging between 2014 and 2016. Following the response from the then Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths AM, the Committee agreed that there was there was little more it could do to take the issue forward and the petition was closed.

The Fifth Assembly's [Petitions Committee](#) is currently considering the following related petitions, aimed at reducing plastic waste:

- [P-05-750 For single use items: introduce a Deposit Return System for drink containers and make fast food containers and utensils compostable;](#)
- [P-05-803 Our natural world is being poisoned by single use plastics...it's time to introduce a tax!;](#)
- [P-05-822 Ban plastic straws \(when drinking milk\) in our schools;](#)
- [P-05-829 Ban Single Use Plastic Items in Wales; and](#)
- [P-05-847 Create water fountains in the centre of cities and towns to eliminate plastic waste.](#)

The [Climate Change, Environment and Rural Affairs Committee](#) has recently undertaken an [inquiry](#) into microplastic pollution in welsh rivers. The report has not yet been published.

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.

Ken Skates AC/AM
Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KS/05927/19

Janet Finch-Saunders AM
Chair - Petitions committee

Government.Committee.Business@gov.wales

16 April 2019

Dear Janet,

Thank you for your letter of 21 March on behalf of the Petitions Committee regarding, P-05-874 Ban the sale of goods packaged in single use plastics on Transport for Wales (TfW) services.

There is an enormous amount of energy and goodwill across the country to challenge the amount of plastic that we use and to reduce the amount of unnecessary plastic. We should aim to prevent or reduce unnecessary or non-recyclable plastic products and packaging where we can.

Through its Sustainable Development Plan, TfW will help to deliver and support a sustainable future for Wales that is fully in line with the goals and ways of working, set out in the Welsh Government's Future Generations Act. TfW will invest to boost the economy and communities of Wales, whilst limiting any environmental impact and improving connectivity within Wales and its borders.

TfW's Waste Management Plan implements the principles of the European Waste Hierarchy through eliminating, reducing, reusing, recycling and recovering waste. An example of this is TfW's commitment to Welsh Government's aim to reduce the use of plastic consumer bottles for water and other drinks by, amongst other actions, promoting the use of re-usable drinking containers by passengers and seeking to provide access to free drinking water available for refill of water bottles.

Yours sincerely,

Ken Skates AC/AM
Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport

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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.

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Agenda Item 2.3

P-05-875 – The Capping of Council Tax Rises in Wales

This petition was submitted by Tom MacLean having collected a total of 55 signatures.

Text of Petition

Conwy Council are seeking to levy a staggering 11 per cent council tax increase this coming tax year upon households. Other councils in Wales are also raising council tax by inflation busting levels.

I call upon the Assembly to cap council tax rises to the rate of inflation for two years. With child poverty and household debt rising the staggering increases in council tax cripple households.

Additional Information

Conwy Council has raised council tax by 5 per cent year on year but this year is seeking a staggering 11 per cent rise.

With too many low income households struggling it would be crushing to have this outrageous increase.

We are paying MORE for LESS and less services.

The same story across Wales.

A two year inflation only rise in council tax in Wales would give hard pressed households a breathing space.

Assembly Constituency and Region

- Clwyd West
- North Wales

The Capping of Council Tax Rises in Wales

Y Pwyllgor Deisebau | 07 Mai 2019

Petitions Committee | 07 May 2019

Research Briefing:

Petition number: **Petition P-05-875**

Petition title: **The Capping of Council Tax Rises in Wales**

Text of petition: Conwy Council are seeking to levy a staggering 11 per cent council tax increase this coming tax year upon households. Other councils in Wales are also raising council tax by inflation busting levels.

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1. Background

The Welsh Government provides the majority of funding for local authorities through the Revenue Support Grant (RSG) and Redistributed Non-Domestic Rates (NDR). Local authorities may also apply for other specific grants.

The remaining funds for local authority services are raised by the authorities themselves. The most significant element of these funds is council tax. There are also a number of other possible income generation methods, such as discretionary charges for leisure services, parking and trade waste.

Further details on local authority funding can be found on the Senedd Research blog, [in brief](#), and on the [Welsh Government's website](#).

2. Council tax banding and valuations in Wales

Council tax is a tax on domestic properties based on a system of valuation bands related to capital values. It was introduced in 1993 following the enactment of the [Local Government Finance Act 1992](#). This abolished the previous system of community charges, which had itself replaced domestic rates before it.

In order to be subject to council tax, a property needs to conform with the statutory definition of a dwelling contained [in Section 3 of the Local Government Finance Act 1992](#) (LGFA 1992). Dwellings in Wales are allocated one of nine Bands (eight in England) from A to I. The chart below shows the council tax to be paid for properties in each Band.

Table 1: Council Tax bands in Wales

Band	Value at 1 April 2003
A	up to £44,000
B	£44,001 to £65,000
C	£65,001 to £91,000
D	£91,001 to £123,000
E	£123,001 to £162,000
F	£162,001 to £223,000
G	£223,001 to £324,000
H	£324,001 to £424,000
I	more than £424,000

[GOV.UK](#)

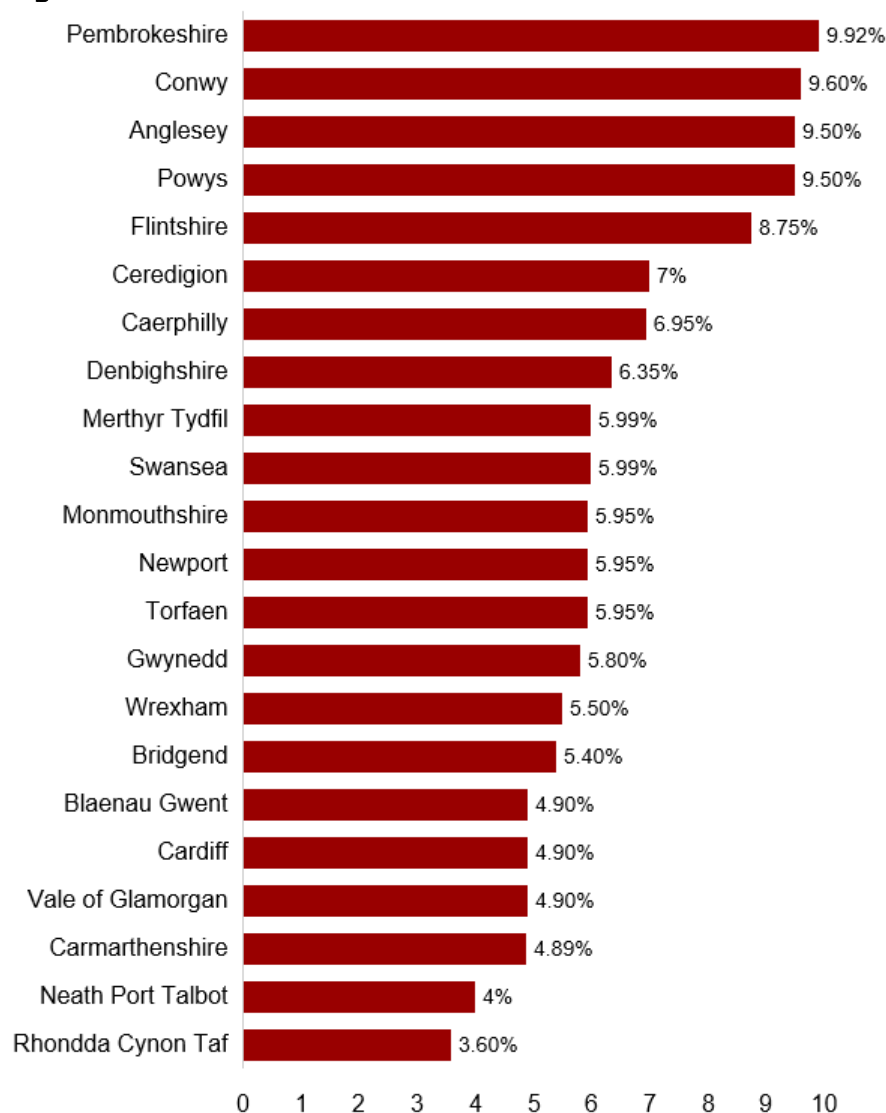
3. Council tax increases

Council tax has increased by an average of 6.2 per cent (or £77) for 2019–20. Police increases average 9.1 per cent (or £22). These increases combine to produce an average band D rise of **6.6 per cent (or £99)**.

In comparison, in 2018–19, council tax increased by an average of 5 per cent (or £60) for Band D properties. Combined with Police increases of 5.3 per cent (£12), there was an average band D rise of 5.1 per cent (or £72).

According to [StatsWales data](#), Pembrokeshire Council will see the highest increase in council tax levels for 2019–20, which is expected to rise by 9.92 per cent. Conwy Council is expected to raise its council tax by 9.6 per cent. A [BBC Wales article](#) (accessed 24 April 2019) illustrates the percentage increase in council tax by local authority in Wales for 2019–20:

Figure 1: Council Tax rises 2019–2020



Councillor Anthony Hunt, Leader of Torfaen Council and WLGA spokespersons for Finance told the [Equality, Local Government and Communities Committee in October 2018](#) that:

No-one wants to put council tax up, especially in an era where services are being cut back, because it inevitably leads to the accusation that people are paying more for less but, unfortunately, that's the inevitable reality of austerity.

4. Council tax limits and the legislative framework

While there is no official limit on how much a local authority can raise its council tax, there was thought to be an **informal 5% limit** in existence set by Welsh Ministers. This may have originated from statement by the then [Finance Minister, Sue Essex AM, in 2007](#) who stated that:

I have told unitary and police authorities that I expected them to set budgets that require council tax increases of no more than 5 per cent for the next financial year.

However, the current Minister for Housing and Local Government, Julie James AM in her response to the petition states that 'the Welsh Government **has not specified thresholds** for council tax increases'.

While there are currently no thresholds in place, Welsh Ministers do have the ability to limit (cap) excessive increases in the **Budget Requirement** of local authorities and Police and Crime Commissioners in Wales.

4.1 Legislative framework

The relevant legislation is the Local Government Finance Act 1992 ("the LGFA 1992").

Section 52B of the LGFA 1992 gives Welsh Ministers the power to take action against a local authority if they consider that the budget requirement set out by the local authority for the upcoming year is 'excessive'.

A "budget requirement" is the amount equal to how much the local authority's expected spending (i.e. expenditure incurred during the year in performing its functions, grant monies that will have to be repaid to Welsh Ministers, allocation of funds to financial reserves and contingencies) exceeds its expected income (i.e. monies which the authority expects to receive that year, subject to certain exceptions).

- Section 52B provides that they must produce a set of principles that will be used to determine whether the budget requirement is excessive. Section 52B provides that these principles must (as a minimum) contain a comparison of the budget requirement for the year under consideration with that of an earlier year.

- Section 52C provides that the Welsh Ministers may publish a report which sets a “notional amount” for a local authority’s budget, to be used as the basis of any comparison between the year under consideration and any previous year. Notional amounts may be set by the Welsh Ministers in certain circumstances such as where there has been a change in function or boundary – thereby allowing a valid comparison can be made with the budget requirement for the year under consideration. It may also be used to set a notional amount where there was no budget requirement set for an earlier year.

Following determination using the principles required by section 52B, if the Welsh Ministers are of the opinion that the amount calculated by an authority as its budget requirement for the year is excessive, section 52D enables the Welsh Ministers to “designate” or “nominate” the local authority in question.

Designated Local Authorities

- Section 52E provides that if a local authority is *designated*, the Welsh Ministers must notify the authority of the amount which they propose should be the maximum amount calculated by the local authority as its budget requirement of the year, and set out the maximum amount which the Welsh Ministers propose the authority could calculate as its budget requirement for the year without the amount calculated being excessive.
- The local authority can then either:
 - accept the designated maximum amount provided by the Welsh Ministers; or
 - challenge the decision of the Welsh Ministers.
- If an unsuccessful challenge to the maximum amount is made by the local authority, the Welsh Ministers are able to issue a mandatory order to the local authority to ensure that the authority complies.

Nominated Local Authorities

- Section 52L provides that if a local authority is *nominated*, the Welsh Ministers must notify the authority of the amount which they would have proposed as the target amount of budget requirement for the year under consideration if they had *designated* the authority.

After a local authority has been nominated, the Welsh Ministers can decide whether to:

- (a) *designate* the authority (following the procedure in section 52E outlined above); or
 - (b) determine an amount that they propose should be the notional amount calculated by the authority as its budget requirement for the year.
- If the local authority receives notification from the Welsh Ministers of a proposed amount, the authority has 21 days to either:

- accept the amount proposed by the Welsh Ministers; or
 - challenge the proposed amount and request that the Welsh Ministers reconsider their determination.
- If the amount proposed is challenged by the local authority and the reasons given for the challenge are agreed with, the Welsh Ministers may reconsider their decision.

4.2 Interpretation of the legislation

While the provisions in Chapter IVA of the LGFA 1992 do not specifically mention council tax, the title of the chapter which they fall under is called “Limitation of Council Tax and Precepts”. A [House of Commons Briefing Paper on Council tax capping](#) published in 2004 (specifically Chapter III) provides some background as to why this section of the legislation provides Ministers with the power to cap council tax.

Welsh Ministers have previously outlined how they might be prepared to use the powers available to limit increases in council tax if these were deemed excessive. For example, in her [statement on the Provisional Local Government Settlement for 2014–15](#) (16 October 2013), the then Minister for Local Government (Lesley Griffiths AM), said:

In enabling Local Authorities to make local decisions about council tax, I am offering them flexibilities in managing their budgets which are not available to their counterparts in England where restrictive freezes apply. However, I have made it very clear I am prepared to use capping powers available to me in the event of excessive increases.

A similar statement was made in 2015 by the then Minister for Public Services, Leighton Andrews AM, stating in his [letter accompanying the Final Local Government Settlement 2015–16](#):

I am prepared to use the capping powers available to me should I consider any proposed increase in council tax to be excessive. I also expect every authority to take account of all the available funding streams in considering service provision and setting its budget and Council Tax.

Welsh Government Ministers since 2016 have set a different tone however, with the previous [Cabinet Secretary for Finance and Local Government, Mark Drakeford AM](#) stating in response to a written question in Plenary that the:

Setting of council tax is a matter for each individual authority. In setting council tax levels, I expect authorities to ensure they are able to sustain local services and balance this with considering the pressures on the finances of hard-pressed households.

The Minister for Housing and Local Government, Julie James AM, in her response to this petition reiterated the above position, noting that:

All local authorities are facing difficult decisions regarding the provision of the services on which we all rely. Council tax is a significant source of funding for local services and it is **important that local**

authorities have the freedom to set their own council tax; they are independent statutory authorities responsible for managing their own financial affairs.

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.

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JJ/05635/19

Janet Finch-Saunders AM
Chair - Petitions committee

10 April 2019

Dear Janet,

Thank you for your letter to Rebecca Evans AM, Minister for Finance & Trefnydd, regarding a petition calling for a cap on council tax increases and for the opportunity to set out the position of the Welsh Government. I am replying given my responsibility for local government.

As you will be aware, while Welsh Government does have some powers here, the responsibility for setting each council's budget, and as part of that, decisions on council tax, lies with its elected members. During its existence to date the Welsh Government has taken the position that the setting of budgets and council tax is an essential aspect of local democracy. Since 2010-11, the policy has been an important part of the autonomy and flexibility given to local authorities in Wales to assist them in managing the challenges presented by the UK wide constraints on public expenditure. This contrasts with England where the Localism Act 2011 introduced requirements for local referenda for council tax increases in excess of thresholds set by the UK Government.

Under the legislation (the *Local Government Finance Act 1988*) Welsh Ministers have powers under to limit (cap) the Budget Requirement of local authorities in Wales. The powers relate specifically to the Budget Requirement which an authority (unitary authority or police and crime commissioner) sets rather than its council tax level. The Budget Requirement is the part of an authority's budget funded through RSG, non-domestic rates and council tax (plus minor discretionary rates reliefs, and Police Grant in the case of PCCs). It excludes the part of the authority's budget funded through income from specific grants, local fees and charges, and reserves. For this reason, while responsibility for council tax policy sits with the Minister for Finance and Trefnydd, the responsibility for capping decisions sits with my portfolio alongside responsibilities for the local government settlements.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Capping of an authority's budget requirement would be a serious imposition over the responsibilities of locally elected members; it could not be done arbitrarily or without careful consideration. The legislation requires that if capping is imposed it must be done against criteria. The criteria – based on principles of excessiveness – would need to be set out in advance of authorities setting their budgets. For that reason, capping could not be imposed now on the budget requirements which authorities across Wales have determined and agreed, following local consultation and engagement.

Any such principles would need to be capable of being applied consistently across authorities, though different criteria can be set out for unitary authorities and for the police precept. The principles may include a number of criteria, for example, percentage and / or monetary increases in the overall amount of council tax income, and / or in the level of Band D tax. Even where the principles are exceeded, any Minister's decision as to whether to cap could take account of local factors and circumstances, for example, if an authority has to deal with a particular financial challenge. While a figure of 5% has been cited by some commentators including by some authorities as the threshold above which the use of capping powers might be considered, the Welsh Government has not specified thresholds for council tax increases.

All local authorities are facing difficult decisions regarding the provision of the services on which we all rely. Council tax is a significant source of funding for local services and it is important that local authorities have the freedom to set their own council tax; they are independent statutory authorities responsible for managing their own financial affairs.

When setting their budgets and council tax levels, authorities have a duty to consider carefully the balance between maintaining key services for communities and limiting the financial burden they place on them. Local authorities are required to consult and engage with their communities each year on their proposals for spending and council tax and for the provision of services. This provides local communities with an opportunity to express their views on the decisions their council makes about council tax and local services.

I understand that circumstances are very challenging for many people and households across Wales. While the Welsh Government has protected authorities from the worst of the funding reductions, nine years of austerity measures have placed local services under a great deal of pressure.

It is important to recognise that the Welsh Government has a number of schemes available to help people who are finding it difficult to pay their council tax bills, as well as a range of exemptions and discounts. We provide £244 million a year to support local authorities in delivering the Council Tax Reduction Scheme. This scheme provides direct support to households by reducing council tax bills for low-income households. This is a mandatory scheme which every local authority must provide and it is helping almost 300,000 households in Wales.

Yours sincerely,



Julie James AC/AM

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

**P-05-875 The capping of Council Tax Rises in Wales, Correspondence –
Petitioner to Committee, 30.04.19**

Conwy County Council imposed a 9.6 per cent Council Tax rise this year. They also imposed swinging cuts to schools budgets, social care etc.

With uncapped Council tax rises such as these come serious implications.

There is no impetus for fiscal restraint when County Councils in Wales can inflict such rises. Its local government out of control.

In Wales rising child poverty rates and foodbank usage rates show how bad things are.

Most folks are on minimum wages.

The blame game one hears is a frustrating.

County Councils blame the Government in Wales who in turn blame Westminster.

Well this buck passing weather me and it just won't do.

With POVERTY levels in Wales The government in Wales have to get a grip.

The buck stops in Cardiff.

Capping Council tax rises in Wales now essential.

Left to it themselves Councils come up with insane rises such as this inflation busting 9.6 per cent eye watering poverty inducing obscenity Conwy County Council. inflict.

ENOUGH IS ENOUGH.

A freeze for two years on Council Tax rises and an inflation plus 1 per cent rise in the third year would give struggling households a break.

Over a decade of inflation busting rises and cuts to services have hit people hard.

It's now high time the government in Wales took a lead.

The compelling case for a cap seems to me to be obvious.

If the government in Wales cares about child poverty, I mean REALLY cares then it will cap council tax rises.

If it cares about poverty in households in Wales it will freeze council tax for two years.

If the government in Wales has any interest in the thousands of carers struggling in low incomes .Cares,lest we forget exist on carers allowance of just over £64 A week for 35 hours care,slavery.levels.No minimum or living wage for carers who save Wales moons in social care costs.If the government in Wales gives a dam it must hold council tax rises to inflation plus 1 per cent in the third year.

I plead with the government in Wales to do that.

Agenda Item 2.4

P-05-869 Declare a Climate Emergency and fit all policies with zero-carbon targets

This petition was submitted by Matthew Misiak having collected 4,985 signatures online and 1,190 on paper – a total of 6,148 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to:

1. Declare a Climate Emergency.
2. Ensure all current and future policies are consistent with averting further climate change and ecological collapse.
3. Enact legally-binding policy measures to reduce carbon emissions to net zero by 2025 and to reduce consumption levels.
4. Implement a Citizen's Assembly of Wales to oversee the changes.

We call upon the Welsh Government to declare a Climate Emergency immediately, and commit to executing the remaining actions by June 2019.

WAG targets for a zero-carbon public sector must be used as a catalyst to engineer rapid decarbonisation in the private sector through procurement, taxation and subsidy. Across the UK, twenty city, town and county councils have already declared a Climate Emergency, including Powys and Machynlleth. Citizens must be involved to ensure the necessary change is made across society, as demonstrated in a Sortition model of participatory democracy. Initiatives to partner with include: The Climate Mobilization; Beyond Zero Emissions; Rapid Transition Alliance; Green New Deal Group; One Million Climate Jobs; The Breakthrough Institute; and Zero Carbon Britain.

Additional Information

The United Nations Intergovernmental Panel on Climate Change has warned that we have 12 years to make the necessary changes to limit a rise in global temperatures by 1.5°C. Failure to act will see a significant and accelerating increase in sea levels and flooding, extreme and abrupt changes to weather patterns, crop failures, and extinctions of plant, insect and animal species. This will inevitably lead to global economic disruption and humanitarian crisis. It will also detrimentally impact the well-being of the people of Wales

and billions of others. Last year, Sir David Attenborough said:

"Right now, we are facing a man-made disaster of global scale. Our greatest threat in thousands of years. Climate change. If we don't take action, the collapse of our civilisations and the extinction of much of the natural world is on the horizon. The world's people have spoken. Their message is clear. Time is running out."

The One Planet Development policy and Wellbeing of Future Generations Act show that Wales can lead the way in progressive policy. But they do not motivate government to act in accordance with the urgency of the situation. The scientific consensus shows the unprecedented scale of collective action needed to avert the worst outcomes in the near future. We must demand no less.

People worldwide are being inspired by the Extinction Rebellion movement to urge governments at all levels to meet the challenge posed by accelerating climate change and ecological collapse. Future generations will judge us on our courage to make the urgent change we know is needed. Please act now.

Assembly Constituency and Region

- Aberconwy
- North Wales

P-05-869 Declare a climate emergency

Y Pwyllgor Deisebau | 7 Mai 2019

Petitions Committee | 7 May 2019

Research Briefing:

Petition number: P-05-869

Petition title: Declare a Climate Emergency and fit all policies with zero-carbon targets

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to:

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Background

The [Environment \(Wales\) Act 2016](#) (the Act) placed new duties on the Welsh Government to reduce emissions, including a requirement to ensure that net emissions for 2050 are at least 80% lower than the baseline.

The Act places several duties on Welsh Ministers to ensure the 2050 target is met. These include:

- By the end of 2018, the Welsh Government must set interim emissions targets for 2020, 2030 and 2040;
- For each five year budgetary period the Welsh Government must set a maximum total amount for net Welsh emissions (described as a carbon budget), with the first two budgets to be set by the end of 2018; and
- The Welsh Government must take into account international agreements to limit increases in global average temperatures.

In developing the interim emissions targets and carbon budgets, the Welsh Government commissioned advice from its statutory advisory body, the [UK Committee on Climate Change \(UK CCC\)](#). The UK CCC published its [first piece of advice](#) to the Welsh Government in April 2017. It was concerned with carbon accounting and the design of Welsh carbon budgets and other targets. The UK CCC published its [second piece of advice](#) to the Welsh Government in December 2017. It assessed the appropriate decarbonisation pathway for Wales, including specific recommendations on interim targets for 2020, 2030 and 2040, together with carbon budgets running to 2025. In its advice, the UK CCC concluded that the circumstances in Wales make achieving an 80% reduction more challenging than the equivalent reduction for the UK as a whole. It attributes this to Wales having a greater share of 'hard to reduce' emissions, for example in agriculture and industry. The UK CCC advice suggests that the maximum feasible reduction for Wales by 2050 is 85%.

In December 2018 the Welsh Government laid [five sets of regulations](#) to give effect to some of the commitments arising from the Act. They are:

- The Climate Change (Interim Emissions Targets) (Wales) Regulations 2018;
- The Climate Change (Carbon Budgets) (Wales) Regulations 2018;
- The Climate Change (International Aviation and International Shipping) (Wales) Regulations 2018;
- The Climate Change (Credit Limit) (Wales) Regulations 2018; and
- The Carbon Accounting (Wales) Regulations 2018.

The first set of regulations set interim emissions targets:

- The maximum amount for the net Welsh emissions account for 2020 is **27%** lower than the baseline;
- The maximum amount for the net Welsh emissions account for 2030 is **45%** lower than the baseline; and
- The maximum amount for the net Welsh emissions account for 2040 is **67%** lower than the baseline.

The second set of regulations set the first two carbon budgets:

- For the 2016 to 2020 budgetary period, the carbon budget is limited to an average of 23% lower than the baseline.
- For the 2021 to 2025 budgetary period, the carbon budget is limited to an average of 33% lower than the baseline.

Paris Agreement and IPCC Report

In November and December 2015, the [21st Conference of the Parties to the United Nations Framework Convention on Climate Change \(UNFCCC COP21\)](#) took place in Paris. UNFCCC is an international environmental agreement on climate change, of which there are 195 States Parties, including the UK. The meeting in Paris was hailed as a make-or-break opportunity to secure an international agreement on approaches to tackling climate change, a commitment to a longer-term goal of near zero net emissions in the second half of the century, and supporting a transition to a clean economy and low carbon society. The key points of the [Paris Agreement](#) are:

- Agreement on a long-term goal of keeping the increase in global average temperature to well below 2°C above pre-industrial levels;
- Agreement to aim to limit the increase to 1.5°C, since this would significantly reduce risks and the impacts of climate change;
- Acceptance of the need for global emissions to peak as soon as possible, recognising that this will take longer for developing countries; and
- Agreement to undertake rapid reductions thereafter in accordance with the best available science.

In October 2018, the [Intergovernmental Panel on Climate Change \(IPCC\)](#) published its latest report, [Global Warming of 1.5°C](#). The special report looks at the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways. The authors of the report say urgent and unprecedented changes are needed to reach the target, which they say is affordable and feasible despite the fact that it lies at the most ambitious end of the Paris Agreement pledge to keep temperatures between 1.5C and 2C.

Declaring a climate emergency

On 30 April, the Welsh Government declared a [climate emergency](#). This followed a [similar announcement in Scotland](#) earlier in the week. In her written statement, the Minister for Energy, Planning and Rural Affairs said “We hope the declaration by Welsh Government can help to trigger a wave of action at home and internationally, from our own communities, businesses and organisations to parliaments and governments around the world”. The announcement came the day before a [Plaid Cymru debate](#) in the Assembly, calling on the Welsh Government to declare a climate emergency, and recognise that a rapid and urgent global response to climate change is now necessary.

A number of towns, cities and local authorities across the UK have [declared a ‘climate emergency’](#). There is no universally agreed definition of what constitutes a climate emergency. Some towns and cities (including Sheffield, Plymouth and Carlisle) have pledged to become carbon neutral by 2030. Some, including Gwynedd and Bradford, have declared a climate emergency, but with no target date for action. The petition states that Powys and Machynlleth have declared a climate emergency. However, the letter from the Minister to the Committee says that the Powys County Council meeting which considered the proposed declaration amended the relevant motion for the meeting on 24 January to remove any reference to an emergency before it was passed. The amended motion, with no reference to an ‘emergency’ can be [found here](#). On 20 February, Carmarthenshire County Council [declared a climate emergency](#). It committed to becoming a net zero carbon local authority by 2030, and to develop a clear plan within the next year.

Citizens’ Assembly

According to the [UK Parliament website](#), a citizens’ assembly is a group of people who are brought together to discuss an issue or issues, and reach a conclusion about what they think should happen. The people who take part are chosen so they reflect the wider population – in terms of demographics (e.g. age, gender, ethnicity, social class) and sometimes relevant attitudes. Citizens’ assemblies aim to give members of the public the time and opportunity to learn about and discuss a topic, before reaching conclusions. Assembly Members are asked to make trade-offs and arrive at workable recommendations. Citizens’ assemblies, and other similar methods, have been used in the UK and other countries – including Australia, Canada, and the United States – to address a range of complex issues. A citizens’ assembly is [currently taking place in the Republic of Ireland](#) – established by the Irish Parliament – to address a number of important legal and policy issues facing Irish society. These have included equal marriage, abortion and the opportunities and challenges of an ageing population.

Welsh Government action

The background section of this briefing sets out the context for the Welsh Government's action on climate change.

Consultation on a low carbon pathway and the Low Carbon Delivery Plan

In July 2018, the Welsh Government launched its consultation on '[Achieving our low-carbon pathway to 2030](#)'. The consultation (which ran until early October) sought views on what actions the Welsh Government should take to reduce emissions to 2030. It presented a number of potential actions that could be taken across sectors such as industry, waste, agriculture, land use change and forestry, transport, power and buildings. The consultation stated that the potential actions within it were developed by considering recommendations from the UK CCC, wider evidence, discussion with stakeholders, learning from others, and through consideration of the five ways of working under the *Well-being of Future Generations (Wales) Act 2015*. The results of the consultation were used to help develop the Welsh Government's first low carbon delivery plan, setting out how Wales will meet its first carbon budget, which was published in March 2019.

The delivery plan, [Prosperity for All: A Low Carbon Wales](#) sets out how Wales aims to meet its first carbon budget (2016–2020) and consequently the 2020 interim target. It does this through 76 existing policies from across the Welsh Government, UK Government and the EU – and 24 new proposals. The plan comprises five parts:

- Part 1 Introduction, Vision and Context: explains why the Welsh Government is acting on climate change, its 2050 vision for a low carbon Wales, and the wider legislative and international context;
- Part 2 Leadership, Integration, Collaboration and Involvement: sets out the cross-cutting actions the Welsh Government is taking through integrating decarbonisation across government policy and delivery. It also highlights the need for involvement and collaboration across society and the role of others in the low carbon transition;
- Part 3 Sector Emissions Pathways: sets out the pathways for the different emissions sectors, including ambition, emissions profile, actions and how the sectors are contributing to the well-being goals. The sector chapter pathways are power, buildings, transport, industry, land use, agriculture, waste and f-gases;
- Part 4 Methodological approach: sets out the methodological approach for tracking policies and proposals, and how these contribute towards meeting targets and budgets through policies and proposals;
- Part 5 Next steps: highlights steps over the coming years in terms of the timeframe for setting the third carbon budget, and developing the second delivery plan.

In relation to the plan, the letter from the Minister for Environment, Energy and Rural Affairs says:

[The Plan] will include actions relating to engaging more people in Wales with tackling greenhouse gas emissions. All Welsh Government policies are already subject to a range of impact assessments during development. Along with statutory biodiversity and Strategic Environmental Assessments where relevant, we have introduced a climate change impact assessment to ensure we are considering the effect of our policies on emissions and our ability to adapt to changing weather patterns.

Further advice from the UK CCC

On 15 October 2018 the governments of the UK, Scotland and Wales [asked the UK CCC to provide advice on the UK and Devolved Administrations' long-term targets for greenhouse gas emissions and the UK's transition to a net zero-carbon economy. Specifically they asked:](#) when the UK should reach net zero emissions of carbon dioxide and/or greenhouse gases as a contribution to global ambition under the Paris Agreement; if that target should be set now; the implications for emissions in 2050; how such reductions can be achieved; and the costs and benefits involved in comparison to existing targets. In her letter to the Committee, the Minister says she expects to receive the advice from the UK CCC in May, and that she “will consider this advice and its implications for our statutory framework, including the 2050 target”.

National Assembly for Wales action

The [Climate Change, Environment and Rural Affairs \(CCERA\) Committee](#) has an ongoing programme of work on climate change. This includes:

- Annual scrutiny of Welsh Government progress on climate change mitigation. The [Committee's last report](#) was published in May 2018;
- Scrutiny of the [Climate Change \(Wales\) Regulations](#);
- Engagement with climate change experts through stakeholder workshops and its [expert reference group](#); and
- Analysis of the Welsh Government's recently published [Low Carbon Delivery Plan](#).

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.

Lesley Griffiths AC/AM
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-869
Ein cyf/Our ref LG/05322/19

David John Rowlands AM
Chair, Petitions Committee

SeneddPetitions@assembly.wales

19

February 2019

Dear David

Thank you for your letter of 8 February regarding Petition P-05-869 Declare a climate emergency. I have considered the issues raised by the petition and offer the following observations.

The Environment (Wales) Act was passed less than three years ago and the target to reduce emissions by at least 80% in 2050 reflects the National Assembly's ambition for Wales. In December the National Assembly passed the Climate Change (Wales) Regulations, which included interim targets for 2020, 2030 and 2040 and also set our first two carbon budgets to 2025. The targets and budgets were set in accordance with advice received from our statutory advisory body, the Committee on Climate Change (CCC).

The CCC concluded the circumstances in Wales make achieving an 80% reduction here more challenging than the equivalent reduction for the UK as a whole. This is due to Wales having a greater share of 'hard to reduce' emissions, for example in agriculture and industry. Although taking action on climate change will demonstrate global responsibility by lessening the effects of climate change around the world, we need to be careful and minimise potential carbon leakage in our low carbon transition, whereby emissions simply move to another country.

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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.

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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.

Next month we will publish a Plan setting out how Wales will meet its first carbon budget. This will include actions relating to engaging more people in Wales with tackling greenhouse gas emissions. All Welsh Government policies are already subject to a range of impact assessments during development. Along with statutory biodiversity and Strategic Environmental Assessments where relevant, we have introduced a climate change impact assessment to ensure we are considering the effect of our policies on emissions and our ability to adapt to changing weather patterns.

Citizens and other stakeholders have had the opportunity to influence the Regulations and the Plan. In 2017 the CCC ran two public calls for evidence, which provided the opportunity to influence their advice regarding the carbon accounting framework as well as the level of our first two carbon budgets and the interim targets. The Welsh Government supported these calls for evidence and undertook consultation events jointly with the CCC in north and south Wales. We published the Cabinet's decision to accept the CCC advice in June 2018, several months before laying the draft Regulations in the National Assembly. In addition, we ran a twelve week consultation last year on potential actions to reduce emissions to 2030 and have used the responses to develop the report. There will be further opportunities for citizens to be involved as we develop climate change legislation and policy in future.

For any new target to be credible, it must be evidence-based. The current evidence we have from the CCC suggests the maximum feasible reduction for Wales by 2050 is 85%.¹ However, in light of the Paris Agreement and the latest Intergovernmental Panel on Climate Change Special Report I have already asked the CCC to look again at our long-term target. Last year the CCC ran a public call for evidence to inform this advice and asked specifically how their advice should reflect the different circumstances in the four nations of the UK. I expect to receive the advice in May. We will consider this advice and its implications for our statutory framework, including the 2050 target.

On a point of detail, the petition claims Powys County Council has declared a climate emergency. I understand the meeting on 24 January amended the relevant motion to remove any reference to an emergency before it was passed.

Lesley Griffiths AC/AM

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

¹ Building a low-carbon economy in Wales - Setting Welsh carbon targets (Committee on Climate Change 2017) p.24

P-05-869 Declare a Climate Emergency and fit all policies with zero-carbon targets - Welsh Government statement on climate emergency, 29.04.19

Welsh Government makes climate emergency declaration

Environment Minister Lesley Griffiths has today declared a climate emergency in Wales ahead of a meeting with UK and Scottish Ministers in Cardiff.

The declaration sends a clear signal that the Welsh Government will not allow the process of leaving the EU to detract from the challenge of climate change, which threatens our health, economy, infrastructure and our natural environment.

As the UK, Scottish and Welsh ministers with responsibility for the environment meet in Cardiff today, the announcement draws attention to the magnitude and significance of the latest evidence from the Intergovernmental Panel on Climate Change, and highlights the recent climate protests across the UK.

The latest advice on from the Welsh Government's statutory advisory body the UK Committee on Climate Change on how meeting the goals in the Paris Agreement might affect Wales' long-term climate change legislative targets is due at the end of the week.

Minister for Environment, Energy and Rural Affairs Lesley Griffiths, said:

I believe we have the determination and ingenuity in Wales to deliver a low carbon economy at the same time as making our society fairer and healthier.

We hope that the declaration by Welsh Government today can help to trigger a wave of action at home and internationally. From our own communities, businesses and organisations to parliaments and governments around the world.

Tackling climate change is not an issue which can be left to individuals or to the free market. It requires collective action and the government has a central role to making that collective action possible.

No nation in the world has yet fully grasped this challenge but just as Wales played a leading role in the first industrial revolution, I believe Wales can provide an example to others of what it means to achieve environmental growth.

Our sustainable development and environmental legislation is already recognised as world leading and now we must use that legislation to set a new pace of change.

The Welsh Government has committed to achieving a carbon neutral public sector by 2030 and to coordinating action to help other areas of the economy to make a decisive shift away from fossil fuels, involving academia, industry and the third sector.

Last month, it published Prosperity for All: A Low Carbon Wales, which sets out 100 policies and proposals to meet the 2020 carbon emissions targets.

The plan for 2021-26 is already being prepared and will go further and faster. Welsh Government is also currently reviewing farmer support post Brexit with public goods element and updating its Nature Recovery Action Plan to drive urgent action to increase the resilience of our ecosystems in order to reverse the decline in habitats and species.

P-05-869 Declare a Climate Emergency and fit all policies with zero-carbon targets, Correspondence – Petitioner to committee 30.04.19

Extinction Rebellion Cymru response to the letter dated 19 February 2019 from Lesley Griffith AM, regarding the Welsh Government's response to our petition: Declare a Climate Emergency.

Much has changed in the short time since our petition was launched in February 2019, including heightened awareness of the Biodiversity crisis, school climate strikes, mass climate change protests globally and the Welsh Government declaring a Climate Emergency.

We would like to congratulate the Welsh Government for making Wales the first country in the world to take such an important step. Now we need to work together to develop the actions that reflect the reality of our situation.

In light of these changes, the Environment (Wales) Act target of an 80% reduction of carbon emissions by 2050, is inadequate. Over 5,000 Welsh citizens have signed a petition to declare a Climate Emergency and insist that the Welsh Government fits all policies with zero-carbon targets.

On Thursday 2 May 2019, the Committee on Climate Change (CCC) will provide new advice to the UK Government, and is likely to recommend tightening the UK's long-term target, from 80% greenhouse gas reductions to net-zero by 2050. Again, a woefully inadequate target given the climate crisis we face.

The Intergovernmental Panel on Climate Change's (IPCC's) warns that we have only 12 years to cut CO2 emissions by half globally to prevent unstoppable runaway climate change (through feedback loops that become increasingly likely as the world heats up). All possible means must be employed to avoid irreversible climate change and ecological system breakdown.

The Welsh Government response to date, while encouraging, fails to reflect the scale of the existential crisis we all face. Any lack of ambition and urgency is dangerous.

We demand new, rational targets that commit Wales to limiting global warming to the IPCC's target of no more than 1.5 degrees centigrade. There is growing evidence that climate change is happening much quicker than originally predicted. The people of Wales need a level of response that reflects the evidence and the groundswell of opinion that supports bold, well-funded and accountable actions.

We welcome the Welsh Government's declaration of a Climate Emergency. It is crucial that this be followed up by details of your vision for a carbon neutral Wales. There must be detailed action plans and timeframes for the transition to this goal. Who will be responsible and how will they be held accountable?

We want to be involved as Welsh citizens, to scrutinize and support radical policies that are inclusive and resilient.

We are facing multiple converging crises with those least able to cope facing the worst impact: sea level rises; desertification; wildfires; water shortage; crop failure; extreme weather; loss of biodiversity; ecosystem disruption; millions of people displaced; disease; increased risk of wars and conflicts.

The recent horrific flooding in Mozambique is a humanitarian emergency happening now, made far worse by climate change. 1.85 million people are currently in need of

urgent humanitarian assistance, 70,000 people have been displaced from their homes and 600 people have died.

Lesley Griffiths' letter correctly states that Welsh policy must be evidence-based. The evidence from the world's scientists is that unprecedented urgency and commitment is required to avoid a disastrous future, as highlighted so effectively by David Attenborough and Greta Thunberg.

The report by the Intergovernmental Panel for Biodiversity and Ecosystem Services (IPBES) due to be published on 6 May 2019 will highlight the threat to humans if the devastation of nature continues. We do not have the time to react incrementally, we are in a Climate Emergency, this requires much more proactive and robust action.

The biodiversity crisis in Wales was eloquently voiced by Iolo Williams in the program 'Saving the Land of the Wild', citing a 98% loss of hay meadows, 80% decline in curlew numbers, devastation of lapwing, yellowhammer and water vole populations (to name just a few).

In Wales, historically we have had a fossil fuel economy based on coal that collapsed under the pressures of globalisation. Those mining communities were betrayed, abandoned, and impoverished. When our current fossil fuel based lifestyle collapses we run the risk of similar or worse societal collapse. No one will escape the effects of climate change, however the poorest and most vulnerable in our society will be the first to suffer the impacts. So this time we must beat the arc of history and seize the opportunity to develop a new economy that is not reliant on fossil fuels.

We need the Welsh Government to ensure a globally responsible Wales, playing our full part in reducing global emissions that are impacting those in countries least to blame for this Climate Emergency.

We need the Welsh Government to ensure that climate adaptation creates resilient and inclusive communities across Wales. We want our government to grasp the opportunity to invest in a green economy that includes people and distributes resources more fairly.

Citizens' Assemblies

Wales already leads the way in the world with the Well-being of Future Generations Act and the One Planet Development policy. 'What Wales is doing today the world will do tomorrow' – United Nations. We are proud to live in a county with a Youth Parliament and would like to extend that to include Citizens' Assemblies to help support and scrutinise the transition to a carbon-neutral Wales. This link explains how Citizens Assemblies work: <https://sharedfuturecic.org.uk/citizens-assemblies-citizens-juries-and-climate-change/>

It is crucial that Citizens Assemblies have the political backing and resources needed to ensure equal and fair process. Expert witnesses explain difficult issues to Citizens' Assemblies with time taken to develop understanding and skills in consensus process. Globally there have been a number of examples of Citizens' Assemblies making a valuable contribution to resolving complex issues facing democracies; cutting through conflicts of interest and supporting politicians to make decisions for the long-term good of all.

We want you to develop Citizens Assemblies' operating across Wales and in the heart of government, making their decisions binding and at the same time helping to restore faith in politics.

Popular Support

The groundswell of support for recent climate change protests in London is evident in Wales. A large cross-section of people supported our three day cycling action in Cardiff last week. For many it was their first engagement with environmental activism. People have voiced their increasing frustration with what looks, at best, like an inadequate government response to the situation. Across Wales, the UK and the world there is a tide of concern and anger at the perceived inaction by politicians in the face of the Climate Emergency. This is what is drawing people onto the streets, including the regular school climate strikes. People, of all ages want to engage in meaningful action.

The Extinction Rebellion movement in Wales will continue to grow to become a movement that brings together the issues of social and environmental justice, acknowledging the intersections and collaborating with the rich network of similar groups across Wales.

Together we, the people of Wales, will hold the Welsh Government to account, and we will support policies and actions that deliver radical change.

Our demands

1. Declare a Climate Emergency.
2. Ensure all current and future policies are consistent with averting further climate change and ecological collapse.
3. Enact legally binding policy measures to reduce carbon emissions to net zero by 2025 and to reduce consumption levels.
4. Implement a Citizen's Assembly of Wales to oversee the change

The people of Wales are depending on you to rise to this challenge. The time to act is now.

Agenda Item 3.1

P-05-717 Establish Statutory Public Rights of Access to Land and Water for Recreational and Other Purposes.

This petition was submitted by Waters of Wales – WoW, having collected 3,045 paper signatures and 433 paper signatures – Total = 3,478

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to implement a Bill to establish statutory public rights of access to land and water for recreational and other purposes. The bill should enshrine access rights and responsibilities for the public in the same way that the 2003 Land Reform (Scotland) Act encourages co-operative use of the outdoors for healthy, low impact recreation. This Bill must enshrine public rights of navigation for inland water, and permit access to and along water. It must remove the lack of legal clarity and restrictions which act as a barrier to sport and recreation and the promotion of Wales as a welcoming place for healthy recreation, tourism and adventurous activity at all levels of participation and enjoyment.

Additional information

The Countryside and Rights of Way (CRoW) Act 2000 (i) was intended to deliver much-needed public access to the countryside. Before CRoW was enacted, however, it had already been stripped of many of its intended public benefits. For example, it sought to exclude the public from inland water. CRoW was complicated, expensive, and fails to deliver the access to land and water needed by the wider public. The CRoW mapping exercise alone cost nearly £8m, to address the needs of the small percentage of the public who want to access upland areas. Welsh Government took ownership of this issue in 2009 (ii), yet at the end of 2015, recreational access to land fails to meet the needs of the wider public, and the issue of access to water has not progressed. To the contrary, costly initiatives endorsed and supported by Welsh Government have led in some cases to reduced access to inland water. Two successive Welsh Governments have acknowledged the need for change, but instead chose a process which serves only to maintain the status quo. Welsh Government's 3-year process costing at least £2.4m has, by their own admission, not delivered. Rather, it has demonstrably reduced access opportunities, for example to inland

water. Scotland implemented a permanent solution through land reform legislation (iv) for the legislative cost of £200,000, with a final cost of approx. £3m including the cost of television campaigning and public education (v).

(i) Countryside and Rights of Way Act(2000)

<http://www.legislation.gov.uk/ukpga/2000/37/contents/enacted>

(ii) Report of the Petitions Committee's Short Inquiry into Access along Inland Water, March 2009 (iii)

https://dl.dropboxusercontent.com/u/62377602/Welsh_Government_Letter_RefTOJG0126513_16Oct2013.pdf (iv) Land Reform (Scotland) Act 2003

<http://www.legislation.gov.uk/asp/2003/2/contents/enacted>

(v) LAND REFORM (SCOTLAND) BILL–EXPLANATORY NOTES (AND OTHER ACCOMPANYING DOCUMENTS)

http://www.scottish.parliament.uk/S1_Bills/Land%20Reform%20%28Scotland%29%20Bill/b44s



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE Government Response: Taking Forward Wales' Sustainable Management of Natural Resources Consultation – Access Proposals

DATE 04 April 2019

BY Hannah Blythyn AM, Deputy Minister for Housing & Local Government

Wales is justifiably famous for the beauty of its landscapes. Our stunning countryside and coastlines provide an ideal environment for outdoor recreation.

Despite this, we are now in a position where six out of ten adults and one in four of our reception aged children are overweight or obese. 1 in 4 adults in Wales will also experience mental health problems or illness at some point during their lifetime. We must do all that we can to reduce this and it is important that we fully unlock the broader benefits of our environment. Our Natural Resources Policy illustrates that nature based solutions can support physical and mental health. That is why we are committed as a Government to enabling more people to enjoy our countryside more easily – to take advantage of the many health and wellbeing benefits that getting outside can bring.

An accessible countryside supports our efforts to boost Wales as a tourism destination and a magnet for walkers, cyclists and thrill-seekers. With all the uncertainty that Brexit brings, we must continue to do all that we can to encourage visitors to Wales. The success of the Wales Coast Path, clearly demonstrates how outdoor recreation can help to support the economy, improve health and instil a sense of national pride. I want to support rural areas to maximise revenue from tourism but maintaining the right balance is uppermost in our minds. There is a clear link between increasing access to the outdoors and the Welsh land management policy's principle that our land should deliver public goods for all the people of Wales.

On 19 June 2018 the Summary of Responses to the Taking Forward Wales' Sustainable Management of Natural Resources (SMNR) consultation was issued. I am

grateful to the many thousands of organisations and individuals who responded. Over 16,000 responses were received to the proposals on access alone, reflecting the passion many of us in Wales have for the countryside and outdoor recreation.

Today I am pleased to publish the Government’s response to the chapter 4 access proposals that were outlined in the SMNR Consultation. These measures demonstrate our commitment to access reform and provide a fair and progressive way forward.

I will progress significant changes to access rights and facilitate an assumption of non-motorised multi-use on access land and the public rights of way network. This will provide users such as cyclists and horse riders with many more opportunities to access the outdoors near to where they live in line with the goals set out in the Wellbeing of Future Generations Act 2015 and complementing the provisions of the Active Travel (Wales) Act and the Environment (Wales) Act.

I will make information on areas available to the public for outdoor recreation more accessible in order to support the Taking Wales Forward commitment to ‘go digital-first in our delivery of government services’. This will benefit local people by demonstrating what is available on their doorstep, as well as tourists considering where to go and what to do.

There are some minor technical reforms that are widely supported and uncontroversial. These amendments will reduce complexity for users and path managers and realise financial savings for local authorities and landowners. They will be progressed as soon as a suitable legislative vehicle can be identified. They include:

Access Proposal	
12	Removing the anomaly that prevents organised cycling events on bridleways
18	Enforce placing dogs on a short fixed length lead in the vicinity of livestock at all times of year
20	Amend technical provisions around creating, diverting and extinguishing rights of way
21	Allow more flexibility around livestock control
22	Amend the requirement for a decadal review of access maps to a process of continual review
25	Repeal some areas of the Countryside and Rights of Way Act that are proving costly and inefficient
27	The role of Local Access Forums.

Two specific proposals in the consultation relate to promoting responsible behaviour by users in the countryside, with a proposed statutory caveat and statutory code. Until we explore what new access will look like we intend to keep these under review, but with a

view to developing voluntary codes in the future. Natural Resources Wales already have a duty to produce countryside codes and promote responsible behaviour and our partners, such as the National Park Authorities, must continue to promote these codes and responsible behaviour more widely. We recognise that the vast majority of people accessing the countryside are responsible users.

The complex nature of the existing legislation has been one of the triggers for reform. The SMNR consultation with its enthusiastic public and stakeholder response has begun the journey to develop practical solutions to address these issues. To further develop these ideas it is now sensible to establish an independent Access Reform Group. In creating this Group, I will be in the strongest position to take appropriate and well-judged action. I will ask the Group to consider in detail, how the more significant changes to access rights should be implemented and the simplification of the recording, planning and changing of public access. I will update stakeholders on the work of the group as it progresses.

The remit of the group will include:

Access Proposal	
10	Multi use paths (allowing cycling and horse riding on footpaths)
11	Reducing the restrictions associated with open access land We will lift the restrictions on cycling and horse riding, hang-gliding and para-gliding, bathing or using a vessel or sailboard on natural bodies of water. We will retain the restrictions on manmade bodies of water, organised games and camping.
13	Extending access land to the coast and cliffs
17	Enable temporary diversions and exclusions to be applied across access land.
19	The case for a single statutory digital map of all rights of way, public access land and designated National Trails
23	Integrated access plans
24	Creating a new type of public right of way, cycle paths.

Access to inland waters has long been a contentious issue, with increasing reports of tension and in some cases, open hostility between various users. There currently isn't legislation and little common law around this type of access. Since 2009, the Welsh Government has advocated voluntary access agreements (VAAs) and supported the use of access agreements and other opportunities on inland waters through the Splash

funding scheme. However, there continues to be friction between different user groups, and few VAAs are in place.

Our proposals on access to water within the SMNR consultation were aimed at resolving the stalemate and conflict. The consultation attracted the highly polarised views which have hindered all efforts to reduce the conflict between users to date. It is extremely disappointing that parties continue to offer no compromise on their respective positions. It has therefore become apparent that presenting proposals for access to water in isolation will not resolve the current situation. It is now time for us to broaden the debate and ask what Wales wants from its inland waters and the role that access rights have in delivering this.

I will also be asking the National Access Forum to give particular priority in 2019 to laying the ground work for the greater dialogue on inland waters issues that is needed. I strongly encourage stakeholders to find a practical joint solution. I have not ruled out future legislation on access, particularly should I not be satisfied of reasonable progression within 18 months.

The approach I have outlined will help secure a brighter future for access within Wales, so that current and future generations can continue to enjoy their visits to the spectacular landscapes of Wales. I am committed to improving opportunities for public access to the outdoors for recreation whilst reducing burdens on local authorities and landowners and safeguarding the natural environment, features of cultural significance and land and water management practices.



Fair, shared, sustainable open access for ALL!
Menediad agored cynnaladwy i BAWB!

admin@watersofwales.org

Thursday, April 25, 2019

Waters of Wales – WoW thanks the Petitions Committee for this opportunity to reply to the Minister’s Statement dated 04/04/19. We regret that the statement fails to address our petition.

We welcome the positives: acknowledgement of the importance of outdoor recreation, and intention to remove access restrictions for some forms of land-based recreation. We also welcome the acknowledgement of the importance of access to natural resources close to home, and intention to provide information to show people what is available on their doorstep. However, information will be of limited usefulness for the majority with no uncontested ‘doorstep’ access to inland water.

The report raises more questions than it answers: Welsh Government recognises that the vast majority of people accessing the countryside are responsible users; why then is the strategy not based on a presumption in favour of access? Why is lifting restrictions on access to man-made bodies of water not even to be considered? How will the representativeness and independence of the ‘Access Reform Group’ be established and protected? Why are verbal commitments, reportedly made in meetings around the country, not formally included in the report, to enable measurement of progress against them?

Most disappointing and worrying of all; the Minister’s statement does nothing to move access to inland water out of the cycle, repeated every three years to date, from Welsh Government’s first involvement with the WCA’s petition in 2007ⁱ. In summary:

2007 CRoW Act not working for Wales. Campaigning to Welsh Assembly (WA) for access to and along inland water. Welsh Government ‘allegedly’ tells one user group that open access legislation is likelyⁱⁱ; and public funds are used to persuade this group to seek an alternativeⁱⁱ. A petition calls on Welsh Assembly to legislate for open accessⁱ. A Short Inquiryⁱⁱⁱ acknowledges the shortcomings of the approach to date, highlighting the need for legislation. WA carries out another Inquiry^{iv}.

2010 Faced with a strong lobby opposed to public access, Welsh Government retreats and once again puts public money into facilitating negotiation for ‘voluntary agreements’. 2011 – 2012: A series of ‘Round-Table Discussions’ and projects funded by ‘SPLASH’, at a cost to the taxpayer of approx. £3m, but with no appreciable increase, and in some cases a reduction, in public access^v.

2013 July - Welsh Government launches a review of access and outdoor recreation. **October** – Acknowledges that voluntary agreements are not working, and the need for legislation^{vi}. **December** – another retreat: *“On water, there is a need to see an increase in the number of voluntary access agreements providing for a range of recreational activities”... “We do not plan to pursue primary legislation in this assembly term.”* Green Paper consultation. Results repeatedly delayed, until ultimately they are “left on the table to inform the next government”.

2016 A petition for legislation delivered by Waters of Wales, was discussed briefly at the Petitions Committee on 15th November 2016, where it was decided to hold the petition pending a promised Welsh Government announcement. 2017 - Public consultation. 2018 – Minister’s response to consultation fails to address the petition. 2018 – Public consultation ‘Brexit and Our Land’; opportunity for constructive action on access to water missed completely^{vii}.

Waters of Wales (WoW) is a community of independent campaigners for legislation enshrining public rights of fair, shared, sustainable open access to inland water in Wales.

Mae DC (Dyfroedd Cymru) yn gymuned o ymgyrchwyr annibynnol ar gyfer deddfwriaeth sy’n corffori hawliau cyhoeddus i fynediad agored cynnaladwy i ddyffrffyrdd mewndirol yng Nghymru.



Fair, shared, sustainable open access for ALL!

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admin@watersofwales.org

2019 The Minister writes (*bold italics*):

“Access to inland waters has long been a contentious issue, with increasing reports of tension and in some cases, open hostility between various users”.

WoW response: This is because NO attempt has been made to address the disputed public rights which are the underlying cause of the polarised views and conflict.

“There currently isn’t legislation and little common law around this type of access.”

WoW response: This comment fails to acknowledge statutory navigations such as the Wye, and the evidence for a Common-Law public right of navigation (prn). WoW tried in 2015 to petition the Welsh Assembly to obtain a definitive legal position, but WA refused to accept the petition. While continuing to assert that “the law is unclear” Welsh Government persists in predicating its strategy on one interpretation. To be consistent and equitable in the absence of a definitive legal position, Welsh Government needs to give equal weight to both interpretations. That way, where discussions between user-groups are appropriate, all parties can participate on an equal footing.

The Common Law Public Right of Navigation^{viii} - summary

- Under Roman Law (Institutes of Justinian – see page 19, Book II, 1-4) all rivers were considered res publica and open to reasonable use, including navigation, by all. The Romans considered this a natural law which applied to all permanently flowing rivers irrespective of time or place.
- This public right of navigation was defended by Clause 33 of Magna Carta which stood witness to the existence of navigation rights in all rivers throughout the realm.
- The intent of Magna Carta was elaborated and confirmed by the 1472 Act for Weirs and Fishgarthes.
- Many Medieval commissions were appointed by the Kings to preserve and protect public navigation rights on a very wide variety of rivers, thereby confirming the existence of the public’s navigation rights in all rivers where navigation was then practical.
- The Laws in Wales Acts (1536 - 27 Henry VIII c. 26 and 1542 - 34 & 35 Henry VIII c. 26) specifically extended to Wales the full benefit of the law in England. This applied to all laws then in force in England. All future laws enacted by Parliament in Westminster applied equally to the joint administration of England and Wales. Evidence from England, where the evidence of historic navigation rights is better documented, can therefore be used to demonstrate the existence of public navigation rights in Wales.

“Since 2009, the Welsh Government has advocated voluntary access agreements (VAAs) and supported the use of access agreements and other opportunities on inland waters through the Splash funding scheme”.

WoW response: THIS STATEMENT IS INCORRECT. In 2013 WG wrote:

“The report of the National Assembly for Wales’ Sustainability Committee on their Inquiry into Access to Inland Waters in Wales (2010) advocated that in the short term effort should focus on establishing voluntary agreements, but should the Assembly secure legislative competence in this area that introducing legislation to address areas where conflict persists would also be desirable. Three years on there continues to be conflict between different user groups and voluntary access agreements do not appear to be working Wales wide. The Minister now believes that it is necessary to explore ways of seeking to bring clarity and certainty for all on where they can go and what activities they can do, whilst ensuring proper safeguards for both nature conservation and the interests of owners. The Committee’s findings are informing this current review.”

Waters of Wales (WoW) is a community of independent campaigners for legislation enshrining public rights of fair, shared, sustainable open access to inland water in Wales.

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Fair, shared, sustainable open access for ALL!

Menediad agored cynnaladwy i BAWB!

admin@watersofwales.org

“However, there continues to be friction between different user groups, and few VAAs are in place.”

WoW response: This repeats what WG said in 2013 – and for the same reason! A wealth of evidence^{ix,x,xi} shows why VAA (or by any other name) cannot provide a sustainable solution.

“Our proposals on access to water within the SMNR consultation were aimed at resolving the stalemate and conflict. The consultation attracted the highly polarised views which have hindered all efforts to reduce the conflict between users to date. It is extremely disappointing that parties continue to offer no compromise on their respective positions”.

WoW response: Welsh Government continues to ignore the underlying cause of the polarised views and conflict; and research, much of which is government commissioned, which demonstrates that failure is inevitable.^{ix,x,xi} By trying to treat an issue of public rights as a dispute between two discrete groups, and to then consistently favour one group, a sustainable and just solution cannot be achieved.

“It has therefore become apparent that presenting proposals for access to water in isolation will not resolve the current situation. It is now time for us to broaden the debate and ask what Wales wants from its inland waters and the role that access rights have in delivering this.”

WoW response: This has already happened! For the answer to this question, one has only to consider the report of the Public Inquiryⁱⁱⁱ, and the success achieved in Scotland, Europe and much of the rest of the World. Welsh Government has ignored opportunities to “broaden the debate” and contrary to the above comment, it is proposing to ‘present access to water in isolation’ by excluding it (with the possible exception of removing arbitrary restrictions to water on access land) from the commitments in the most recent statement.

“I will also be asking the National Access Forum to give particular priority in 2019 to laying the ground work for the greater dialogue on inland waters issues that is needed. I strongly encourage stakeholders to find a practical joint solution. I have not ruled out future legislation on access, particularly should I not be satisfied of reasonable progression within 18 months.”

WoW response: That takes us back to the start of Welsh Government involvement in 2007! The extract from a letter from Wye Usk Foundation in response to complaint from anglers about access negotiations, posted in an online forumⁱⁱ, suggests that in 2007 Welsh Government had already anticipated the need for legislation to resolve the issue, and that it was prepared to help one user-group, opposed to public access, to resist this by fully-funding ‘voluntary’ negotiations in which that same user-group is assumed to have the right to present the terms, and of veto.

“Passing such a bill has already happened in Scotland and ‘in the pipeline’ there is a Welsh act that could allow it to be passed on our rivers. You may also be aware of the strong lobbying by WCA for this to happen.

For our part we lobbied to continue with agreed access as the way forward and the Assembly gave us a 100% grant to re establish the canoeing arrangements on the Wye and Usk, against a clear signal that the alternative would likely be open and free access all year. I should stress that no other funding is being used for this purpose.”

Waters of Wales (WoW) is a community of independent campaigners for legislation enshrining public rights of fair, shared, sustainable open access to inland water in Wales.

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Menediad agored cynnaladwy i BAWB!

admin@watersofwales.org

It is not credible for Welsh Government to expect to achieve success by persistently repeating the same actions, which by its own acknowledgement have failed.

The solution is set out in the Minister's own report: take a wholistic view of the issue of access, to both land and water. However, while setting out the solution, Welsh Government bizarrely chooses to do the opposite; ignore decades of experience, work and research, and embark once again on a repeat of the failed actions of more than half a century, while the people of Scotland are enjoying the health, wellbeing and environmental benefits achieved by its government, at the first opportunity following devolution, through legislation for open access rights with responsibilities.

The legislation called for in our petition will end the conflict by recognising and protecting the rights of ALL – access user, land owner, or worker on the land. Wales' waters are the fiercely-guarded last bastion of exclusive privilege, and while opponents to shared access cite fears about damage to the environment and fish stocks, Environment Agency recognised in 2000 that the issue is not about environmental damage or declining fish-stocks, but exclusivity^{xii}.

Ignoring the question of public rights by representing the problem as a dispute between discrete user-groups; failing to understand that unequal 'voluntary agreements' are a contradiction in terms; failing to acknowledging that the vast majority of those who seek access to the countryside, including water and waterside are not represented by a 'National Governing Body' – other than Welsh Government itself, is an abdication of responsibility. Welsh Government took ownership of this problem more than a decade ago. It is time for our government to step up and enable ALL its citizens to enjoy the considerable benefits of fair, shared, sustainable open access to our waters, as well as the land.

Signed

Pam Bell, Bob Mackay, Andy Quick
For Waters of Wales - WoW

ⁱ WCA Petition http://www.assembly.wales/en/bus-home/bus-third-assembly/3-committees/3-other-committees/3-pc/pet3_listofinquiries/canoeing_inquiry/Pages/canoeing_inquiry.aspx

ⁱⁱ Extract from a letter from Wye Usk Foundation <https://1drv.ms/u/s!AvvhfAJqO9K8gp5lrlrRGlq36zLA>

ⁱⁱⁱ Petitions Committee Inquiry Report https://1drv.ms/b/s!AvvhfAJqO9K8gp5e_g1RAPp7OAO_Gg

^{iv} Sustainability Committee Inquiry <https://1drv.ms/b/s!AvvhfAJqO9K8g8h7bfU6CD6COI2A>

^v SPLASH Projects Years 1-5 <https://1drv.ms/b/s!AvvhfAJqO9K8gdDjYwvOckVaf11ww>

^{vi} *The report of the National Assembly for Wales' Sustainability Committee on their Inquiry into Access to Inland Waters in Wales (2010) advocated that in the short term effort should focus on establishing voluntary agreements, but should the Assembly secure legislative competence in this area that introducing legislation to address areas where conflict persists would also be desirable. Three years on there continues to be conflict between different user groups and voluntary access agreements do not appear to be working Wales wide. The Minister now believes that it is necessary to explore ways of seeking to bring clarity and certainty for all on where they can go and what activities they can do, whilst ensuring proper safeguards for both nature conservation and the interests of owners. The Committee's findings are informing this current review.*

^{vii} WoW response to 'Brexit and our land' consultation. https://1drv.ms/b/s!AvvhfAJqO9K8gpESf0gx7Tr-STY8_g

^{viii} 'The Common Law Right of Public Navigation' <https://1drv.ms/b/s!AvvhfAJqO9K8gpTqH0ooHdaZFw0KA>

^{ix} Negotiating recreational access under asymmetrical power relations <http://eprints.brighton.ac.uk/1692/1/UT-SNR-1755.pdf>

^x Failure to secure public access to the countryside, including inland water, by voluntary agreement, and the need to legislate. https://1drv.ms/b/s!AvvhfAJqO9K8gp5k7w4KvdNKTk_WiQ

^{xi} Failed attempts to negotiate sustainable access agreements in Wales <https://1drv.ms/b/s!AvvhfAJqO9K8gp5o-DbzP3-M7gtug>

^{xii} EA Technical Report W266: The Effect of Canoeing on Fish Stocks and Angling. <https://1drv.ms/b/s!AvvhfAJqO9K8gdhSxNy89P-7sc7vJA>

Waters of Wales (WoW) is a community of independent campaigners for legislation enshrining public rights of fair, shared, sustainable open access to inland water in Wales.

Mae DC (Dyfroedd Cymru) yn gymuned o ymgyrchwyr annibynnol ar gyfer deddfwriaeth sy'n corffori hawliau cyhoeddus i fynediad agored cynnaladwy i dyffwrdd mewndirol yng Nghymru.

Agenda Item 3.2

P-05-847 Create water fountains in the centre of cities and towns to eliminate plastic waste

This petition was submitted by Tereza Tothova, having collected 149 signatures.

Text of Petition

We call on the National Assembly for Wales to consider creating and providing water fountains in the centre of cities and towns. The main purpose of this action would be to eliminate plastic waste. The number of single-use plastic bottles has dramatically risen in recent years and due to the slow recycling process, it is causing pollution of the environment, especially harming sea life.

Many people try to have a healthy lifestyle that includes drinking at least 2 litres of water every day. Therefore, reusable water bottles have become very popular and useful for keeping a human body hydrated all day. Installing water fountains in the city centres or other parts of cities and towns (Shopping centres, sports centres, colleges, cultural centres etc) would help with access to drinking water throughout the day. These water fountains would also create access to drinking water for homeless people.

To support the local economy in Wales, the water fountains could be sourced by Welsh mineral water companies.

Assembly Constituency and Region

- Cardiff West
- South Wales Central

Agenda Item 3.3

P-05-867 Make the 'Cofiwch Dryweryn' Mural a designated Welsh landmark

This petition was submitted by Joe Williams having collected 1,016 signatures online.

Text of Petition

It's ridiculous that such an important landmark in 20th Century Welsh History is the subject of vandalism, while a recent Banksy work is being protected.

It's time that this landmark be granted official protected site status within Wales.

Assembly Constituency and Region

- Merthyr Tydfil and Rhymney
- South Wales East



Ein cyf/Our ref DET/05317/19

Janet Finch-Saunders AM
Chair
Petitions Committee

SeneddPetitions@assembly.wales

15 April 2019

Dear Janet,

Thank you for your letter of 3 April requesting further information for the Petitions Committee in relation to P-05-867 - Make the 'Cofiwch Dryweryn' Mural a designated Welsh landmark. I address your points below.

Update on the outcome of the meeting between officials, the Community Council and the National Trust

A constructive meeting was held on Friday 22 March between the Deputy Director of Cadw, Llanrhystud Community Council members and the National Trust on the future of Cofiwch Dryweryn.

There was acceptance at the meeting that in this particular instance, listing or scheduling could not provide the sort of protection the site needs. It was recognised that statutory protection for the mural through listing or scheduling would impose limitations on activities that can be undertaken at the site and would, for example, require anyone wishing to renew the paintwork to apply for consent, which would appear to act against the 'protesting spirit' of the memorial. Furthermore, listing or scheduling would not prevent the collapse of the wall, or the mural, through natural decay or lack of maintenance. Other threats to the continued survival of the mural such as the possible renovation and re-use of the building, or damage by a third party, are already covered under existing planning control and criminal damage legislation.

It was agreed that a more innovative solution is required and Llanrhystud Community Council will now consider ways of working with partners, including the National Trust, to devise a long term management plan for this site.

What measures could be taken to physically protect the mural

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

Gohebiaeth.Dafydd.Elis-Thomas@llyw.cymru
Correspondence.Dafydd.Elis-Thomas@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.

The mural is painted on the gable end of a ruined structure, understood to be a former domestic building. The structure is in private ownership so any conservation work would need to be undertaken with the consent of the owner. A full condition survey has not yet been undertaken, but it is likely that some repairs and consolidation work needs to be undertaken. The mural itself has been repainted on a number of occasions. This may well be considered the most effective way of managing the mural in the future. The management plan for the site will need to identify the most appropriate options to protect the mural.

Additional information about the previous consideration given to whether the mural meets the criteria for listing or designation as a scheduled monument, and what consideration has been given to updating the criteria used for listing buildings of special architectural or historical interest

Cadw has assessed Cofiwch Dryweryn for statutory protection on number of occasions but it does not meet the high standard necessary for listing as a building of special architectural or historic interest under the Planning (Listed Buildings and Conservation Areas Act) 1990 nor scheduling as a monument of national importance under the Ancient Monuments and Archaeological Areas Act 1979. The published criteria for assessing buildings and archaeological sites for such statutory protection are set out in [Technical Advice Note 24 Historic Environment](#).

Listing

To qualify for listing a structure has to retain sufficient physical fabric to enable it to be regarded as a building (i.e. an intact structure). In this case only a small fragment of the original building – part of one wall – survives so listing would not be appropriate. This would be consistent with the approach adopted elsewhere where, as part of a national listed building survey of every community in Wales, many ruined structures could not be listed. While the mural on the wall at Llanrhystud provides added significance, it cannot be listed for this reason alone. Buildings and structures may be listed on grounds of architecture or history and listing selection takes both into account. Historical association with events significant in Welsh history is a contributory factor but the assessment also considers the extent to which elements of a building's, or structure's, contemporary character are retained. There should also be some quality or interest in the physical fabric of the structure itself to justify statutory protection afforded by listing.

Scheduling

Ruined buildings can be eligible for statutory protection through scheduling if they can be demonstrated to meet the criteria for being of national importance. The aim of scheduling is to preserve the archaeological evidence that survives within sites and monuments. The criteria for selection include factors such as age, rarity, condition and archaeological potential. The Cofiwch Dryweryn mural was originally created as a response to a specific historic event but is not representative of a specific monument category or period. The

mural is known to have been repainted on several occasions (including as recently as last week) and is therefore not an original survival.

Updating the listing criteria

During the scrutiny of the Historic Environment (Wales) Act 2016, careful consideration was given to a number of proposals to recognise the significance of buildings of local interest or extending the criteria for listing to include community value. If a building meets the criteria for listing, Welsh Ministers must list the building. With over 30,000 listed buildings in Wales, changing the criteria could impose legal restrictions on potentially tens of thousands of additional property owners and place substantial administrative and financial burdens on local planning authorities in Wales, who are responsible for controlling works to listed buildings through the listed building consent regime.

Cadw will continue to offer assistance to Llanrhystud Community Council on the mural 'Cofiwch Dryweryn'.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Elis-Thomas'.

Yr Arglwydd Elis-Thomas AC/AM

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism

P-05-867 Make the 'Cofiwch Dryweryn' Mural a designated Welsh landmark, Correspondence – Petitioner to Committee, 28.04.19

Thank you for your email. There are a few points I would like to address for the next meeting:

- Firstly, since the initial meeting of AMs, the wall was once again vandalised, as I'm sure you are aware. Rather than just spray paint this time, someone knowingly destroyed a large section of the wall. Though the damage has since been fixed communally, it's amazing that in the brief time between the last meeting and now, once again the mural has been targeted, and this time even more damage was done.
- Secondly, since the latest batch of damage, as I'm sure you're aware, the public outcry over the monument has been intense. Various murals were painted across Wales, including on Plaid offices. A Facebook group dedicated to the mural has received over a 1,000 new members in just three weeks. T-shirts, mugs and coasters have been sold. the time for the mural to be protected has come, as now there is significant public awareness of what the monument stands for.
- Thirdly, whilst the previous correspondence was helpful in laying out why the deputy minister for culture believes the mural should not be officially listed, it would be interesting to compare the mural to that of the Free Derry mural in Northern Ireland. A mural that gets repainted, yes, but one that is still listed as a landmark, and granted certain protections.

Many thanks,

Joe

Agenda Item 3.4

P-05-748 School Buses for School Children

This petition was submitted by Lynne Chick and was first considered by the Committee in April 2017, having collected 1,239 signatures – 502 on paper and 737 on-line.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to ensure every child's safety is put first when traveling to and from school.

We want designated school buses so children can travel safely to and from school, each with a seat and seat belt, with no child forced to travel on overcrowded public buses. Children's safety must come first.

Our children have a right to feel safe. Public buses can become over crowded. We have no clue who may board a public bus. Public buses are for public use not school transport. We are not asking for this service to be free, We don't want something for nothing, Just peace of mind that our children are safe when traveling to and from school. We teach our children about stranger danger yet we are expected to send them on a public bus full of strangers daily.

Having lost my daughter under the wheels of a public bus she had travelled home from school in, I feel it's only a matter of time before another parent lives my nightmare if something isn't done to ensure children have a safe means of transport to and from school.

Additional Information

A lot of people will remember my Daughter Louise and the horrific way she lost her life. For those that don't, Louise was 11 years old and had not long started high school. Because of the distance to get to school my children relied on using a public bus. On the 19th March 2001 Louise was due home from Connah's Quay High school at her normal time, only this day the bus was late. I started to worry as I headed out the door I was greeted by Louise's friends telling me she had been run over. I ran to the end of my street to find my beautiful Daughter clinging to life in the road, distressed school children

all around. I couldn't understand what had happened. Over months it emerged the bus Louise had travelled home from had been over crowded, adults had stood talking to the driver, there was an alleged push, also a mention her bag had got caught in the door or wheel causing her to be dragged under the bus she had just alighted from, it was proven the mirrors had blind spots that had been a contributing factor.

After the decision to close a local school, John Summers High School, a lot of parents have spoken to me with concerns for their Child's safety travelling on public buses to and from school. Points have been raised that totally alarm me, So I'm heading a campaign in my Daughter's name to make sure no Child is forced to use public transport buses as school transport.

Assembly Constituency and Region.

- Alyn and Deeside
- North Wales

To: Janet Finch-
Saunders AM

Chair, Petitions
Committee

Via email only

11 April 2019

Dear Chair,

Petition P-05-748 School Buses for School Children

Thank you for your letter dated 20th March 2019 regarding the above named petition.

I note the series of correspondence sent to the Committee from both the Minister for Economy and Transport and the Department for Transport. I also note the discussions during the last consideration of this petition on 5th March 2019 regarding the lack of seatbelts on public transport.

This appears to be an area that is 'caught' between the devolved and non-devolved areas, as learner travel would sit with the Welsh Government but wider public transport matters and DBS checks remain at a UK Government level. I can appreciate that this must be extremely frustrating for the petitioner who is seeking to improve safety in school transport across Wales.

In my [annual report for 2015-16](#), I made the following recommendation in relation to school transport:

"Welsh Government should review the Learner Travel (Wales) Measure 2008 and associated statutory provision and operational guidance, to ensure that all journeys to and from school are safe and that local authorities are quite clear about their responsibilities for ensuring that this happens."

This recommendation came from a number of cases regarding home to school transport provision and pick up points that had arisen across Wales but any review could also include the issue of public transport being used for school journeys.

The Welsh Government had told me that the Measure and guidance would be reviewed. I note from the correspondence received from the Minister that this Measure is described as being subject to "ongoing review" but that the last substantive review took place in 2014 (prior to this recommendation being made).



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I maintain a register of progress against the recommendations I make in my annual reports, which is updated on a quarterly basis. The last update to this document was in [March 2019](#) and as you will see from that document the measure still has not been reviewed. However the [documentation for the Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 Code of Practice](#) which was published for consultation earlier this year noted that the Measure is to be reviewed; I would suggest that a wholesale review is therefore necessary.

I am also aware that a White Paper has been published on "[Improving Public Transport](#)" and the initial consultation recently closed. I submitted a response to that consultation noting the importance of engaging with children and young people when redesigning services that they will regularly use and rely upon. This was before I had had a chance to consider the details of this petition. I would anticipate that there would be future opportunities to influence that work as it develops however, as it was mentioned by the Minister in some of his correspondence with the Committee.

Finally in relation to the legal powers of my office, for any matters that are outside of my remit (such as the public transport safety issues in this case), I am unfortunately not able to raise these directly with the relevant UK Government in the same way that I would for matters devolved to the Welsh Government. Instead the power in the Care Standards Act 2000 is that I may "make representations to the [Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government]".¹ I have therefore copied the First Minister and the Minister for the Economy and Transport in to this letter.

Yours sincerely,



Sally

Sally Holland
Comisiynydd Plant Cymru
Children's Commissioner for Wales

cc. Mark Drakeford, First Minister
Ken Skates, Minister for Economy and Transport

¹ <https://www.legislation.gov.uk/ukpga/2000/14/section/75A>

P-05-748 – School buses for school children, Correspondence – Petitioner to Committee, 29.04.19

Dear Committee,

I truly hope that someone along my petition journey will stand up and take some kind of responsibility for the safety of children who have to use commercial buses as their only way to school, I believe there should be school buses for school children but as pointed out in one of your meetings this would be far too costly, it's so sad to hear that, when money is ploughed in to other directions.

At the very very least there has to be some minor changes to ensure children who have to use public buses to and from school are at their safest, not just children either, as our elderly and most vulnerable are also very important. I truly do not think it's too much to ask that all bus drivers are DSB (CRB) checked.

The fact that commercial bus drivers do not by law have to undergo DSB (CRB) checks this I feel is shocking as there is always a chance that a child or vulnerable person could be that last passenger on that bus, meaning the driver is alone with them, you only have to think about the Jamie Lavis case where a bus driver befriended eight year old Jamie and let him hand out bus tickets before sexually abusing and then murdering him, and yet we are expected to be ok with letting our children travel to and from school on commercial services with unchecked drivers!!

I understand dedicated school buses are driven by drivers who are DSB checked, but as pointed out budgets wouldn't allow for every school to have a dedicated school bus so therefore some school children only have the option of using a commercial bus.

The laws between commercial buses and dedicated school buses are very different and yet both are being used by school children.

The seatbelt issue to ensure people's safety, this should be standard considering in other vehicles it's a law to wear a seat belt?

The point I've raised in past correspondents I will list again below, I hope I truly have your support on keeping children safe, as I said it wouldn't just keep children safe but everyone.

It's fabulous all those school children who are lucky enough to have a dedicated school bus, with seatbelts and a seat each, a driver who is advanced checked via DSB yet for those children who are not lucky enough to have a dedicated school bus and have to rely on commercial buses as a means to school should have the same type of safe guarding when travelling. How is it fair that some children's safety is compromised in this way just because they are less fortunate.

How can it be law to wear a seatbelt in other vehicles yet on a bus that aspect of safety is over looked?

I stand by what I have said in my past emails, points being

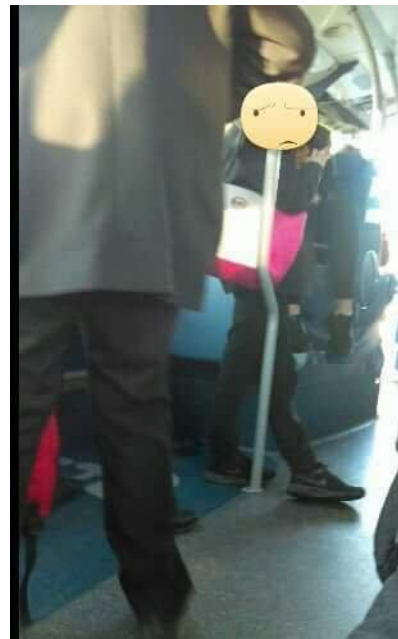
1. DBS checks on all bus drivers
2. Seat belts on all buses
3. Every child to have a seat if travelling on a commercial bus.

Please see attached photos of how our children are travelling when having to rely on commercial buses to and from school.

I also request that the 2 attached photos and my full email are made available to every member sat on the committee meeting please.

Kind regards

Lynne Chick



Agenda Item 3.5

P-05-783 Ensuring Equality of Curriculum for Welsh Medium Schools e.g. GCSE Psychology

This petition was submitted by Chris Evans and was first considered by the Committee in November 2017, having collected 652 signatures online.

Text of Petition

I call upon the National Assembly for Wales to urge the Welsh Government to prevent Qualifications Wales (QW) from continuing to discriminate against Welsh-medium learners, and ensure linguistic equality in terms of school curriculum.

In 2015, the WJEC decided to drop GCSE Psychology because candidate numbers were relatively small (37 centres – 5 of which were Welsh medium with 144 Welsh medium applicants each year). Because of this, an invitation was extended by Qualifications Wales to the English Awarding Bodies; AQA, OCR, Pearson-Edexcel, to offer this subject, and others e.g. Economics, in Wales.

Unfortunately, and astoundingly, there was no pressure to offer these subjects in Welsh. Qualifications Wales' response to this is to say that the English Boards would refuse to offer subjects in Wales altogether if they were forced to offer a Welsh language option, and that they seek to ensure 'the widest choice of subjects to learners in Wales' (QW Newsletter, December 2016).

'The widest choice of subjects to learners in Wales' unless you are following a Welsh medium education! In September, there will be no year 10 Psychology GCSE course running in my school for the first time since 2009, while the English-medium school a few miles away, start a new GCSE Psychology course in English through AQA. The only reason that I can't offer this subject is because we teach through Welsh. There are four other Welsh centres in the same position.

Psychologists need to be able discuss their subject in Welsh. By depriving Welsh medium pupils of the opportunity to study Psychology GCSE through Welsh, we will lose 144 students per year who would have had the potential of contributing to Psychology – as a teacher, lecturer, therapist, researcher etc. in Welsh with confidence because the relevant terminology familiar to them.

Additional information:

144 candidates sat the unit 2 Psychology WJEC GCSE paper in Welsh to finish the course in 2015, with 5 centres teaching it, so there is the potential for significant numbers, not just a handful. I have arranged that three experienced Psychology examiners are available to work for any English Board, so that translation of candidate's scripts (solutions) would not be needed, just the translation of the paper itself.

The only English Board that even considered the application to provide a Welsh paper (from myself, not QW), was Pearson, but in the end they refused, saying it 'would require Welsh speakers at every level of the production of the papers'. This is nonsense because that doesn't even happen in the WJEC, where the Chief Examiner and the Subject Officer don't speak Welsh!

I don't blame the English Boards, because why should they go to the trouble when they don't have to? Qualifications Wales is to blame for their limp policy, which does not protect the rights of Welsh-medium learners. Surely it would have been possible to create an element of competition between the English Boards by giving priority to those open to the idea of offering a Welsh option, but they did not attempt to do this at all.

This is totally unacceptable in the modern Wales. If English Awarding Bodies are allowed to offer subjects in Wales, it must be made clear that they need to offer a Welsh paper when there is a reasonable request to do so.

Assembly Constituency and Region

- Wrexham
- North Wales

P-05-783 Sicrhau Cydraddoldeb Cwricwlwm i Ysgolion Cyfrwng Cymraeg e.e. Seicoleg TGAU, Gohebiaeth – Deisebydd at y Pwyllgor, 30.04.19

Yn gyntaf, diolch o galon i chi am eich am eich holl waith gyda'r mater hwn. Mae hi wedi bod yn galonogol i weld yr angrhedinedd yn ymateb sawl Aelod Cynulliad wrth ddeall beth sydd wedi digwydd gyda'r achos hwn. Fodd bynnag, mewn un cyfarfod ac aeth y drafodaeth i gyfeiriad diffyg adnoddau Cymraeg, sydd yn fater o bryder a phwysigrwydd wrthgwrs, ond diffyg argaeledd cyrsiau trwy gyfrwng y Gymraeg yw'r broblem yn yr achos hwn, nid adnoddau.

Rwyf wedi atodi copi o'r daflen y defnyddiais i godi ymwybyddiaeth o'r mater, gan ei bod yn rhoi amlinelliad hwylus o beth ddigwyddodd yn ôl yn 2015, pan benderfynodd Cymwysterau Cymru adael i Fyrddau Arholi Saesneg gynnig eu cyrsiau yng Nghymru heb roi pwysau arnynt i'w cynnig nhw drwy'r Gymraeg. Roedd gwneud hyn yn 2015, yn angrhediniol i ni sy'n gweld Cymru fel gwlad dwyieithog fodern, ac mae hyn yn cael ei adlewyrchu yn y ffaith bod dros 600 o bobl wedi arwyddo'r ddeiseb, ac ymateb y gwleidyddion a Chomisynydd y Gymraeg.

Mae'r penderfyniad hwn wedi cael effaith andwyol ar fy ngyrfa. Dim ond cwrs lefel A Seicoleg sydd yn Ysgol Morgan Llwyd bellach, ac nid oes cwrs TGAU. Nid wyf bellach yn Bennaeth Pwnc swyddogol, a fydd yn arwain at ostyngiad cyflog. Mae hyn wrthgwrs yn destun siom personol wedi i mi adeiladu'r adran o'r newydd yn 2009, gyda dros gant o blant yn astudio'r pwnc ar lefel TGAU yn unig ar un adeg. Yn ogystal â bod yn siom i mi, mae o wedi siomi nifer o ddisgyblion, yn enwedig rhai efo brawd neu chwaer hyn oedd wedi astudio'r pwnc, ond bu'n rhaid i mi egluro nad ydy'r cwrs TGAU ar gael drwy'r Gymraeg, er ei fod ar gael mewn ysgolion cyfrwng Saesneg.

Yn ei lythyr diweddar, mae Philip Blaker yn nodi ei hun bod o leiaf saith ysgol yng Nghymru mewn sefyllfa debyg. Niferoedd cymharol fach efallai yn nghyd-destun ariannol Cynllun Busnes Bwrdd Arholi, ond golyga hyn bod cannoedd o blant Cymru yn cael eu hamddifadu o'r cyfle i astudio'r pwnc cyfoes, gwyddonol hwn, gyda chysylltiad cryf gyda iechyd meddwl, oherwydd eu bod yn dilyn eu haddysg trwy gyfrwng y Gymraeg.

Mae o hefyd yn son am ymdrechion C.C. i geisio arbed y sefyllfa trwy berswadio Pearson ystyried yr opsiwn Gymraeg yn 2016, ond roedd hi'n rhy hwyr erbyn hynny. Pam y dylai Pearson wneud hyn, pan nad oedd AQA neu OCR wedi gorfod gwneud? Roedd hi digon hawdd iddyn nhw nodi anhawsterau (esgusodion) fel diffyg arholwyr Cymraeg a.y.y.b., ond does dim sail i rhain mewn gwirioedd. Dim ond tri arbennigwr Seicoleg sy'n Gymry Cymraeg sydd gan CBAC ei hun yn rhan o'r holl broses o greu ac asesu'r papurau, gyda Phrif Arholwr a swyddog di-Gymraeg. Roedd tri arbennigwr Cymraeg ar gael i Pearson. Y gwir plaen yw ei bod hi'n rhy hwyr i arbed y sefyllfa wedi'r penderfyniad gwan, gwrth-Gymreig a wnaed gan sefydliad Cymwysterau Cymru yn 2015.

Mae o'n ceisio bychanu pwysigrwydd y pwnc trwy ddweud nad oes angen ei astudio i ddilyn y cwrs Safon Uwch. Mae hynny'n wir, ond mae myfyrwyr yn llwyddo llawer gwell yn Safon Uwch os ydyn nhw wedi cael y cyfle i osod sylfaen o wybodaeth yn y pwnc trwy gwrs TGAU yn gynfaf. Nid yw'r pwnc ar gael yn y rhan fwyaf o ysgolion oherwydd diffyg athrawon gyda chymhwyster yn y pwnc, gan nad ydy o wedi cael ei ddysgu mewn ysgolion uwchradd yn

draddodiadol. Gyda'r pwyslais newydd ar 'Iechyd a Lles' yn y Cwricwlwm newydd, credaf bod Seicoleg yn bwnc dylai gael ei hyrwyddo, nid a leihau mewn argaeledd.

Rwyf yn siomedig gydag ymateb Ysgrifennydd y Cabinet dros Addysg, gan ei bod hi unwaith eto yn cymryd y safbwynt mai 'mater i Gymrwysterau Cymru yw hyn'. Onid ydy penderfyniadau fel hyn, sydd wedi cael effaith negyddol ar addysg Gymraeg yn gyfifoldeb arni hi yn y pendraw?

Rwyf yn siwr bod gwersi wedi ei dysgu, ac rwyf yn mawr obeithio na fydd yn digwydd eto. Mewn cyflweliad ar rhaglen Taro'r Post ar Radio Cymru, dywedodd y cyn-Gyfarwyddwr Arholiadau ac Asesiadau CBAC, Derek Stockley, na fyddai hyn wedi digwydd cyn 2015, pan yr oedd CBAC yn gyfrifol am faterion fel hyn, felly maen amlwg i mi ein bod ni wedi cymryd cam yn ôl o ran darpariaeth cyfrwng Gymraeg ers sefydlu Cymwysterau Cymru.

Yr eiddoch yn gywir

Chris Evans
Pennaeth Seicoleg
Ysgol Morgan Llwyd
Wrecsam

Document is Restricted



Linguistic discrimination against Welsh medium schools! Sign the petition to stop Qualifications Wales from allowing this to happen!



Chris Evans, Head of Psychology Ysgol Morgan Llwyd Wrecsam

Permission was granted to English Exam Boards such as AQA, OCR and Pearson to offer subjects in Wales from September 2017 by Qualifications Wales. These are subjects that are not available through the WJEC e.g. Psychology GCSE and Economics GCSE. Unfortunately, and incredibly, no real pressure was put on them to offer exam papers in Welsh! Qualifications Wales' response to complaints about this is to say that the English Boards would refuse to offer subjects completely if they were forced to provide a Welsh option.

“In order to encourage awarding bodies to offer the widest possible range of subjects to learners in Wales, we have not insisted that they are offered in Welsh” - Philip Blaker, Chief Executive, Qualifications Wales

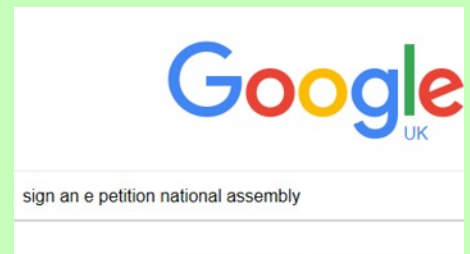
QW Newsletter, December 2016.



‘..the widest possible range of subject to learners in Wales’....unless you're in Welsh medium education! Rather than standing up for the language, and creating competition between English Boards for the right to offer their courses in Wales, they are allowing them to treat Welsh centres exactly like those in England.

The end result of this is that Welsh medium education will have less choice of subjects than English medium schools. I have taught GCSE Psychology in my school since 2009, but in September there is no course available through Welsh. However, the English medium school a few miles away will have three boards from which to choose, and will start a Psychology GCSE course through AQA.

There are four other Welsh centres in the same position, and there would be over 100 Welsh medium candidates if the course were available through Welsh. At least three experienced examiners have offered to work for any English board that would offer a Welsh paper. By signing the petition, which is on the Assembly website, you will help me put pressure on Qualifications Wales, and the Government, to ensure equality of curriculum for Welsh medium learners in Wales.



Diolch, Chris Evans



Agenda Item 3.6

P-05-789 Review support for asylum seekers accessing further education

This petition was submitted by Gulnar Sohail and was considered by the Committee for the first time in December 2017, having collected 78 signatures online.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to review the Educational Maintenance Allowance (EMA), the Financial Contingency Fund (FCF) and the Welsh Government Learning Grant (WGLG) to allow for more asylum seekers to be able to participate in further education.

Additional information

In these difficult times when inflation is on the rise and daily items getting more and more expensive for UK citizens too, it is almost impossible for asylum seekers to progress further in their higher / access education. We (Asylum seekers) are just given just over £5 a day from Home Office and from this amount they have to buy food, clothing, daily transport costs and the list is ongoing. Even if we try somehow (by cutting down on food or any other important things) the transportation cost for the whole course including any other charges like registration, child care are just too much to digest. My point is that there should be no discrimination between an asylum seeker and any other person living in Wales if both are trying to go to college for higher education / access courses. If a Welsh person is getting FCF and WGLG then an asylum seeker should also receive these both or any other related help which will enable them to move forward in their lives. Because of previously mentioned costs I have seen so many asylum seekers turned down their plans to go for higher education. It also means that they will be doing nothing fruitful as work is not permitted and sitting at home will make them more frustrated. I also would like to mention a recent example when a destitute (whose asylum case is refused and his / her cash support and house from Home Office has been withdrawn) has committed suicide. He was living in this situation for some time and he was not able to make use of his life. I believe if he was given an opportunity he might not have gone that far. Enabling more asylum seekers into education will not only give them some purpose for life but it will also enrich the community where they live. After all when we get our residence permit we will be independent and free to

work and this education will help us in many ways to shape our families and communities in much better ways.

Assembly Constituency and Region

- Swansea East
- South Wales West

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-789
Ein cyf/Our ref KW/05774/19

Janet Finch-Saunders AM
Assembly Member for Aberconwy
Chair - Petitions committee
National Assembly for Wales
Ty Hywel
Cardiff
CF99 1NA

Government.Committee.Business@gov.wales

11 April 2019

Dear Janet

Thank you for your letter of 3 April about the Welsh Government's commitment to work towards providing asylum seekers with access to the Education Maintenance Allowance and Financial Contingency Fund schemes. Your correspondence has been passed to me as these schemes fall within my portfolio.

The Welsh Government is committed to the Nation of Sanctuary - Refugee and Asylum Seeker Plan. As you have pointed out, the Plan sets out that the Welsh Government will work towards changes for asylum seekers to be eligible for the above schemes from September 2020. Unfortunately, it will not be possible to bring forward this commitment as all changes to student support require a lead in time of around 18 months (partly to allow the SLC time to change their IT systems) and the impact of any new policy change needs to be fully considered. However, I can assure you that my officials are working closely with delivery partners and across government departments to meet the commitment as quickly as possible.

Yours sincerely

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Gohebiaeth.Kirsty.Williams@llyw.cymru
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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.

**P-05-789 Review support for asylum seekers accessing further education,
Correspondence – Petitioner to Committee, 30.04.19**

Because of no options of further academic education for Asylum seekers in UK all of us waste the time duration in which our case is in process with Home Office which can be utilised by gaining education and make ourselves ready when hopefully all of us will get residency here. I would like to share my family's example. We applied for Asylum in Mar 2014 and got leave to remain in Aug 2018 so we have spend around four and half years in Asylum seekers status in which we were not allowed to work or even study. Now when me and my husband are applying for jobs, we are having difficulties as there is a long gap of all these years in which we have just wasted our time. That time would be well spend if we both have gained some academic qualifications so at the moment we would be in much better position to grab any good opportunity and would be paying taxes and giving back to community what we have always wished for. Specially there are so many young people who are of college or university going age (could get HNC or HND or Apprenticeship options if allowed) but can't go as they can't afford to pay while living on asylum support. Even apprenticeships are not available for such individual. We consider these young people as assets for Uk economy who can study well (if given chance) and in due time when their asylum application is approved they can get better jobs and are not bound to rely on state benefits. It will also be benefited if we can study while our case proceeds as it will keep us happy and motivated and will work as a therapy to keep ourselves away from Asylum thoughts and nightmares. Apologies if I am not able to show you the importance of this matter but it really is of utmost important to me and all Asylum seekers.

Agenda Item 3.7

P-05-802 Protecting Class Sizes in Design and Technology Classrooms and Workshops

This petition was submitted by Aled Dafis and was first considered by the Committee in March 2018, having collected 338 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to ensure that all schools in Wales fully adopt BS4163:2014 as a requirement as opposed to a recommendation, in order to protect the health and safety of both students, teachers and technicians.

Following networking meetings for Design and Technology teachers within the ERW region, it has become apparent that the financial pressures on schools give rise to a situation where Design and Technology teachers are increasingly being asked to teach classes larger than 20 pupils as recommended in BS4163:2014 "Health and safety for design and technology in educational establishments – Code of Practice". Increased class sizes invariably lead to higher risk of pupils getting injured in workshop environments.

Additional Information

The BS4163:2014 Code of Practice clearly states as follows:

"9 Management of the teaching environment

9.1

General

The number of learners in any one work area should be carefully considered to ensure safe working and effective supervision.

In England and Wales, there should be a maximum of 20 learners with one competent, qualified teacher in any one work area.

In Scotland and Northern Ireland, there should be a maximum of 20 pupils for all classes in practical subjects"

Assembly Constituency and Region

- Ceredigion
- Mid and West Wales

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-802
Ein cyf/Our ref KW/05576/19

Janet Finch-Saunders AM
Chair - Petitions committee
National Assembly for Wales
Ty Hywel
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21 March 2019

Dear Janet

Thank you for your follow-up e-mail of 11 March regarding the protection of class sizes in Design & Technology Classrooms and Workshops (Petition P-05-802).

In my previous correspondence I made a commitment that my officials would send an advice note in the Dysg newsletter to remind headteachers of their duties to carry out risk assessments in schools, and in particular, of Design & Technology classes to ensure their classes are conducted safely; and to provide a copy to the Petitions Committee.

I do not have a record that confirms that the advice was sent to schools. As such, I have asked my officials to include an advice note in this month's edition of Dysg. A link to the article is below.

<https://content.govdelivery.com/accounts/UKWALES/bulletins/23775ba>

Yours sincerely

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

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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.

P-05-802 Protecting Class Sizes in Design and Technology Classrooms and Workshops, Correspondence – Petitioner to Committee, 29.04.19

Thank you for the opportunity to respond to Ms Williams' letter dated 21st March 2019.

Whilst I appreciate that an effort has been made to make schools aware of their obligations regarding safeguarding students, I remain concerned that this advice note does not make the message clear enough to school leaders. The advice note makes a passing comment on Design and Technology, but on following the link supplied within the newsletter, I fail to find any direct reference to any subject specific legislation or guidance. Surely this would have been the opportunity to reference BS4163:2014, where it is clearly stated that :

"9 Management of the teaching environment

9.1 General

The number of learners in any one work area should be carefully considered to

ensure safe working and effective supervision.

In England and Wales, there should be a maximum of 20 learners with one competent, qualified teacher in any one work area."

On another point, I question the effectiveness of publishing this information in the Dysg Newsletter. Of the many Design and Technology teachers I've contacted regarding this advice note, only one received the newsletter, and she admitted that she rarely read it.

I firmly believe that for the Minister's commitment on this issue to be effective, it would be far better for her to further ask her officials to send a clearly worded advice note directly to all school leaders outlining their responsibilities regarding class sizes in Design and Technology workshops.

Yours sincerely

Aled Dafis

Agenda Item 3.8

P-05-821 Reintroduce educational support funding for MEAS and the TES to local authorities

This petition was submitted by UNISON Neath Port Talbot, having collected 334 signatures.

Text of Petition

Neath Port Talbot UNISON branch call on Welsh Government to reverse the decision to cut educational support funding to Minority Ethnic Achievement Service (MEAS) and the Traveller Education Service (TES).

The Cabinet Secretary for Education has essentially withdrawn funding for these groups under the education improvement grant (EIG). Research shows that Roma and Traveller children have the lowest attainment rates of any ethnic group in Wales and the EIG is designed to support their learning and raise attainment.

In NPT we have a percentage of travellers and minority ethnic groups in our schools examples of which are Margam and Briton Ferry who rely on this funding. The council has evidence to show support workers provide a fantastic service engaging with these 'hard to reach' learners. We want all young people to be able to reach their potential and support workers are able to champion the needs of all learners, particularly the vulnerable or disadvantaged. They build strong relationships with families, schools and the communities they serve. This reduction in funding will be devastating and job cuts are already being discussed with the trades unions. Any redundancy costs will need to be funded from an already stretched budget provision. We urge Welsh Government to consult with UNISON and local authorities. Welsh Government must complete an Equality Impact Assessment to ensure monies are allocated to those in need.

Assembly Constituency and Region

- Aberavon
- South Wales West

Agenda Item 3.9

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

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-828
Ein cyf/Our ref KW/05650/19

Janet Finch-Saunders AM
Assembly Member for Aberconwy
Chair - Petitions committee
National Assembly for Wales
Ty Hywel
Cardiff
CF99 1NA

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29 March 2019

Dear Janet

Thank you for your letter dated 21 March 2019 seeking a response to the proposal that there should be a direct route for school governors to appeal decisions reached under the School Organisation Code, and requesting details of any consideration given to an appeals process during the review of the Code.

The School Standards and Organisation (Wales) Act 2013 reformed the statutory process for school organisation to ensure that decisions are taken at a local level wherever possible. The Act does not provide a direct route for school governors to appeal decisions. Such decisions can only be challenged through the Courts. Prior to the Act coming into force the provisions were subject to formal consultation, scrutiny by the Children, Young People and Education Committee and debate and approval by the National Assembly. The arrangements have embedded well and there are no plans to change them at this time.

The Act requires the Welsh Ministers to issue a School Organisation Code. The Code imposes requirements on those bringing forward proposals and those responsible for determining/approving them and provides statutory guidance to which they must have regard.

The Code sets a high standard for consultation providing all those with an interest, including the school governing body, with an opportunity to make their views known and have those views taken into account both during the consultation process and the objection period that follows. Local authorities must publish consultation reports and objection reports responding to any concerns raised. Failure to comply with the Code may result in a complaint to the Welsh Ministers or the Public Services Ombudsman.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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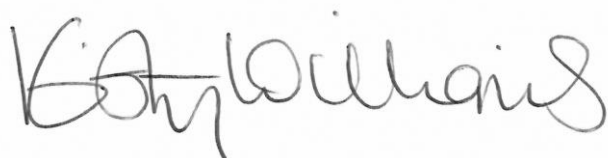
Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@gov.wales

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.

The introduction of an appeals process was not considered as part of the recent review of the School Organisation Code. Such a change would be outside the scope of the Code as it would require a change to the School Standards and Organisation (Wales) Act 2013. I am not convinced that such a change is necessary.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

Kirsty Williams AC/AM

Y Gweinidog Addysg
Minister for Education

Annwyl Gyfeillion

Diolch am y cyfle, ar ran Grŵp Ymgyrch Addysg Cymdeithas yr Iaith, i wneud rhai sylwadau ar gynnwys y llythyr ymateb yr ydych chi wedi ei dderbyn gan y Gweinidog Addysg. Gobeithio y gall y wybodaeth hon fod o ddefnydd i chwi wrth ystyried ymateb y llywodraeth i'r ddeiseb ac i'ch awgrym chwi y dylid ystyried sefydlu proses apelïadau'n erbyn penderfyniadau i gau ysgolion. Byddem yn barod iawn ar unrhyw adeg i gynnig i chwi tystiolaeth lafar ac ateb cwestiynau.

Yn gyntaf, hoffem fynegi ein gwerthfawrogiad fod y Gweinidog wedi cymryd o ddifri yr achos a fu'n sail i'r galwad cyffredinol yn y ddeiseb trwy ofyn i'w swyddogion gynnal ymchwiliad i'r cŵyn na wnaeth Cyngor Ynys Môn gadw at ofynion y Côt Trefniadaeth Ysgolion wrth benderfynu cau Ysgol Gymunedol Bodffordd. Fe allsai'r Gweinidog fod wedi cuddio tu ôl i ofyniad i ni gwyno'n gyntaf at Ombwdsman Gwasanaethau Cyhoeddus Cymru ac, erbyn fod dyfarnu cŵyn felly, buasai'r weithred o gau Ysgol Bodffordd wedi bod yn fait accompli. Mae'r Gweinidog yn haeddu clod am gymryd cyfrifoldeb am y mater hwn.

Yn ail, derbyniwn yn llwyr osodiad y Pwyllgor Deisebion nad mater uniongyrchol i'r Pwyllgor yw tynged ac amgylchiadau penodol un ysgol. Yn hytrach, cyfeiriwn at y broses ymgynghorol yng nghydestun yr ysgol arbennig hon i ddangos y pwynt mwy cyffredinol (sydd YN destun i'r ddeiseb) nad yw'r drefn bresennol yn gweithio'n foddhaol. Anghytunwn yn llwyr ag un frawddeg benodol yn llythyr y Gweinidog atoch, sef

"Mae'r trefniadau wedi'u sefydlu'n dda ac nid oes bwriad i'w newid ar hyn o bryd."

Mae gweithrediad y broses ymgynghorol yn achos Ysgol Bodffordd yn dangos fod y drefn bresennol o ran disgwyl fod Awdurdodau Lleol yn glynu wrth ganllawiau'r Côt Trefniadaeth Ysgolion yn gallu cael ei hanwybyddu neu, fan leiaf, fod "meddylfryd ticflwch" yn golygu nad ydynt yn cymryd eu dyletswyddau statudol dan y Côt o ddifri. Gan nad oes trefn apelio'n erbyn penderfyniadau, mae'n amlwg fod swyddogion lleol yn credu y gallant ddefnyddio'r un hen ystrydebion (mewn ymarferiad "cut & paste") ym mhob achos. Gobeithiwn y bydd y Gweinidog yn yr achos hwn yn cefnogi'n cŵyn ac y bydd hyn yn golygu newid diwylliant ymhlith swyddogion lleol.

Derbyniwn fodd bynnag nad lle eich pwyllgor chwi yw ceisio (ail)ddyfarnu ar achos ysgol unigol, dim ond ystyried a oes tystiolaeth yma fod angen i lywodraeth weithredu i ddiwygio'r drefn er mwyn sicrhau fod Awdurdodau Lleol yn gorfod cadw at ofynion y Côt Trefniadaeth Ysgolion. I'r perwyl hwn, atodaf destun llawn ein cŵyn at y Gweinidog Addysg sy'n dangos fod yr Awdurdod Lleol hwn wedi anwybyddu dyletswyddau penodol iawn o dan y Côt, a'i bod felly'n agored dan y drefn bresennol i unrhyw Awdurdod Lleol beidio â chymryd eu dyletswyddau o ddifri gan nad oes sancsiynau uniongyrchol ar gael i'w gweithredu.

O grynhai seiliau ein cŵyn, mynnwn fod Cyngor Ynys Môn wedi peisio â chymryd o ddifri ei ddyletswyddau dan yr argraffiad (2013) o'r Côt a oedd yn llywodraethol ar y pryd trwy -

1) Peidio â gwerthuso'n llawn opsiynau amgen wrth ystyried y cam difrifol o gau ysgol a oedd yn llawn, a hynny'n groes i ddymuniadau llywodraethwyr, rhieni a'r gymuned leol. Yn eu hymateb i'n cŵyn, cred y Cyngor eu bod wedi cyflawni eu dyletswydd trwy grybwyll yn gyffredinol geiriau fel "ffederasiwn" mewn dogfennau blaenorol. Dyma "feddylfryd ticflwch". Mynnwn mai bwriad y rhai a luniodd y Ddeddf a'r Côt dilynol oedd y dylai Awdurdodau Lleol werthuso'n fanwl manteision ac anfanteision modelau penodol o ffederasiynau ac ysgolion aml-safle a allent fod yn hyfyw yn yr achos dan sylw fel opsiwn amgen i gau ysgol. Ni bu unrhyw ymdrech o gwbl i wneud hyn.

2) Peidio ag ystyried yn gydwybodol atebion amgen a gynigwyd mewn ymateb i ymgynghoriad cyhoeddus (gofyniad arall yn ôl y Côt). Cynigiodd Cymdeithas yr Iaith fodel penodol o "Ffederasiwn Cefni" - ffederasiwn rhwng yr ysgol uwchradd a'r ysgolion cynradd yn yr union ardal a oeddent yn ei "bwydo". Dadleuon ni y gellid creu uned addysgol gref, rhoi profiadau addysgol eang i ddisgyblion, a sicrhau llawer o arbedion ariannol o resymoli gweinyddiaeth, arweinyddiaeth ac adnoddau dynol a materol mewn modd felly. Nid yn unig na wnaeth swyddogion Ynys Môn werthuso'r model hwn, ond wnaethon nhw ddim hyd yn oed crybwyll y mater yn eu hadroddiad ar ymatebion i'r Pwyllgor Gwaith a gymerodd y penderfyniad i gyhoeddi Hysbysiad Statudol i gau Ysgol Bodffordd.

3) Peidio â chynnal asesiad ystyrion o effaith cau'r ysgol ar y gymuned leol - dyletswydd arall yn ôl y Côt. Cynhyrchwyd pwt o adroddiad generig a phasiodd y Pwyllgor Gwaith gynnig y byddent yn trefnu cyfarfod â'r gymuned leol i weld a ellid cadw rywsut yr unig ganolfan gymunedol sydd yn rhan hanfodol o adeiladau'r ysgol. Nid yw penderfyniad i gynnal cyfarfod yn gyfystyr ag asesu effaith cau ysgol ar y gymuned leol.. Mae gwir berygl fod gofynion y Côt Trefniadaeth Ysgolion yn mynd yn destun gwawd.

4) Ymateb rhywrai wrth gwrs yw fod y penderfyniad hwn wedi cael ei gymryd dan ofynion yr hen (argraffiad 2013) o'r Côt Trefniadaeth Ysgolion, a bod argraffiad newydd (tachwedd 1af 2018) y Côt yn sefydlu trefn newydd. Gwrthodwn y syniad hwn. Mae'r 3 diffyg uchod yn fethiant i gydymffurfio â'r hen Gôt a oedd yn weithredol ar y pryd, ac os na bu raid i Gyngor gadw at yr hen gôt, pam y dylid credu y byddent chwaith yn cadw at y Côt newydd? Yn wir y mae'r un Awdurdod Lleol (Cyngor Ynys Môn) wedi torri prif ofyniad y Côt newydd o fewn wythnos i'w gyhoeddi. Prif ddatblygiad y Côt newydd (a ddaeth i rym ar 1/11/18) yw y dylai fod "rhagdyb o blaid cynnal ysgolion gwledig". Ond o fewn dyddiau, yr oedd Cyngor Ynys Môn wedi cyhoeddi adroddiad cychwynnol ar y posibilad o ad-drefnu ysgolion yn ardal Amlwch, a'r adroddiad eto'n son am gau ysgolion a chanoli addysg fel polisi llwyddiannus yn y sir! Does dim unrhyw newid na rhagdyb o blaid chwilio pob dull posibl o gynnal ysgolion gwledig).

Ein dadl yw fod y dystiolaeth yn dangos yn glir nad yw'r drefn bresennol yn gweithio, a bod cyfiawnhad i ofyniad y ddeiseb y dylai'r llywodraeth gymryd camau i sicrhau fod y Côt Trefniadaeth Ysgolion yn cael ei weithredu. Pa gamau felly fyddent yn agored i'r Gweinidog Addysg eu cymryd?

Derbyniwn na all y Gweinidog (yn gyfreithiol) sefydlu trefn apelio heb newid mewn deddfwriaeth. Ar sail y dystiolaeth a gyflwynwyd gennym, byddem yn argymhell fod llunio deddfwriaeth newydd, ond gall hyn gymryd peth amser e.e. efallai yr hoffai'r Gweinidog ysytired yr un pryd sefydlu Byrddau Llywodraethol integredig fesul dalgylch ysgol uwchradd er mwyn datblygu csyniad ffederasiynau'n bellach - syniad a gynigwyd gan y cyn-AC Gareth Jones. Yr ydym hefyd yn gyffredinol o blaid trefn sy'n golygu fod prif benderfyniadau'n cael eu cymryd yn lleol heb fod llywodraeth ganolog yn ailedrych yn ddyblygus ar bob polisi. Ond rhai i Awdurdodau Lleol weithredu tu fewn i fframwaith cyfiawn o brosesau. Argymhellwn felly y dylid cyflwyno deddfwriaeth yn y dyfodol i sefydlu apêl yn unig ar sail methiant i ymgymryd yn gydwybodol â phroses, yn hytrach nag ailedrych ar benderfyniadau unigol eu hunain. Byddai sefydlu tren apelio o'r fath yn llawer mwy eglur a thryloyw na gorfod dibynnu ar gysyniad haniaethol fel cwyno fod Awdurdod Lleol "yn cyflawni methiant addysgol sylfaenol" (Deddf 2013).

Yn y cyfamser, anogwn y Gweinidog i anfon arwydd clir at Awdurdodau Lleol fod yn rhaid iddynt gadw at ofynion y Côt Trefniadaeth Ysgolion trwy gadarnhau cwynion lle bo sail gadarn i gwynion o'r fath a thrwy ymyrryd yn ddigon buan yn y broses ymgynghorol i atgoffa Awdurdodau Lleol o'u cyfrifoldebau.

Yn gywir

Ffred Ffransis

ar ran Grŵp Ymgyrch Addysg, Cymdeithas yr Iaith

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Cŵyn wrth y Gweinidog Addysg na wnaeth Cyngor Ynys Môn gadw at ei ddyletswyddau statudol (yn unol â Chôd Trefniadaeth Ysgolion 2013) wrth gynnal ymgynghoriad ar ddyfodol Ysgol Gymunedol Bodffordd ac wrth gymryd penderfyniad i gau'r ysgol hon. – 28.2.19

Annwyl Weinidog

Ysgrifennaf atoch ar ran Cymdeithas yr Iaith i gyflwyni i chwi gŵyn ffurfiol na wnaeth Cyngor Ynys Môn gydymffurfio â gofynion statudol y Côt Trefniadaeth Ysgolion (2013) a oedd yn weithredol ar y pryd (Chwefror-Ebrill 2018) pryd y cynhaliwyd ymgynghoriad am ddyfodol Ysgol Gymunedol Bodffordd nac wrth gymryd y penderfyniad canlynol i gau'r ysgol hon.

Ni wnaeth y Cyngor werthuso'r opsiynau amgen i gau'r ysgol mewn modd cydwybodol, nag ystyried mewn unrhyw ffordd ystyrion effaith cau'r ysgol ar y gymuned, ac nid adroddwyd yn gywir i'r Pwyllgor Gwaith am y cynigion a ddaethant i'r amlwg yn ystod y cyfnod ymgynghorol. Fel corf a ymatebodd i'r ddogfen ymgynghorol statudol, fe wnes i ar ran Grŵp Ymgyrch Addysg Cymdeithas yr Iaith gyflwyno i'r Cyngor ar 7.1.19 gŵyn trwy eu proses mewnol i'r perwyl hwn, a chofrestrwyd y cŵyn fel rhif F393. Atodaf ateb y Cyngor i'm cŵyn. Eu hamddiffyniad yw eu bod wedi cyfeirio at y gair "ffedereiddio" dair blynedd ynghynt – heb werthuso unrhyw opsiynau o e=ffedereiddio mewn perthynas ag Ysgol Bodffordd. Yr un fath, credant fod penderfynu cynnal trafodaethau gyda'r gymuned leol yn eu hesgusodi rhag dadansoddi effaith cau'r ysgol ar y gymuned - er bod yr unig ganolfan gymunedol yn rhan o adeiladau'r ysgol ei hun. Nid yw'r Cyngor yn gwadu na wnaethant hyd yn oed gyfeirio yn eu hadroddiad ar yr ymatebion i'r ymgynghoriad at ein hopsiwn amgen o greu ffederasiwn rhang yr ysgol uwchradd a'r cysgolion cynradd cylchynnol. Mae'r Cyngor yn trine u dyletswyddau statudol o dan y Côt Trefniadaeth Ysgolion gyda dirmyg ac mewn modd tocenistaidd ar y gorau. Mae hyn yn dwyn anfri ar brosesau ymgynghori a democrataidd lleol, ac yn allgau pobl leol o'u rhan briodol mewn penderfyniadau addysgiadol allweddol. Mae cynnal ymlyniad rhieni =, llywodraethwyr a'r gymuned leol wrth y drefn addysg o'r bwys mwyaf, a gofynnwn i chwi ddyfarnu felly fod y Cyngor wedi methu mewn swyddogaeth addysgol bwysig, a bod sail felly i chwi ymyrryd.

Awgrymwn yn barchus y daw'r Côt Trefniadaeth Ysgolion yn ddiystyr (yn cynnwys argraffiad newydd 2018) os caniateir i Awdurdodau Lleol anwybyddu ei ofynion. Gofynnwn felly i chwi ddefnyddio'ch grym cyffredinol a sefydlwyd yn Neddf Addysg 2013 i ymyrryd os bydd Awdurdod Lleol yn methu mewn dyletswydd addysgol statudol. Mae'r penderfyniad i gau'r ysgol ac anwybyddu barn pobl leol a methu cydymffurfio â gofynion y Côt Trefniadaeth Ysgolion yn fethiant addysgol digon difrifol i'ch g alluogi i ymyrryd o dan y grym cyffredinol sydd ganddoch o dan y ddeddf i ymyrryd pan fo methiant addysgol difrifol. Gyda'r grym hwn, gellwch ymyrryd trwy ddefnyddio (cymal 5) eich "grym cyffredinol i gyfarwyddo'r Awdurdod Lleol" naill ai (1) i dynnu'n ôl eu Hysbysiad i gau Ysgol Gynradd Bodffordd a chaniatau i rieni'r dewis o anfon eu plant i'r ysgol newydd yn Llangefni neu eu cadw yn Ysgol Bodffordd neu (2) o leiaf fod yr Awdurdod yn ailagor yr ymgynghoriad statudol gan gadw y tro hwn at ofynion y Côt Trefniadaeth Ysgolion. Byddai'r ail lwybr yn creu ansicrwydd ac oediad wrth adeiladu'r ysgol newydd y mae ei angen ar dref Llangefni, ac felly credwn fod y llwybr cyntaf yn well.

MANYLION EIN CŴYN

Dyma felly ein cŵyn am brif fethiannau'r Cyngor i gadw at y Côt Trefniadaeth Ysgolion wrth benderfynu cau Ysgol Bodffordd a pham bod ymateb y Cyngor yn gwbl annigonol. Methodd y Cyngor â dilyn y canllawiau statudol oedd mewn grym ar y pryd mewn dwy ffordd hanfodol bwysig (1) Diffyg gwerthusiad ystyrion o opsiynau eraill heblaw am gau'r ysgol, a (2) diffyg asesiad ystyrion

o'r effaith ar y gymuned o gau'r ysgol. Yr ydym wedi anfon cŵyn ffurfiol at yr Awdurdod am y ddau fethiant sylfaenol hyn, ac maen nhw wedi ymateb. Eu hymateb yn y bôn yw eu bod wedi cadw at y canllawiau trwy (1) enwi opsiynau amgen heb eu gwerthuso a (2) ddatgan y byddent yn trafod gyda'r gymuned leol, heb wneud asesiad ystyrlon o effaith cau'r ysgol. Byddai derbyn yr ymagwedd hwn yn gwneud y Côt yn destun gwawd. Dyma'r manylion -

1) **Diffyg Gwerthusiad o'r opsiynau amgen heblaw am gau Ysgol Bodffordd** - Mae Adran 1.7 o'r Côt Trefniadaeth Ysgolion 2013 (006/2013) yn dweud fod yn rhaid "rhoi sylw arbennig i (1) 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", (2) "a ellid ystyried opsiynau amgen heblaw cau'r ysgol, megis clystyru, cydweithredu neu ffedereiddio ag ysgolion eraill (gan ystyried y posibilrwydd o ddefnyddio cysylltiadau TGCh rhwng safleoedd ysgolion), meu'r rhesymau dros beidio ag ystyried y rhain fel opsiwn amgen yn lle cau'r ysgol." Eto mae Adran 3.2 o'r un Côt yn datgan fod yn "rhaid cynnwys yr wybodaeth ganlynol yn y ddogfen ymgynghori *manylion* unrhyw opsiynau amgen sydd wedi'u hystyried yn lle cau'r ysgol, a'r rhesymau dros beidio â bwrw ati â'r rhain". Yn olaf, mae Adran 3.1 o'r Côt yn datgan "Mae'r gyfraith achosion wedi pennu y dylai'r broses ymgynghori(3) sicrhau y caiff yr hyn sy'n deillio o'r ymgynghoriad ei ystyried mewn ffordd gydwybodol pan wneir y penderfyniad yn y pen draw". Methodd y Cyngor â chyflawni ei ddyletswydd cyfreithiol yn ôl y Côt ar y tri chyfri hyn. Cyhoeddwyd y Ddogfen Ymgynghori Statudol ar gyfer yr Ymgynghoriad am ddyfodol Ysgol Bodffordd (ac eraill yn ardal Llangefni) a redodd o 20 Chwefror hyd 3 Ebrill 2018. Penderfynwyd ymgynghori'n statudol ar ddau opsiwn (A & B) a'r ddau opsiwn yn golygu cau Ysgol Bodffordd. Dyma'r ymgynghoriad statudol a arweiniodd at y penderfyniad a chyhoeddi Hysbysiad Statudol i gau Ysgol Bodffordd, ac nid oes ynddi ymdriniaeth o gwbl ag opsiynau eraill - heb sôn am "fanylion" fel y mae'r Côt yn ei fynnu. Yn eu hymateb i'n cŵyn, dywed y Cyngor eu bod wedi cyfeirio at bosibiliad ffedereiddio mewn cyfnod ymgynghori anstatudol blaenorol yn 2016. Mae'r ddogfen yn wir yn cyfeirio at "21 o syniadau" a gododd mewn ymgynghori anstatudol yn 2016 fel rhan o'r cefndir. Ond yr unig gyfeiriad at "ffedereiddio" yw un cymal lle dywedir fod rhywun wedi codi syniad o ffedereiddio ysgol newydd (hynny yw WEDI CAU Ysgol Bodffordd) gydag Ysgol arall. Dywed ymateb y Cyngor i'n cŵyn fod dogfen ymgynghori anstatudol flaenorol o 2016 am ardal Llangefni wedi cyfeirio at "41 opsiwn" a saith ohonynt yn berthnasol i Ysgol Bodffordd a'r ail oedd "Ffedereiddio gydag ysgol(ion) eraill". Ar y gorau, enwi pob bosibiliad damcaniaethol sydd yma - does dim gwerthusiad o gwbl o fanteision ac anfanteision creu ffederasiwn nag ystyriaeth o ddifri, ac mae hyn yn gwneud y gofynion statudol yn destun gwawd. Yn eu hymateb pellach i'n cŵyn, dywed Cyngor Ynys Môn nad yw ffedereiddio "yn newid y sefyllfa o ran ol-groniad cynnal a chadw a chyflwr ysgol". Wrth gwrs nad yw e ddim ! Mecanwaith i resymoli defnydd adnoddau a gwella addysg yw ffedereiddio, nid i wella adeiladau ! Os dyna'r llinyn mesur, ni byddid byth yn ystyried ffedereiddio fel opsiwn amgen, a byddai canllawiau'r Côt wedyn yn ddiystyr. Nid dyna fwriad Llywodraeth Cymru ar y pryd. Ar ben hyn, yn ein hymateb yn y cyfnod ymgynghori statudol, cododd Cymdeithas yr Iaith gynllun amgen o greu Ffederasiwn rhwng Ysgol Uwchradd Llangefni a'r ysgolion cynradd sy'n ei bwydo fel ateb amgen, gan greu uned addysgol gref a rhesymoli'r defnydd o adnoddau. Yn eu hadroddiad i'r Pwyllgor Gwaith ar ganlyniadau'r ymgynghori, wnaeth y swyddogion ddim hyd yn oed crybwyll y cynllun hwn "a ddeilliodd o'r ymgynghoriad" (Adran 3.1 uchod) heb sôn am "ei ystyried mewn ffordd gydwybodol" a'i gwerthuso. Mewn gair, ni wnaeth y Cyngor ystyried manylion yr opsiynau amgen ac aethpwyd ymlaen i gymryd y penderfyniad difrifol i gau ysgol yn groes i ddymuniaid rhieni a llywodraethwyr heb ystyried hyn.

(2) **Diffyg ystyriaeth o effaith cau'r ysgol ar y gymuned.** - Trown yn ôl at Côt Trefniadaeth Ysgolion 2013, a dywed Adran 1.7 eto "Mewn rhai ardaloedd, efallai mai ysgol fydd y prif ganolbwynt ar gyfer gweithgarwch cymunedol hefyd, a gallai ei chau arwain at oblygiadau y tu hwnt i ddarparu addysg. Gall hyn fod yn nodwedd penodol mewn ardaloedd gwledig os defnyddir adeiladau ysgolion fel man i ddarparu gwasanaethau i'r gymuned" (**Ni allai fod disgrifiad gwell o Ysgol Bodffordd, gan fod y Ganolfan Gymunedol yn rhan o adeiladau'r ysgol ei hun**). Mae Adran 1.7 yn parhau y dylid "dangos fod effaith cau'r ysgol ar y gymuned wedi'i hasesu drwy lunio Asesiad o'r Effaith ar y Gymuned, a dangos sut y gellid cynnal unrhyw gyfleusterau cymunedol a ddarperir gan yr

ysgol ar hyn o bryd", ac ailadroddir hyn yn isbwynt (4) o'r adran. Mae Adran 3.2 yn datgan hefyd fod yn rhaid i'r Ddogfen Ymgynghorol (ymhlith pethau eraill) drin "effaith y cynigion ar y gymuned leol, yn enwedig mewn ardaloedd gwledig..." Nid oes yn y ddogfen ymgynghori ei hun unrhyw astudiaeth o effaith cau'r ysgol (a pheryglu'r unig ganolfan gymunedol yn y pentre) ar y gymuned, ond mae Atodiad 5 yn cyfeirio at "ddefnydd cymunedol" o adeilad yr ysgol newydd yn Llangefni. Yr awgrym amlwg yw y dylai triogolion Bodffordd drosglwyddo eu gweithgareddau cymunedol i Llangefni !. Yr un pryd, cyhoeddwyd dogfen (i'w gweld yma <https://www.anglesey.gov.uk/documents/Dogfennau-Cy/Cyngor/Ymgynghoriadau/2018/Llangefni/Asesiadau-Effaith.pdf>) o "Asesiadau Effaith" gweithredu'r cynlluniau i gau Ysgol Bodffordd. Bu 4 gwahanol asesiad yn yr un papur o 4 tudalen. Yr adran olaf (5) yw'r asesiad effaith ar y gymuned. Yn dilyn datganiad "methodoleg" sy'n datgan fod y Cyngor yn ystyried yn ofalus effaith cau ysgol ar gymuned, eir ymlaen i ddisgrifio lleoliadau daearyddol yr ysgolion, niferoedd y disgyblion a chyfeiriadau cwta at ymgynghori anstatudol blaenorol - ond dim cyfeiriad o gwbl at y ffaith y byddai cau Ysgol Bodffordd yn golygu nad oedd sicrwydd am unig ganolfan gymunedol y pentre sy'n rhan o adeiladau'r ysgol. . Mewn gair nid oes unrhyw ymgais at asesiad difrifol o effaith cau'r ysgol ar y gymuned. Yn eu hymateb i'n cŵyn, dywed y Cyngor fod y Pwyllgor Gwaith, wrth benderfynu cau'r ysgol, hefyd wedi penderfynu "bod trafodaethau yn cael eu cynnal gyda Chyngor Cymuned Bodffordd a chyda chymuned Bodffordd er mwyn diogelu a chadw'r neuadd gymuned". Yn lle astudiaeth effaith y mae felly drafodaethau yn unig gyda'r gymuned leol i weld a ellir cael hyd i ryw ffordd o arbed y ganolfan gymunedol. Hyd yma, ni ddaeth llwyddiant ac mae'r Cyngor yn apelio i unrhyw un sydd ag adnoddau i gymryd drosodd yr adeiladau. Dyw trafodaeth ddim yn sybstitiwt am asesu'r holl niwed a wneir i gymuned Gymraeg wrth gau'r ysgol, ac felly methwyd â chydymffurfio â'r gofynion statudol eto.

I grynhoi felly, ni allai fod achos cliriach o Awdurdod yn methu yn ei ddyletswydd addysgol a democrataidd i gadw at ofynion y Côt Trefniadaeth. Os na all Gweinidog ymyrryd mewn achos fel hwn, go brin fod unrhyw bwrpas o gwbl gyhoeddi canllawiau y gall Awdurdodau Lleol eu hanwybyddu. Yn wir, mae'r un Awdurdod Lleol - Cyngor Ynys Môn - wedi torri'r Côt newydd o fewn dau ddiwrnod i'w gyhoeddi ar Dachwedd 1af 2018. Mae'r argraffiad newydd o'r Côt yn sefydlu rhagdyb o blaid ysgolion gwledig. Ond mae dogfen gychwynol a gyhoeddwyd ddeuddydd wedyn gan y Cyngor ar addysg yn ardal Amlwch yn cyfeirio'n syth at gau ysgolion gwledig sy'n amlygu nad oes unrhyw newid agwedd o gwbl, ac yn sicr dim rhagdyb o blaid ysgolion gwledig. Dyma brawf ar y drefn bresennol.

Nid oes unrhyw ffordd ymarferol o ddilyn y mater ymhellach o ran prosesau mewnol y Cyngor. Ar ddiwedd eu hymateb i'n cŵyn (lle mae'r cyngor yn gwrthod unrhyw awgrym nad ydyn nhw wedi cyflawni eu dyletswyddau, ac yn wiry n awgrymu mai fel hyn y byddant yn gweithredu yn y dyfodol), dywed y Cyngor "Os nad ydych yn hapus gydag unrhyw agwedd o'r ymateb yma i'ch cais am wybodaeth a/neu'r penderfyniad i atal gwybodaeth, mae'n bosibl i chi ofyn am adolygiad mewnol. Gyrrwch eich cais ymlaen i'r Swyddog Gofal Cwsmer..." ac wedyn at y Comisiynydd Gwybodaeth yn Lloegr. NID cais am ryddhau gwybodaeth sydd yma, ond cŵyn na wnaeth y Cyngor ymgadw at eu dyletswyddau cyfreithiol. Mae hyd yn oed roi'r ymateb hwn ar ddiwedd y llythyr yn arwydd o feddylfrys "Cut & paste" y Cyngor – gan ddefnyddio brawddeg safonol o ran ateb y cwynion arferol a dderbyniant am geisiadau am wybodaeth yn hytrach nag ateb ein hunion cŵyn ni. Yr un modd, cred y Cyngor y gall ymgadw at y Côt Trefniadaeth Ysgolion trwy weithredu tocenistaidd yn unig. Gofynnwn i chwi fel Gweinidog i ymyrryd o dan eich grymoedd cyffredinol er mwyn diogelu hygyrdd y Côt Trefniadaeth Ysgolion a'r cymalau ynddo sydd at bwrpas sicrhau fod cyfranogiad gan rieni, llywodraethwyr ac eraill mewn penderfyniadau addysgol o bwys.

Yn gywir

Ffred Ffransis, ar ran Cymdeithas yr Iaith Gymraeg

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

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P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig, Gohebiaeth – Deisebydd at y Pwyllgor, 30.04.19

Siarad ar tan ysgol ac yr Gymuned mi rydan yn falch iawn bod Kirsty Williams wedi dweud ei bod yn sbio I fewn i'r syfyllfa. Mi rydan yn teimlo fel Gymuned bod ni agan cadarn hard bod Kirsty Williams yn ymyrryd ac Pryd fydd hyn yn digwydd. Mi rydan hefyd Wedi gofyn wrthi I ymuno a ni yn bodffordd I ni cael rhoid ein gwybodaeth ni draw hefyd.

Diolch yn fawr

Llinos Roberts

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

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Agenda Item 3.10

P-05-860 Make Curriculum for Life Lessons Compulsory

This petition was submitted by Emily Jones having collected 121 signatures online and 165 on paper, a total of 286 signatures.

Text of Petition

We call on the National Assembly for Wales to ensure that curriculum for life lessons are compulsory for secondary schools across Wales and that the content is reviewed annually by a board of elected young people.

Additional Information

A curriculum for life would include topics such as; finance, sex and relationships, politics and basic living skills. Article 28 of the UNCRC states children have the right to an education. However, the current curriculum is failing to provide us with the life skills we need.

Assembly Constituency and Region

- Pontypridd
- South Wales Central

Agenda Item 3.11

P-05-861 Make political education a compulsory element of the new national curriculum

This petition was submitted by Kaiesha Ceryn Page having collected 117 signatures.

Text of Petition

Education should provide young people with the skills and tools that will ensure that they become valued and engaged citizens of the country.

Despite the vast advances that have been made by social media and fast-paced news cycles, young people often view politics as a taboo subject, seen as something that is not for the likes of them.

We believe that young people should leave education with a comprehensive understanding of political institutions within the United Kingdom. The Electoral Reform Society report recommended that four key aspects should be taught in school – the parties, democracy, the role of institutions and campaigning.

At present, the Welsh Government has a unique opportunity to lead the way on this matter as it is currently developing its first national curriculum. As one of its four key concepts, the new curriculum aims to produce citizens that are "ethical and informed". It therefore stands to reason that political education should be an essential part of this.

The development of this curriculum provides a unique opportunity for the Welsh Government to revolutionise how it educates its young people, providing citizens that will become the leaders of the future.

Assembly Constituency and Region

- Rhondda
- South Wales Central

P-05-861 Make political education a compulsory element of the new national curriculum, Correspondence – Petitioner to Committee, 04.04.19

Dear David John Rowlands AM,

Re – Reply to response to petition - P-05-861

I have been asked to provide my comments in relation to the Ministers recent response to my active petition. In support of the responses that I am about to give, I have included a number of relevant images.

However, before I offer my thoughts on this matter, I want to start by thanking the petitions committee for their support and efforts on this subject. I am glad to see that this is an issue that is now being discussed. I would particularly like to thank Leanne Wood AM, who clearly understates the concerns and urgency of the cause.

I will now seek to address the two key issues that have been highlighted in the Minister's response. However, I am also available for further discussion, should that be deemed appropriate.

Date for the planned introduction of life lessons and political education

As the Welsh assembly has recently begun debating the *Senedd and Elections (Wales) bill*, with the intention of lowering the voting ages to 16 in time for the 2021 election, it appears to me that developments are progressing in the wrong order.

I fully support the voting age being lowered to 16 and do believe there are vast benefits that will come from this. However, this is a measure that should be taken in conjunction with a political education and not something that should be done without it. In my opinion, neglecting education risks alienating young people and would fail to 'empower' young people as the proposed bill suggests.

Yet there is also a risk that there could be a much greater and serious impact.

We are well aware that there is much misinformation on the internet, and due to the digital nature of their lives, this is therefore bound to particularly affect young people. If we are to expect our young people to fully engage and enjoy this crucial new electoral development, then we have to give them the tools to understand, engage and criticise the politics that they are to be part of. Otherwise, we risk them being targeted by potentially dangerous political organisations. Without such education, they will not have the basic skills to criticise, assess or evaluate the information that they are being given.

In my opinion, this cannot be underestimated and poses a huge risk to any benefits that the new proposed legislation might bring.

Whilst I do appreciate that the new curriculum needs to be rolled out in a timely and affordable manner, I fully support the committee's concerns that this needs to happen much faster.

Perhaps there is therefore an interim solution that the minister could offer in order to temporarily close this gulf. In my opinion, schools should be urged and encouraged to give basic level lessons BEFORE the new changes take effect.

However, to take the burden off teachers, perhaps there is even the possibility of inviting outside organisations into schools to do the presenting for them. There are a few apolitical organisations that would offer such services – Politics4Youth being one of them.

There therefore appears to be ways around this issue and I believe that these should be adequately pursued.

Explicitly on the curriculum

I fully understand that the curriculum should not be a series of prescriptive tick boxes that teachers have to rigorously abide by. However, that said, there is obviously scope for key subject to be highlighted, as is the case with the traditional compulsory subjects.

In my view, political education – and life lessons – have to be added to this category of key subjects. Whilst it would be hoped that schools would automatically deem it important, considering the other expectations that they face, it is little wonder that it is often forgotten.

It is therefore for the Welsh government to ensure that political education and life lessons are now deemed to be important. In my view, current legislation and the apparent new curriculum do not sufficiently elevate the importance of these subjects and that is a concern.

In addition to this, the Minister's comments leave me concerned that she is perhaps underestimating the scale of the issue.

Whilst schools might be 'encouraged' to offer such lessons, in practice this is not actually what happens at present.

I have briefly spoken to some of my school age relatives and these are the comments that were made.

Hey lovely. Can I ask a quick question 😊 I am currently working on something for my petition and I'm just looking to gather some information on whether people are being taught about politics in school? Have you had any lessons about it at all? 😊

15:03

No, nothing really, no lessons or anything xx

10:23

Hey lovely. Can I ask a quick question 😊 I am currently working on something for my petition and I'm just looking to gather some information on whether people are being taught about politics in school? Have you had any lessons about it at all? 😊

15:02

No not really xx

In addition to this, I asked my Twitter followers what they experience was and again, the response was pretty unanimous.



Working on something for my petition, can you answer this brief question for me, please? 😊

Did you receive any political education in school?



If they don't teach it now, then I don't see how further 'encouraging' them to do so will change anything. It therefore stands to reason, that life lessons and political education should be made a compulsory aspect of the curriculum.

Until political education is given the importance and emphasis that it deserves, young people will never be taught enough about the subject. I believe, that this will worsen the current democratic deficit, affecting people from poorer backgrounds and leaving them further alienated from the politics in Wales.

I hope that you will seriously consider my comments in response to this issue and I hope to see changes made.

Kind regards,

Kaiesha Ceryn Page

Agenda Item 3.12

P-05-806 We call for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate.

This petition was submitted by Bridgend Coalition of Disabled People having collected 3,040 signatures – 649 on paper and 2,391 on-line.

Text of Petition

We are calling for the Welsh Government to bring in an "Access Certificate" showing numbers from zero to five along the lines of the Food Hygiene Certificate. All buildings used by the public such as shops, food outlets, sports clubs, pubs and offices as well as public transport services should be assessed on how wheelchair accessible they are, as well as how easy it is for someone with a sensory impairment or learning disability to use.

We want all premises to be given a number which they could then display to show how disabled friendly their premises are. We hope that those who achieve high ratings will possibly persuade other nearby premises to improve access and get a high rating themselves.

When Food Hygiene Certificates were first introduced in Wales they were not mandatory, but later became so. Since the introduction of the Food Hygiene Certificate we believe food standards have vastly improved and premises with a high number use the certificate with pride. We believe premises will make a bigger effort to improve access and services for the disabled community if a similar Certificate was introduced for access. We believe the introduction of such a certificate will hugely improve services for disabled shoppers and those who want to go out for a drink, a meal or to use public transport, facilities most take for granted.

To achieve a five rating a premises will not just need to be wheelchair accessible but be fully inclusive for those with visual and hearing impairments, and possibly have staff understanding to those with learning impairments.

Having a restaurant with a braille menu or staff able to use sign language can make a huge difference and give someone a far easier and less stressful experience when doing everyday things most take for granted.

One idea may be, as well as having the Five to Zero rating to have extra symbols underneath to show if a premises has full wheelchair access, an accessible toilet, info in braille, staff who can use sign language and autism friendly.

We feel that this will result in big improvements. Many food outlets compete with each other to get a higher rating and we hope this will be the same with Access Certificate.

Assembly Constituency and Region

- Bridgend
- South Wales West

Jane Hutt AC/AM
Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JH/05138/19

Janet Finch Saunders
Chair - Petitions committee.
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21 March 2019

Dear Janet,

Thank you for your letter of 1 March regarding Petition P-05-806 – call for premises in Wales to be awarded Access Certificates.

I am aware that my predecessor Julie James AM, former Leader of the House and Chief Whip, was supportive of the campaign. Now that it falls within my portfolio, I am also pleased to offer my support to the principles behind this proposal.

Our new Framework, 'Action on Disability: The Right to Independent Living', which has recently been out for consultation, contains a number of commitments around the Social Model of disability, recognising that people with impairments are disabled by barriers that commonly exist in society. These barriers include negative attitudes, and physical and organisational barriers, which can prevent disabled people's inclusion and participation in all walks of life. In principle, the proposal fits well with our commitment to address this and I am keen to explore the issue further.

My officials recently met with representatives of the Bridgend Coalition of Disabled People and Disability Wales to discuss the scheme in more detail. They agreed to work in partnership with Disability Wales to develop a proposal for a scoping study for a potential pilot 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 157

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 also met recently with the Chief Executive of Disability Wales, Rhian Davies, who provided an update on progress with this work, confirming the proposal will include engagement across a number of groups including disabled people and their representative organisations, as well as the Chamber of Commerce and the Federation of Small Businesses.

While I cannot make any commitment to funding at this stage, I am pleased this important piece of work is being taken forward. I have asked my officials to keep me informed of progress and will also ensure the Committee is updated as this work goes forward.

Yours sincerely

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

Jane Hutt AC/AM

Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip

Agenda Item 3.13

P-05-864 Ban the use of 'Hostile Architecture'

This petition was submitted by People Over Profit having collected 120 signatures

Text of Petition

We call on the Welsh Government to ban the use of "Hostile Architecture" by organisations to deter homeless people from seeking shelter and any other street structures designed to impede or hide the homeless.

Assembly Constituency and Region

- Neath
- South Wales West

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JJ/05621/19

Janet Finch-Saunders AM
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27 March 2019

Dear Janet,

Thank you for your letter of the 21 March 2019 regarding the Petitions Committee's deliberations on the 'Ban the Use of Hostile Architecture' petition (P-05-864).

In your letter you asked me to consider 3 specific points which I shall address in turn.

On the merits and practicality of the petition's call for a ban or moratorium on the use of hostile architecture in Wales, the issues that homeless people have to face everyday should not be compounded by the design of new development. Those involved in designing public spaces should not actively seek to prevent homeless people finding rest or a place of safety. However, the practicalities of implementing a ban on the use of such architectural features are challenging.

Local Authorities have extensive permitted development rights to install most street furniture. To remove this right would mean that every lamppost, bench and street sign would need planning permission. This would significantly add to the cost and time of implementing new schemes at a time when local authority budgets are constrained and planning authorities are under pressure to determine planning applications quickly. This is not a practical solution when, in most cases, the chosen approach may be acceptable anyway and would be permitted.

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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.

On the request for a Technical Advice Note (TAN) on hostile architecture, this is a very detailed issue to write a specific advice note on. Our existing guidance, 'Manual for Streets', advises that street furniture of this nature should be integrated into the overall appearance of a street. We are currently working with stakeholders to prepare advice and guidance to the built environment profession on implementing the placemaking agenda introduced by the new version of Planning Policy Wales. I will consider if appropriate reference to the use of hostile architecture can be integrated into this work.

Finally, putting planning controls in place in order to provide closer oversight of the retrospective installation of hostile architecture would be very difficult. Most retrospective changes to street furniture or public spaces would not require planning permission and so it would be very difficult to have an oversight of them.

I believe that the best way to deal with this issue is to advise local authorities and developers, through guidance or advice on this matter, so that our public places are accessible and welcoming to everyone.

Yours sincerely,



Julie James AC/AM

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

Agenda Item 3.14

P-05-754 Lack of support for children with disabilities at crisis (there is a crisis team but do not support children with disabilities)

This petition was submitted by Rebecca Weale and was first considered in June 2017, having collected 200 signatures.

Text of the Petition

I am trying to highlight the need for the Cwm Taf children's crisis team to recognise there is a vital need for children with disabilities to be supported through crisis and have the right to be treated as any other child would.

I am a mother of four children, my middle son Tom has numerous needs, severe learning difficulties, autism, a mood disorder as well as other additional health issues. Tom hits a crisis point every now and again. Which involves increase in aggression, shouting louder than usual, hurting himself as well as others, as well as many other changes in behaviour. Tom has extremely limited communication skills and is unable to tell us what is wrong or what we can do to help. We have been at crisis point with Tom who is now 15yrs old and on high doses of medications, many times over the years and it's astonishing how things have not progressed with regards to support for children with disabilities while at crisis. Tom is currently at a crisis point and has been for some time. We as a family have had very little if any support to help him through this difficult period. I have been made aware there is a children's crisis team however they do not support children with disabilities! Surely a child at crisis no matter if they have disabilities or not, is still a child at crisis. In fact I may be wrong but in some cases may need more crisis support. I can not believe at this day in age this divide is still acceptable. I am trying to highlight the need for the Cwm Taf children's crisis team to recognise there is a vital need for children with disabilities to be supported through crisis and have the right to be treated as any other child would.

Assembly Constituency and Region

- Merthyr Tydfil and Rhymney
- South Wales East

P-05-754 Lack of support for children with disabilities at crisis (the is a crisis team but do not support children with disabilities), Correspondence – Petitioner to committee, 01.05.19

With regards to any changes being made to the children's LD and mental health services, well let just say there hasn't been any proactive changes or progress since the start of the petition. There has been a lot of talking, meetings, and promises, however no actual active changes. The crisis team has remained the same, there are still no beds available within Wales. Children and families are still struggling, with little support.

The CAHMS services are limited. No extra support or funding has been provided. I have to admit I am extremely deflated by the lack of progress. As I have stated before I understand the lack of funding, however this has been highlighted and discussed through the petition for just over two financial years.

The venerable children within our area are being let down by our very own system. We should be protecting and supporting these children and families as much as possible. The talking, meetings and promises are all well and good, but money is being spent paying for meeting after meeting, paying each professional to attend to talk about this situation, yet nothing is being achieved and funding is being wasted on 'just talk'.

Kind regards,

Rebecca Weale

Agenda Item 3.15

P-05-842 Give young people a voice when commissioning local services in Wales

This petition was submitted by the Changing Minds Campaign Group, having collected 1,387 signatures online and 2,865 on paper, a total of 4,252 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to acknowledge that the current level of young persons' participation in the commissioning of services does not allow for the inclusion of marginalised groups. We request a review of the policies and guidance in place and a recommendation that new guidelines are mandatory for services commissioned to work with young people.

Every young person in Wales needs to be able to share their voice and experience in a way that is meaningful to them, to shape the services that are available to support them. We are asking for your support to promote changes to achieve this goal. As young people we must be able to share our thoughts and views on the projects that we need in our area.

Currently, only youth councils/ forums are consulted- which is not representative of those who struggle to attend such forums such as those 1 in 5 young adults who have a diagnosable mental health disorder. There needs to be a platform for those young people who may not be able to participate in the current schemes due to their mental health to share their opinions on services and projects that are directly affecting them. We are a group of young people that have been involved in the Changing Minds Project coordinated by Newport Mind, which is due to lose funding in November of this year. Because of this we have been learning about the commissioning process, which has led to this petition being created and to our wider #changeit campaign. Direct inclusion of young people with mental health issues in the commissioning process will allow for greater tailoring of service provisions and improve confidence in the services amongst the targeted demographic.

“Involvement in this project enabled me to really understand the concerns of young people and the issues they face. Without these concerns being raised

and included from the inception of any policy which affects them, any initiative affecting young people will be flawed".

Additional Information

The Children's Rights Approach in Wales by the Children's Commissioner for Wales outlines a framework for embedding children's rights within services working with young people. These are guidelines and thus non-binding. Based on the United Nations Convention for the Rights of the Child (UNCRC) Article 12 outlines the right of children to be involved within policies creation and implementation; particularly those which affect their demographic. The Children's Commissioner for Wales Annual Report for the 2016/2017 year (the Report) specifically highlights the Commissioner's wish to see greater integration of young people within the commissioning process. The current guidelines for youth participation in Wales are, amongst other sources, contained within the Children and Young People's Participation in Wales Good Practice Guide 2016. The seven 'Core Standards' contained within the Guide are excellent starting steps. We feel that the non-mandatory nature of these standards and approaches, although partly met within some authorities in Wales, are insufficient for ensuring accountability for all services working with young people. We seek to ensure that young people from marginalised groups have a voice in the decision making processes as well as ensuring that service provision for young people all over Wales are of a similarly excellent standard. Our petition is in line with Recommendation 10 of the Mind over Matter report that highlights the current levels of provision of mental health services for young people, and compliments the work by the Together for Children and Young People Programme. Without change to the current guidelines, young people across Wales will continue to be marginalised. Specifically, those with mental health issues or additional needs who may not be able to take part in the current - and limited - youth participation initiatives will continue to find it difficult to voice their opinions.

Assembly Constituency and Region

- Newport West
- South Wales East



Ein cyf/Our ref VG/05723/19

Janet Finch-Saunders AM
Chair - Petitions Committee
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22 March 2019

Dear Janet,

David Rowlands AM, the previous Chair of the Petitions Committee wrote to me on 1 March regarding Petition P-05-842 – Give young people a voice when commissioning local services in Wales.

I note the evidence that has been received from the Children's Commissioner for Wales and her proposal that new duties should be placed on public bodies to follow the requirements of the UNCRC when making decisions and commissioning services.

As the Committee will be aware, there have been numerous calls in recent years for the Welsh Government to undertake legislative action to strengthen and advance equality and human rights in Wales, particularly in the context of the UK's impending exit from the EU. This includes a call for further incorporation of the UN Convention on the Rights of the Child. In response, Ministers have asked officials to scope options to achieve such strengthening, including potentially embedding further UN treaties in Welsh law, as well as stronger regulation, guidance and monitoring. The work will take account of a new commitment by the Welsh Government to commence the socio-economic duty in part one of the Equality Act 2010.

The aim of this would be to consider how such actions would interact with the existing framework provided by the Wellbeing of Future Generations (Wales) Act 2014. It will also look at whether further integration will improve effectiveness with regard to promoting equality.

The initial phase is linked to the Gender Equality Review and will clarify the conceptual framework for equality as understood within the public sector general and specific duties.

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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.


It is intended that Welsh Government will consult on any legislative models to emerge from the research, including with those public bodies which may be affected by proposed new duties. The Welsh Commissioners along with stakeholder representatives will be involved in the consultation process in connection with any identified options which are pursued.

A working group, consisting of key stakeholders, including officials from the Welsh Commissioners' offices, academics and Welsh Government officials is being set up. I will provide the Committee with more details when they are available.

As requested, I will write to public bodies to reminding them that they are expected to follow existing guidance in relation to participation of children in decisions that might affect them.

I hope this information is helpful.

Yours sincerely,

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

Vaughan Gething AC/AM

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Janet Finch-Saunders AM
Chair – Petitions Committee
National Assembly for Wales
Cardiff Bay
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Dear Ms. Saunders,

We are writing in response to Mr Gething’s letter to the Petitions Committee dated 22 March 2019.

Firstly, we’d like to thank Mr Gething for his response, and would like to note the excellent initiatives and legislation that Mr Gething has mentioned, including the Gender Equality Review. We believe that this is an important issue that must be addressed.

Regrettably, Mr Gething seems to have not acknowledged the main purpose of the petition, which was to recommend a mandatory consultation process with young people when commissioning services that affect them.

Additionally, Mr Gething refers to Part 1 of the Equality Act 2010. While undoubtedly well-meaning legislation, the socio-economic duty in Part 1 is of little relevance to the outcomes of this Petition. Section 1(1) of Part 1 states:

“An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.”

Our Petition does not relate to socio-economic disadvantage. Whilst poverty is a proven contributor to poor mental health, our Petition looks at the broader scope of mental health rather on its specific facets or contributors.

We do note the importance of the UN Convention on the Rights of the Child (UNCRC), however this is considered merely in order to “scope options.” This is alongside “potentially” looking at further treaty integration and stronger “regulation, guidance and monitoring.” Again, there is no firm commitment here, a point our Petition seeks to address.

Further, there is still no commitment to include young people in the consultation or commissioning process. The only named members of any mentioned working group are officials from the Children’s Commissioner for Wales’s offices, academics and Welsh Government officials. While key components of any working group, one important demographic has been left out – the young people who are personally affected by any initiatives or legislation put in place. In effect, Mr Gething has, in this sentence, demonstrated the reason our Petition was presented in the first place. This is to include young people in the entire lifecycle of services which affect them – from conception, through to consultation and implementation.

Finally, Mr Gething's undertaking to writing to public bodies to remind them to abide by guidance of children's participation is problematic in two respects. The first is that he is only referring to the guidance for children. Our Petition looks at young people up to the age of 25, not just children. Secondly, in our view, only writing a reminder to public bodies is tokenistic. More needs to be done than issuance of a simple reminder.

We would like to thank the Petitions Committee for their work on this issue, and would ask that they continue their analysis and debate of our Petition and the information provided.

Once again if we can provide any further assistance please do not hesitate to ask.

Kind regards,

The #Changeit Campaign Group

Agenda Item 3.16

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.265
Eich cyf/Your ref:
Gofynnwch am/Please ask for: Corporate Information Officer
Rhif Ffôn /Telephone: 01267 239892
Dyddiad/Date: 18 March 2019

Swyddfeydd Corfforaethol, Adeilad Ystwyth
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job
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David J Rowlands AM
Chair of the Petitions Committee
National Assembly for Wales
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Cardiff
CF99 1NA

E-mail to - SeneddPetitions@assembly.wales

Dear David

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

Thank you for your letter of the 7 March 2019 regarding the petition submitted by SOSPPAN.

I note that the Committee request a response in relation to:

- (i) The future status of mental health services in Llanelli and any plans for assessment or in-patient services to be moved or replaced

The Health Board's Health and Care Strategy: *A Healthier Mid and West Wales – Our Future Generations Living Well* (approved at our Public Board in November 2018) 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.

The current model of service provision is not considered sustainable in its current form. In light of this, we previously embarked upon a prolonged period of engagement and consultation with service users, carers and other key stakeholders from the statutory and non-statutory sector, to co-produce a

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

Cadeirydd Dros Dro / Interim Chair
Mrs Judith Hardisty

Prif Weithredwr/Chief Executive
Mr Steve Moore

Pack Page 172
Bwrdd Iechyd Prifysgol Hywel Dda yw enw'r weithredol 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

redesigned service model to meet the needs of the population for the next ten years or more.

People told us that they wanted services to:

- Be accessible by all 24-hours a day: the person who needs help or their supporters need to be able to walk into a mental health centre at any time and establish a safe relationship to discuss their needs and agree immediate support.
- Have no waiting lists: the first contact should take place within 24-hours after the request, with planned meetings to follow that agree the support and treatment available in the context of choice.
- Move away from hospital admission and treatment to hospitality and time out: the mental health centre would provide night hospitality as an instrument to address the crisis during periods when there is higher need for care and/or to support the needs of the family. Intermediate access for those "stepping-down" from the central admission units back to the community would be available to support their transition.

A public consultation on the proposed co-produced mental health service model was held in 2017 and the independently analysed feedback from this consultation fed into a revised co-produced model that was agreed by the Board on 25 January 2018. The model noted there would be:

- The development of 24/7 Community Mental Health Centres (CMHC) in each County;
- A single point of access with which to contact services or to receive advice, making services more accessible; and
- A move to centralise inpatient provision to Carmarthenshire through a:
 - Central Assessment Unit that has 14 assessment beds and a dedicated Section 136 of the Mental Health Act 1983 facility (where a person is taken to a place of safety) comprising two additional beds. This allows for a greater provision of senior clinical staff, available through extended hours and at weekends.
 - Central Treatment Unit with 15 treatment and recovery beds. This will be able to provide a greater presence of senior staff available through extended hours. It will also include people with a lived experience of mental health problems through the provision of peer mentors and family support workers as a core part of the service.

The Health Board has also recently commissioned Mind and Hafal, prominent national mental health charities, to work collaboratively with the Health Board to develop a mental health drop-in service within Llanelli town centre. The service is anticipated to open by the end of May 2019 and will be based at the current Llanelli Mind centre. The service will be open from 6pm-2am, Thursday – Friday initially, and will provide:

- Drop-in access for people experiencing any kind of mental health problem
- Support and advice in relation to mental health and related social problems
- Access to therapeutic interventions where needed

- A close link to statutory mental health services.

As part of this initiative, we will also be providing a transport service, based at the drop-in centre, to assist with any travel difficulties.

There will also be alignment of existing *Transforming Mental Health* plans with the development of our plans for the community model, considering every opportunity to co-locate the Community Mental Health centres within the Health and Well-being Centres where appropriate. We would also investigate whether services could be delivered more appropriately via the planned new build urgent and planned care hospital. Our new hospital will act as our main site for our network of hospitals, covering urgent and planned care provision for the whole of the Hywel Dda area. As part of the development of the new hospital, we will consider the co-location of the mental health assessment and treatment units on the new site.

- (ii) Current and future arrangements for patients to access services in Swansea Bay University Health Board, in particular A&E and antenatal facilities

Hywel Dda residents will continue to access services, where appropriate, provided by Swansea Bay University Health Board. Following the approval of Hywel Dda University Health Board's Health and Care Strategy in November 2018, and the refresh of Swansea Bay University Health Board's Clinical Services Plan, there is further opportunity to maximise regional working across both Health Boards (via initiatives such as 'A Regional Collaboration for Health' – ARCH).

The aim being that the entire population of South West Wales can receive the best possible care irrespective of address. We would expect this to include access to A&E, antenatal and other services provided in Swansea.

- (iii) The services which will be available in community hubs being developed under the current health care strategy

I would direct the Committee to our previous correspondence (in reply to your letter of 29 November 2018) and reiterate that 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, the Health Board has approved a framework for continuous engagement to guide our on-going work with the communities, staff and stakeholders moving forward, and we will confirm our detailed plans in the coming months. SOSPPAN's engagement would be welcomed moving forward in the further design and development of health and care provision across Carmarthenshire, and the wider Health Board area.

Indicative services noted within the strategy to be within the Health and Well-being Centres include:

- Tests, such as x-rays, scans and blood tests
- Outpatient appointments and clinics
- Pre and Post-Operative Care
- Advice and treatment for minor injuries and illness
- Holistic support for the frail and elderly, and people with complex needs
- Support for people with mental health issues and learning disabilities
- Care for people with long term conditions
- Overnight beds
- Assisted living facilities
- Healthy living advice and support

(iv) The claims that some Health Board staff were told how to respond to the *Our Big NHS Change* consultation by managers, and that some managers were seeking to see copies of consultation responses made by staff prior to their submission

I can assure you that it has never been policy that Health Board staff were told how to respond to *Our Big NHS Change*. Similarly, the Health Board has never sought to influence any members of staff personal views regarding the consultation.

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

Yours sincerely



JOE TEAPE
DEPUTY CHIEF EXECUTIVE

 **Steve Moore**
Chief Executive



Mr David J Rowlands AC/AM
Chair of the Petitions Committee
National Assembly for Wales

By email: SeneddPetitions@Assembly.Wales

Dear Mr Rowlands,

Thank you for your letter dated 7th March.

With regard to the themes that you asked us to consider and comment upon, please see our responses below, and note that we have attached a copy of our commentary document that was submitted to the Health Board (and published by us) prior to their decision-making on a Clinical Strategy towards the end of 2018.

In essence, we note that the outcome of Health Board's public consultation showed a mismatch of expectation. Whilst many of the public who feared cuts to their services wanted more detail and a clear picture of how the NHS could be better in the future, the Health Board was looking to understand how the public viewed the principles within proposals, with detail to be worked out in coming years.

The answer to addressing this mismatch will be continuous engagement with the public to help shape implementation, something that we have made very clear in our expectations and that the Health Board has agreed to. Further, it is possible that there will also be a need for further consultation on specific issues or change proposals, as required.

In terms of the more specific queries detailed in your letter:

"Current and future arrangements for patients to access services in Swansea Bay University Health Board, in particular A&E and Antenatal facilities"

This is a long-standing issue of concern for some residents on the eastern fringes of Hywel Dda. Historically patients in this area were able to routinely access services in Swansea and consequently the travel distance/time was relatively small. Following on from this, a number of patients would still prefer to access services in Swansea Bay as this may be more convenient for them.

Hywel Dda CHC's understanding is that Hywel Dda patients who present at A&E at Morriston will be seen and treated. Most other services for Hywel Dda residents are to be accessed within the Hywel Dda area. There may be occasions when there is cross border referral and treatment and this is usually for a specific reasons, for example patients accessing specialist services not available within Hywel Dda.

The CHC appreciates that most healthcare systems have borders and catchment areas to help manage population demand even if some people understandably feel these boundaries are arbitrary. We also understand that people would like to access certain services in certain areas and as a patient representative body we would support the principle of giving choice to as many people as possible.

During Hywel Dda's Transforming Clinical Services public consultation, it was clear that the topic of cross-border patient flow with Swansea Bay Health Board had been identified as different scenarios were being modelled.

The CHC was not party to any discussions between the two Health Boards and we believe this is an issue that will be looked at more closely in coming months or years in the implementation phases and that more detail will emerge.

As stated earlier, it is our expectation that the Health Board must talk to the public around any changes to the way services are accessed.

“The services which will be available in community hubs being developed under the current health care strategy”

In a consultation that promoted the development of care closer to home, much discussion focused on what “community hubs” could deliver. As a CHC, we noted that many people welcomed the opportunity to use NHS services in centres away from traditional hospital settings, particularly if they reduced travel, delivered safe, high quality care and embodied a patient-centred, holistic approach.

It is not yet clear which services could be provided in community hubs or what variations there might be in service provision across different hubs. The Health Board has some way to go in terms of developing the necessary infrastructure including (crucially) the issue of staffing before it can give the public more detail on this.

As a CHC, we have said that the public will need to develop confidence in using NHS services differently from the ways that they have accessed care and various services in the past. This will be achieved through effective continuous engagement and informed by examples that show the model can work. The public will also be influenced by the way that any new model responds to the things that matter most to them when accessing their NHS care and when they can tangibly see the overall benefits of these different ways of working.

This needs to be underpinned by a staff strategy and evolving picture of community care that ensures a suitable and safe platform before services are removed from hospital settings.

"The claims that some Health Board staff were told how to respond to the "Our Big NHS Change" consultation by managers and that some managers were seeking to see copies of consultation responses made by staff prior to their submission."

As a patient representative body, Hywel Dda CHC focused on what the public were saying about the consultation and the process itself. We also have to bear in mind that members of the public who shared their views with us would not necessarily have identified themselves as Health Board employees. It is therefore not possible for us to identify whether comments we received from the public were influenced by their employment situations.

We would have also listened to staff concerns as they arose in a general sense, bearing in mind that Trades Unions were in place to represent professional concerns and to respond to the consultation.

Understanding staff views can be problematic for CHCs as they can highlight crucially important issues that might affect patients and that we need to consider, but they can also represent a more complex mix of patient support and professional self-interest that can be hard to disentangle. However, if we had heard that staff were being pressured by managers to respond in a certain way we would have been very concerned and responded to this.

No Health Board staff approached the CHC with worries about management "railroading" with regard to consultation responses and whilst there was clearly mixed views amongst staff we did not see any views being suppressed.

I trust this addresses the issues raised in your letter and if you feel that further elaboration is needed, please do not hesitate to make contact with me again.

Yours sincerely

A handwritten signature in cursive script that reads "Donna Coleman".

Donna Coleman
Chief Officer

**P-05-846 Save our Hospital at Prince Philip Llanelli, Correspondence –
Petitioner to Committee, 30.04.19**

Here is our response. We have listed questions we would like asked

Questions for Health Board Debate

1. It is essential that the current local services run at Prince Philip Hospital Llanelli are retained and that local Mental Health Services are improved and kept in Llanelli
2. The Front of House at PPH needs to be fully manned at all times especially at weekends when it is often the case that there are only limited GP services in house due to staff shortages.
3. Easy and inexpensive access to services including better transport to and from the Hospital 24 hours per day (especially for discharged patients brought in by ambulance – the removal of patients being forced to pay for Taxis to get home)
4. It is essential that a better Service Level Agreement is forged between Hywel Dda and Llanelli regarding the use of A & E Services as Morriston Hospital is far closer than the proposed new Hospital and even Glangwilli, Carmarthen for the vast majority of people in the Llanelli and Ammanford catchment areas (some 75,000 people). It would seem logical that there is a reciprocal arrangement (from point 4) for ABMU to be able to access services at PPH Llanelli.
5. The GP surgeries are creaking at the edges and many have already failed and passed into oblivion. The Welsh NHS needs to take over and create new “hub” surgeries employing all the staff including GPs, Emergency Nurse Practitioners, Nurses, Midwives and administration staff. This would have the benefits of making sure we had enough GPs and also creating a seamless flow to Secondary Care.
6. It is only by creating the Electronic Patient Record available to Primary, Secondary and Tertiary Care services that the major savings and through changes to working practices and the adoption of technology can truly be made. This needs to be a priority and completed in a speedy time scale, it has already taken many years and still has not been delivered even though major investment has been made.
7. Easier and more prompt access to GPs including Weekend and Evening Access to GPs.
8. Create more local training facilities for Doctors and Nurses in Wales with Bursaries to be either paid back in cash or paid back by contractual working in Welsh Hospitals.
9. Removal of “Bank Nursing” and “Outside Consultancy” by paying the current staff better.

10. Encourage a more open working environment in the service to encourage staff empowerment, to reduce undue pressures being brought on junior staff to conform to others ideals and allow for open discussions for the future.

SOSPPAN have asked if we can have a voice on the health board to represent local residents, to date we have requested every meeting and although we have dialog with them its driven by SOSPPAN

All the above are political decisions and the Welsh Government has the power to implement these changes

Thanks

John Prosser

SOSPPAN

Agenda Item 3.17

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

**P-05-859 Provide Child Houses in Wales for victims of child sexual abuse:
Correspondence – Petitioner to Chair, 08.04.19**

In response to the Children's Commissioner Comments that we should wait for the results, I would like to ask the question, what happens in the meantime to children being sexually abused, whilst we wait?

If counties have appeared to have successfully adapted the model without compromise, and the successes have been evidential already, I am unsure as to what we are waiting for.

Training can be provided immediately. I actually provide training as a professional with lived experience as the Founder of my organisation She Can Consultancy, I am also surprised of the reluctance to outsource training and education from independent organisations like mine, whom can provide a deeper insight into the lived experience.

Unfortunately, legislations are not taking into account Child Sexual Abuse as a single category. There is much needed focus on Domestic Violence, with refuges in place, bills and consistent campaigning taking place. Child Sexual Exploitation again with much campaigning and work being undertaken, however I fail to see the same prioritising taking place for Child Sexual Abuse.

Categorising CSA and CSE together is inappropriate. They both have separate motivations behind their heinous actions.

I apologise for my delayed response previously, however I do struggle to see what I am responding too, when the responses are agreeing that the Baranhuas model is successful, that multi-agency working can be implemented, that we need to tighten and sharpened policies on Child Sexual Abuse and that we are not providing basic provisions, and yet we are waiting for some reports...

That is questionable, how long do we wait, whilst this silent crisis, with terrifying statistics and lack of prosecutions continue.

Everything that I have mentioned in the petition and responses are things that are happening in other sexual violence sectors and yet not in this one.

Further, I would like to clarify the comments made during the discussion taking place on 19th March 2019, that this is not a gender specific petition, there is no need to be mentioned gender during this petition discussion, because this is CHILD SPECIFIC. I found the comments made about mentioning of men/boys to be inappropriate and again another deflection of dealing with the issue at hand.

This is about both genders, this is about children being sexually abused.

I would also like to further mention, that I do feel the discussions are circling and deflecting from the fact that there are major concerns with policies, actions and prioritising, forwarding lists of legislations are appreciated, however for myself personally I am an activist on practical and grassroots movements of saving children and working with adult victims of sexual violence.

Yours sincerely

Mayameen Meftahi

Agenda Item 3.18

P-05-865 Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals

This petition was submitted by Louise Davies having collected 1,109 signatures.

Text of Petition

More people of all ages are making the decision to live vegan, with the number in the UK doubling twice in the last 4 years. More people are also choosing plant-based food for health, environmental and ethical reasons.

Vegans have the same legal protections as people with religious beliefs, because our moral conviction that it is wrong to use and kill non-human animals unnecessarily is protected under law. Service providers have an obligation to provide for vegans and to avoid any discrimination on the grounds of veganism. Sadly, despite this, provision for vegans in the public sector is often lacking, with hospital patients, prisoners and school children often going hungry. The Welsh Government is responsible for ensuring that the Welsh public sector provides for vegans and the proposed legislation would assist in fulfilling that obligation.

Plant-based food can be enjoyed by everyone. The British Dietetic Association recognises that well-planned totally plant-based diets are suitable for every age and life stage. A substantial body of research has linked plant-based diets with lower blood pressure, lower cholesterol, lower rates of heart disease, type 2 diabetes and some types of cancer.

Plant-based diets are better for the environment and can reduce our food related carbon emissions by up to 50%. The UN has urged a global move towards a meat and dairy free diet for the benefit of our planet, and Wales has the opportunity to lead the way.

We would like to see all Welsh public sector institutions providing at least one plant-based food option on every daily menu to ensure vegans' rights are met and to maximise the ethical, environmental and health benefits of vegan diets.

Additional Information

Veganism is defined as a way of living which seeks to exclude, as far as is possible and practicable, all forms of exploitation of, and cruelty to, animals for food, clothing or any other purpose.

The Vegan Society's 'Catering For Everyone' campaign has been encouraging public sector institutions (schools, hospitals, councils and prisons), to increase their plant-based options.

The campaign has been well received with many public sector institutions recognising that improvements can be made and agreeing to increase their provision for vegans.

An English county council, universities in Manchester and London, and a Welsh health board are among the many public sector institutions making positive changes to their menus due to this campaign.

Both the British Dietetic Association and the American Academy of Nutrition and Dietetics recognise that totally plant-based diets are suitable for every age and life stage.

To get the most out of a plant-based diet, it should include plenty of whole grains, fruit, nuts, seeds and vegetables, which are packed full of beneficial fibre, vitamins and minerals.

It's easy to produce tasty options that include these foods, which are rich in fibre and low in saturated fat. The Vegan Society have lots of resources and recipes on their website, which can help organisations ensure they are offering healthy, balanced and tasty plant-based food.

<https://www.vegansociety.com/resources/nutrition-and-health>

Portugal have introduced legislation compelling all public sector canteens to provide a strict vegetarian (vegan) option on their daily menus. This followed a campaign and petition promoted by the Portuguese Vegetarian Society, see: <https://www.vegansociety.com/whats-new/news/new-law-makes-vegan-option-compulsory-portuguese-public-canteens-%E2%80%93-britain-next>

Assembly Constituency and Region

- Brecon and Radnorshire
- Mid and West Wales

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

Vaughan Gething AC/AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-865
Ein cyf/Our ref KW/05655/19

Janet Finch-Saunders AM
Chair - Petitions committee
National Assembly for Wales
Ty Hywel
Cardiff
CF99 1NA

Government.Committee.Business@gov.wales

4 April 2019

Dear Janet,

Thank you for your letter regarding Petition P-05-865: Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals. As this is a matter which cuts across both the education and health and social services portfolios, this is a joint response.

The *Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013*¹ ("the Regulations") came into force on 2 September 2013 and apply throughout Wales. The Regulations are accompanied by statutory guidance² which carries legal weight.

The purpose of the Regulations is to ensure that children in Welsh schools are offered nutritionally balanced meals. Although the Regulations cater for the majority, who eat an omnivorous diet, vegetarian and vegan children are not excluded.

The statutory guidance makes it clear that for vegan pupils schools should ensure that soya, oat or rice drinks are provided as an alternative to milk (although rice milk is not recommended for pupils under five years old). Furthermore, milk alternatives made from oats or nuts may be requested for children and brought in by parents or carers, although these should be unsweetened and fortified with calcium.

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

Bae Caerdydd • Cardiff Bay
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CF99 1NA

Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@gov.wales

Rydym yn croesawu cael gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth 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 statutory guidance states that local authorities must have clear and justifiable reasons for departing from it by not providing alternative options for vegans. The circumstances of each case would need to justify a good enough reason for the local authority to depart from the statutory guidance.

The regulations have now been in place for more than 5 years and the Welsh Government has already made a commitment to update them. We will be considering the latest research and information concerning nutritional standards when undertaking this task. In the meantime we will continue to work with Health officials in Welsh Government, the WLGA, local authorities and school catering managers to ensure food and drink provided in our schools continues to make an important healthy contribution to the diet of our children and young people.

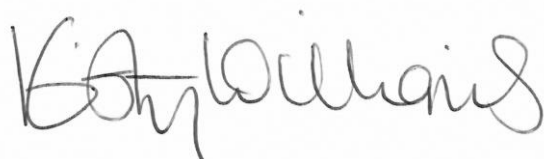
With reference to NHS Wales hospitals, the all-Wales Nutrition and Catering Standards (2011) specify the nutrient content needed to provide for the diverse needs of the hospital population. To support the implementation of these standards, caterers and dieticians across Wales worked together to produce the All Wales Hospital Menu Framework, which was launched at the end of January 2013. The framework consists of a database of 150 standardised, nutritionally assessed recipes and sample menus. The supporting Menu Framework website is populated with the ingredients, product specifications and allergen coding to ensure accessible accurate information. The menus include vegetarian and vegan foods.

A scoping exercise is currently being undertaken to identify the areas of the All Wales Nutrition and catering Standards for hospital inpatients that need to be updated.

With regards to care home services (including both nursing homes and children's homes), *the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 ("the 2017 Regulations")*, place requirements on service providers and responsible individuals of these services including requirements which relate to an individual's dietary preference. These requirements apply to all services, regardless of whether they are operated by the public, voluntary or independent sectors. Specifically, the 2017 Regulations emphasise the need for staff to listen to what matters to individuals and to plan their care in a way which takes into account their views, wishes and feelings. This would include consideration of an individual's dietary preferences.

We hope this information is helpful.

Yours sincerely,



Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Vaughan Gething AC/AM
Y Gweinidog Iechyd a Gwasanaethau
Cymdeithasol
Minister for Health and Social Services

1. www.legislation.gov.uk/wsi/2013/1984/contents/made

2: <https://learning.gov.wales/docs/learningwales/publications/160226-healthy-eating-maintained-schools-en-v2.pdf>

P-05-865 Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals, Correspondence – Petitioner to Chair, 29.04.19

Response to Kirsty Williams AC/AM & Vaughan Gething AC/AM letter dated 4 April, for consideration by Welsh Petition Committee at meeting 7 May 2019

We note the content of the joint letter from the Minister for Education and Minister for Health and Social Services, which outlines the regulations in schools and hospitals concerning the provision of food, especially the statements that 'vegan children are not excluded' and 'the menus include vegan foods' respectively.

It appears that the Ministers have fundamentally misunderstood what our e-petition 'Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals' is requesting.

Our petition is calling for a plant-based option to be guaranteed on every standard public sector menu. In practice this would mean that there would be a plant-based option on every standard menu in all public sector schools, hospitals, prisons, councils, care homes and any other state or local authority run institution in Wales, every day. This would be available to everyone, without anyone having to make a special request. This differs from the current situation as outlined in the Ministers' response where vegans, in theory, can be catered for by special request.

We feel that this change in legislation is necessary for the following reasons:

- **Vegan Rights** - Despite the Ministers' reassurances that vegans are catered for by state/local authority institutions, in practice this is often not the case. Vegans are often told they cannot be provided for or are offered very limited, options such as dry toast, an apple or a packet of crisps, which do not constitute a nutritious meal. Vegans are legally protected under Human Rights and Equality legislation in the UK, so offering a plant-based meal as standard on all public sector menus is an easy way to ensure that the ever-growing number of Welsh vegans are catered for and not discriminated against.
- **Sustainable** – Plant-based diets have a whole host of environmental benefits over standard diets, including up to 50% less associated greenhouse gas emissions, 75% less land and 50% less water required. Last year researchers at the University of Oxford concluded that eating a plant-based diet could be 'the single biggest way' to reduce an individual's environmental impact on the planet. Increasing access to plant-based food via the public sector will lead to more environmentally-friendly long-term dietary choices.

- Public Health - Research has linked plant-based diets with lower blood pressure and cholesterol, as well as lower rates of heart disease, type 2 diabetes and some types of cancer. Building familiarity with plant-based food in public sector settings could help address some of the many diet-related public health crises affecting the UK and putting strain on the NHS.
- Inclusive - Plant-based food is inclusive and can be enjoyed by almost everyone, including vegans, vegetarians, and those looking to reduce their animal product consumption for health or environmental reasons. It is also straightforward to make vegan dishes suitable for people with religious dietary requirements, including people who follow the Islamic, Jewish, Sikh or Hindu faiths.

These 4 reasons underpin why we believe this change, above the existing regulations, to be necessary. Wales has the opportunity to lead the way in the UK, in terms of protecting its ever-growing vegan population, and taking meaningful action to address climate change and diet-related public health crises. We believe that these issues are of the utmost importance and so the public sector should be leading by example and taking appropriate action now.